

CLERK OF THE COURT

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Tracie K. Lindeman
Clerk of Supreme Court

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11 **DISTRICT COURT**
12 **CLARK COUNTY, NEVADA**

13 **YACOV JACK HEFETZ, an individual,**
14
15 **Plaintiff,**

16 **vs.**

17 **CHRISTOPHER BEAVOR, an individual;**
18 **SAMANTHA BEAVOR, an individual; DOES I**
19 **through X; and ROE ENTITIES I through X,**
20 **inclusive,**
21 **Defendants.**

Case No.: A-11-645353-C
Dept. No.: XXVIII

NOTICE OF APPEAL

22 Notice is hereby given that Plaintiff YACOV JACK HEFETZ, by and through his
23 counsel, H. Stan Johnson, Esq., Chris Davis, Esq. and Michael V. Hughes, Esq., of the law firm
24 of Cohen|Johnson|Parker|Edwards, hereby appeals to the Supreme Court of Nevada from the
25 following: "Order: (1) Granting Defendant's Motion to Dismiss Pursuant to NRS 40.435; and (2)
26 Vacating as Moot Defendant's Motion for Leave to Reopen Dispositive Motion Deadline" filed
27
28

on June 17, 2015; and “Order Granting Defendant Christopher Beavor’s Motion for Attorneys’ Fees and Costs” filed September 1, 2015

Dated this 29th of April 2016,

COHEN|JOHNSON|PARKER|EDWARDS

/s/ Chris Davis

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PROOF OF SERVICE

CASE NAME: *Hefetz v. Beavor*
Court: District Court, Clark County, Nevada
Case No.: A-11-645353-C

On the date last written below, following document(s) was served as follows:

NOTICE OF APPEAL

_____ by placing an original or true copy thereof in a sealed envelope, with sufficient postage affixed thereto, in the United States Mail, Las Vegas, Nevada and addressed to:

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

_____ by electronic email addressed to :

_____ by personal or hand/delivery addressed to:

_____ By facsimile (fax) addresses to:

_____ by Federal Express/UPS or other overnight delivery addressed to:

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Attorney for Defendant Christopher Beavor

DATED the 29th day of April, 2016.

 /s/ Sarah Gondek
An employee of
COHEN|JOHNSON|PARKER|EDWARDS

DEPARTMENT 28
CASE SUMMARY
CASE NO. A-11-645353-C

Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

§
§
§
§
§
§
§

Location: **Department 28**
Judicial Officer: **Israel, Ronald J.**
Filed on: **07/21/2011**
Cross-Reference Case Number: **A645353**
Supreme Court No.: **68438**
68843

CASE INFORMATION

Statistical Closures

06/10/2015 Motion to Dismiss (By Defendant)
03/04/2013 Jury Trial

Case Type: **Breach of Contract**
Subtype: **Guarantee**

Case Flags: **Appealed to Supreme Court**
Jury Demand Filed
Arbitration Exemption Granted

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number A-11-645353-C
Court Department 28
Date Assigned 07/21/2011
Judicial Officer Israel, Ronald J.

PARTY INFORMATION

Plaintiff	Cohen, Alis Removed: 06/26/2012 Dismissed	Iglody, Lee I. <i>Retained</i> 702-800-5482(W)
	Hefetz, Yacov Jack	Johnson, Harold Stanley <i>Retained</i> 702-823-3500(W)
Defendant	Beavor, Christopher	Schwarz, Joel Z. <i>Retained</i> 702-382-4002(W)
	Beavor, Samantha Removed: 06/10/2015 Dismissed	
Counter Claimant	Beavor, Christopher Removed: 04/21/2016 Dismissed	
	Beavor, Samantha Removed: 04/21/2016 Dismissed	
Counter Defendant	Cohen, Alis Removed: 10/21/2011 Data Entry Error	Iglody, Lee I. <i>Retained</i> 702-800-5482(W)
	Hefetz, Yacov Jack Removed: 04/21/2016 Dismissed	

DATE

EVENTS & ORDERS OF THE COURT

INDEX














07/21/2011














Document Filed
Filed by: Plaintiff Hefetz, Yacov Jack

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Verified Complaint

07/21/2011	Case Opened
07/22/2011	 Initial Appearance Fee Disclosure Filed By: Plaintiff Hefetz, Yacov Jack <i>Initial Appearance Fee Disclosure</i>
09/21/2011	 Affidavit of Service Filed By: Plaintiff Hefetz, Yacov Jack <i>Affidavit of Service of Christopher Beavor</i>
09/27/2011	 Affidavit of Service Filed By: Plaintiff Hefetz, Yacov Jack <i>Affidavit of Service of Samantha Beavor</i>
10/21/2011	 Initial Appearance Fee Disclosure Filed By: Defendant Beavor, Christopher <i>Initial Appearance Fee Disclosure</i>
10/21/2011	 Answer and Counterclaim Filed By: Defendant Beavor, Christopher <i>Defendants' Answer to Complaint and Counterclaim</i>
11/01/2011	 Reply to Counterclaim Filed by: Counter Defendant Cohen, Alis <i>Reply to Counterclaim</i>
11/28/2011	 Demand for Jury Trial Filed By: Defendant Beavor, Christopher <i>Demand for Jury Trial</i>
12/12/2011	 Joint Case Conference Report Filed By: Plaintiff Hefetz, Yacov Jack <i>Joint Case Conference Report</i>
12/16/2011	 Commissioners Decision on Request for Exemption - Granted Party: Plaintiff Hefetz, Yacov Jack <i>Commissioner's Decision On Request For Exemption - Granted</i>
12/28/2011	 Scheduling Order <i>Scheduling Order</i>
12/30/2011	 Order Setting Civil Jury Trial Filed By: Plaintiff Hefetz, Yacov Jack <i>Order Setting Civil Jury Trial</i>
02/21/2012	 Motion for Leave to File Party: Defendant Beavor, Christopher <i>Defendants' / Counterclaimants' Motion for Leave to Amend Counterclaim</i>
02/22/2012	 Certificate of Service Filed by: Defendant Beavor, Christopher <i>Certificate of Service</i>

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02/27/2012	 Notice of Change of Address Filed By: Plaintiff Hefetz, Yacov Jack <i>Notice of Change of Address</i>
03/01/2012	 Arbitration File <i>Arbitration File</i>
03/27/2012	 Motion to Amend (3:00 AM) (Judicial Officer: Israel, Ronald J.) Events: 02/21/2012 Motion for Leave to File <i>Defendants' / Counterclaimants' Motion for Leave to Amend Counterclaim</i>
04/09/2012	 Counterclaim Filed By: Counter Claimant Beavor, Christopher <i>First Amended Counterclaim</i>
04/23/2012	 Reply to Counterclaim Filed by: Plaintiff Hefetz, Yacov Jack <i>Reply to First Amended Counterclaim</i>
05/16/2012	 Affidavit of Service Filed By: Plaintiff Hefetz, Yacov Jack <i>Affidavit of Service - Gary Frey</i>
05/29/2012	 Stipulation and Order to Extend Discovery Deadlines Filed By: Plaintiff Hefetz, Yacov Jack <i>Stipulation and Order to Extend Discovery Deadlines</i>
06/06/2012	CANCELED Status Check (9:15 AM) (Judicial Officer: Israel, Ronald J.) <i>Vacated - per Stipulation and Order</i> <i>S&O To Extend Discovery rec'd in Dept. 5/24/12./sj</i>
06/08/2012	 Order Setting Civil Jury Trial <i>Order Re-Setting Civil Jury Trial</i>
06/26/2012	 Stipulation and Order for Dismissal Filed by: Plaintiff Hefetz, Yacov Jack <i>Stipulation and Order</i>
06/26/2012	Order of Dismissal (Judicial Officer: Israel, Ronald J.) Debtors: Christopher Beavor (Defendant), Samantha Beavor (Defendant) Creditors: Alis Cohen (Plaintiff) Judgment: 06/26/2012, Docketed: 07/05/2012
06/29/2012	 Notice of Entry Filed By: Plaintiff Hefetz, Yacov Jack <i>Notice of Entry</i>
07/03/2012	 Notice of Entry of Order Filed By: Plaintiff Hefetz, Yacov Jack <i>Notice of Entry of Order</i>
08/13/2012	CANCELED Pre Trial Conference (9:30 AM) (Judicial Officer: Israel, Ronald J.) <i>Vacated - per Stipulation and Order</i> <i>S&O To Extend Discovery rec'd in Dept. 5/24/12./sj</i>

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08/15/2012	 Order Setting Settlement Conference Filed By: Plaintiff Hefetz, Yacov Jack <i>Order Setting Settlement Conference</i>
08/15/2012	 Status Check (9:45 AM) (Judicial Officer: Israel, Ronald J.)
08/27/2012	CANCELED Calendar Call (9:30 AM) (Judicial Officer: Gates, Lee A.) <i>Vacated - per Stipulation and Order</i> <i>S&O To Extend Discovery rec'd in Dept. 5/24/12./sj</i>
09/04/2012	CANCELED Jury Trial (1:30 PM) (Judicial Officer: Israel, Ronald J.) <i>Vacated - per Stipulation and Order</i> <i>S&O To Extend Discovery rec'd in Dept. 5/24/12./sj</i>
09/10/2012	 Status Check: Status of Case (9:00 AM) (Judicial Officer: Israel, Ronald J.)
09/11/2012	 Motion for Partial Summary Judgment Filed By: Plaintiff Hefetz, Yacov Jack <i>Plaintiff's Motion for Partial Summary Judgment</i>
09/21/2012	 Settlement Conference (9:00 AM) (Judicial Officer: Bonaventure, Joseph T.)
10/09/2012	 Opposition to Motion Filed By: Defendant Beavor, Christopher <i>Defendants' / Counterclaimants' Opposition to Motion for Partial Summary Judgment</i>
10/11/2012	 Stipulation and Order Filed by: Defendant Beavor, Christopher <i>Stipulation & Order to Continue Plaintiff's Motion for Partial Summary Judgment</i>
10/12/2012	 Notice of Entry of Stipulation and Order Filed By: Defendant Beavor, Christopher <i>Notice of Entry of Stipulation & Order</i>
10/16/2012	 Reply in Support Filed By: Plaintiff Hefetz, Yacov Jack <i>Plaintiff's Reply in Support of Motion for Partial Summary Judgment</i>
10/19/2012	 Supplemental Filed by: Defendant Beavor, Christopher <i>Supplement to Defendants'/Counterclaimants' Opposition to Plaintiff's Motion for Partial Summary Judgment</i>
10/19/2012	 Response Filed by: Defendant Beavor, Christopher <i>Defendants'/Counterclaimants' Response to Plaintiff's Reply to Opposition to Motion for Partial Summary Judgment</i>
10/22/2012	Pre Trial Conference (9:30 AM) (Judicial Officer: Israel, Ronald J.)
10/22/2012	Motion for Partial Summary Judgment (9:30 AM) (Judicial Officer: Israel, Ronald J.) <i>Plaintiff's Motion for Partial Summary Judgment</i>
10/22/2012	Status Check (9:30 AM) (Judicial Officer: Israel, Ronald J.)

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STATUS CHECK: OUTCOME OF SETTLEMENT CONFERENCE

10/22/2012	 All Pending Motions (9:30 AM) (Judicial Officer: Israel, Ronald J.)
11/01/2012	 Notice of Change of Address Filed By: Plaintiff Hefetz, Yacov Jack <i>Notice of Change of Address</i>
11/05/2012	 Calendar Call (9:30 AM) (Judicial Officer: Israel, Ronald J.)
11/12/2012	 Notice of Entry of Order Filed By: Plaintiff Hefetz, Yacov Jack <i>Notice of Entry of Order</i>
11/13/2012	CANCELED Jury Trial (1:30 PM) (Judicial Officer: Israel, Ronald J.) <i>Vacated - per Judge</i>
11/21/2012	 Order Setting Civil Jury Trial <i>Order Re-Setting Civil Jury Trial</i>
01/15/2013	 Pre Trial Conference (9:30 AM) (Judicial Officer: Israel, Ronald J.)
01/29/2013	 Calendar Call (9:30 AM) (Judicial Officer: Israel, Ronald J.) 01/29/2013, 01/31/2013
02/08/2013	 Pre-trial Memorandum Filed by: Plaintiff Hefetz, Yacov Jack <i>Joint Pretrial Memorandum</i>
02/25/2013	 Brief Filed By: Plaintiff Hefetz, Yacov Jack <i>Plaintiff's EDCR 7.27 Brief</i>
02/25/2013	 Jury Trial (9:30 AM) (Judicial Officer: Israel, Ronald J.) 02/25/2013-03/01/2013
02/25/2013	 Jury List Party: Plaintiff Hefetz, Yacov Jack
02/27/2013	 Transcript of Proceedings <i>Excerpt of Jury Trial - Day 1 Defendant's Opening Statement</i>
03/01/2013	 Jury List Party: Plaintiff Hefetz, Yacov Jack <i>Amended Jury List</i>
03/01/2013	 Verdict Party: Plaintiff Hefetz, Yacov Jack
03/01/2013	 Jury Instructions Party: Plaintiff Hefetz, Yacov Jack <i>Court's Instructions To the Jury</i>

