

FILED

JAN 11 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY
DEPUTY CLERK

IN THE SUPREME COURT OF NEVADA

MARGARET RAWSON,

Petitioner,

v.

THE NINTH JUDICIAL DISTRICT
COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF
DOUGLAS; and THE HONORABLE
MICHAEL P. GIBBONS, DISTRICT
JUDGE,

Respondents.

PEGGY CAIN, JEFFREY CAIN, and
HELI OPS INTERNATIONAL, LLC,

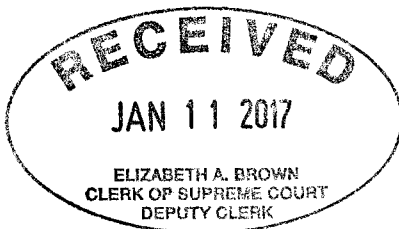
Real Parties in
Interest

Supreme Court Case No. 71548

District Court Case No.: 11-CV-0296

**REAL PARTIES IN INTEREST'S
APPENDIX TO ANSWERING
BRIEF**

VOLUME 2



17-01027

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RECORDING REQUESTED BY
Misty Perry Isaacson

AND WHEN RECORDED MAIL TO

Name Pagter and Perry Isaacson
Street 525 N. Cabrillo Park Drive
Address Suite 104
City & State Santa Ana, CA 92701

Recorded in Official Records, Orange County
Hugh Nguyen, Clerk-Recorder



25.00

* \$ R 0 0 0 7 1 7 5 1 8 4 3 *

2014000549629 12:56 pm 12/19/14

90 417 A03 F13 3

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Assessors Parcel Number:

SPACE ABOVE THIS LINE FOR RECORDER'S USE

TRA:

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OF

ABSTRACT OF JUDGMENT - CIVIL AND SMALL CLAIMS

TITLE OF DOCUMENT

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION
(\$3.00 ADDITIONAL RECORDING FEE APPLIES)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, address, and State Bar number):

After recording, return to:

Misty Perry Isaacson, CA SBN 193204

PAGTER AND PERRY ISAACSON, APLC

525 N. Cabrillo Park Dr., Suite 104

Santa Ana, CA 92701

Email: misty@ppilawyers.com

TEL NO.: 714-541-6072

FAX NO. (optional): 714-541-6897

E-MAIL ADDRESS (Optional):

☒ ATTORNEY FOR
 ☒ JUDGMENT CREDITOR
 ☐ ASSIGNEE OF RECORD

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE

STREET ADDRESS: 700 Civic Center Drive

MAILING ADDRESS:

CITY AND ZIP CODE: Santa Ana, CA 92701

BRANCH NAME: Central Justice Center

FOR RECORDER'S USE ONLY

 PLAINTIFF: PEGGY CAIN, JEFFREY CAIN, & HELL-OPS INTENATIONAL, LLC
 DEFENDANT: DR RAWSON ET AL.

CASE NUMBER:

30-2014-00735951-CU-EN-CJC

**ABSTRACT OF JUDGMENT—CIVIL
AND SMALL CLAIMS**
☐ Amended

1. The
- ☒
- judgment creditor
- ☐
- assignee of record
-
- applies for an abstract of judgment and represents the following:

a. Judgment debtor's

Name and last known address

 Margaret Rawson
 8751 Dewey Drive
 Garden Grove, CA 92841

- b. Driver's license no. [last 4 digits] and state: ca N0901573
- ☐
- Unknown
-
- c. Social security no. [last 4 digits]:
- ☒
- Unknown
-
- d. Summons or notice of entry of sister-state judgment was personally served or mailed to (name and address):

Margaret Rawson, 8751 Dewey Drive, Garden Grove, CA 92841

- 2.
- ☒
- Information on additional judgment debtors is
-
- shown on page 2.
-
3. Judgment creditor (name and address):
-
- Peggy Cain, Jeffrey Cain, and Hell-Ops International, LLC
-
- 101 Wass Way
-
- Minden, NV 89423

Date: 12/18/2014

Misty Perry Isaacson

(TYPE OR PRINT NAME)

- 4.
- ☐
- Information on additional judgment creditors is
-
- shown on page 2.
-
- 5.
- ☐
- Original abstract recorded in this county:

a. Date:

b. Instrument No.



(SIGNATURE OF APPLICANT OR ATTORNEY)

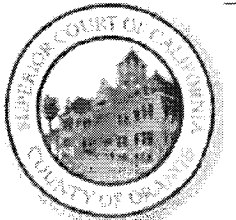
6. Total amount of judgment as entered or last renewed:
-
- \$28,241,429.72

7. All judgment creditors and debtors are listed on this abstract.

8. a. Judgment entered on (date): 05/14/2013
-
- b. Renewal entered on (date):

- 9.
- ☐
- This judgment is an installment judgment.

(SE)


 This abstract issued on (date):
 12/19/14

- 10.
- ☐
- An
- ☐
- execution lien
- ☐
- attachment lien
-
- is endorsed on the judgment as follows:

- a. Amount: \$
-
- b. In favor of (name and address):

11. A stay of enforcement has

- a.
- ☒
- not been ordered by the court.
-
- b.
- ☐
- been ordered by the court effective until
-
- (date):

12. a.
- ☒
- I certify that this is a true and correct abstract of
-
- the judgment entered in this action.
-
- b.
- ☐
- A certified copy of the judgment is attached.

Clerk, by



Deputy

PLAINTIFF: PEGGY CAIN, JEFFREY CAIN, & HELI-OPS INTENATIONAL, LLC
DEFENDANT: DR RAWSON ET AL.

COURT CASE NO.:
30-2014-00735951-CU-EN-CJC

NAMES AND ADDRESSES OF ADDITIONAL JUDGMENT CREDITORS:

13. Judgment creditor (*name and address*):

14. Judgment creditor (*name and address*):

15. ☐ Continued on Attachment 15.

INFORMATION ON ADDITIONAL JUDGMENT DEBTORS:

16. Name and last known address

Driver's license no. [last 4 digits] and state:

☐ Unknown

Social security no. [last 4 digits]:

☐ Unknown

Summons was personally served at or mailed to (*address*):

17. Name and last known address

Driver's license no. [last 4 digits] and state:

☐ Unknown

Social security no. [last 4 digits]:

☐ Unknown

Summons was personally served at or mailed to (*address*):

18. Name and last known address

Driver's license no. [last 4 digits] and state:

☐ Unknown

Social security no. [last 4 digits]:

☐ Unknown

Summons was personally served at or mailed to (*address*):

19. Name and last known address

Driver's license no. [last 4 digits] and state:

☐ Unknown

Social security no. [last 4 digits]:

☐ Unknown

Summons was personally served at or mailed to (*address*):

20. ☐ Continued on Attachment 20.

United States Bankruptcy Court Central District of California				Voluntary Petition	
Name of Debtor (if individual, enter Last, First, Middle): Rawson, Margaret Allen			Name of Joint Debtor (Spouse) (Last, First, Middle):		
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names): Margaret Leah Rawson			All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):		
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) /Complete EIN (if more than one, state all): 9233			Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) /Complete EIN (if more than one, state all):		
Street Address of Debtor (No. & Street, City, State & Zip Code): 8751 Dewey Drive Garden Grove, CA			Street Address of Joint Debtor (No. & Street, City, State & Zip Code):		
ZIPCODE 92841			ZIPCODE		
County of Residence or of the Principal Place of Business: Orange			County of Residence or of the Principal Place of Business:		
Mailing Address of Debtor (if different from street address):			Mailing Address of Joint Debtor (if different from street address):		
ZIPCODE			ZIPCODE		
Location of Principal Assets of Business Debtor (if different from street address above):					
ZIPCODE					
Type of Debtor (Form of Organization) (Check one box.) <input checked="" type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i> <input type="checkbox"/> Corporation (includes LLC and LLP) <input type="checkbox"/> Partnership <input type="checkbox"/> Other (If debtor is not one of the above entities, check this box and state type of entity below.) <hr/> Chapter 15 Debtor Country of debtor's center of main interests: <hr/> Each country in which a foreign proceeding by, regarding, or against debtor is pending: <hr/>		Nature of Business (Check one box.) <input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101(51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other <hr/> Tax-Exempt Entity (Check box, if applicable.) <input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).		Chapter of Bankruptcy Code Under Which the Petition is Filed (Check one box.) <input checked="" type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 15 Petition for <input type="checkbox"/> Chapter 9 Recognition of a Foreign <input type="checkbox"/> Chapter 11 Main Proceeding <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 15 Petition for <input type="checkbox"/> Chapter 13 Recognition of a Foreign Nonmain Proceeding <hr/> Nature of Debts (Check one box.) <input type="checkbox"/> Debts are primarily consumer <input checked="" type="checkbox"/> Debts are primarily debts, defined in 11 U.S.C. business debts. § 101(8) as "incurred by an individual primarily for a personal, family, or house- hold purpose."	
Filing Fee (Check one box) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (Applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. <input type="checkbox"/> Filing Fee waiver requested (Applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.		Chapter 11 Debtors Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Check if: <input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,490,925 (amount subject to adjustment on 4/01/16 and every three years thereafter). <hr/> Check all applicable boxes: <input type="checkbox"/> A plan is being filed with this petition <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).			
Statistical/Administrative Information <input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input checked="" type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. <hr/> Estimated Number of Creditors <input checked="" type="checkbox"/> 1-49 <input type="checkbox"/> 50-99 <input type="checkbox"/> 100-199 <input type="checkbox"/> 200-999 <input type="checkbox"/> 1,000-5,000 <input type="checkbox"/> 5,001-10,000 <input type="checkbox"/> 10,001-25,000 <input type="checkbox"/> 25,001-50,000 <input type="checkbox"/> 50,001-100,000 <input type="checkbox"/> Over 100,000 <hr/> Estimated Assets <input checked="" type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion <hr/> Estimated Liabilities <input type="checkbox"/> \$0 to \$50,000 <input type="checkbox"/> \$50,001 to \$100,000 <input type="checkbox"/> \$100,001 to \$500,000 <input type="checkbox"/> \$500,001 to \$1 million <input type="checkbox"/> \$1,000,001 to \$10 million <input checked="" type="checkbox"/> \$10,000,001 to \$50 million <input type="checkbox"/> \$50,000,001 to \$100 million <input type="checkbox"/> \$100,000,001 to \$500 million <input type="checkbox"/> \$500,000,001 to \$1 billion <input type="checkbox"/> More than \$1 billion					THIS SPACE IS FOR COURT USE ONLY

Voluntary Petition (This page must be completed and filed in every case)		Name of Debtor(s): Rawson, Margaret Allen	
All Prior Bankruptcy Case Filed Within Last 8 Years (If more than two, attach additional sheet)			
Location Where Filed: None	Case Number:	Date Filed:	
Location Where Filed:	Case Number:	Date Filed:	
Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)			
Name of Debtor: DR Rawson	Case Number: 8:13-BK-18261 MW	Date Filed: 10/04/2013	
District: Central	Relationship: Husband	Judge: Mark S. Wallace	
Exhibit A (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.) <input type="checkbox"/> Exhibit A is attached and made a part of this petition.		Exhibit B (To be completed if debtor is an individual whose debts are primarily consumer debts.) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. § 342(b). X _____ Signature of Attorney for Debtor(s) _____ Date _____	
Exhibit C Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? <input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition. <input checked="" type="checkbox"/> No			
Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) <input checked="" type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: <input type="checkbox"/> Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.			
Information Regarding the Debtor - Venue (Check any applicable box.) <input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. <input type="checkbox"/> Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.			
Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes.) <input type="checkbox"/> Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) _____ (Name of landlord that obtained judgment) _____ (Address of landlord) <input type="checkbox"/> Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and <input type="checkbox"/> Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. <input type="checkbox"/> Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).			

Voluntary Petition

(This page must be completed and filed in every case)

Name of Debtor(s):

Rawson, Margaret Allen

Signatures

Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under Chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7.

[If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X /s/ Margaret Allen Rawson

Signature of Debtor

Margaret Allen Rawson

X

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

February 13, 2015

Date

Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only **one** box.)

☐ I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. § 1515 are attached.

☐ Pursuant to 11 U.S.C. § 1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

X

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

Signature of Attorney*

X /s/ Sylvia S. Lew

Signature of Attorney for Debtor(s)

**Sylvia S. Lew 247139
Law Offices of David A. Tilem
206 N. Jackson St., #201
Glendale, CA 91206
(818) 507-6000 Fax: (818) 507-6800
SylviaLew@TilemLaw.com**

February 13, 2015

Date

*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Signature of Non-Attorney Petition Preparer

I declare under penalty of perjury that: 1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; 2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h) and 342(b); and 3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social Security Number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.)

Address

X

Signature

Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose social security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.

IN RE:

Case No. _____

Rawson, Margaret AllenChapter 7

Debtor(s)

SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors also must complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	\$ 0.00		
B - Personal Property	Yes	3	\$ 30,700.00		
C - Property Claimed as Exempt	Yes	1			
D - Creditors Holding Secured Claims	Yes	1		\$ 53,473.46	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	1		\$ 0.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	1		\$ 28,318,429.72	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	Yes	2			\$ 4,370.00
J - Current Expenditures of Individual Debtor(s)	Yes	3			\$ 4,592.00
TOTAL		15	\$ 30,700.00	\$ 28,371,903.18	

IN RE Rawson, Margaret Allen

Case No. _____

Debtor(s)

(If known)

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

☐ Check this box if debtor has no creditors holding unsecured nonpriority claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER. (See Instructions Above.)	CODEBTOR HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. Heli OPS International, LLC Peggy Cain & Jeff Cain 937 Mica Dr. Ste., 16A Carson City, NV 89705	X	2009 Judgment - Business Debt	X	X		28,241,429.72
ACCOUNT NO. Misty Perry Isaacson Pagter And Perry Isaacson 525 N. Cabrillo Park Drive, Suite 104 Santa Ana, CA 92701		Assignee or other notification for: Heli OPS International, LLC				
ACCOUNT NO. Harlene Miller Pagter And Miller 525 N. Cabrillo Park Drive, Suite 104 Santa Ana, CA 92701		Assignee or other notification for: Heli OPS International, LLC				
ACCOUNT NO. Marvel & Preston Jones 6283 E. 6th Street Long Beach, CA 90803		2003 - 2014 Loan				77,000.00

0 continuation sheets attached

Subtotal
(Total of this page) **\$ 28,318,429.72**

Total
(Use only on last page of the completed Schedule F. Report also on
the Summary of Schedules and, if applicable, on the Statistical
Summary of Certain Liabilities and Related Data.)

\$ 28,318,429.72

B10 (Official Form 10) (04/13)

UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA		PROOF OF CLAIM
Name of Debtor: MARGARET ALLEN RAWSON	Case Number: 8:15-BK-10719-ES	
NOTE: Do not use this form to make a claim for an administrative expense that arises after the bankruptcy filing. You may file a request for payment of an administrative expense according to 11 U.S.C. § 503.		
Name of Creditor (the person or other entity to whom the debtor owes money or property): PEGGY CAIN, JEFFREY CAIN, AND HELI-OPS INTERNATIONAL, LLC.		
Name and address where notices should be sent: Misty Perry Isaacson Pagter and Perry Isaacson, APLC 525 N. Cabrillo Park Drive, Suite 104 Santa Ana, CA 92701 Telephone number: (714) 541-6072 email: misty@ppilawyers.com		COURT USE ONLY
Name and address where payment should be sent (if different from above): Heli-Ops International, LLC c/o Michael L. Matuska, Esq. Matuska Law Offices, Ltd. 2310 South Carson St., #6 Carson City, NV 89701 Telephone number: (775) 350-7220 email: mlm@matuskalawoffices.com		<input type="checkbox"/> Check this box if this claim amends a previously filed claim. Court Claim Number: _____ <i>(If known)</i> Filed on: _____
1. Amount of Claim as of Date Case Filed: \$29,573,473.28 If all or part of your claim is secured, complete item 4. If all or part of your claim is entitled to priority, complete item 5. <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach a statement that itemizes interest or charges.		
2. Basis for Claim: <u>Judgment</u> (See instruction #2)		
3. Last four digits of any number by which creditor identifies debtor: _____	3a. Debtor may have scheduled account as: _____ (See instruction #3a)	3b. Uniform Claim Identifier (optional): _____ (See instruction #3b)
4. Secured Claim (See instruction #4) Check the appropriate box if the claim is secured by a lien on property or a right of setoff, attach required redacted documents, and provide the requested information.		
Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input checked="" type="checkbox"/> Other Describe: All personal property Value of Property: <u>Unknown</u> Annual Interest Rate: _____% <input type="checkbox"/> Fixed or <input type="checkbox"/> Variable (when case was filed)		Amount of arrearage and other charges, as of the time case was filed, included in secured claim, if any: <u>\$29,573,473.28</u> Basis for perfection: <u>ORAP Lien (CA Code Civ Pro § 708.110)</u> Amount of Secured Claim: <u>Unknown</u> Amount Unsecured: <u>Unknown</u>
5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If any part of the claim falls into one of the following categories, check the box specifying the priority and state the amount.		
<input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B).	<input type="checkbox"/> Wages, salaries, or commissions (up to \$12,475*) earned within 180 days before the case was filed or the debtor's business ceased, whichever is earlier - 11 U.S.C. §507(a)(4).	<input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. §507(a)(5).
<input type="checkbox"/> Up to \$2,775* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. §507(a)(7).	<input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. §507(a)(8).	<input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. §507 (a)(____).
Amount entitled to priority: \$ _____		
<i>*Amounts are subject to adjustment on 4/01/16 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.</i>		
6. Credits. The amount of all payments on this claim has been credited for the purpose of making this proof of claim. (See instruction #6)		

B10 (Official Form 10) (04/13)

7. Documents: Attached are redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, security agreements, or, in the case of a claim based on an open-end or revolving consumer credit agreement, a statement providing the information required by FRBP 3001(c)(3)(A). If the claim is secured, box 4 has been completed, and redacted copies of documents providing evidence of perfection of a security interest are attached. If the claim is secured by the debtor's principal residence, the Mortgage Proof of Claim Attachment is being filed with this claim. (See instruction #7, and the definition of "redacted".)

DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain:

8. Signature: (See instruction #8)

Check the appropriate box.

- ☐ I am the creditor. ☒ I am the creditor's authorized agent. ☐ I am the trustee, or the debtor, or their authorized agent. (See Bankruptcy Rule 3004.) ☐ I am a guarantor, surety, indorser, or other codebtor. (See Bankruptcy Rule 3005.)