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03/01/2013	 Proposed Jury Instructions Not Used At Trial <i>Plaintiff's Proposed Jury Instructions Not Used At Trial</i>
03/01/2013	Verdict (Judicial Officer: Israel, Ronald J.) Debtors: Yacov Jack Hefetz (Plaintiff) Creditors: Christopher Beavor (Defendant) Judgment: 03/01/2013, Docketed: 03/05/2013
03/04/2013	 Order to Statistically Close Case <i>Civil Order To Statistically Close Case</i>
03/06/2013	 Motion for Judgment Filed By: Plaintiff Hefetz, Yacov Jack <i>Plaintiff Motion for Judgment</i>
03/19/2013	 Substitution of Attorney Filed by: Plaintiff Hefetz, Yacov Jack <i>Substitution of Counsel</i>
03/25/2013	 Withdrawal of Attorney Filed by: Defendant Beavor, Christopher <i>Notice of Withdrawal of Attorney</i>
04/16/2013	 Status Check: Settlement Documents (9:00 AM) (Judicial Officer: Israel, Ronald J.) <i>Status Check: Settlement Documents re: Samantha Beavor</i>
05/15/2013	 Status Check: Settlement Documents (3:00 AM) (Judicial Officer: Israel, Ronald J.) 05/15/2013, 06/13/2013, 07/09/2013, 08/08/2013 <i>STATUS CHECK: SETTLEMENT DOCUMENTS / DISMISSAL OF SAMANTHA BEAVOR/STATUS OF CASE</i>
05/21/2013	 Judgment Filed By: Counter Claimant Beavor, Christopher; Defendant Beavor, Christopher; Defendant Beavor, Samantha; Counter Claimant Beavor, Samantha
05/21/2013	 Notice of Entry of Judgment Filed By: Defendant Beavor, Christopher
05/21/2013	Judgment Upon the Verdict (Judicial Officer: Israel, Ronald J.) Debtors: Yacov Jack Hefetz (Plaintiff) Creditors: Christopher Beavor (Defendant) Judgment: 05/21/2013, Docketed: 05/29/2013
06/07/2013	 Recorders Transcript of Hearing <i>Transcript of Proceedings Jury Trial - Day 3 February 27, 2013</i>
06/07/2013	 Recorders Transcript of Hearing <i>Transcript of Proceedings Jury Trial - Day 5 March 1, 2013</i>
06/07/2013	 Recorders Transcript of Hearing <i>Transcript of Proceedings Jury Trial - Day 2 February 26, 2013</i>
06/10/2013	 Motion for New Trial Filed By: Plaintiff Hefetz, Yacov Jack

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Motion for New Trial or in the Alternative Motion for Judgment Notwithstanding Verdict (JNOV)

06/20/2013



Opposition

Filed By: Defendant Beavor, Christopher

Defendant Christopher Beavor's Opposition to Plaintiff's Motion for New Trial or in the Alternative Motion for Judgment Notwithstanding Verdict (JNOV)

07/02/2013



Reply to Opposition

Filed by: Plaintiff Hefetz, Yacov Jack

Reply to Defendant Christopher Beavor's Opposition to Plaintiff's Motion for New Trial or in the Alternative Motion for Judgment Notwithstanding Verdict (JNOV)

08/07/2013



Motion for New Trial (3:00 AM) (Judicial Officer: Israel, Ronald J.)

Events: 06/10/2013 Motion for New Trial

Plaintiff's Motion for New Trial or in the Alternative Motion for Judgment Notwithstanding Verdict (JNOV)

08/07/2013



Motion for Attorney Fees

Filed By: Counter Claimant Beavor, Samantha

Defendant's Motion for Attorney Fees

08/28/2013



Motion to Reconsider

Filed By: Defendant Beavor, Christopher

Defendant Christopher Beavor's Motion for Reconsideration

08/29/2013



Status Check: Trial Setting (9:00 AM) (Judicial Officer: Israel, Ronald J.)

08/29/2013

CANCELED All Pending Motions (9:00 AM) (Judicial Officer: Israel, Ronald J.)

Vacated - On in Error

All Pending Motions (08/29/13)

09/04/2013



Order Setting Civil Jury Trial

Order Setting Civil Jury Trial

09/05/2013



Order Granting Motion

Filed By: Counter Defendant Hefetz, Yacov Jack

Order

09/09/2013



Notice of Entry of Order

Filed By: Plaintiff Hefetz, Yacov Jack

Notice of Entry of Order

09/17/2013



Opposition to Motion

Filed By: Plaintiff Hefetz, Yacov Jack

Opposition to Defendant's Motion for Reconsideration

09/24/2013



Certificate of Service

Filed by: Defendant Beavor, Christopher

Certificate of Service

09/25/2013














Opposition to Motion

Filed By: Plaintiff Hefetz, Yacov Jack

Opposition to Defendant Samantha Beavor's Motion for Attorneys Fees












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09/26/2013	Motion for Attorney Fees (9:00 AM) (Judicial Officer: Israel, Ronald J.) 09/26/2013, 10/24/2013 Events: 08/07/2013 Motion for Attorney Fees <i>Defendant's Motion for Attorney Fees</i>
09/26/2013	Motion For Reconsideration (9:00 AM) (Judicial Officer: Israel, Ronald J.) Events: 08/28/2013 Motion to Reconsider <i>Defendant Christopher Beavor's Motion for Reconsideration</i>
09/26/2013	 All Pending Motions (9:00 AM) (Judicial Officer: Israel, Ronald J.) <i>All Pending Motions (09/26/13)</i>
10/04/2013	 Supplement Filed by: Defendant Beavor, Samantha <i>Supplement to Defendant Samantha Beavor Motion for Attorney's Fees</i>
10/04/2013	 Certificate of Service Filed by: Defendant Beavor, Samantha <i>Certificate of Service</i>
10/21/2013	 Opposition Filed By: Plaintiff Hefetz, Yacov Jack <i>Opposition to Supplement to Defendants Samantha Beavor's Motion for Attorney's Fees</i>
10/24/2013	Status Check (9:00 AM) (Judicial Officer: Israel, Ronald J.) <i>Status Check: Dismissal /S. Beavor</i>
10/24/2013	 All Pending Motions (9:00 AM) (Judicial Officer: Israel, Ronald J.) <i>All Pending Motions (10/24/13)</i>
11/14/2013	 Order Filed By: Plaintiff Hefetz, Yacov Jack <i>Order</i>
11/14/2013	 Findings of Fact, Conclusions of Law and Order Filed By: Defendant Beavor, Christopher <i>Findings of Fact, Conclusion of Law and Order</i>
11/15/2013	 Notice of Entry of Order Filed By: Plaintiff Hefetz, Yacov Jack <i>Notice of Entry of Order</i>
11/15/2013	 Notice of Entry of Order Filed By: Plaintiff Hefetz, Yacov Jack <i>Notice of Entry of Order</i>
11/25/2013	 Motion to Stay Filed By: Counter Claimant Beavor, Christopher <i>Defendant Christopher Beavor's Motion for Stay of Proceedings</i>
01/07/2014	 Motion For Stay (9:00 AM) (Judicial Officer: Israel, Ronald J.) Events: 11/25/2013 Motion to Stay <i>Defendant Christopher Beavor's Motion for Stay of Proceedings</i>
01/07/2014	Notice of Stay

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Stay proceedings 01/07/14

02/20/2014	CANCELED Pre Trial Conference (9:30 AM) (Judicial Officer: Israel, Ronald J.) <i>Vacated - per Judge</i>
03/11/2014	CANCELED Calendar Call (9:30 AM) (Judicial Officer: Israel, Ronald J.) <i>Vacated - per Judge</i>
03/17/2014	CANCELED Jury Trial (1:30 PM) (Judicial Officer: Israel, Ronald J.) <i>Vacated - per Judge</i>
05/13/2014	 Status Check: Status of Case (9:00 AM) (Judicial Officer: Israel, Ronald J.) 05/13/2014, 08/13/2014, 11/12/2014, 12/11/2014 <i>Status Check: Status of Case//Resetting Trial</i>
10/01/2014	 Motion to Withdraw As Counsel Filed By: Defendant Beavor, Christopher <i>Notice of Motion to Withdraw as Counsel for Defendant Christopher Beavor</i>
11/05/2014	 Motion to Withdraw as Counsel (3:00 AM) (Judicial Officer: Israel, Ronald J.) Events: 10/01/2014 Motion to Withdraw As Counsel <i>Hofland & Tomsheck's Motion to Withdraw as Counsel for Defendant Christopher Beavor</i>
12/30/2014	 Order Setting Civil Jury Trial <i>Order Re-Setting Civil Jury Trial</i>
01/20/2015	 Pre Trial Conference (9:30 AM) (Judicial Officer: Israel, Ronald J.)
01/21/2015	 Notice of Appearance Party: Defendant Beavor, Christopher <i>Notice of Appearance</i>
01/27/2015	 Order Setting Settlement Conference <i>Order Setting Settlement Conference</i>
01/27/2015	 Order Setting Civil Jury Trial <i>Order Re-Setting Civil Jury Trial</i>
02/03/2015	CANCELED Calendar Call (9:30 AM) (Judicial Officer: Israel, Ronald J.) <i>Vacated - per Judge</i>
02/09/2015	CANCELED Jury Trial (1:30 PM) (Judicial Officer: Israel, Ronald J.) <i>Vacated - per Judge</i>
02/26/2015	 Settlement Conference (1:00 PM) (Judicial Officer: Scotti, Richard F.)
03/05/2015	 Motion in Limine Filed By: Plaintiff Hefetz, Yacov Jack <i>Plaintiff's Motion in Limine Concerning The Exclusion Of The Contents Of Settlement Negotiations</i>
03/05/2015	 Motion in Limine Filed By: Plaintiff Hefetz, Yacov Jack <i>Plaintiff's Motion in Limine Concerning The Exclusion of References To National Origins And Religious Beliefs.</i>

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03/25/2015	 Response Filed by: Defendant Beavor, Christopher <i>Response to Plaintiff's Motion in Limine Concerning the Exclusion of References to National Origins and Religious Beliefs</i>
03/25/2015	 Opposition to Motion in Limine Filed By: Defendant Beavor, Christopher <i>Opposition to Plaintiff's Motion in Limine Concerning the Exclusion of the Contents of Settlement Negotiations</i>
03/30/2015	 Transcript of Proceedings <i>Transcript of Proceedings Jury Trial - Day 1 February 25, 2013</i>
03/30/2015	 Transcript of Proceedings <i>Transcript of Proceedings Jury Trial - Day 4 February 28, 2013</i>
03/31/2015	 Pre Trial Conference (9:30 AM) (Judicial Officer: Israel, Ronald J.)
04/01/2015	 Reply in Support Filed By: Plaintiff Hefetz, Yacov Jack <i>Plaintiff's Reply In Support Of The Motion In Limine Concerning The Exclusion Of The Contents Of Settlement Negotiations</i>
04/06/2015	 Pre-Trial Disclosure Party: Plaintiff Hefetz, Yacov Jack <i>Plaintiff's Pre-Trial Disclosures Pursuant To NRCP 16.1(4)(3)</i>
04/06/2015	 Notice Filed By: Defendant Beavor, Christopher <i>Notice of Disassociation of Counsel</i>
04/07/2015	 Order Setting Civil Jury Trial <i>Order Re-Setting Civil Jury Trial</i>
04/07/2015	Motion in Limine (9:00 AM) (Judicial Officer: Israel, Ronald J.) Events: 03/05/2015 Motion in Limine <i>Plaintiff's Motion in Limine Concerning The Exclusion Of The Contents Of Settlement Negotiations</i>
04/07/2015	Motion in Limine (9:00 AM) (Judicial Officer: Israel, Ronald J.) Events: 03/05/2015 Motion in Limine <i>Plaintiff's Motion in Limine Concerning The Exclusion of References To National Origins And Religious Beliefs.</i>
04/07/2015	 All Pending Motions (9:00 AM) (Judicial Officer: Israel, Ronald J.) <i>All Pending Motions (04/07/15)</i>
04/14/2015	CANCELED Calendar Call (9:30 AM) (Judicial Officer: Becker, Nancy) <i>Vacated - per Judge</i>
04/20/2015	CANCELED Jury Trial (1:30 PM) (Judicial Officer: Israel, Ronald J.) <i>Vacated - per Judge</i>
05/07/2015	 Motion to Dismiss

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	Filed By: Defendant Beavor, Christopher <i>Defendant's Motion to Dismiss Pursuant to NRS 40.435</i>
05/08/2015	 Order Setting Settlement Conference <i>Order Setting Settlement Conference</i>
05/08/2015	 Motion Filed By: Defendant Beavor, Christopher <i>Defendant Christopher Beavor's Motion to Reopen Dispositive Motion Deadline</i>
05/08/2015	 Order Granting Motion Filed By: Plaintiff Hefetz, Yacov Jack <i>Order Granting Plaintiff's Motion In Limine Concerning National Origins and Religious Beliefs</i>
05/08/2015	 Order Denying Motion Filed By: Defendant Beavor, Christopher <i>Order Denying Plaintiff's Motion In Limine Concerning the Exclusion of the Contents of Settlement Negotiations</i>
05/11/2015	 Notice of Entry of Order Filed By: Plaintiff Hefetz, Yacov Jack <i>Notice of Entry of Order</i>
05/11/2015	 Notice of Entry of Order Filed By: Plaintiff Hefetz, Yacov Jack <i>Notice of Entry of Order</i>
05/14/2015	 Settlement Conference (10:30 AM) (Judicial Officer: Kishner, Joanna S.)
05/19/2015	 Opposition to Motion to Dismiss Filed By: Plaintiff Hefetz, Yacov Jack <i>Plaintiff's Opposition To Defendant's Motion To Dismiss Pursuant To NRS 40.435</i>
05/20/2015	 Opposition to Motion Filed By: Plaintiff Hefetz, Yacov Jack <i>Plaintiff's Opposition To Defendant's Motion To Reopen Dispositive Motion Deadline</i>
06/02/2015	 Reply in Support Filed By: Defendant Beavor, Christopher <i>Defendant's Reply in Support of Motion to Dismiss Pursuant to NRS 40.435</i>
06/02/2015	 Reply in Support Filed By: Defendant Beavor, Christopher <i>Defendant Christopher Beavor's Reply in Support of Motion to Reopen Dispositive Motion Deadline</i>
06/04/2015	 Notice of Change of Address Filed By: Defendant Beavor, Christopher <i>Notice of Change of Firm Affiliation and Address</i>
06/09/2015	Motion to Dismiss (9:00 AM) (Judicial Officer: Israel, Ronald J.) Events: 05/07/2015 Motion to Dismiss <i>Defendant's Motion to Dismiss Pursuant to NRS 40.435</i>