I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.

Print Name: Michael L. Matuska
 Title: Attorney for Creditors
 Company: Matuska Law Offices
 Address and telephone number (if different from notice address above):


 (Signature) June 18, 2015
 (Date)

Telephone number: (775) 350-7220 email: mlm@matuskalawoffices.com

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

B10 (Official Form 10) (04/13)

Attachment to Proof of Claim

In re Margaret Allen Rawson

Case No. 8:15-bk-10719-ES

Principal judgment	\$20,000,000.00
9% interest from 12/30/2009 to 02/13/2015	\$9,226,849.46
(\$4,931.51 per diem)	
Attorney fee award principal.....	\$40,265.40
9% interest from 05/14/2013 to 2/13/2015	\$6,358.42
(\$9.92 per diem)	
Attorney fees collection (estimated)	\$300,000.00
Total	\$29,573,473.28

RECEIVED

MAY 14 2013

CASE NO.: 11-CV-0296

DEPT. NO.: II

2013 MAY 17 PM 1:07

DOUGLAS COUNTY
DISTRICT COURT CLERK

This document does not contain personal information of any person.

**THE NINTH JUDICIAL DISTRICT COURT OF NEVADA
IN AND FOR THE COUNTY OF DOUGLAS**

PEGGY CAIN, an individual; JEFFREY CAIN,
an individual; and HELI OPS
INTERNATIONAL, LLC, an Oregon limited
liability company.

DEFAULT JUDGMENT

Plaintiffs.

v.

D.R. RAWSON, an individual;
C4 WORLDWIDE, INC., a Nevada corporation;
RICHARD PRICE, an individual; JOE BAKER,
an individual; MICKEY SHACKELFORD,
an individual; MICHAEL K. KAVANAGH,
an individual; JEFFREY EDWARDS,
an individual; and DOES 1 through 10, inclusive.

Defendants.

This matter comes before the Court on Plaintiffs' *Motion for Entry of Default Judgment* against Defendants DR Rawson, C4 Worldwide, Inc., Mickey Shackelford, and Michael K. Kavanagh, that was filed on 14 March 2013. Plaintiffs' *Motion for Entry of Default Judgment* was supported by affidavits from Jeffrey K. Cain and Michael L. Matuska. Plaintiffs also filed a *Motion to Certify Judgment as Final* on 21 March 2013.

Defaults were entered against Rawson on 15 January 2013, against C4 on 23 January 2013, against Shackelford on 24 January 2013 and against Kavanagh also on 24 January 2014. Shackelford filed an opposition to Plaintiffs' *Motion for Entry of Default Judgment* in which he

1 also moved to set aside the default. On 7 May 2013, this court granted Shackelford's motion to
2 set aside the default. As such, Shackelford will be allowed to file his answer to Plaintiffs' *Second*
3 *Amended Complaint* and is not subject to this Default Judgment. Rawson, C4 and Shackelford did
4 not oppose Plaintiffs' *Motion for Entry of Default Judgment*. None of the Defendants opposed
5 Plaintiffs' *Motion to Certify Judgment as Final*.
6

7 The underlying facts are supported by the well-pled allegation of the *Second Amended*
8 *Complaint* ("SAC"), the Settlement Agreement and Release of Claims attached thereto, and the
9 affidavits submitted with the *Motion for Entry of Default Judgment*. Plaintiffs loaned One Million
10 Dollars (\$1,000,000) to C4 on 29 November 2009, pursuant to a Joint Venture Agreement
11 ("JVA") for an investment in collateralized mortgage obligations ("CMOs"). Pursuant to the
12 express terms of the JVA, Plaintiffs were to be repaid Twenty Million Dollars (\$20,000,000) by
13 30 December 2009. When C4 breached the JVA, Rawson, the Chairman/CEO of C4, executed a
14 Settlement Agreement and Release of All Claims in which he acknowledged the indebtedness and
15 agreed to repay Plaintiffs Twenty Million Dollars (\$20,000,000) with interest at the rate of nine
16 percent (9%) by 25 May 2010. That agreement contained an attorney's fees clause. Rawson and
17 C4 breached that agreement, as well.
18

19 As a result of the defaults and their failure to oppose the *Motion for Entry of Default*
20 *Judgment*, C4, Rawson and Kavanagh consented to the entry of judgment and the well-pled
21 allegations of the Complaint must be accepted as true. *Estate of Lomastro v. American Family*
22 *Ins.*, 124 Nev. 1060, 195 P.3d 339 (Nev. 2008) ("Entry of default acts as an admission by the
23 defending party of all material claims made in the complaint. Entry of default, therefore, generally
24 resolves the issues of liability and causation and leaves open only the extent of damages.") See
25 also DCR 13.
26
27
28

1 C4 is a Nevada corporation and never contested personal jurisdiction. The issue of
2 personal jurisdiction over Rawson, Kavanagh and all other defendants was fully litigated and
3 finally resolved in favor of exercising jurisdiction over the Defendants. See 20 November 2012
4 *Order Denying Renewed Motion to Dismiss Re Personal Jurisdiction or for Summary Judgment,*
5 *and Granting Second Motion for Leave to Amend.*
6

7 Based on the motion and affidavits and well-pled allegations of the SAC, and for good
8 cause appearing, **IT IS HEREBY ORDERED ADJUDGED AND DECREED** that Plaintiffs'
9 *Motion for Entry of Default Judgment* is **GRANTED** against C4, Rawson and Kavanagh.

10 **JUDGMENT SHALL BE AND IS HEREBY ENTERED** as follows:

11 1. In Plaintiffs' favor and against Defendant C4, Rawson and Kavanagh, jointly and
12 severally, in the principal amount of Twenty Million Dollars (\$20,000,000). Although it may not
13 be necessary to do so, the following recital sets for the liability of the different defendants under
14 the various causes of action:
15

16 a. In Plaintiffs' favor and against C4 and Rawson, jointly and severally, in the
17 principal amount of Twenty Million Dollars (\$20,000,000) under the First Claim for Relief
18 for breach of the Settlement Agreement and Release of All Claims.

19 b. In Plaintiffs' favor and against C4, Rawson and Kavanagh, jointly and
20 severally, in the principal amount of Twenty Million Dollars (\$20,000,000) under the
21 Second Claim for Relief (Fraud); Third Claim for Relief (Civil Conspiracy); Fourth Claim
22 for Relief (Negligence); Fifth Claim for Relief (Conversion); and Sixth Claim for Relief
23 (Constructive Trust).
24

25 c. In addition to the joint and several liability imposed under paragraphs a)
26 and b) above, Rawson and Kavanagh are also individually liable for the breach of the
27 Settlement Agreement and Release of All Claims that is the subject of the First Claim for
28

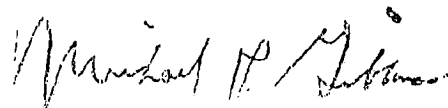
1 Relief (Breach of Contract) based on the doctrine of alter ego. Based on the affidavits and
2 the well-pled allegations of the SAC, C4 was never funded, Rawson and Kavanagh
3 commingled their personal finances with those of C4 by diverting the Plaintiffs'
4 investment funds, used C4 to perpetrate a fraud, and it would be unjust to allow Rawson
5 and Kavanagh to maintain the corporate shield as a defense in this situation.

6
7 2. The judgment shall bear interest at the rate of nine percent (9%) per annum from
8 30 December 2009 until paid.

9 3. Plaintiffs are further awarded their costs in the amount of \$2,524.52 and reasonable
10 attorney's fees in the amount of \$40,265.40, which amounts shall also bear interest at the rate of
11 nine percent (9%) per annum from the date of this Order until paid. Plaintiffs are also entitled to
12 recover attorney's fees incurred in the enforcement of this judgment.

13
14 4. No just cause existing for delay, this judgment shall be and hereby is a final
15 judgment pursuant to NRCP 54.

16 Dated this 17 day of May 2013.



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DISTRICT COURT JUDGE

RECEIVED

FEB 10 2014

DOUGLAS COUNTY
DISTRICT COURT CLERK

Case No. 11-CV-0296

Dept. No. II

2014 FEB 10 PM 2:35

A. GREGORY
CLERK

IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF DOUGLAS

PEGGY CAIN, an individual;
JEFFREY CAIN, an individual;
and HELI OPS INTERNATIONAL,
LLC, an Oregon limited
liability company,

Plaintiffs,

vs.

DR RAWSON, an individual; C4
WORLDWIDE, INC., a Nevada
corporation; RICHARD PRICE,
an individual; JOE BAKER, an
individual; MICKEY
SHACKELFORD, an individual;
MICHAEL K. KAVANAGH, an
individual; JEFFREY EDWARDS,
an individual; and DOES 1-10,
inclusive,

Defendants.

ORDER DENYING RAWSON'S CLAIM
OF EXEMPTION AND DENYING
MOTION TO QUASH SUMMONS

THIS MATTER comes before the court at the request of the
claimant, Margaret Rawson ("Rawson") on her Renewed Claim for
Exemption Pursuant to NRS 21.112 and NRS 31.070 and Subsequent
Motion to Quash Bank Levy Issued by Plaintiff and the Douglas
County Sheriff, filed November 14, 2013. The Plaintiffs, Peggy
Cain and Jeffrey Cain and Heli Ops International, LLC ("Cain")
filed a Supplemental Opposition to Margaret Rawson's Renewed

MICHAEL P. GIBBONS
DISTRICT JUDGE
DOUGLAS COUNTY
P.O. BOX 218
HENDER, NV 89423

1 Claim of Exemption on November 19, 2013 and Rawson filed her
2 reply thereto on November 27, 2013. On December 23, 2013, Cain
3 filed a Response to Margaret Rawson's Renewed Claim of
4 Exemption, and Plaintiff's Hearing Statement. On December 26,
5 2013, Rawson filed a Response to Plaintiff's Hearing Statement.
6 On January 15, 2014, Cain filed a Supplemental Response to
7 Margaret Rawson's Opposition to and Motion to Quash the
8 Summons.
9

10 Previously, on November 7, 2013, Margaret filed an
11 Opposition To and Motion to Quash the Summons To Add Her Name
12 to the Current Judgment Pursuant to NRS 17.060. On December 10,
13 2013, Cain filed a Response to Margaret Rawson's Opposition to
14 and Motion to Quash the Summons.
15

16 On December 11, 2013, the court entered an Order Granting
17 Motion to Clarify and to Set Aside Default and Setting Hearing
18 for Final Determination on Rawson's Claim of Exemption, Etc.,
19 and Margaret Rawson's Motion to Quash Summons on January 2,
20 2014 (December 2013 Order). The December 2013 Order narrowed
21 the issues to be decided at an evidentiary hearing.

22 The court has considered all the pleadings and evidence
23 submitted by the parties and finds and orders as follows:

24 A. Background Facts

25 This litigation arises following a Default Judgment in
26 excess of \$29,000,000.00, entered against the named defendants
27 on May 17, 2013, including D.R. Rawson. On June 4, 2013, a
28

1 Writ of Execution was issued as to D.R. Rawson. Margaret Rawson
2 is legally married to D.R. Rawson.

3 On October 7, 2013, a hearing was held to consider
4 Rawson's claim for exemption from the Default Judgment entered
5 in this case. At the October 7 hearing, the court made a
6 tentative ruling on Rawson's claim and reset the matter for
7 another hearing on October 14, 2013. On that date, the court
8 considered the testimony and other evidence presented and
9 entered an Order denying Rawson's claim of exemption without
10 prejudice (October 14 Order). The October 14 Order was
11 subsequently vacated, and the court determined Rawson's claim
12 for exemption and her motion to quash should be set for an
13 evidentiary hearing, and that all parties should personally
14 appear on January 2, 2014.
15

16 On December 20, 2013, Rawson made written request through
17 counsel that she not be required to personally appear and
18 testify, and to allow argument on the merits by her counsel via
19 telephone. On December 20, 2013, the court communicated with
20 counsel for both parties by email requesting written
21 confirmation of either party's desire to proceed with the
22 scheduled evidentiary hearing on or before December 30, 2013.
23

24 Rawson (who filed the motions seeking an exemption) did
25 not further respond or make a request, and the January 2, 2014
26 hearing date was vacated. The motions were submitted for
27 decision without a hearing.
28

1 B. Evidence Considered

2 Rawson maintains three separate bank accounts are exempt
3 and were wrongfully garnished to satisfy the default judgment
4 as follows:

- 5
- 6 1. Bank of America Account number ending 0703 in the amount
7 of \$33,395.17 belongs to her father, Preston Jones (who
8 has dementia) is exempt from execution. Rawson is a
9 signatory on the account.
 - 10 2. Bank of America Account number ending 4114 in the amount
11 of \$784.67 belonged to her mother, Marvel Jones (who since
12 has died) was set up to provide for the needs of Alfred
13 Cunningham and is exempt from execution. Rawson maintains
14 control on the account.
 - 15 3. Bank of America Account number ending 4164 in the amount
16 of \$1,020.81 belonged to her parents, Marvel Jones and
17 Preston Jones and is exempt from execution. Rawson is a
18 signatory on the account.
- 19

20 Rawson submitted copies of bank statements from 2009 and
21 2010 for each of the three account as evidence of her claims, a
22 copy of a California General Durable Power of Attorney (Preston
23 Jones). Margaret argues the funds in all three accounts belong
24 solely to Preston Jones and none of the funds belonged to her.
25 Rawson argues the bank statements show deposits and payments of
26 certain bills were for Preston Jones only and there was no co-
27 mingling of any funds belonging to her.

28 Rawson asserts the court should quash the Summons served

1 upon her on October 14, 2013, adding her as a named defendant
2 in this case and subjecting her to collection actions as an
3 officer of the former C4 Worldwide, Inc. (corporation) and the
4 spouse of D.R. Rawson. Rawson does not argue she was not
5 properly served with legal process, rather, argues she should
6 not be liable for the debts or judgment against the named
7 defendants.
8

9 Rawson argues she was involved with the corporation as a
10 treasurer in name only. Rawson argues during the time she was
11 treasurer, she never acted in any official capacity for the
12 corporation, never attended any meetings, and in fact worked
13 full-time for another employer.

14 Cain challenges the evidence attached to Rawson's motion
15 and claims Rawson is not the proper claimant and therefore has
16 no standing under Nevada law. Cain argues that the owner of the
17 account, not a family member, that must make the claim for
18 exemption, i.e., Preston Jones. Cain argues the Power of
19 Attorney (POA), without more, is insufficient proof that the
20 POA is in effect and that its existence supports her claims.
21

22 Cain submitted copies of a Wells Fargo Bank account number
23 ending 2177 previously belonging to the corporation, showing
24 his money was deposited therein, and subsequently transferred
25 to Rawson's bank account in 2009. Cain argues nearly \$300,000
26 was of his money was transferred to Rawson's Bank of America
27 Account number ending 2414 and 4515, and others in 2009-2010,
28 and that this assertion has never been disputed.

1 Cain submitted a photocopy of a check Rawson wrote to
2 Preston Jones dated December 3, 2009 in the amount of \$10,000.
3 Cain claims this transaction was close in time to the wrongful
4 diversion of his money, and supports his argument that Rawson
5 maintained control of Preston Jones's accounts and transferred
6 her own money/Cain's money to his account.
7

8 Cain argues Rawson cannot now seek to quash to Summons by
9 arguing the merits of the case. Cain argues Rawson has not
10 denied her husband, D.R. Rawson, was also owner and officer in
11 the corporation and deposited his compensation earned into
12 their bank accounts. Cain argues legal grounds exist to add
13 Rawson to the lawsuit and hold her responsible for the judgment
14 because she was a recipient of funds belonging to them and
15 wrongfully taken by her husband and others.
16

17 Cain claims quashing a summons is not the appropriate
18 method to attack the merits of the underlying case, or to avoid
19 the bank garnishment action.
20

21 C. Legal Standard and Decision

22 Upon obtaining a lawful judgment, a creditor may garnish
23 or attach property of the debtor to satisfy the debt. A debtor
24 may claim the garnished property is exempt from execution on
25 the judgment, or it may be shown that the property belongs to a
26 third-person and is not subject to the judgment. NRS 21.112;
27 NRS 31.070(1).

28 Once a claim is filed, an evidentiary hearing must be
held. At the hearing, it is the claimant who has the burden to

1 prove that the property attached is exempt and/or the levy was
2 improper. NRS 21.112(6).

3 A judgment creditor may cause a summons to be issued to a
4 person not originally served in a lawsuit. NRS 17.030. The
5 person so served may answer and deny liability on the
6 obligation upon which the judgment was recovered. NRS 17.060.

7
8 In this context, a judgment creditor is not entitled to
9 joint bank account funds that truly belong to someone other
10 than the judgment debtor. *Brooksby v. Nevada State Bank*, 129
11 Nev. Adv. Rep. 82, 312 P.3d 501, 502 (2013). See *Maloy v.*
12 *Stuttgart Memorial Hospital*, 316 Ark. 447, 449, 872 S.W. 2d,
13 401, 402 (1994) (funds held in a joint bank account are
14 presumptively subject to garnishment by the judgment creditor
15 against a debtor/account owner).

16 In this case, Rawson appeared and testified at a hearing
17 on October 7, 2013. At that time, her claim for exemption as
18 to six bank accounts was uncontested and subsequently denied.
19 Rawson was given additional time to present evidence showing
20 her father, Preston Jones, was the sole owner of three other
21 bank accounts that were garnished. The court allowed
22 additional time to gather and present evidence. Rawson was
23 provided an opportunity to appear, testify and present
24 witnesses at an evidentiary hearing scheduled for January 2,
25 2014, to support her claims. Rawson declined to appear instead
26 choosing to rely on the legal arguments of her counsel.
27

28 The court finds the only evidence presented to support

1 Rawson's claims for exemption of the three bank accounts
2 (ending 0703, 4114, 4164) were copies of the bank statements
3 from 2009-2010, and a copy of a General Durable Power of
4 Attorney dated November 16, 2012. These documents were
5 attached to the pleadings. No competent evidence was presented
6 supporting Rawson's claim that Preston Jones, as owner, could
7 not act on his own behalf in seeking the exemption, or that
8 Rawson was in fact designated as his agent for purposes of this
9 litigation. Rawson chose not to testify.

11 Based on these facts, the court finds there is
12 insufficient evidence showing Preston Jones was the sole owner
13 of the funds (accounts ending 0703, 4114, 4164) that were
14 garnished upon on September 12, 2013. Rawson has not carried
15 her burden of proof and her claim of exemption is therefore
16 DENIED.