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CASE SUMMARY
CASE NO. A-11-645353-C












06/09/2015	Motion (9:00 AM) (Judicial Officer: Israel, Ronald J.) Events: 05/08/2015 Motion <i>Defendant Christopher Beavor's Motion to Reopen Dispositive Motion Deadline</i>
06/09/2015	 All Pending Motions (9:00 AM) (Judicial Officer: Israel, Ronald J.) <i>All Pending Motions (06/09/15)</i>
06/10/2015	 Order to Statistically Close Case <i>Civil Order To Statistically Close Case</i>
06/17/2015	 Order For Dismissal Without Prejudice Filed By: Defendant Beavor, Christopher <i>Order: (1) Granting Defendant's Motion to Dismiss Pursuant to NRS 40.435; and (2) Vacating as Moot Defendant's Motion for Leave to Reopen Dispositive Motion Deadline</i>
06/17/2015	Order of Dismissal Without Prejudice (Judicial Officer: Israel, Ronald J.) Debtors: Yacov Jack Hefetz (Plaintiff) Creditors: Christopher Beavor (Defendant), Samantha Beavor (Defendant) Judgment: 06/17/2015, Docketed: 06/18/2015
06/18/2015	 Notice of Entry of Order Filed By: Defendant Beavor, Christopher <i>Notice of Entry of Order</i>
06/19/2015	 Motion Filed By: Plaintiff Hefetz, Yacov Jack <i>Plaintiff's Motion To Re-Open The Case And For Reconsideration Of An Order Of Dismissal Without Prejudice</i>
06/23/2015	 Notice of Change of Hearing <i>Notice of Change of Hearing</i>
06/25/2015	 Memorandum of Costs and Disbursements Filed By: Defendant Beavor, Christopher <i>Memorandum of Costs and Disbursements</i>
07/07/2015	 Opposition to Motion Filed By: Defendant Beavor, Christopher <i>Defendant's Opposition to Plaintiff's Motion to Re-Open the Case and for Reconsideration of an Order of Dismissal without Prejudice</i>
07/08/2015	 Motion for Attorney Fees Filed By: Defendant Beavor, Christopher <i>Defendant Christopher Beavor's Motion for Attorneys' Fees and Costs</i>
07/14/2015	 Reply in Support Filed By: Plaintiff Hefetz, Yacov Jack <i>Plaintiff's Reply In Support Of The Motion To Re-Open The Case And For Reconsideration Of An Order Of Dismissal Without Prejudice</i>
07/14/2015	 Notice of Appeal Filed By: Plaintiff Hefetz, Yacov Jack <i>Notice of Appeal</i>
07/14/2015	 Case Appeal Statement

DEPARTMENT 28
CASE SUMMARY
CASE NO. A-11-645353-C



	Filed By: Plaintiff Hefetz, Yacov Jack <i>Case Appeal Statement</i>
07/16/2015	 Motion Filed By: Defendant Beavor, Christopher <i>Defendant's Motion for Leave to Strike Reply; or, in the Alternative, Motion to File Sur-Reply</i>
07/18/2015	 Opposition to Motion Filed By: Plaintiff Hefetz, Yacov Jack <i>Plaintiff's Opposition To Defendant's Motion For An Award Of Attorneys' Fees and Costs</i>
07/21/2015	 Opposition to Motion Filed By: Plaintiff Hefetz, Yacov Jack <i>Plaintiff's Opposition to Defendant's Motion for Leave to Strike Reply; or, in the alternative, Motion to File Sur-Reply</i>
07/22/2015	 Motion (3:00 AM) (Judicial Officer: Israel, Ronald J.) Events: 06/19/2015 Motion <i>Plaintiff's Motion To Re-Open The Case And For Reconsideration Of An Order Of Dismissal Without Prejudice</i>
07/23/2015	 Posting of Appeal Bond Filed by: Plaintiff Hefetz, Yacov Jack <i>Notice Of Posting Appeal Bond</i>
07/23/2015	 Order Denying Motion <i>Order</i>
07/24/2015	 Notice of Entry of Order Filed By: Defendant Beavor, Christopher <i>Notice of Entry of Order</i>
08/12/2015	 Reply in Support Filed By: Defendant Beavor, Christopher <i>Defendant Christopher Beavor's Reply in Support of Motion for Attorneys' Fees and Costs</i>
08/17/2015	 Supplemental Filed by: Defendant Beavor, Christopher <i>Defendant Christopher Beavor's Supplement to Reply in Support of Motion for Attorneys' Fees and Costs</i>
08/19/2015	 Motion for Attorney Fees and Costs (3:00 AM) (Judicial Officer: Israel, Ronald J.)
09/01/2015	 Order Granting Motion Filed By: Defendant Beavor, Christopher <i>Order Granting Defendant Christopher Beavor's Motion for Attorneys Fees and Costs</i>
09/01/2015	Order (Judicial Officer: Israel, Ronald J.) Debtors: Yacov Jack Hefetz (Plaintiff) Creditors: Christopher Beavor (Defendant) Judgment: 09/01/2015, Docketed: 09/09/2015 Total Judgment: 15,338.48
09/03/2015	 Notice of Entry of Order Filed By: Defendant Beavor, Christopher

DEPARTMENT 28
CASE SUMMARY
CASE NO. A-11-645353-C

Notice of Entry of Order

09/15/2015	 Notice of Appeal Filed By: Plaintiff Hefetz, Yacov Jack <i>Notice of Appeal</i>
09/22/2015	CANCELED Pre Trial Conference (9:30 AM) (Judicial Officer: Israel, Ronald J.) <i>Vacated - per Judge</i>
09/22/2015	 Case Appeal Statement Filed By: Plaintiff Hefetz, Yacov Jack <i>Case Appeal Statement</i>
09/23/2015	 Posting of Appeal Bond Filed by: Plaintiff Hefetz, Yacov Jack <i>Notice Of Posting Appeal Bond</i>
10/06/2015	CANCELED Calendar Call (9:30 AM) (Judicial Officer: Thompson, Charles) <i>Vacated - per Judge</i>
10/12/2015	CANCELED Jury Trial (1:30 PM) (Judicial Officer: Israel, Ronald J.) <i>Vacated - per Judge</i>
10/13/2015	 Amended Certificate of Service Party: Plaintiff Hefetz, Yacov Jack <i>Amended Certificate Of Service</i>
11/18/2015	 Recorders Transcript of Hearing <i>Transcript of Proceedings Defendant Christopher Beavor's Motion for Reconsideration September 26, 2013 Defendant's Motion for Attorney Fees</i>
01/22/2016	 Recorders Transcript of Hearing <i>Transcript of Proceedings Defendant's Motion to Dismiss Pursuant to NRS 40.435 Defendant Christopher Beavor's Motion to Reopen Dispositive Motion Deadline</i>
02/04/2016	 Request Filed by: Plaintiff Hefetz, Yacov Jack <i>Request For Transcript Of Proceedings</i>
04/05/2016	 Order Scheduling Status Check <i>Order Scheduling Status Check: Supreme Court Order Dismissing Appeals and Status of Case</i>
04/21/2016	 Notice of Entry of Order Filed By: Plaintiff Hefetz, Yacov Jack <i>Notice of Entry of Order</i>
04/21/2016	 Status Check (9:00 AM) (Judicial Officer: Israel, Ronald J.) <i>Status Check: Supreme Court Order Dismissing Appeals and Status of Case</i>
04/21/2016	 Order Granting Motion Filed By: Plaintiff Hefetz, Yacov Jack <i>Order Granting Plaintiff's Rule 50(a) Motion</i>
04/21/2016	Order of Dismissal With Prejudice (Judicial Officer: Israel, Ronald J.) Debtors: Christopher Beavor (Counter Claimant), Samantha Beavor (Counter Claimant)

DEPARTMENT 28
CASE SUMMARY
CASE NO. A-11-645353-C

	Creditors: Alis Cohen (Counter Defendant), Yacov Jack Hefetz (Counter Defendant) Judgment: 04/21/2016, Docketed: 04/28/2016	
04/29/2016	 Notice of Appeal Filed By: Plaintiff Hefetz, Yacov Jack <i>Notice of Appeal</i>	
04/29/2016	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed</i>	

DATE	FINANCIAL INFORMATION
	Defendant Beavor, Samantha Total Charges 30.00 Total Payments and Credits 30.00 Balance Due as of 5/3/2016 0.00
	Defendant Beavor, Christopher Total Charges 223.00 Total Payments and Credits 223.00 Balance Due as of 5/3/2016 0.00
	Plaintiff Hefetz, Yacov Jack Total Charges 572.00 Total Payments and Credits 572.00 Balance Due as of 5/3/2016 0.00
	Plaintiff Hefetz, Yacov Jack Appeal Bond Balance as of 5/3/2016 1,000.00

CIVIL COVER SHEET

Clark County, Nevada

A-11-645353-C

Case No. _____

XXVIII

(Assigned by Clerk's Office)

I. Party Information

Plaintiff(s) (name/address/phone): YACOV HEFETZ AND ALIS COHEN

Defendant(s) (name/address/phone): CHRISTOPHER BEAVOR AND SAMANTHA BEAVOR

Attorney (name/address/phone):

Lee I. Igloody, Esq.

9555 S. Eastern, # 280

Las Vegas, NV 89123

Attorney (name/address/phone):

II. Nature of Controversy (Please check applicable bold category and applicable subcategory, if appropriate)☐ **Arbitration Requested****Civil Cases**

Real Property	Torts	
<input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Title to Property <input type="checkbox"/> Foreclosure <input type="checkbox"/> Liens <input type="checkbox"/> Quiet Title <input type="checkbox"/> Specific Performance <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property <input type="checkbox"/> Partition <input type="checkbox"/> Planning/Zoning	<input type="checkbox"/> Negligence <input type="checkbox"/> Negligence – Auto <input type="checkbox"/> Negligence – Medical/Dental <input type="checkbox"/> Negligence – Premises Liability (Slip/Fall) <input type="checkbox"/> Negligence – Other	<input type="checkbox"/> Product Liability <input type="checkbox"/> Product Liability/Motor Vehicle <input type="checkbox"/> Other Torts/Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Torts/Defamation (Libel/Slander) <input type="checkbox"/> Interfere with Contract Rights <input type="checkbox"/> Employment Torts (Wrongful termination) <input type="checkbox"/> Other Torts <input type="checkbox"/> Anti-trust <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Insurance <input type="checkbox"/> Legal Tort <input type="checkbox"/> Unfair Competition

Probate	Other Civil Filing Types	
<input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside Estates <input type="checkbox"/> Trust/Conservatorships <input type="checkbox"/> Individual Trustee <input type="checkbox"/> Corporate Trustee <input type="checkbox"/> Other Probate	<input type="checkbox"/> Construction Defect <input type="checkbox"/> Chapter 40 <input type="checkbox"/> General <input checked="" type="checkbox"/> Breach of Contract <input type="checkbox"/> Building & Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Other Contracts/Acct/Judgment <input type="checkbox"/> Collection of Actions <input type="checkbox"/> Employment Contract <input checked="" type="checkbox"/> Guarantee <input type="checkbox"/> Sale Contract <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Civil Petition for Judicial Review <input type="checkbox"/> Other Administrative Law <input type="checkbox"/> Department of Motor Vehicles <input type="checkbox"/> Worker's Compensation Appeal	<input type="checkbox"/> Appeal from Lower Court (also check applicable civil case box) <input type="checkbox"/> Transfer from Justice Court <input type="checkbox"/> Justice Court Civil Appeal <input type="checkbox"/> Civil Writ <input type="checkbox"/> Other Special Proceeding <input type="checkbox"/> Other Civil Filing <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Conversion of Property <input type="checkbox"/> Damage to Property <input type="checkbox"/> Employment Security <input type="checkbox"/> Enforcement of Judgment <input type="checkbox"/> Foreign Judgment – Civil <input type="checkbox"/> Other Personal Property <input type="checkbox"/> Recovery of Property <input type="checkbox"/> Stockholder Suit <input type="checkbox"/> Other Civil Matters

III. Business Court Requested (Please check applicable category; for Clark or Washoe Counties only.)

- ☐ NRS Chapters 78-88
☐ Commodities (NRS 90)
☐ Securities (NRS 90)

- ☐ Investments (NRS 104 Art. 8)
☐ Deceptive Trade Practices (NRS 598)
☐ Trademarks (NRS 600A)

- ☐ Enhanced Case Mgmt/Business
☐ Other Business Court Matters


CLERK OF THE COURT

1 **ORD**
2 DICKINSON WRIGHT PLLC
3 JOEL Z. SCHWARZ
4 Nevada Bar No. 9181
5 Email: jschwarz@dickinsonwright.com
6 GABRIEL A. BLUMBERG
7 Nevada Bar No. 12332
8 Email: gblumberg@dickinsonwright.com
9 8383 West Sunset Road, Suite 200
10 Las Vegas, Nevada 89113
11 Tel: (702) 382-4002
12 Fax: (702) 382-1661
13 *Attorneys for Christopher Beavor*

8 DISTRICT COURT
9 CLARK COUNTY, NEVADA

10 YACOV JACK HEFETZ,

11 Plaintiff,

CASE NO. A-11-645353-C
DEPT. XXVIII

12 vs.