17 On May 17, 2013, a default judgment was entered in this
18 case against the corporation and named defendants, including
19 D.R. Rawson, Margaret Rawson's spouse. In connection with that
20 judgment, Rawson has not denied that funds obtained from Cain
21 on or about November 30, 2009 were subsequently transferred to
22 her personal bank accounts in the approximate amount of
23 \$300,000. At the hearing on October 7, 2013, Rawson did not
24 contest the garnishment of six of these six bank accounts to
25 satisfy the May 17, 2013 judgment.

27 Rawson claims she was an officer of the former corporation
28 and should not be held liable for its debts. However, without
more, the court cannot find quashing the summons is warranted.

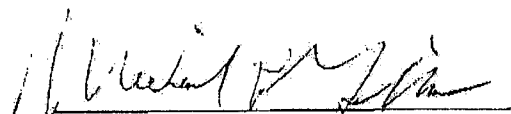
1 The court finds Rawson has not presented a credible defense to
2 the wrongful diversion of funds from the corporation to her
3 bank accounts.

4 The court finds Rawson has failed to show cause why she
5 should not be added to the judgment and be bound by its terms.
6 NRS 17.030. Her motion to quash is therefore DENIED. Rawson
7 shall be bound by the Default Judgment in all respects and as
8 if she had been named in the original complaint and the Default
9 Judgment.
10

11 Bank of America and the Douglas County Sheriff's Office
12 shall proceed to process the garnishments for all accounts,
13 including the accounts subject to this order ending in numbers
14 7303, 4114 and 4164, and the funds may be disbursed to Cain, or
15 its agent or attorney, ten days after Notice of Entry of this
16 order is filed, unless a stay is granted by the court.

17 IT IS SO ORDERED.

18 Dated this 10 day of February, 2014.
19

20 
21 MICHAEL P. GIBBONS
22 DISTRICT JUDGE
23
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28

MICHAEL P. GIBBONS
DISTRICT JUDGE
DOUGLAS COUNTY
P.O. BOX 218
MINDEN, NV 89423

1 Copies served by mail this 10 day of February, 2014, to:

2 Michael Matuska, Esq.
3 937 Mica Drive
4 Carson City, Nevada 89705

5 Robert Thompson, Esq.
6 Kring & Chung, LLP
7 1050 Indigo Drive, #200
8 Las Vegas, Nevada 89415

9 
10 Vicki Barrett

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MICHAEL P. GIBBONS
DISTRICT JUDGE
DOUGLAS COUNTY
P.O. BOX 218
MINDEN, NV 89423

AT-138, EJ-125

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): Misty Perry Isaacson, CA SBN 193204 PAGTER AND PERRY ISAACSON, APLC 525 N. Cabrillo Park Drive, Suite 104 Santa Ana, CA 92701 TELEPHONE NO.: 714-541-6072 FAX NO.: 714-541-6897 ATTORNEY FOR (Name): Peggy Cain, Jeffrey Cain, & Heli-Ops International, LLC		FOR COURT USE ONLY ELECTRONICALLY FILED Superior Court of California, County of Orange 01/07/2015 at 08:04:00 PM Clerk of the Superior Court By Joseph Tran, Deputy Clerk
NAME OF COURT: Superior Court of California, County of Orange STREET ADDRESS: 700 Civic Center Drive MAILING ADDRESS: CITY AND ZIP CODE: Santa Ana, CA 92701 BRANCH NAME: Central Justice Center		CASE NUMBER: 30-2014-00735951-CU-EN-CJC
PLAINTIFF: Peggy Cain, Jeffrey Cain, & Heli-Ops International, LLC DEFENDANT: DR Rawson et al.		
APPLICATION AND ORDER FOR APPEARANCE AND EXAMINATION <input checked="" type="checkbox"/> ENFORCEMENT OF JUDGMENT <input type="checkbox"/> ATTACHMENT (Thrd Person) <input checked="" type="checkbox"/> Judgment Debtor <input type="checkbox"/> Thrd Person		

ORDER TO APPEAR FOR EXAMINATION

- TO (name): Margaret Rawson
- YOU ARE ORDERED TO APPEAR personally before this court, or before a referee appointed by the court, to
 - ☒ furnish information to aid in enforcement of a money judgment against you.
 - ☐ answer concerning property of the judgment debtor in your possession or control or concerning a debt you owe the judgment debtor.
 - ☐ answer concerning property of the defendant in your possession or control or concerning a debt you owe the defendant that is subject to attachment.

JT

Date: 02/19/15	Time: 9:00 AM	Dept. or Div.: C66	Rm.:
Address of court <input checked="" type="checkbox"/> shown above <input type="checkbox"/> is:			

- This order may be served by a sheriff, marshal, registered process server, or the following specially appointed person (name):

Date: 01/07/2015

Judge Timothy J. Stafford

JUDGE OR REFEREE

This order must be served not less than 10 days before the date set for the examination.

IMPORTANT NOTICES ON REVERSE

APPLICATION FOR ORDER TO APPEAR FOR EXAMINATION

- ☒ Judgment creditor ☐ Assignee of record ☐ Plaintiff who has a right to attach order
 applies for an order requiring (name): Margaret Rawson to appear and furnish information to aid in enforcement of the money judgment or to answer concerning property or debt.
- The person to be examined is
 - ☒ the judgment debtor.
 - ☐ a third person (1) who has possession or control of property belonging to the judgment debtor or the defendant or (2) who owes the judgment debtor or the defendant more than \$250. An affidavit supporting this application under Code of Civil Procedure section 491.110 or 708.120 is attached.
- The person to be examined resides or has a place of business in this county or within 150 miles of the place of examination.
- ☐ This court is not the court in which the money judgment is entered or (attachment only) the court that issued the writ of attachment. An affidavit supporting an application under Code of Civil Procedure section 491.150 or 708.160 is attached.
- ☐ The judgment debtor has been examined within the past 120 days. An affidavit showing good cause for another examination is attached.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 01/06/2015

Misty Perry Isaacson

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

(Continued on reverse)

APPEARANCE OF JUDGMENT DEBTOR (ENFORCEMENT OF JUDGMENT)

NOTICE TO JUDGMENT DEBTOR If you fail to appear at the time and place specified in this order, you may be subject to arrest and punishment for contempt of court, and the court may make an order requiring you to pay the reasonable attorney fees incurred by the judgment creditor in this proceeding.

**APPEARANCE OF A THIRD PERSON
(ENFORCEMENT OF JUDGMENT)**

(1) NOTICE TO PERSON SERVED If you fail to appear at the time and place specified in this order, you may be subject to arrest and punishment for contempt of court, and the court may make an order requiring you to pay the reasonable attorney fees incurred by the judgment creditor in this proceeding.

(2) NOTICE TO JUDGMENT DEBTOR The person in whose favor the judgment was entered in this action claims that the person to be examined pursuant to this order has possession or control of property which is yours or owes you a debt. This property or debt is as follows (*Describe the property or debt using typewritten capital letters*):

If you claim that all or any portion of this property or debt is exempt from enforcement of the money judgment, you must file your exemption claim in writing with the court and have a copy personally served on the judgment creditor not later than three days before the date set for the examination. You must appear at the time and place set for the examination to establish your claim of exemption or your exemption may be waived.

APPEARANCE OF A THIRD PERSON (ATTACHMENT)

NOTICE TO PERSON SERVED If you fail to appear at the time and place specified in this order, you may be subject to arrest and punishment for contempt of court, and the court may make an order requiring you to pay the reasonable attorney fees incurred by the plaintiff in this proceeding.

**APPEARANCE OF A CORPORATION, PARTNERSHIP,
ASSOCIATION, TRUST, OR OTHER ORGANIZATION**

It is your duty to designate one or more of the following to appear and be examined: officers, directors, managing agents, or other persons who are familiar with your property and debts.

Attorney or Party without Attorney: MISTY PERRY ISAACSON, ESQ., Bar #193204 PAGTER AND PERRY ISAACSON 525 NORTH CABRILLO PARK DRIVE SUITE 104 SANTA ANA, CA 92701 Telephone No: (714) 541-6072 FAX No: (714) 541-6897		For Court Use Only ELECTRONICALLY FILED Superior Court of California, County of Orange 02/18/2015 at 10:28:00 AM Clerk of the Superior Court By e Clerk, Deputy Clerk	
Attorney for: Plaintiff		Ref. No. or File No.:	
Insert name of Court, and Judicial District and Branch Court: ORANGE COUNTY SUPERIOR COURT, CENTRAL JUSTICE CENTER			
Plaintiff: PEGGY CAIN Defendant: DR RAWSON			
PROOF OF SERVICE		Hearing Date: Thu, Feb. 19, 2015	Time: 9:00AM
		Dept/Div: C66	Case Number: 30-2014-00735951-CU-EN-CJC

1. At the time of service I was at least 18 years of age and not a party to this action.
2. I served copies of the APPLICATION AND ORDER FOR APPEARANCE AND EXAMINATION - ENFORCEMENT OF JUDGMENT - JUDGMENT DEBTOR; NOTICE TO APPEAR AND PRODUCE DOCUMENTS AT JUDGMENT DEBTOR EXAMINATION.
3. a. Party served: Margaret Rawson
4. Address where the party was served: 8751 Dewey Drive
GARDEN GROVE, CA 92841
5. I served the party:
 - a. by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive process for the party (1) on: Thu., Jan. 22, 2015 (2) at: 8:40AM

7. Person Who Served Papers:

a. JIM VOELKL

Recoverable Cost Per CCP 1033.5(a)(4)(B)

d. The Fee for Service was: \$120.83



600 W. Santa Ana Boulevard, Suite 101
 Santa Ana, CA 92701
 Telephone (714) 541-1110
 FAX (714) 541-8182
 www.firstlegalnetwork.com

- e. I am: (3) registered California process server
- (i) Independent Contractor
 - (ii) Registration No.: 2928
 - (iii) County: Orange
 - (iv) Expiration Date: Thu, Apr. 14, 2016

8. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: Tue, Jan. 27, 2015

[Signature]
 (JIM VOELKL)

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:
525 N. Cabrillo Park Drive, Suite 104, Santa Ana, CA 92701

A true and correct copy of the foregoing document entitled (*specify*): **PROOF OF CLAIM** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) **06/26/2015**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- **Sylvia Lew** Sylvialew@tilemlaw.com, malissamurguia@tilemlaw.com;joanfidelson@tilemlaw.com;SylviaLew@ecf.inforuptcy.com;JoanFidelson@ecf.inforuptcy.com;MalissaMurguia@ecf.inforuptcy.com;tarahopkins@tilemlaw.com
- **Richard A Marshack (TR)** pkraus@marshackhays.com, rmarshack@ecf.epiqsystems.com
- **Ramesh Singh** claims@recoverycorp.com
- **David A Tilem** davidtilem@tilemlaw.com, DavidTilem@ecf.inforuptcy.com;malissamurguia@tilemlaw.com;joanfidelson@tilemlaw.com;JoanFidelson@ecf.inforuptcy.com;MalissaMurguia@ecf.inforuptcy.com;tarahopkins@tilemlaw.com
- **United States Trustee (SA)** ustpreion16.sa.ecf@usdoj.gov

☐ Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) _____, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) **06/26/2014**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

Hon. Mark Wallace, 411 W. Fourth Street, Suite 6135, Santa Ana, CA 92701

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

06/26/2015

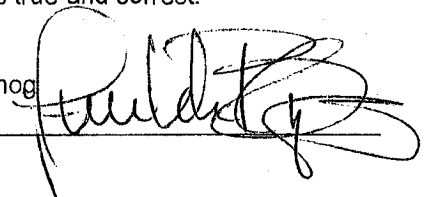
Imelda Bynog

/s/ Imelda Bynog

Date

Printed Name

Signature



MISTY PERRY ISAACSON

California State Bar No. 193204

PAGTER AND PERRY ISAACSON

525 N. Cabrillo Park Drive, Suite 104

Santa Ana, CA 92701

Telephone: (714) 541-6072

Facsimile: (714) 541-6897

Email: misty@ppilawyers.com

Attorneys for Plaintiffs

FILED & ENTERED

AUG 18 2016

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY reid DEPUTY CLERK

**THE UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION**

In re

MARGARET ALLEN RAWSON,

Debtor.

PEGGY CAIN, JEFFREY CAIN, AND HELI
OPS INTERNATIONAL, LLC,

Plaintiffs,

v.

MARGARET ALLEN RAWSON,

Defendant.

) Case No. 8:15-bk-10719-ES

) Chapter 7

) Adversary No. 8:15-ap-01286-ES

) JUDGMENT DENYING DEBTOR'S
) DISCHARGE PURSUANT TO 11 U.S.C. §
) 727(a)(2)

) Date: May 19, 2016

) Time: 2:00 p.m.

) Ctrm: 5A

) Place: 411 W. Fourth St., Santa Ana, CA

The Motion for Partial Summary Judgment ("Motion") filed by the plaintiffs, Peggy Cain, Jeffrey Cain, and Heli Ops International, LLC (collectively "Plaintiffs") came on for hearing on May 19, 2016 at 2:00 p.m., before the Honorable Erithe A. Smith, United States Bankruptcy Judge. Misty Perry Isaacson of Pagter and Perry Isaacson, personally appeared on behalf of

1 the Plaintiffs. Kevin S. Lacey of the Law Offices of David A. Tilem appeared telephonically on
2 behalf of Margaret A. Rawson (the "Defendant").

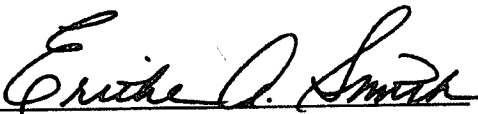
3 The Court having considered the Motion, Defendant's Opposition to the Motion, all
4 pleadings, documents, and records on file that are related to the Motion, the arguments
5 presented to the Court at the hearing, for the reasons set forth on the record and in the Court's
6 tentative ruling, which is attached hereto as Exhibit A, and good cause appearing therefor;
7

8 **IT IS ORDERED:**

- 9 1. Judgment is entered in favor of the Plaintiffs' on their claim for relief seeking the
10 denial of the Debtor's discharge;
11
12 2. The Debtor's discharge shall be denied pursuant to 11 U.S.C. § 727(a)(2).

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24 Date: August 18, 2016


Erithe Smith
United States Bankruptcy Judge

United States Bankruptcy Court
Central District of California
Santa Ana
Judge Erithe Smith, Presiding
Courtroom 5A Calendar

Thursday, May 19, 2016

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8:15-10719 Margaret Allen Rawson
Adv#: 8:15-01286 Cain et al v. Rawson

Chapter 7

#26.00 Hearing RE: Motion For Partial Summary Judgment of Plaintiffs Complaint
Seeking Denial of Discharge and Objection of Discharge

Docket 24

Courtroom Deputy:

- NONE LISTED -

Tentative Ruling:

May 19, 2016

Grant partial summary adjudication as to the 727(a)(2)(A) claim for denial of discharge; Deny partial summary adjudication as to the 523(a)(4) and (a)(6) claims for nondischargeability.

Basis for Tentative Ruling

On June 26, 2015, Peggy Cain, Jeffrey Cain, and Heli Ops International ("Heli Ops") (collectively, "Plaintiffs") filed the underlying complaint against Margaret Rawson ("Debtor") to determine dischargeability of debt pursuant to §523(a)(4) and (a)(6) and for denial of discharge pursuant to §727(a)(2) and (a)(4)(A) ("Complaint"). On August 10, 2015, Debtor filed her answer. On March 10, 2016, Plaintiffs filed the instant motion for an order granting partial summary judgment of Plaintiffs' Complaint ("Motion"). Plaintiffs seek an order granting partial summary judgment and thereby finding that Debtor's discharge is denied pursuant to §727(a)(2) and that debt owing Plaintiffs by Debtor in the amount of \$299,500 is nondischargeable pursuant to §523(a)(4) and (a)(6).

Summary Judgment Standard

Summary judgment is appropriate where the movant shows that there is no genuine dispute of material fact and the movant is entitled to judgment as a matter of law. Fed. R. Civ. P. 56(a) (applicable in adversary proceedings)

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under Rule 7056). The bankruptcy court must view the evidence in the light most favorable to the non-moving party when determining whether genuine disputes of material fact exist and whether the movant is entitled to judgment as a matter of law. See *Fresno Motors, LLC v. Mercedes Benz USA, LLC*, 771 F.3d 1119, 1125 (9th Cir. 2014). And, it must draw all justifiable inferences in favor of the non-moving party. See *id.* (citing *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 255 (1986)).

A party seeking summary judgment bears the initial responsibility of demonstrating the absence of a genuine issue of material fact, and establishing that it is entitled to judgment as a matter of law as to those matters upon which it has the burden of proof. *Celotex Corporation v. Catrett*, 477 U.S. 317, 323 (1986). The opposing party must make an affirmative showing on all matters placed in issue by the motion as to which it has the burden of proof at trial. *Id.* at 324. "[T]he burden on the moving party may be discharged by 'showing' – that is, pointing out to the ... court – that there is an absence of evidence to support the nonmoving party's case." *Id.* at 325. The ultimate burden of demonstrating the existence of genuine issues of material facts lies with the nonmoving party. *Id.* at 322-23.

Uncontested facts

On September 14, 2011, Plaintiffs filed a complaint in the Ninth Judicial District of Nevada in and for the County of Douglas (Case No. 11-CV-0296) against C4, DR Rawson (Debtor's husband), and other officers and directors of C4 alleging breach of contract, fraud, negligence, civil conspiracy, conversion, and constructive trust. Plaintiffs' Statement of Uncontroverted Facts ("Plaintiffs' SUF"), ¶4; Debtor's Response to Plaintiffs' SUF ("Debtor's SUF Response"), ¶4. On November 27, 2012, Plaintiffs filed a second amended complaint ("Second Amended Nevada Complaint") against DR Rawson and all other defendants. DR Rawson did not answer the Second Amended Nevada Complaint. Plaintiffs' SUF, ¶4; Debtor's SUF Response, ¶5. On May 17, 2013, the Nevada Court entered judgment in favor of Plaintiffs and against DR, C4 and others jointly and severally in the amount of \$20,000,000 under all claims for relief ("Nevada Judgment"). Plaintiffs' SUF, ¶6; Debtor's SUF Response, ¶6. In order to enforce the Nevada Judgment, on June 4, 2013, a writ of execution was issued as to DR Rawson. Plaintiffs'

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SUF, ¶7; Debtor's SUF Response, ¶7. On September 12, 2013, Plaintiffs issued a bank levy on Bank of America. Plaintiffs' SUF, ¶8; Debtor's SUF Response, ¶8.