13 CHRISTOPHER BEAVOR,

14 Defendant.
15

16 **ORDER: (1) GRANTING DEFENDANT'S MOTION TO DISMISS PURSUANT TO NRS**
17 **40.435; AND (2) VACATING AS MOOT DEFENDANT'S MOTION FOR**
18 **LEAVE TO REOPEN DISPOSITIVE MOTION DEADLINE**

18 The Court, having reviewed and considered Defendant's Motion to Dismiss Pursuant to
19 NRS 40.435 (the "Motion to Dismiss") and Defendant Christopher Beavor's Motion for Leave to
20 Reopen Dispositive Motion Deadline (the "Motion to Reopen") filed by Defendant Christopher
21 Beavor ("Defendant"), the Opposition to the Motion to Dismiss and the Opposition to the
22 Motion to Reopen filed by Plaintiff Yacov Hefetz ("Plaintiff"), and Defendant's Reply in
23 support of the Motion to Dismiss and Reply in support of the Motion to Reopen; having heard
24 hearing argument from counsel for Plaintiff and Defendant at the June 9, 2015 hearing on the
25 foregoing filings, and good cause appearing therefore, the Court HEREBY FINDS AND
26 CONCLUDES:

27 (1) The Motion to Dismiss is appropriate and timely pursuant to Nevada Revised
28 Statutes ("NRS") 40.435;

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

6/14/15 (AB)

1 (2) Proceeding solely with a claim for breach of guaranty against Defendant violates
2 Nevada's one-action rule;

3 (3) Pursuant to NRS 40.495(5)(d), there can be no waiver of the one action rule by
4 Defendant where his principal residence secures the underlying indebtedness upon which
5 Plaintiff seeks to recover pursuant to his claim for breach of guaranty;

6 (4) Plaintiff has not released or re-conveyed his purported security interest in
7 Plaintiff's principal residence, thereby warranting dismissal of Plaintiff's claim for breach of
8 guaranty pursuant to NRS 40.435.

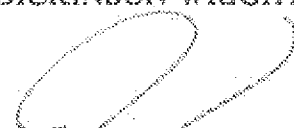
9 Accordingly, the Court HEREBY ORDERS that based upon the foregoing, and for the
10 reasons stated on the record at the June 9, 2015 hearing, Defendant's Motion to Dismiss is
11 GRANTED and Plaintiff's Complaint is DISMISSED WITHOUT PREJUDICE. The current
12 trial date and all other dates scheduled in this matter are vacated. In addition, Defendant's
13 Motion to Reopen is DENIED AS MOOT.

14 IT IS SO ORDERED this 17 day of June 2015

15 
16 DISTRICT COURT JUDGE

17 Prepared by:

18
19 DICKINSON WRIGHT, PLLC

20 
21 JOEL Z. SCHWARZ

22 Nevada Bar No. 9181

23 Email: jschwarz@dickinsonwright.com

24 GABRIEL A. BLUMBERG

25 Nevada Bar No. 12332

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Tel: (702) 382-4002

Fax: (702) 382-1661

Attorneys for Christopher Beavor

1 Approved as to form and content:

2 COHEN-JOHNSON, LLC

3 

4 H. STAN JOHNSON, ESQ.

5 Nevada Bar No. 00265

Email: sjohnson@cohenjohnson.com

6 MICHAEL V. HUGHES, ESQ.

Nevada Bar No. 13154

7 Email: mhughes@cohenjohnson.com

255 East Warm Springs Road, Suite 100

8 Las Vegas, NV 89119

Attorneys for Yacov Hefetz

1 NEOJ
2 DICKINSON WRIGHT PLLC
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11 Tel: (702) 382-4002
12 Fax: (702) 382-1661
13 *Attorneys for Christopher Beavor*


CLERK OF THE COURT

8 DISTRICT COURT
9 CLARK COUNTY, NEVADA

10 YACOV JACK HEFETZ,

11 Plaintiff,

CASE NO. A-11-645353-C
DEPT. XXVIII

12 vs.

13 CHRISTOPHER BEAVOR,

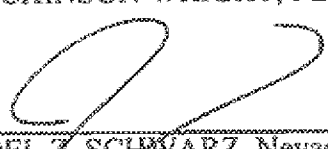
14 Defendant.

15
16 NOTICE OF ENTRY OF ORDER

17 PLEASE TAKE NOTICE that an Order: (1) Granting Defendant's Motion to Dismiss
18 Pursuant to NRS 40.435; and (2) Vacating as Moot Defendant's Motion for Leave to Reopen
19 Dispositive Motion Deadline was entered by the Court on June 17, 2015. A copy of the order is
20 attached hereto.

21 DATED this 18th day of June 2015.


22 DICKINSON WRIGHT, PLLC

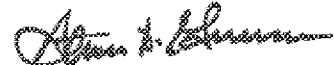
23
24 
25 JOEL Z. SCHWARZ, Nevada Bar No. 9181
26 Email: jschwarz@dickinsonwright.com
27 8383 West Sunset Road, Suite 200
28 Las Vegas, Nevada 89113
Tel: (702) 382-4002
Attorneys for Christopher Beavor

CERTIFICATE OF SERVICE

The undersigned, an employee of Dickinson Wright, PLLC, hereby certifies that on the 18th day of June 2015, she caused a copy of the foregoing Notice of Entry of Order, to be hand-delivered to and transmitted by electronic service in accordance with Administrative Order 14.2, to all interested parties, through the Court's Odyssey E-File & Serve system addressed to:

COHEN-JOHNSON, LLC
H. STAN JOHNSON, ESQ.
Nevada Bar No. 00265
Email: sjohnson@cohenjohnson.com
MICHAEL V. HUGHES, ESQ.
Nevada Bar No. 13154
Email: mhughes@cohenjohnson.com
255 East Warm Springs Road, Suite 100
Las Vegas, NV 89119
Attorneys for Yacov Hefetz


Bobbye Donaldson, an employee of
DICKINSON WRIGHT, PLLC


CLERK OF THE COURT

ORD
DICKINSON WRIGHT PLLC
JOEL Z. SCHWARZ
Nevada Bar No. 9181
Email: jschwarz@dickinsonwright.com
GABRIEL A. BLUMBERG
Nevada Bar No. 12332
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Las Vegas, Nevada 89113
Tel: (702) 382-4002
Fax: (702) 382-1661
Attorneys for Christopher Beavor

DISTRICT COURT
CLARK COUNTY, NEVADA

YACOV JACK HEFETZ,

Plaintiff,

CASE NO. A-11-645353-C
DEPT. XXVIII

vs.

CHRISTOPHER BEAVOR,

Defendant.

ORDER: (1) GRANTING DEFENDANT'S MOTION TO DISMISS PURSUANT TO NRS
40.435; AND (2) VACATING AS MOOT DEFENDANT'S MOTION FOR
LEAVE TO REOPEN DISPOSITIVE MOTION DEADLINE

The Court, having reviewed and considered Defendant's Motion to Dismiss Pursuant to
NRS 40.435 (the "Motion to Dismiss") and Defendant Christopher Beavor's Motion for Leave to
Reopen Dispositive Motion Deadline (the "Motion to Reopen") filed by Defendant Christopher
Beavor ("Defendant"), the Opposition to the Motion to Dismiss and the Opposition to the
Motion to Reopen filed by Plaintiff Yacov Hefetz ("Plaintiff"), and Defendant's Reply in
support of the Motion to Dismiss and Reply in support of the Motion to Reopen; having heard
hearing argument from counsel for Plaintiff and Defendant at the June 9, 2015 hearing on the
foregoing filings, and good cause appearing therefore, the Court HEREBY FINDS AND
CONCLUDES:

(1) The Motion to Dismiss is appropriate and timely pursuant to Nevada Revised
Statutes ("NRS") 40.435;

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

6/16/15 (EB)

1 (2) Proceeding solely with a claim for breach of guaranty against Defendant violates
2 Nevada's one-action rule;

3 (3) Pursuant to NRS 40.495(5)(d), there can be no waiver of the one action rule by
4 Defendant where his principal residence secures the underlying indebtedness upon which
5 Plaintiff seeks to recover pursuant to his claim for breach of guaranty;

6 (4) Plaintiff has not released or re-conveyed his purported security interest in
7 Plaintiff's principal residence, thereby warranting dismissal of Plaintiff's claim for breach of
8 guaranty pursuant to NRS 40.435.


9 Accordingly, the Court HEREBY ORDERS that based upon the foregoing, and for the
10 reasons stated on the record at the June 9, 2015 hearing, Defendant's Motion to Dismiss is
11 GRANTED and Plaintiff's Complaint is DISMISSED WITHOUT PREJUDICE. The current
12 trial date and all other dates scheduled in this matter are vacated. In addition, Defendant's
13 Motion to Reopen is DENIED AS MOOT.

14 IT IS SO ORDERED this 17 day of June 2015

15 
16 DISTRICT COURT JUDGE

17 Prepared by:

18 DICKINSON WRIGHT, PLLC

19 
20
21 JOEL Z. SCHWARZ

22 Nevada Bar No. 9181

23 Email: jschwarz@dickinsonwright.com

24 GABRIEL A. BLUMBERG

25 Nevada Bar No. 12332

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27 8383 West Sunset Road, Suite 200

28 Las Vegas, Nevada 89113

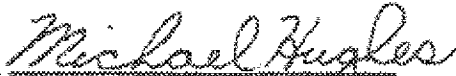
Tel: (702) 382-4002

Fax: (702) 382-1661

Attorneys for Christopher Deavor

1 Approved as to form and content:

2 COHEN-JOHNSON, LLC

3 

4 H. STAN JOHNSON, ESQ.

5 Nevada Bar No. 00265

6 Email: sjohnson@cohenjohnson.com

7 MICHAEL V. HUGHES, ESQ.

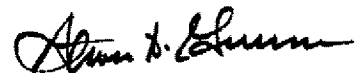
8 Nevada Bar No. 13154

9 Email: mhughes@cohenjohnson.com

10 255 East Warm Springs Road, Suite 100

11 Las Vegas, NV 89119

12 Attorneys for Yacov Hefetz



CLERK OF THE COURT

ORIGINAL

ORDG
DICKINSON WRIGHT PLLC
JOEL Z. SCHWARZ
Nevada Bar No. 9181
Email: jschwarz@dickinsonwright.com
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Tel: (702) 382-4002
Fax: (702) 382-1661
Attorneys for Christopher Beavor

DISTRICT COURT

CLARK COUNTY, NEVADA

YACOV JACK HEFETZ,

Plaintiff,

vs.

CHRISTOPHER BEAVOR,

Defendant.

CASE NO. A-11-645353-C
DEPT. XXVIII

ORDER GRANTING DEFENDANT CHRISTOPHER BEAVOR'S MOTION FOR
ATTORNEYS' FEES AND COSTS

Defendant Christopher Beavor's ("Defendant") Motion for Attorneys' Fees and Costs ("Motion") having come before the Court in Chambers on August 19, 2015, the Court having reviewed the Motion, the opposition, and reply and supplement to reply thereto, and good cause appearing therefore, the Court hereby finds as follows:

IT IS HEREBY ORDERED that the Defendant's Motion for Attorney's Fees is GRANTED. Defendant is the prevailing party, having obtained a dismissal without prejudice. Attorney fees are appropriate pursuant to the Offer of Judgment and hereby are awarded in the amount of \$15,000.00.

Defendant's Offer of Judgment was both timely and reasonable in the amount especially

DICKINSON WRIGHT PLLC


8383 West Sunset Road, Suite 200
Las Vegas, Nevada 89113-2210

9/1/15 (28)

1 given the circumstances under which the Plaintiff had been advised prior to the filing of the
2 motion to dismiss that the One-Action Rule would resolve the situation.


3 In discussing the *Brunzell* factors: (1) the quality of the work performed by Defendant's
4 counsel was very good; (2) the character and difficulty of the work was reasonable in nature and
5 particularly so given that it resolved the case; and (3) Defendant achieved appropriate results or
6 results that would satisfy the *Brunzell* factors. It was the amount of time spent following the
7 Offer of Judgment that this Court feels was excessive, and therefore the Court reduces the total
8 award of attorneys' fees to \$15,000.00.

9 IT IS HEREBY FURTHER ORDERED that the Defendant's Motion for Costs is
10 GRANTED as no timely Motion to Retax was submitted and the costs set forth in Defendant's
11 memorandum of costs are all taxable pursuant to NRS 18.005. Defendant therefore is awarded
12 costs in the amount of \$338.48.

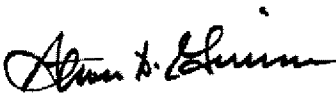
13
14 
15 DISTRICT COURT JUDGE
16 DATED: 8-28-15

17 Submitted by

18 DICKINSON WRIGHT PLLC

19
20 
21 JOEL Z. SCHWARZ
22 Nevada Bar No. 9181
23 Email: jschwarz@dickinsonwright.com
24 GABRIEL A. BLUMBERG
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Tel: (702) 382-4002
Fax: (702) 382-1661
Attorneys for Christopher Beaver

1 VEGAS 65530-1 33065v1


CLERK OF THE COURT

1 **NEOJ**
2 **DICKINSON WRIGHT PLLC**
3 **JOEL Z. SCHWARZ**
4 Nevada Bar No. 9181
5 Email: jschwarz@dickinsonwright.com
6 **GABRIEL A. BLUMBERG**
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10 Las Vegas, Nevada 89113
11 Tel: (702) 382-4002
12 Fax: (702) 382-1661
13 *Attorneys for Christopher Beavor*

8
9
10 **DISTRICT COURT**
11 **CLARK COUNTY, NEVADA**

12 **YACOV JACK BEFETZ,**

13 Plaintiff,

CASE NO. A-11-645353-C
DEPT. XXVIII

14 vs.