On October 11, 2013, the Plaintiffs served Debtor with a summons requesting that she show cause why she should not be bound by the Nevada Judgment in the same manner as though she had been originally served with the summons and subjecting her to collection actions as an officer of C4 and the spouse of DR Rawson ("Summons"). Plaintiffs' SUF, ¶10; Debtor's SUF Response, ¶10. On November 7, 2013, Defendant filed an opposition to and motion to quash the Summons. Plaintiffs' SUF, ¶11; Debtor's SUF Response, ¶11. On November 14, 2013, Debtor filed a claim of exemption and motion to quash the bank levy ("Claim Exemption"). Plaintiffs' SUF, ¶12; Debtor's SUF Response, ¶12. On February 10, 2014, the Nevada Court entered an order denying Debtor's Claim Exemption and motion to quash the Summons ("Nevada Court Order"). Plaintiffs' SUF, ¶13; Debtor's SUF Response, ¶13. Around September 17, 2014, Plaintiffs obtained a sister judgment in California in the total sum of \$28,241,429.72. Plaintiffs' SUF, ¶14; Debtor's SUF Response, ¶14.

Denial of discharge pursuant to §727(a)(2)

"While section 727 'is the heart of the fresh start provisions of the bankruptcy law[.]' ... and must be construed liberally in favor of the debtor and strictly against the objector ... and while bankruptcy courts are reluctant to deny a discharge absent a persuasive showing, still, the burden of proof is a preponderance of the evidence." *In re Beauchamp*, 236 B.R. 727, 730 (9th Cir. BAP 1999)(citing *In re Lawson*, 193 B.R. 520, 523 (9th Cir. BAP 1996); *In re Adeeb*, 787 F.2d 1339, 1342 (9th Cir.1986)).

Section 727(a)(2)(A) provides that:

- (a) [t]he court shall grant the debtor a discharge, unless ...
(2) the debtor, with intent to hinder, delay, or defraud a creditor or an officer of the estate charged with the custody of property under this title, has transferred, removed, destroyed, mutilated, or concealed ...

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(A) property of the debtor, within one year before the date of filing of the petition....

11 U.S.C. §727(a)(2)(A).

"[T]wo elements comprise an objection to discharge under § 727(a)(2)(A): 1) a disposition of property, such as transfer or concealment, and 2) a subjective intent on the debtor's part to hinder, delay or defraud a creditor through the act of disposing of the property." *In re Beauchamp*, 236 B.R. at 732 (citing *In re Lawson*, 122 F.3d at 1240). Both elements must take place within the one-year pre-filing period; acts and intentions occurring prior to this period will be forgiven. *In re Lawson*, 122 F.3d at 1240.

Transfer or concealment

The bankruptcy code's definition of "transfer" is extremely broad: "transfer" means every mode, direct or indirect, absolute or conditional, voluntary or involuntary, of disposing of or parting with property or with an interest in property. 11 U.S.C. §101(54). The legislative history of this definition confirms its breadth:

A transfer is a disposition of an interest in property. The definition of transfer is as broad as possible. Many of the potentially limiting words in current law are deleted, and the language is simplified. Under this definition, any transfer of an interest in property is a transfer, including a transfer of possession, custody, or control even if there is no transfer of title, because possession, custody, and control are interests in property. A deposit in a bank account or similar account is a transfer.

S. Rep. No. 989, 95th Cong., 2d Sess. 27 (1978), *reprinted in* 1978 U.S.C.C.A.N. 5787, 5813. As the legislative history indicates, depositing money into a bank account is a transfer.

Here, there is no dispute that Debtor transferred funds. See Opp., pg. 16, Ins 4-5. In 2014, Debtor "deposited approximately \$47,000 in separate paychecks into Chase account 9690. All these funds were used to pay

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personal expenses for my father and some for myself. During that same period, I received more than \$77,000 (net) in paychecks from my employer." Rawson Decl., ¶17. Debtor further admits that her father had a checking account at Chase, ending in -9690. Rawson Decl., ¶15. At the §341(a) meeting of creditors, Debtor also testified that "I've deposited most of my checks into his checking account, and then I would transfer just some living expenses back into my Chase account ..." Mot., Ex. 9 [§341(a) transcript], pg. 186, Ins 18-25. Furthermore, Debtor testified in detail at her deposition that within the year prior to the Petition Date she deposited her paychecks into her father's account. Mot., Ex. 10 [deposition transcript], pg. 256, Ins 8-15 ("Q: What funds were being deposited from your sources ... into this account; A: My paychecks..."); Ex. 10, pgs. 282-302 (specific testimony regarding the deposit of Debtor's paychecks received from February 3, 2014 to December 2, 2014 into her father's Chase bank account -9690). As such, when Debtor deposited her paychecks into her father's Chase bank account ending in -9690 she parted with her property, satisfying the Code's definition of a transfer.

Intent to hinder, delay, or defraud

Because the language of the statute is in the disjunctive, it is sufficient if the debtor's intent is to hinder or delay a creditor, even if it not overtly fraudulent. *Bernard v. Sheaffer (In re Bernard)*, 96 F.3d 1279, 1281 (9th Cir. 1996). The debtor's intent must be actual, rather than constructive, and "may be established by circumstantial evidence, or by inferences drawn from a course of conduct." *First Beverly Bank v. Adeeb (In re Adeeb)*, 787 F.2d 1339, 1342-43 (9th Cir. 1986). Thus, the presence of one or more facts, commonly referred to as "badges of fraud," strongly suggests that the purpose of the transfer was to defraud a creditor and are sufficient to establish the necessary intent. See *Emmett Valley Assocs. v. Woodfield (In re Woodfield)*, 978 F.2d 516, 518 (9th Cir. 1992). Among the badges of fraud indicating a fraudulent prepetition transfer are: (1) a close relationship between the parties to the transfer; (2) the transfer was made in anticipation of filing a bankruptcy case; (3) the debtor was insolvent or in a weak financial condition at the time of the transfer; (4) the debtor transferred all, or substantially all, of the debtor's property; (5) the transfer depleted the debtor's assets so as to hinder or delay a creditor's recovery of any part of its

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judgment; and (6) the debtor received inadequate consideration for the transfer. *In re Woodfield*, 978 F.2d 516, 518 (9th Cir. 1992).

Denial of discharge need not rest on a finding of intent to defraud because intent to hinder or delay is sufficient. *In re Bernard*, 96 F.3d at 1281. Nor is it necessary to demonstrate that the debtor intended to hinder all creditors; it is sufficient if the plaintiff proves the transfer was made with the intent to hinder, delay or defraud a creditor. *Locke v. Schafer (In re Schafer)*, 294 B.R. 126, 131 (Bankr. N.D. Cal. 2003). When a debtor admits that she acted with the intent penalized by section 727(a)(2)(A), there is no need for the court to rely on circumstantial evidence or inferences in determining whether the debtor had the requisite intent. The following passage from *In re Adeeb*, 787 F.2d at 1343, is instructive:

Adeeb's reliance on circumstantial evidence and inferences from his conduct to prove that he lacked actual intent is misplaced. Adeeb admitted that he transferred the property intending to put it out of the reach of one of his creditors. When a debtor admits that he acted with the intent penalized by section 727(a)(2)(A), there is no need for the court to rely on circumstantial evidence or inferences in determining whether the debtor had the requisite intent. Under these circumstances, the district court was not clearly erroneous in finding that Adeeb acted with actual intent to hinder or delay a creditor.

Further, Adeeb's claim that he lacked actual intent to hinder or delay his creditors because he relied on the advice of his attorney is mistaken. Generally, a debtor who acts in reliance on the advice of his attorney lacks the intent required to deny him a discharge of his debts. See, e.g., *Hultman v. Tevis*, 82 F.2d 940, 941 (9th Cir. 1936); *In re Nerone*, 1 B.R. 658, 660 (Bankr.S.D.N.Y. 1979). However, the debtor's reliance must be in good faith. See *Hultman*, 82 F.2d at 941; *Nerone*, 1 B.R. at 660. In this case, the bankruptcy court found that both Cooper and Adeeb "knew that the purpose of the transfers was to hinder or delay creditors of the debtor." Such a finding precludes the defense of good faith reliance on the advice of an attorney even if the client is otherwise innocent of any improper purpose. A debtor who knowingly acts to hinder or delay his creditors acts with the very intent penalized by section 727(a)(2)(A).

Adeeb is also mistaken in his assertion that he lacked actual intent because he intended to protect some of his creditors. Our inquiry under section 727(a)(2)(A) is whether Adeeb intended to hinder or delay a creditor. If he did, he had the intent penalized by the statute notwithstanding any other motivation he may have had for the transfer. Cf. *Matter of Trinity Baptist Church*, 25 B.R. 529, 532-33 (Bankr.M.D.Fla.1982) (admirable of debtor to attempt to protect assets from one creditor for benefit of all creditors; nevertheless, the result is hindrance and delay of creditors that makes the transfer voidable).

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Regarding the aforementioned transfers, Debtor provided the following testimony at her §341(a) meeting:

"Q: Can you explain why money is being deposited into your personal account from that checking account [-9690]. There's a number of deposits from that account as well.

A: Because I've deposited most of my checks into his checking account, and then I would transfer just some living expenses back into my Chase account.

Q: Why were you doing that?