15 **CHRISTOPHER BEAVOR,**

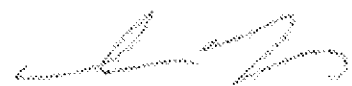
16 Defendant.

17 **NOTICE OF ENTRY OF ORDER**

18 NOTICE IS HEREBY GIVEN that an Order Granting Defendant Christopher Beavor's
19 Motion for Attorneys' Fees and Costs was entered on September 1, 2015, a copy of which is
20 attached hereto.

21 DATED this 3rd day of September 2015.


22 **DICKINSON WRIGHT PLLC**

23
24 
25 **JOEL Z. SCHWARZ**
26 Nevada Bar No. 9181
27 **GABRIEL A. BLUMBERG**
28 Nevada Bar No. 12332
8363 West Sunset Road, Suite 200
Las Vegas, Nevada 89113-2210
Tel: (702) 382-4002
Attorneys for Christopher Beavor

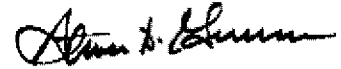
CERTIFICATE OF SERVICE

The undersigned, an employee of Dickinson Wright PLLC, hereby certifies that on the 3rd day of September 2015, she caused a copy of **Notice of Entry of Order** to be served by electronic service in accordance with Administrative Order 14.2, to all interested parties, through the Court's **Odyssey E-File & Serve** system to:

H. Stan Johnson, Esq.
Email: sjohnson@cohenjohnson.com
Michael V. Hughes, Esq.
Email: mhughes@cohenjohnson.com
COHEN-JOHNSON, L.L.C
255 East Warm Springs Road, Suite 100
Las Vegas, NV 89119
Attorneys for Yacov Hefetz


Bobby Donaldson, an employee of
Dickinson Wright PLLC

ORIGINAL



CLERK OF THE COURT

1 **ORDG**
2 **DICKINSON WRIGHT PLLC**
3 **JOEL Z. SCHWARZ**
4 Nevada Bar No. 9181
5 Email: jschwarz@dickinsonwright.com
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12 Fax: (702) 382-1661
13 *Attorneys for Christopher Beavor*

8
9 **DISTRICT COURT**

10 **CLARK COUNTY, NEVADA**

11 **YACOV JACK HEPETZ,**

12 Plaintiff,

CASE NO. A-11-645353-C
DEPT. XXVIII

13 vs.

14 **CHRISTOPHER BEAVOR.**

15 Defendant.

16
17 **ORDER GRANTING DEFENDANT CHRISTOPHER BEAVOR'S MOTION FOR**
18 **ATTORNEYS' FEES AND COSTS**

19 Defendant Christopher Beavor's ("Defendant") Motion for Attorneys' Fees and Costs
20 ("Motion") having come before the Court in Chambers on August 19, 2015, the Court having
21 reviewed the Motion, the opposition, and reply and supplement to reply thereto, and good cause
22 appearing therefore, the Court hereby finds as follows:

23 IT IS HEREBY ORDERED that the Defendant's Motion for Attorney's Fees is
24 GRANTED. Defendant is the prevailing party, having obtained a dismissal without prejudice.
25 Attorney fees are appropriate pursuant to the Offer of Judgment and hereby are awarded in the
26 amount of \$15,000.00.

27 Defendant's Offer of Judgment was both timely and reasonable in the amount especially
28

DICKINSON WRIGHT

8383 West Sunset Road, Suite 200
Las Vegas, Nevada 89113-7110

9/1/15 (28)

1 given the circumstances under which the Plaintiff had been advised prior to the filing of the
2 motion to dismiss that the One-Action Rule would resolve the situation.

3 In discussing the *Brunzell* factors: (1) the quality of the work performed by Defendant's
4 counsel was very good; (2) the character and difficulty of the work was reasonable in nature and
5 particularly so given that it resolved the case; and (3) Defendant achieved appropriate results or
6 results that would satisfy the *Brunzell* factors. It was the amount of time spent following the
7 Offer of Judgment that this Court feels was excessive, and therefore the Court reduces the total
8 award of attorneys' fees to \$15,000.00.

9 IT IS HEREBY FURTHER ORDERED that the Defendant's Motion for Costs is
10 GRANTED as no timely Motion to Retax was submitted and the costs set forth in Defendant's
11 memorandum of costs are all taxable pursuant to NRS 18.005. Defendant therefore is awarded
12 costs in the amount of \$338.48.

13
14 
DISTRICT COURT JUDGE

15 DATED: 8-28-15
16

17 Submitted by

18 DICKINSON WRIGHT PLLC

19
20 
JOEL Z. SCHWARZ

21 Nevada Bar No. 9181

22 Email: jschwarz@dickinsonwright.com

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23 Nevada Bar No. 12332

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24 8383 West Sunset Road, Suite 200

Las Vegas, Nevada 89113

25 Tel: (702) 382-4002

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26 Attorneys for Christopher Beavor

27
28 LVEGAS 65530-1 33065v1

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

March 27, 2012

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

March 27, 2012	3:00 AM	Motion to Amend	Defendants' / Counterclaimants' Motion for Leave to Amend Counterclaim
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HEARD BY: Israel, Ronald J.

COURTROOM:

COURT CLERK: Kathy Klein

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Upon review of the papers and pleadings on file in this Matter, there being no opposition and good cause, COURT ORDERED, Deft's Motion for Leave to Amend Counterclaim, GRANTED. Defendants have 30 days from today (03/29/12) to file the amended counterclaim.

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) of: Lee Iglody, Esq. and Marc Saggese, Esq.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

August 15, 2012

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

August 15, 2012 9:45 AM Status Check

HEARD BY: Israel, Ronald J. **COURTROOM:** RJC Courtroom 14D

COURT CLERK: Kathy Klein

RECORDER: Judy Chappell

REPORTER:

PARTIES

PRESENT: Iglody, Lee I. Attorney
Saggese, Marc A. Attorney

JOURNAL ENTRIES

- Ms. Iglody noted a settlement conference would be productive. Colloquy regarding scheduling options for a settlement conference with a Senior Judge or private Judge. Court directed Counsel to call to schedule and to have available dates before the end of October. Court noted it would not move the trial date at this time. Mr. Iglody requested matter be continued two weeks for Counsel to find a mediator and move the motion deadline out two weeks. Mr. Saggese stipulated in open court. At the request of Counsel COURT ORDERED, Matter set for a status check regarding the status of the case.

09/10/12 9:00 AM STATUS CHECK: STATUS OF CASE (Courtroom 15D)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

September 10, 2012

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

**September 10, 2012 9:00 AM Status Check: Status of
Case**

HEARD BY: Israel, Ronald J. **COURTROOM:** RJC Courtroom 15D

COURT CLERK: Kathy Klein

RECORDER: Judy Chappell

REPORTER:

PARTIES

PRESENT: Iglody, Lee I. Attorney

JOURNAL ENTRIES

- Mr. Iglody informed the Court of the settlement conference being scheduled for 09/21/12 in front of Sr. Judge Bonaventure. Upon Court's inquiry, Mr. Iglody noted discovery was closed. Court noted Counsel may update this Court at the pre-trial conference.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

September 21, 2012

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

September 21, 2012 9:00 AM Settlement Conference

HEARD BY: Bonaventure, Joseph T. **COURTROOM:**

COURT CLERK:

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Clerk not present. Senior Judge Bonaventure conducted the conference; however, matter did not settle. TRIAL STANDS.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

October 22, 2012

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

October 22, 2012 9:30 AM All Pending Motions

HEARD BY: Israel, Ronald J. **COURTROOM:** RJC Courtroom 15D

COURT CLERK: Tiffany Lawrence

RECORDER: Judy Chappell

REPORTER:

PARTIES

PRESENT: Iglody, Lee I. Attorney
 Saggese, Marc A. Attorney

JOURNAL ENTRIES

- STATUS CHECK: OUTCOME OF SETTLEMENT CONFERENCE...Case did not settle.

PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT...COURT ORDERED, Defts' Response to Pltf's Reply STRICKEN. Arguments of counsel regarding whether Defts are entitled to an off-set judgment; whether Pltf qualified to possess the note. COURT stated FINDINGS and ORDERED, Motioned DENIED.

PRE TRIAL CONFERENCE...Counsel anticipate 5 days for trial.

Mr. Iglody to prepare the Order.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

November 05, 2012

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

November 05, 2012 9:30 AM Calendar Call

HEARD BY: Israel, Ronald J. **COURTROOM:** RJC Courtroom 15D

COURT CLERK: Louisa Garcia

RECORDER: Judy Chappell

REPORTER:

PARTIES

PRESENT: Iglody, Lee I. Attorney
Saggese, Marc A. Attorney

JOURNAL ENTRIES

- Upon Court's inquiry, counsel anticipate trial to last 4 days. Colloquy regarding trial readiness. At the request of counsel, COURT ORDERED, trial date VACATED and reset, due to scheduling conflicts.

1/29/13 9:30 AM CALENDAR CALL

2/4/13 1:30 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

January 15, 2013

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

January 15, 2013 9:30 AM Pre Trial Conference

HEARD BY: Israel, Ronald J. **COURTROOM:** RJC Courtroom 15C

COURT CLERK: Kathy Klein

RECORDER: Judy Chappell

REPORTER:

PARTIES

PRESENT: Iglody, Lee I. Attorney
 Saggese, Marc A. Attorney

JOURNAL ENTRIES

- Mr. Iglody present and noted he did not see opposing Counsel. Mr. Iglody further noted settlement was unlikely and estimated trial to be four days. Court trailed matter for Counsel.

Later Recalled: Mr. Saggese not present. COURT ORDERED, Matter CONTINUED, for Counsel to appear.

LATER RECALLED: Mr. Iglody and Mr. Saggese present. Mr. Saggese noted there would be no settlement. Counsel requested trial to be set for either the week of 02/25/13 or 03/04/13. Court to confirm trial date at calendar call. Court vacated continued date previously set.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

January 29, 2013

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

January 29, 2013 9:30 AM Calendar Call

HEARD BY: Israel, Ronald J. **COURTROOM:** RJC Courtroom 15C

COURT CLERK: Kathy Klein

RECORDER: Judy Chappell

REPORTER:

PARTIES

PRESENT: Iglody, Lee I. Attorney
 Saggese, Marc A. Attorney

JOURNAL ENTRIES

- Mr. Iglody announced ready and estimated 4 days. Mr. Saggese advised he may have a potential Federal Court Trial and will travel Thursday to the hearing to confirm that trial. Colloquy regarding trial scheduling. Counsel agreed if the Federal Court Trial does not proceed, they would be starting trial on 02/25/13. COURT ORDERED, Matter CONTINUED, Counsel to notify the Judicial Executive Assistant (JEA) following the Federal Court hearing and inform this Court of Mr. Saggese's availability and confirm or vacate this Court's tentative trial date.

01/31/13 11:00 AM CONFERENCE CALL: CALENDAR CALL

02/25/13 9:00 AM JURY TRIAL (4 Days) Tentative

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

January 31, 2013

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

January 31, 2013 11:00 AM Calendar Call

HEARD BY: Israel, Ronald J. **COURTROOM:**

COURT CLERK: Kathy Klein

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Mr. Saggese's Office called and stated Mr. Saggese Federal Trial was continued, Therefore this Trial set for 02/25/13 may proceed. TRIAL STANDS. Mr. Iglody called and was notified by Mr. Saggese's Office and confirmed by chambers, the current trial date is a firm date.

02/25/13 9:00 AM JURY TRIAL (4 Days)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

February 25, 2013

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

February 25, 2013 9:30 AM Jury Trial

HEARD BY: Israel, Ronald J. **COURTROOM:** RJC Courtroom 15C

COURT CLERK: Kathy Klein

RECORDER: Judy Chappell

REPORTER:

PARTIES

PRESENT:	Beavor, Christopher	Defendant
	Beavor, Samantha	Defendant
	Hefetz, Yacov Jack	Plaintiff
	Hulet, Jeffrey L.	Attorney
	Iglody, Lee I.	Attorney
	Saggese, Marc A.	Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE PROSPECTIVE JURY: Court received a copy of Plaintiff's brief and Court noted this should have been a Motion In Limine prior to trial. Arguments by Counsel. Court suggested Court could hear the issue and sanction Counsel. Mr. Iglody agreed to set aside his request regarding excluding testimony of close relations. Colloquy regarding the trial protocol. Counsel agreed to last two jurors as the secret alternates. Counsel further agreed to Plaintiff's Rebuttal Witness to be taken out of order. Colloquy regarding stipulated exhibits. (See worksheets).

PROSPECTIVE JURY PANEL PRESENT: Jury and two secret alternates selected and sworn. Opening statements by Counsel. EXCLUSIONARY RULE INVOKED. Testimony and exhibits presented (see worksheets).

Evening recess.

02/26/13 11:30 AM Jury Trial

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

February 26, 2013

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

February 26, 2013 11:00 AM Jury Trial

HEARD BY: Israel, Ronald J. **COURTROOM:** RJC Courtroom 15C

COURT CLERK: Kathy Klein

RECORDER: Judy Chappell

REPORTER:

PARTIES

PRESENT:	Beavor, Christopher	Defendant
	Beavor, Samantha	Defendant
	Hefetz, Yacov Jack	Plaintiff
	Hulet, Jeffrey L.	Attorney
	Iglody, Lee I.	Attorney
	Saggese, Marc A.	Attorney

JOURNAL ENTRIES

- JURY PRESENT: Clerk took the roll of the Jury. Testimony and exhibits presented. (See worksheets).