A: Because the Cains took all my money out of my Bank of America accounts, so my husband's bankruptcy attorney told me to put it into my dad's account.

Q: So you were –

A: **So they wouldn't take all the money that I was making**, so I could pay my expenses and save a little bit of money. This was my money, my earnings."

Mot., Ex. 9, pg. 186, In 18 – pg. 187, In 6. (emphasis added). At her deposition, Debtor was again questioned about depositing her paychecks in her father's checking account ending -9690. See Mot., Ex. 10, pgs. 307-310. Debtor did not change or modify her prior testimony. Rather, Debtor did not recall the testimony she provided at the §341(a) meeting. Debtor also confirmed that her bank account was levied by Plaintiffs, but did not recall whether the bank levy caused her to deposit her paychecks into her father's account. Mot., Ex. 10, pg. 307-310. Based on the above testimony, Debtor exhibited the requisite intent for §727(a)(2)(A) as she deposited her paychecks to her father's checking account to, at a minimum, hinder, and delay Plaintiffs from collecting on their judgment.

Debtor argues that she lacked the requisite intent because the transfers were made primarily to benefit her father. Opp., pg. 19. Debtor

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contends that there is no evidence submitted by Plaintiffs to contradict Defendant's testimony that the transfer was primarily to benefit her father, not to benefit Debtor. Opp., pg. 19, Ins 19-21. In support of her opposition, Debtor provides a declaration wherein she testifies about her role in taking care of her ailing father, physically and financially. Rawson Decl., ¶¶ 7, 15 (excluding inadmissible hearsay statement "I was asked by my father to deposit some of my paychecks into his account to help with his expenses"). Debtor states that she "deposited approximately \$47,000 in separate paychecks into Chase account 9690. All these funds were used to pay personal expenses for my father and some for myself..." Rawson Decl., ¶17. However, Debtor does not refute the testimony she provided at the §341(a) meeting. While she may have deposited her paychecks in her father's checking account to primarily benefit her father, her §341(a) testimony shows that she also had a simultaneous alternative motive – hindering and delaying Plaintiffs from collecting on their judgment. Debtor cannot escape her own smoking gun testimony.

Debtor further contends that she lacked the requisite intent because she relied on the advice of her husband's bankruptcy counsel. Opp., pg. 19. Debtor believes that her conduct in enquiring of counsel before acting is not indicative of any fraudulent intent. Opp., pg. 19, Ins 13-14. Debtor's argument on this point is misplaced as actual fraud is not required. The inquiry under § 727(a)(2)(A) is whether Defendant intended to defraud, hinder or delay a creditor. *In re Adeeb*, 787 F.2d at 1343. Because this language is in the disjunctive is it sufficient if Debtor's intent is to hinder or delay a creditor. *In re Bernard*, 96 F.3d at 1281. Debtor's testimony from the §341(a) meeting shows that she intended to hinder and delay the Plaintiffs' collection efforts as she deposited her paychecks into her father's account to prevent them from taking all the money she was making. Mot., Ex. 9, pg. 186, In 18 – pg. 187, In 6.

Similar to the facts here, the debtor in *Adeeb* was faced with threats that one of his creditors would be seeking an attachment against his property. He consulted with an attorney who advised him to transfer title to some of his real property for no consideration to third parties would could be trusted. In reliance on this advice, debtor transferred title to several parcels of real property to friends and associates for no consideration. Beneficial ownership

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at all times remained in debtor. *In re Adeeb*, 787 F.2d at 1341. As his financial condition worsened, debtor sought advice from another bankruptcy attorney who advised him to reverse the transfers and to disclose them to his creditors. Debtor began to reverse the transfers. Prior to the reversal of all transfers of his property, three of debtor's trade creditors filed an involuntary bankruptcy petition against him. *Id.* at 1343. After entry of the order for relief, two creditors filed the adversary proceeding seeking to deny the debtor's discharge pursuant to §727(a)(2)(A). Although the Ninth Circuit observed that generally a debtor who acts in reliance on the advice of his attorney lacks the intent required to deny him a discharge of his debts, the debtor's reliance must be in good faith. *In re Adeeb*, 787 F.2d at 1343; see, e.g., *Hultman v. Tevis*, 82 F.2d 940, 941 (9th Cir. 1936); *In re Nerone*, 1 B.R. 658, 660 (Bankr. S.D.N.Y. 1979). The bankruptcy court found that both the attorney and debtor knew that the purpose of the transfers was to hinder or delay creditors of the debtor. The Ninth Circuit found that such a finding precluded the defense of good faith reliance on the advice of an attorney even if the client is otherwise innocent of any improper purpose. *In re Adeeb*, 787 F.2d at 1343.

Here, Debtor's §341(a) testimony shows that both the attorney and debtor knew that the purpose of the transfers was to hinder or delay creditors. When asked why Debtor was depositing her paychecks in her father's checking account, Debtor testified:

Q: Why were you doing that?

A: Because the Cains took all my money out of my Bank of America accounts, so my husband's bankruptcy attorney told me to put it into my dad's account.

Mot., Ex. 9, pg. 186, In 18 – pg. 187, In 6. Debtor further explained that she deposited her paychecks in her father's checking account so Plaintiffs would not take all the money she was making, enabling her to pay her expenses and save a little bit of money. Mot., Ex. 9, pg. 186, In 18 – pg. 187, In 6. As in *Adeeb*, this testimony by Debtor precludes the defense of good faith reliance on the advice of an attorney. Debtor knowingly acted to hinder or delay his creditors and thus, acted with the very intent penalized by §727(a)(2)(A).

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Based on the foregoing, there is no genuine dispute of material fact and Plaintiffs are entitled to judgment as a matter of law under §727(a)(2)(A).

Objection to discharge pursuant to §523(a)(4) and (a)(6)

Plaintiffs' objection to discharge pursuant to §523(a)(4) and (a)(6) becomes unnecessary after denying Debtor her discharge under §727(a)(2)(A). Nonetheless, for sake of completeness, these claims for relief are still addressed. Plaintiffs contend that all the facts relevant to Plaintiffs' objection to discharge under §523(a)(4) and (a)(6) have already been litigated before the Nevada State Court and reduced to judgment. Full faith and credit demands that federal courts give state court opinions and judgments the same effect that those records would receive in state court, including preclusive effect. 28 U.S.C. §1738; see also *Marrese v. American Academy of Orthopedic Surgeons*, 470 U.S. 373, 380 (1985). Further, application of the principles of res judicata is not defeated by error in the original judgment. *In re Paine*, 283 B.R. 33, 39 (9th Cir. BAP 2002) (citing *Federated Dept. Stores v. Moitie*, 452 U.S. 394, 398 (1981)).

General Principles of Issue Preclusion

A bankruptcy court may rely on the issue preclusive effect of an existing state court judgment as the basis for granting summary judgment. See *Khaligh v. Hadaegh (In re Khaligh)*, 338 B.R. 817, 831-32 (9th Cir. BAP 2006); see also *Grogan v. Garner*, 498 U.S. 279, 285 (1991) (the doctrine of collateral estoppel applies to non-dischargeability matters). In so doing, the bankruptcy court must apply the forum state's law of issue preclusion. *Harmon v. Kobrin (In re Harmon)*, 250 F.3d 1240, 1245 (9th Cir. 2001); see also 28 U.S.C. § 1738 (federal courts must give "full faith and credit" to state court judgments). Thus, this court applies California preclusion law.

Under Nevada state law, adjudication of an issue by one tribunal has preclusive effect when the following elements are met: (1) the issue decided in the prior litigation is identical to the issue presented in the current action;

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(2) the initial ruling was on the merits and has become final; (3) the party against whom the judgment is asserted is a party in privity with a party to the prior litigation; and (4) the issue was actually and necessarily litigated. *Five Star Capital Corp. v. Ruby*, 124 Nev. 1048, 1055 (2008); see also *In re Ormsby*, 591 F.3d 1199, 1205 fn. 3 (9th Cir. 2010) (citing *Kahn v. Morse & Mowbray*, 121 Nev. 464 (2005)).

The party asserting preclusion bears the burden of establishing the threshold requirements. *In re Harmon*, 250 F.3d at 1245. This means providing "a record sufficient to reveal the controlling facts and pinpoint the exact issues litigated in the prior action." *Kelly v. Okoye (In re Kelly)*, 182 B.R. 255, 258 (9th Cir. BAP 1995), aff'd, 100 F.3d 110 (9th Cir. 1996). Ultimately, "[a]ny reasonable doubt as to what was decided by a prior judgment should be resolved against allowing the [issue preclusive] effect." *Id.*

On the merits and has become final

As noted above, on May 17, 2013, the Nevada Court entered judgment in favor of Plaintiffs and against DR, C4 and Kavanagh jointly and severally in the amount of \$20,000,000 under all claims for relief ("Nevada Judgment"). Plaintiffs' *SUF*, ¶6; Debtor's *SUF* Response, ¶6. Subsequently, on October 11, 2013, the Plaintiffs served Debtor with a summons requesting that she show cause why she should not be bound by the Nevada Judgment in the same manner as though she had been originally served with the summons and subjecting her to collection actions as an officer of C4 and the spouse of DR Rawson ("Summons"). Plaintiffs' *SUF*, ¶10; Debtor's *SUF* Response, ¶10. On February 10, 2014, the Nevada Court entered an order denying Debtor's Claim Exemption and motion to