OUTSIDE THE PRESENCE OF THE JURY: Court admonished Mr. Saggese regarding comments that could be prejudicial and instructed Mr. Saggese not to refer to the Plaintiff as an Israeli and if Counsel uses these type of comments in this trial again, Court will then declare a mistrial. Mr. Saggese stated his reason for the use of his comments and apologized to the Court and all parties. Upon Court's inquiry regarding a curative instruction, Mr. Iglody noted he would wait, to see if it becomes necessary.

JURY PRESENT: Plaintiff's Rebuttal Witness taken out of order as stipulated prior to trial. Further testimony and exhibits presented. (See worksheet).

Evening recess.

02/27/13 10:00 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

February 27, 2013

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

February 27, 2013 10:00 AM Jury Trial

HEARD BY: Israel, Ronald J. **COURTROOM:** RJC Courtroom 15C

COURT CLERK: Kathy Klein
Phyllis Irby

RECORDER: Judy Chappell

REPORTER:

PARTIES

PRESENT:	Beavor, Christopher	Defendant
	Beavor, Samantha	Defendant
	Hefetz, Yacov Jack	Plaintiff
	Hulet, Jeffrey L.	Attorney
	Iglody, Lee I.	Attorney
	Saggese, Marc A.	Attorney

JOURNAL ENTRIES

- ***Court Clerk: Kathy Klein 10:00am -11:30am

OUTSIDE THE PRESENCE OF THE JURY: Counsel stipulated to admit additional exhibits. Counsel further agreed not to bring up the issue regarding Alis Cohen. Colloquy regarding trial scheduling.

JURY PRESENCE: Clerk took the roll of the jury. Plaintiff Rested. Testimony and exhibits presented. (See worksheets).

***Court Clerk: Phyllis Irby 1:00pm - 5:00pm

OUTSIDE THE PRESENCE OF THE JURY. Parties have made a partial settlement with Samantha Beavor. Parties have stipulated to put the negotiations on the record.

Mr. Hulet informed the Court one party on the defense side has settled out; Ms. Samantha Beavor. Mr. Hulet stated the terms of the settlement are that Pltff Jack Hefetz is settling with Deft Samantha

Beavor for complete and full mutual release between Samantha Beavor and Jack Hefetz. Both clients agree to release by April 15th the Deed of Trust she resides in the condo on Domnus Lane within 15 DAYS, extending the condition of the settlement is that Samantha Beavor agree not to aid, abet, move or participate in any transfer of assets of her ex-husband Christopher Beavor. We agree to go by the uniform fraudulent transfer act as it pertains to the assets. If the condition is violated or if settlement is breached, parties agree to have liquidated damage clause provision of ONE MILLION (\$1,000,000.00) DOLLARS by the Pltf against the Deft. Mr. Hulet requested a status be set to have the necessary paperwork Stip & Order, Settlement documents and the Deed of Trust in order. COURT ORDERED, STATUS CHECK SET.

4-16-13 9:00 AM STATUS CHECK: SETTLEMENT DOCUMENTS (DEPT. XXVII)

JURY PRESENT. Testimony and exhibits presented (see worksheets). COURT ORDERED, MATTER CONTINUED. Jury recessed for the evening.

02/28/13 10:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

February 28, 2013

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

February 28, 2013 10:30 AM Jury Trial

HEARD BY: Israel, Ronald J. **COURTROOM:** RJC Courtroom 15C

COURT CLERK: Kathy Klein

RECORDER: Judy Chappell

REPORTER:

PARTIES

PRESENT:	Beavor, Christopher	Defendant
	Hefetz, Yacov Jack	Plaintiff
	Hulet, Jeffrey L.	Attorney
	Iglody, Lee I.	Attorney
	Saggese, Marc A.	Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY: Colloquy regarding Plaintiff's rebuttal witness to be taken out of order. Mr. Saggese objected. Upon review of the trial schedule and the witness schedule, Court will allow Plaintiffs Rebuttal witness to be called later today.

JURY PRESENT: Clerk took the roll of the jury. Testimony and exhibits presented. (See worksheets). Counsel agreed to call Plaintiff's second rebuttal witness out of order. Further Testimony and exhibits presented. Defendant/Counterclaimant rested.

OUTSIDE THE PRESENCE OF THE JURY: Plaintiff moved for a 50(a) Motion and provided the Court and Counsel a copy of the motion. Court directed Counsel to file with the Clerks Office and arguments will be heard tomorrow regarding this motion. Colloquy regarding scheduling issues. Counsel to argue the 50(a) Motion and jury instructions.

Evening recess

03/01/13 10:30 AM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

March 01, 2013

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

March 01, 2013 10:30 AM Jury Trial

HEARD BY: Israel, Ronald J. **COURTROOM:** RJC Courtroom 15C

COURT CLERK: Kathy Klein

RECORDER: Judy Chappell

REPORTER:

PARTIES

PRESENT:	Beavor, Christopher	Defendant
	Hefetz, Yacov Jack	Plaintiff
	Hulet, Jeffrey L.	Attorney
	Iglody, Lee I.	Attorney
	Saggese, Marc A.	Attorney

JOURNAL ENTRIES

- OUTSIDE THE PRESENCE OF THE JURY: Colloquy regarding Samantha Beavor, Defendant, reached an agreement and will no longer be listed as a Defendant in the trial. Arguments by Counsel regarding Plaintiff's 50(a) Motion. Court stated its findings and ORDERED, Plaintiff's 50 (a) Motion, GRANTED; Defendant's Counter-Claims Dismissed. Discussions regarding jury instructions and verdict form. Instructions settled 1-34.

JURY PRESENT: Clerk took the roll of the jury. Court advised the Jury, Samantha Beavor and the Counter-Claims will no longer be an issue in this trial. Court instructed the jury. Closing arguments by Counsel. Marshal and Law Clerk sworn and given charge of the jury. Court Thanked and released the alternate jurors. Amended Jury List Filed in Open Court.

At the hour of 2:38 p.m. the jury retired to deliberate.

At the hour of 4:20 p.m. Jury returned with a Defense Verdict.

Jury polled. Court Thanked and excused the Jury.

Court adjourned.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract**COURT MINUTES****April 16, 2013**

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

April 16, 2013	9:00 AM	Status Check: Settlement Documents	Status Check: Settlement Documents re Samantha Beavor
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HEARD BY: Israel, Ronald J.**COURTROOM:** RJC Courtroom 15C**COURT CLERK:** Ying Pan**RECORDER:** Judy Chappell**REPORTER:****PARTIES**

PRESENT:	H. Stanley Johnson	Attorney
	Saggese, Marc A.	Attorney

JOURNAL ENTRIES

- Court NOTED, there has been a Trial. Upon Court's inquiry, Mr. Saggese stated Plaintiff's Trial counsel recently withdrew, and he is not sure whether the Plaintiff's Trial counsel forwarded the settlement documents to new counsel, Mr. Johnson. Mr. Johnson noted Plaintiff's prior counsel did not provide him with any settlement documents. COURT ORDERED, Status Check regarding settlement documents and case dismissal shall be SET for Court's Chambers Calendar; if counsel submit all the necessary documents by the next Status Check, case will be dismissed; otherwise, counsel will be required to appear and provide an explanation.

5/15/13 3:00 AM STATUS CHECK: SETTLEMENT DOCUMENTS / DISMISSAL OF SAMANTHA BEAVOR

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract**COURT MINUTES****May 15, 2013**

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

May 15, 2013	3:00 AM	Status Check: Settlement Documents	STATUS CHECK: SETTLEMENT DOCUMENTS / DISMISSAL OF SAMANTHA BEAVOR
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HEARD BY: Israel, Ronald J.**COURTROOM:****COURT CLERK:** Kathy Klein**RECORDER:****REPORTER:**

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Upon review of the papers filed in this matter, Court notes settlement documents have not been submitted and ORDERED, Matter CONTINUED to the hearing calendar. Court directs Counsel to inform the Court of the status of the case.

06/13/13 9:00 AM STATUS CHECK: SETTLEMENT DOCUMENTS// DISMISSAL OF SAMANTHA BEAVOR// STATUS OF CASE

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) of: H. Stan Johnson, Esq. (Cohen-Johnson) and Marc Saggese, Esq.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract**COURT MINUTES****June 13, 2013**

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

June 13, 2013	9:00 AM	Status Check: Settlement Documents	STATUS CHECK: SETTLEMENT DOCUMENTS / DISMISSAL OF SAMANTHA BEAVOR//STATUS OF CASE
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HEARD BY: Israel, Ronald J.**COURTROOM:** RJC Courtroom 15C**COURT CLERK:** Kathy Klein
Keri Cromer**RECORDER:** Judy Chappell**REPORTER:****PARTIES****PRESENT:** Saggese, Marc A. Attorney**JOURNAL ENTRIES**

- Upon Court's inquiry, Mr. Saggese noted there was a substitution of counsel for Plaintiff and they stated they would produce the documents, However we have not received them. Mr. Saggese noted Mr. Johnson is new Counsel for Plaintiff. COURT ORDERED, Matter CONTINUED. Law Clerk to notify Counsel of the upcoming date. Court noted if Counsel does not appear to the next hearing, Counsel may be sanctioned.

06/20/13 9:00 AM STATUS CHECK: SETTLEMENT DOCUMENTS / DISMISSAL OF SAMANTHA BEAVOR // STATUS OF CASE

CLERK'S NOTE: Law Clerk notified Mr. Johnson, 06/13/13, kk.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

July 09, 2013

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

July 09, 2013	9:00 AM	Status Check: Settlement Documents	STATUS CHECK: SETTLEMENT DOCUMENTS / DISMISSAL OF SAMANTHA BEAVOR//STATUS OF CASE
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HEARD BY: Israel, Ronald J.

COURTROOM: RJC Courtroom 15C

COURT CLERK: Kathy Klein

RECORDER: Judy Chappell

REPORTER:

PARTIES

PRESENT:	Morris, Brian A., ESQ	Attorney
	Saggese, Marc A.	Attorney

JOURNAL ENTRIES

- Court noted parties agreed to a stipulation at the time of trial and Counsel has not received the documents of the stipulation. Mr. Morris noted Mr. Johnson was just retained on this case and assured the Court the documents would be submitted. COURT ORDERED, Matter CONTINUED. Court noted if the documents are submitted, Counsel will not need to appear.

08/08/13 9:00 AM STATUS CHECK: SETTLEMENT DOCUMENTS / DISMISSAL OF SAMANTHA BEAVOR // STATUS OF CASE

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

August 07, 2013

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

August 07, 2013	3:00 AM	Motion for New Trial	Plaintiff's Motion for New Trial or in the Alternative Motion for Judgment Notwithstanding Verdict (JNOV)
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HEARD BY: Israel, Ronald J.

COURTROOM:

COURT CLERK: Kathy Klein

RECORDER:

REPORTER:

PARTIES

PRESENT:

JOURNAL ENTRIES

- Upon review of all the papers and pleadings on file in this matter, Court notes Defendant's opposition only addressed the timeliness of Plaintiff's Motion for New Trial and Defendant's were incorrect as to the proper procedure pursuant to EDCR, Therefore, there was no opposition on the merits, COURT ORDERED, Plaintiff's Motion for New Trial, GRANTED. COURT FURTHER ORDERED, Matter set for a status check to reset the trial.

08/29/13 9:00 AM STATUS CHECK: RESET TRIAL

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) of: H. Stan Johnson, Esq. (Cohen- Johnson) and Marc Saggese, Esq. (Saggese & Associates)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

August 08, 2013

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

August 08, 2013	9:00 AM	Status Check: Settlement Documents	STATUS CHECK: SETTLEMENT DOCUMENTS / DISMISSAL OF SAMANTHA BEAVOR//STATUS OF CASE
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HEARD BY: Israel, Ronald J.

COURTROOM: RJC Courtroom 15C

COURT CLERK: Kathy Klein

RECORDER: Judy Chappell

REPORTER:

PARTIES

PRESENT:	H. Stanley Johnson	Attorney
	Saggese, Marc A.	Attorney

JOURNAL ENTRIES

- Colloquy regarding the preparing of the stipulation and order and the settlement agreement.
COURT ORDERED, CASE CLOSED as to Samantha Beavor. Court noted there will be additional motions regarding Defendant Christopher Beavor.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

August 29, 2013

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

August 29, 2013 9:00 AM Status Check: Trial Setting

HEARD BY: Israel, Ronald J. **COURTROOM:** RJC Courtroom 15C

COURT CLERK: Kathy Klein

RECORDER: Judy Chappell

REPORTER:

PARTIES

PRESENT: Morris, Brian A., ESQ Attorney
 Tomsheck, Joshua L. Attorney

JOURNAL ENTRIES

- Mr. Morris noted both law firms are new on this case. Colloquy regarding schedules. COURT ORDERED, Jury Trial, SET. The Judicial Executive Assistant (JEA) to issue a trial order. At the request of Counsel, COURT ORDERED, The upcoming Motion for Attorney Fees and Motion for Reconsideration be reset together on the hearing calendar.

09/26/13 9:00 AM MOTION FOR ATTORNEY FEES...MOTION FOR RECONSIDERATION

02/20/14 9:30 AM PRE-TRIAL CONFERENCE

03/11/14 9:30 AM CALENDAR CALL

03/17/14 1:30 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

September 26, 2013

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

September 26, 2013 9:00 AM

All Pending Motions

**All Pending Motions
(09/26/13)**

HEARD BY: Israel, Ronald J.

COURTROOM: RJC Courtroom 15C

COURT CLERK: Kathy Klein

RECORDER: Judy Chappell

REPORTER:

PARTIES

PRESENT: H. Stanley Johnson Attorney
 Saggese, Marc A. Attorney
 Tomsheck, Joshua L. Attorney

JOURNAL ENTRIES

- DEFENDANT CHRISTOPHER BEAVOR'S MOTION FOR RECONSIDERATION...DEFENDANT'S MOTION FOR ATTORNEY FEES

Colloquy regarding the dismissal of Ms. Samantha Beavor. Mr. Saggese noted it was in the process, they were fine tuning the language. COURT ORDERED, Matter CONTINUED and FURTHER CONTINUED Mr. Saggese's Motion for Attorney Fees. Court noted if the settlement documents are submitted, Counsel may notify chambers to have the matter taken off calendar.

Arguments by Counsel regarding the Motion to Reconsider Plaintiff's Motion for a new trial. Mr. Tomsheck argued the time of service of the notice of judgment. Colloquy regarding rule 6A and rule 6E and holidays and weekends excluded from the time of service. Further arguments. COURT stated its finding and noted under 2.24 there were no grounds for reconsideration and ORDERED, Motion to Reconsider, DENIED. Mr. Tomsheck requested matter be stayed to take it up on a writ. COURT ORDERED, Oral Motion to Stay, DENIED.

10/24/13 9:00 AM STATUS CHECK: DISMISSAL/S. BEAVOR...DEFT'S MOTION FOR ATTORNEY FEES

CLERK'S NOTE: Following Court, Court noted Mr. Tomsheck may file a written motion for a stay for both sides to brief. A copy of this minute order was placed in the attorney folder(s) of: Joshua Tomsheck, Esq. (Hofland & Tomsheck) and H. Stanley Johnson, Esq. (Cohen-Johnson) and Marc Saggese, Esq.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

October 24, 2013

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

**October 24, 2013 9:00 AM All Pending Motions All Pending Motions
(10/24/13)**

HEARD BY: Israel, Ronald J. **COURTROOM:** RJC Courtroom 15C

COURT CLERK: Kathy Klein

RECORDER: Judy Chappell

REPORTER:

PARTIES

PRESENT: H. Stanley Johnson Attorney
 Saggese, Marc A. Attorney

JOURNAL ENTRIES

- DEFENDANT'S MOTION FOR ATTORNEY FEES...STATUS CHECK: SAMANTHA BEAVOR

Mr. Johnson noted the settlement with Samantha Beavor was done. Colloquy regarding the Motion for Attorney Fees, and Mr. Johnson's appearances for the past hearings. Court trailed the matter. Later recalled. Court noted Mr. Hefetz had changed Counsel and delayed this matter. COURT ORDERED, Motion for Attorney Fees, DENIED, Court finds no one had placed the terms on the record.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

January 07, 2014

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

January 07, 2014 9:00 AM Motion For Stay Defendant
Christopher Beavor's
Motion for Stay of
Proceedings

HEARD BY: Israel, Ronald J.

COURTROOM: RJC Courtroom 15C

COURT CLERK: Kathy Klein

RECORDER: Judy Chappell

REPORTER:

PARTIES

PRESENT: Tomsheck, Joshua L. Attorney

JOURNAL ENTRIES

- There being no opposition, COURT ORDERED, Stay of Proceedings, GRANTED. Upon Court's inquiry, Mr. Tomsheck advised he would file the writ now. COURT FURTHER ORDERED, Trial Dates, VACATED and Matter set for a status check as to the status of the case and to reset trial. Case STAYED pending Supreme Court decision.

05/13/14 9:00 AM STATUS CHECK: STATUS OF CASE // RESETTING TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

May 13, 2014

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

May 13, 2014

9:00 AM

Status Check: Status of
CaseStatus Check: Status
of Case//Resetting
Trial

HEARD BY: Israel, Ronald J.

COURTROOM: RJC Courtroom 15C

COURT CLERK: Kathy Klein

RECORDER: Judy Chappell

REPORTER:

PARTIES

PRESENT: Tomsheck, Joshua L. Attorney

JOURNAL ENTRIES

- Mr. Tomsheck noted the writ had been filed with the Supreme Court. COURT ORDERED, Matter set for a status check. Court directed Counsel to notify chambers of the status prior to the hearing.

08/13/14 (CHAMBERS) STATUS CHECK: STATUS OF SUPREME COURT DECISION

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

August 13, 2014

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

August 13, 2014	3:00 AM	Status Check: Status of Case	Status Check: Status of Case//Resetting Trial
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HEARD BY: Israel, Ronald J.

COURTROOM:

COURT CLERK: Kathy Klein

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Upon review, writ of mandamus pending before the Supreme Court. COURT ORDERED, Matter CONTINUED.

11/12/14 (CHAMBERS) STATUS CHECK: STATUS OF CASE/RESETTING TRIAL

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) of: Joshua Tomsheck, Esq. (Hofland & Tomsheck) and Harold Johnson, Esq. (Cohen-Johnson)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

November 05, 2014

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

November 05, 2014	3:00 AM	Motion to Withdraw as Counsel	Hofland & Tomsheck's Motion to Withdraw as Counsel for Defendant Christopher Beavor
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HEARD BY: Israel, Ronald J.

COURTROOM:

COURT CLERK: Kathy Klein

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Upon review of the papers and pleadings on file in this Matter, as proper service has been provided, this Court notes no opposition has been filed. Accordingly, pursuant to EDCR 2.20(b) the Motion to Withdraw is deemed unopposed. Therefore, good cause appearing, COURT ORDERED, motion is GRANTED. Moving Counsel is to prepare and submit an order including the last known address and all upcoming dates including all dates for pretrial compliance with NRCP 16.1 within ten (10) days and distribute a filed copy to all parties involved in this matter.

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) of: Joshua Tomsheck, Esq. (Hofland & Tomsheck) and Counsel to notify all parties.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

November 12, 2014

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

November 12, 2014 3:00 AM

**Status Check: Status of
Case**

**Status Check: Status
of Case//Resetting
Trial**

HEARD BY: Israel, Ronald J.

COURTROOM:

COURT CLERK: Kathy Klein

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- COURT ORDERED, Matter CONTINUED to the Hearing Calendar for trial setting.

12/11/14 9:00 AM STATUS CHECK: STATUS OF CASE // TRIAL SETTING

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) of: Joshua Tomsheck, Esq. (Hofland & Tomsheck) and Harold Johnson, Esq. (Cohen-Johnson)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract**COURT MINUTES****December 11, 2014**

A-11-645353-C Yacov Hefetz, Plaintiff(s)
 vs.
 Christopher Beavor, Defendant(s)

December 11, 2014	9:00 AM	Status Check: Status of Case	Status Check: Status of Case//Resetting Trial
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HEARD BY: Israel, Ronald J.**COURTROOM:** RJC Courtroom 15C**COURT CLERK:** Kathy Klein**RECORDER:** Judy Chappell**REPORTER:****PARTIES**

PRESENT: Hughes, Michael V., ESQ Attorney

JOURNAL ENTRIES

- Mr. Hughes requested trial dates be set. Court noted the Supreme Court denied the writ and Defense Counsel withdrew. COURT ORDERED, Trial SET. The Judicial Executive Assistant (JEA) to issue the trial order. Upon inquiry, Mr. Hughes noted the trial would be 5 days for the re-trial.

01/20/15 9:30 AM PRE-TRIAL CONFERENCE

02/03/15 9:30 AM CALENDAR CALL

02/09/15 1:30 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

January 20, 2015

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

January 20, 2015 9:30 AM Pre Trial Conference

HEARD BY: Israel, Ronald J. **COURTROOM:** RJC Courtroom 15C

COURT CLERK: Kathy Klein

RECORDER: Judy Chappell

REPORTER:

PARTIES

PRESENT: Johnson, Harold Stanley Attorney
Schwarz, Joel Z. Attorney

JOURNAL ENTRIES

- Mr. Schwarz noted he was just retained Thursday and he spoke with Counsel regarding other trial stacks and will be submitting a joint motion to continue the trial. Court noted the age of the case and the prior trial on this case going to the Supreme Court. Court will allow a limited time given the fact Mr. Schwarz was just retained. Colloquy regarding scheduling issues. COURT ORDERED, Trial dates VACATED and RESET. The Judicial Executive Assistant (JEA) to issue the trial order. COURT FURTHER ORDERED, All Parties to a Settlement Conference. Counsel to notify the Law Clerk in chambers by next Tuesday of the date set for the settlement conference.

CLERK'S NOTE: Chambers received a fax 01/26/15, from Joel Z. Schwarz, Esq. advising that the parties have a Settlement Conference scheduled with Judge Scotti on 02/26/15 @1:00 PM. kk 01/26/15.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

February 26, 2015

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

February 26, 2015 1:00 PM Settlement Conference

HEARD BY: Scotti, Richard F. **COURTROOM:** Phoenix Building Courtroom -
11th Floor

COURT CLERK: Keri Cromer

RECORDER:

REPORTER:

PARTIES

PRESENT:	Beavor, Christopher	Defendant
	Hefetz, Yacov Jack	Plaintiff
	Hughes, Michael V., ESQ	Attorney
	Schwarz, Joel Z.	Attorney

JOURNAL ENTRIES

- Court reviewed the settlement conference process with all parties and advised they must participate in good faith; further advised that anything spoken about by either side would remain confidential. Upon Court's inquiry, Mr. Schwarz indicated that Judge Israel inquired about the possibility of scheduling a settlement conference during their Pre-Trial Conference, and both sides stated they were open to having one. Counsel advised it would be best to move forward with the settlement conference with both sides separated due to the history of the case. Mr. Hughes advised they were open to a constructive settlement and that there was room for negotiation. Settlement conference conducted. Court advised the parties conducted a good faith settlement; however, the matter did not settle. Matter REFERRED back to its originating department for further proceedings.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

March 31, 2015

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

March 31, 2015 9:30 AM Pre Trial Conference

HEARD BY: Israel, Ronald J. **COURTROOM:** RJC Courtroom 15C

COURT CLERK: Kathy Klein

RECORDER: Judy Chappell

REPORTER:

PARTIES

PRESENT: Hughes, Michael V., ESQ Attorney
Schwarz, Joel Z. Attorney

JOURNAL ENTRIES

- Upon Court's inquiry, Counsel announced ready and estimated 5 days for trial. Counsel stated the dates that they would be unavailable for trial, the week of April 20th and May 4th. Mr. Hughes asked if the Pre-Trial Memorandum could be due after the Motions In Limine. Court will allow the filing of the Pre-Trial Memorandum by April 14th. Colloquy regarding the pending Motions In Limine and the unsuccessful settlement conference.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

April 07, 2015

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

April 07, 2015 9:00 AM All Pending Motions All Pending Motions
(04/07/15)

HEARD BY: Israel, Ronald J.

COURTROOM: RJC Courtroom 15C

COURT CLERK: Kathy Klein

RECORDER: Judy Chappell

REPORTER:

PARTIES

PRESENT: Hughes, Michael V., ESQ Attorney
 Schwarz, Joel Z. Attorney

JOURNAL ENTRIES

- PLAINTIFF'S MOTION IN LIMINE CONCERNING THE EXCLUSION OF REFERENCES TO NATIONAL ORIGINS AND RELIGIOUS BELIEFS: Colloquy regarding avoiding references. Upon Court's inquiry of Counsel holding a meet and confer, Mr. Hughes stated he had failed to set it up. Mr. Schwarz advised the references regarding the national origins or religion may be seen from the evidence and facts presented in trial and should have no bearing on this case. Arguments by Counsel. COURT ORDERED, Motion GRANTED. Moving Counsel to prepare the order.

PLAINTIFF'S MOTION IN LIMINE CONCERNING THE EXCLUSION OF THE CONTENTS OF SETTLEMENT NEGOTIATIONS: Arguments by Counsel. Court inquired if Plaintiff was seeking the amount of the settlement or that they had a settlement. Court further noted Defendants never sought to enforce the settlement. Colloquy. Court stated this was a new trial and the previous stipulations for evidence is not in the new trial. COURT stated its findings noting this is a question for the jury and ORDERED, Motion In Limine, DENIED. Plaintiff's Counsel to prepare the order.

Colloquy regarding Defendant's Order Shortening Time that the Court just received. Mr. Schwarz advised the Motion is a one action rule and not able to waive; Further stating his Client was a Nevada

resident and his property is located in Nevada, the deed of trust is on Defendant's house. Conference at the bench. Court noted Counsel is not ready for trial and ORDERED, Trial VACATED and RESET. The Judicial Executive Assistant (JEA) to issue the trial order. COURT FURTHER ORDERED, All Parties to a Settlement Conference. Counsel to notify chambers with three dates where all parties are available, by next Friday. Court noted they may schedule in Dept. XXX, set a private mediation, or find a Judge that is available. Mr. Schwarz noted the Order Shortening Time is no longer needed.

09/22/15 9:30 AM PRE-TRIAL CONFERENCE

10/06/15 9:30 AM CALENDAR CALL

10/12/15 1:30 PM JURY TRIAL

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

May 14, 2015

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

May 14, 2015 10:30 AM Settlement Conference

HEARD BY: Kishner, Joanna S. **COURTROOM:** RJC Courtroom 12B

COURT CLERK: Sandra Harrell

RECORDER: Rachelle Hamilton

REPORTER:

PARTIES

PRESENT:	Beavor, Christopher	Defendant
	Hefetz, Yacov Jack	Plaintiff
	Johnson, Harold Stanley	Attorney
	Schwarz, Joel Z.	Attorney

JOURNAL ENTRIES

- SETTLEMENT CONFERENCE

All parties and counsel present. Settlement options discussed with no settlement reached.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

June 09, 2015

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

June 09, 2015

9:00 AM

All Pending Motions

All Pending Motions
(06/09/15)

HEARD BY: Israel, Ronald J.

COURTROOM: RJC Courtroom 15C

COURT CLERK: Kathy Klein

RECORDER: Judy Chappell

REPORTER:

PARTIES

PRESENT: Hughes, Michael V., ESQ Attorney
 Schwarz, Joel Z. Attorney

JOURNAL ENTRIES

- DEFENDANT'S MOTION TO DISMISS PURSUANT TO NRS 40.435...DEFENDANT
CHRISTOPHER BEAVOR'S MOTION TO REOPEN DISPOSITIVE MOTION DEADLINE

Arguments by Counsel. Mr. Schwarz advised they could not waive the one action rule and Plaintiff should release the security or dismiss. Mr. Hughes noted the security interest is under water and the statute of limitations has expired. Conference at the Bench. Court noted the past history of the case. Court stated its findings and noted Defendant's Motion is appropriate and ORDERED, Deft's Motion to Dismiss, GRANTED Without Prejudice. Court noted Plaintiff has not agreed upon a course of action to amend the action and the one action applies. COURT FURTHER ORDERED, Deft's Motion to Reopen Dispositive Motion Deadline, Denied as MOOT and Trial Dates, VACATED. Mr. Schwarz to prepare the order. CASE CLOSED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

July 22, 2015

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

July 22, 2015	3:00 AM	Motion	Plaintiff's Motion To Re-Open The Case And For Reconsideration Of An Order Of Dismissal Without Prejudice
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HEARD BY: Israel, Ronald J.

COURTROOM: RJC Courtroom 15C

COURT CLERK: Kathy Klein

RECORDER:

REPORTER:

PARTIES
PRESENT:

JOURNAL ENTRIES

- COURT ORDERED, Plaintiff's Motion DENIED. Written decision and Order prepare and e-filed by the Court, 07/22/15.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

August 19, 2015

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

**August 19, 2015 3:00 AM Motion for Attorney Fees
and Costs**

HEARD BY: Israel, Ronald J. **COURTROOM:** RJC Courtroom 15C

COURT CLERK: Kathy Klein

RECORDER:

REPORTER:

**PARTIES
PRESENT:**

JOURNAL ENTRIES

- Motion for Costs are GRANTED as no timely Motion to Retax was submitted. Motion for Attorney's Fees are GRANTED. Defendant prevailed and got the Complaint dismissed even though it was without prejudice. Attorney fees are appropriate pursuant to the offer of judgment and are awarded in the amount of \$15,000.00. This Court reduced the attorneys' fees as the billing seemed excessive post offer of judgment. In discussing the Brunzell factors, the quality of the work done was very good; the character and difficulty of the work was reasonable in nature and particularly so given that it resolved the case. It was the amount of time spent that this Court felt was excessive and therefore reduced the total award of attorneys' fees to \$15,000.00. The Defendant did achieve appropriate results or results that would satisfy the Brunzell factors. The Offer of Judgment was both timely and reasonable in the amount especially given the circumstances under which the Plaintiff had been advised prior to the filing of the motion that the One-Action Rule would resolve the situation. Prevailing party to prepare the order pursuant to EDCR 7.21.

CLERK'S NOTE: A copy of this minute order was placed in the attorney folder(s) of: Joel Schwarz, Esq. (Dickinson Wright) and Stanley Johnson, Esq. (Cohen-Johnson)

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Breach of Contract

COURT MINUTES

April 21, 2016

A-11-645353-C Yacov Hefetz, Plaintiff(s)
vs.
Christopher Beavor, Defendant(s)

April 21, 2016	9:00 AM	Status Check	Status Check: Supreme Court Order Dismissing Appeals and Status of Case
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HEARD BY: Israel, Ronald J.

COURTROOM: RJC Courtroom 15C

COURT CLERK: Kathy Klein

RECORDER: Judy Chappell

REPORTER:

PARTIES

PRESENT:	Davis, Chris W.	Attorney
	Schwarz, Joel Z.	Attorney

JOURNAL ENTRIES

- Court noted both Counsel were retained following the trial. Court noted Mr. Cohen was dismissed and three days of the trial and Ms. Beavor was also dismissed with prejudice. Mr. Davis clarified page three of the Supreme Court Order they discuss the counter claims. Mr. Davis further noted he prepare an order to dismiss the counterclaim, pursuant to Court's prior decision and the order was never submitted. Mr. Schwarz objected. Arguments by Counsel. Court noted this was reviewed and the order stated what took place, therefore, Court signed the Order to Dismiss the Counterclaims, in Open Court. CASE CLOSED.

DISTRICT COURT
CLARK COUNTY, NEVADA
Yacov Jack Hefetz vs. Christopher Beavor and Teresa Beavor
Case No. A645353

February 25, 2013 Trial

Stipulated Exhibit List

PLAINTIFF'S EXHIBITS

Exhibit	Description	Objection	Offered	Admitted
P1.	Loan, Guaranty and Deeds of Trust Documents Bate No . 000001-000167		Stip	02/25/13
P2.	Defendants' Answer and Counterclaim and Verified Complaint		Stip	02/25/13
P3.	Assignment documents Bate No. Hefetz Toluca Lake 001-014		Stip	02/25/13
P4.	Ch 11 plan documents Bate No. Hefetz Toluca Lake 015-038		Stip	02/25/13
P5.	Plan description		Stip	02/25/13
P6.	Power of Attorney 170 171		Stip	02/25/13
P7.	Copy of Bank Statement with evidence of wire of funds from Hefetz to Frey		Stip	02/25/13
P8.	Alis Cohen Assignment Documents <i>- not Provided by Counsel</i>			
P9	Exhibit 7 from Christopher Beavor		stip	2/27/13
P10	Exhibit 10 from Christopher Beavor		stip	2/27/13

DISTRICT COURT
CLARK COUNTY, NEVADA
Yacov Jack Hefetz vs. Christopher Beavor and Teresa Beavor
Case No. A645353

February 25, 2013 Trial

Stipulated Exhibit List

DEFENDANTS' EXHIBITS

Exhibit	Description	Objection	Offered	Admitted
D1.	Eighteen payments to Herbert Frey Revocable Family Trust for monthly installments of one thousand two hundred fifty dollars (\$1,250.00).		Stip	02/25/13
D2.	Mutual Release and Payment Agreement between Christopher Beavor, Samantha Beavor, C&S Holdings, LLC, Brian Head Lofts, LLC, Herbert Frey and his successors, and the Herbert Frey Revocable Family Trust dated November 22, 1982		Stip	02/25/13
D3.	Cashier's Check from Silver State Realty & Investment to the Herbert Frey Revocable Family Trust, dated January 4, 2011, in the amount of one thousand dollars (\$1,000.00).		Stip	02/25/13
D4.	Secretary of State Entity Details for Star Development, LLC, listing Yacov Hefetz and Gary M. Frey, as Managers in 2010		Stip	02/25/13
D5.	Proposed Settlement Agreement, Release of Guarantees and Reconveyance of Deeds of Trust between Christopher Beavor, Samantha Beavor, Robert A. Rink, Alan R. Floyd, Herbert Frey and Herbert Frey, as Trustee of the Herbert Frey Revocable Family Trust dated November 22, 1982.		Stip	02/25/13
D6.	Substitution of Attorney for Toluca Lake Vintage, LLC, dated April 24, 2009		Stip	02/25/13
D7.	Toluca Lake Vintage, LLC, Voluntary Petition for Bankruptcy, United States Bankruptcy Court, Central District of California – SFV Division		Stip	02/25/13
D8.	Toluca Lake Vintage, LLC, List of Creditors Holding 20 Largest Unsecured Claims, United States Bankruptcy Court, Central District of California – San Fernando Valley Division.		Stip	02/25/13

DISTRICT COURT
CLARK COUNTY, NEVADA
Yacov Jack Hefetz vs. Christopher Beavor and Teresa Beavor
Case No. A645353

February 25, 2013 Trial

Stipulated Exhibit List

DEFENDANTS' EXHIBITS

Exhibit	Description	Objection	Offered	Admitted
D9.	Toluca Lake Vintage, LLC, Notice of Bankruptcy Case Filing under Chapter 11 of the United States Bankruptcy Code, United States Bankruptcy Court, Central District of California, entered on May 14, 2009		Stip	02/25/13
D10.	Notice of Commencement of Bankruptcy Case and of Automatic Stay [11 U.S.C. § 362] dated May 14, 2009		Stip	02/25/13
D11.	Notice of Motion and Motion for Order Approving Settlement Agreement by and Between Debtor, Chinatrast Bank (U.S.A.), and Others Pursuant to F.R.B.P. 9019(a); Memorandum of Points and Authorities; Declaration of Victor A. Sahn in Support Thereof, dated January 21, 2010		Stip	02/25/13
D12.	Objection to Emergency Ex Parte Application for Hearing on Debtor's Emergency Motion for Order Authorizing and Approving: (1) A Modification of the Order Approving Settlement Agreement By and Between Debtor, Chinatrast Bank and Others [Docket No. 44]; Etc., dated May 10, 2010		Stip	02/25/13
D13.	Declaration of Christopher Beavor in Opposition to Motion to Modify, dated May 17, 2010.		Stip	02/25/13
D14.	Order Granting Emergency Ex Parte Motion for Order Authorizing and Approving: (1) Modification of the Order Approving Settlement By and Between Debtor, Chinatrast Bank and Others [Docket No. 44]; (2) Granting Chinatrast Bank Relief from Automatic stay and Related Relief; and (3) Debtor's Execution of Certain Documents and Agreements in Connection with the Purchase of the Chinatrast Bank Loan by Debtor or a Successor in Interest and Certain Other Relief, dated May 18, 2010.		Stip	02/25/13

DISTRICT COURT
CLARK COUNTY, NEVADA
Yacov Jack Hefetz vs. Christopher Beavor and Teresa Beavor
Case No. A645353

February 25, 2013 Trial

Stipulated Exhibit List

DEFENDANTS' EXHIBITS

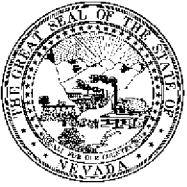
Exhibit	Description	Objection	Offered	Admitted
D15.	Notice of Motion and Motion for Final Decree Closing Chapter 11 Case: Memorandum of Points and Authorities and Declaration of Victor A. Sahn in Support Thereof [11 U.S.C. § 350 (a); Fed. R. Bankr. P. 3022 and Loc. Bankr. R. 3020-1(d)], citing satisfaction of the Herbert Frey Revocable Family Trust Claim		Stip	02/25/13
D16.	Chapter 11 Bankruptcy Petition filing regarding Toluca Lake Vintage, LLC, Case No. 1:09-bk-15680-GM, dated May 18, 2009 (BATES No. 002193-002225)		Stip	02/25/13
D17.	*Omitted			
D18.	*Omitted			
D19.	Email from Christopher Beavor to Wayne Krygier dated January 7, 2011			
D20.	Email from Christopher Beavor to Yacov Hefetz dated February 1, 2011			
D21.	Email from David Haberbusch, Esq., to Christopher Beavor, dated April 26, 2010			
D22.	Email communications between Christopher Beavor and Robert Rink, dated January 26, 2010			
D23.	Email communications between Christopher Beavor, David Haberbusch, Robert Rink, and Gary Frey dated May 11, 2010			
D24	Exhibit From Mr. Hefetz- Deposition #7	2/26/13	Stp	2/26/13

Not Provided
by Counsel

EXHIBITS

CASE NO. A645353

[illegible]



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT

H. STAN JOHNSON, ESQ.
255 E. WARM SPRINGS RD., SUITE 100
LAS VEGAS, NV 89119

DATE: May 3, 2016
CASE: A-11-645353-C

RE CASE: YACOV JACK HEFETZ vs. CHRISTOPHER BEAVOR; SAMANTHA BEAVOR

NOTICE OF APPEAL FILED: April 29, 2016

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS NOT TRANSMITTED HAVE BEEN MARKED:

- ☒ **\$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)****
 - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ **\$24 – District Court Filing Fee (Make Check Payable to the District Court)****
- ☒ **\$500 – Cost Bond on Appeal (Make Check Payable to the District Court)****
 - NRAP 7: Bond For Costs On Appeal in Civil Cases
- ☒ **Case Appeal Statement**
 - NRAP 3 (a)(1), Form 2
- ☐ **Order**
- ☐ **Notice of Entry of Order**

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

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

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

****Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.**

Certification of Copy

State of Nevada }
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER (1) GRANTING DEFENDANT'S MOTION TO DISMISS PURSUANT TO NRS 40.435; AND (2) VACATING AS MOOT DEFENDANT'S MOTION FOR LEAVE TO REOPEN DISPOSITIVE MOTION DEADLINE; NOTICE OF ENTRY OF ORDER; ORDER GRANTING DEFENDANT CHRISTOPHER BEAVOR'S MOTION FOR ATTORNEYS' FEES AND COSTS; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

YACOV JACK HEFETZ,

Plaintiff(s),

vs.

CHRISTOPHER BEAVOR; SAMANTHA
BEAVOR,

Defendant(s),

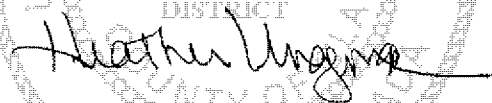
Case No: A-11-645353-C

Dept No: XXVIII

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 3 day of May 2016.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk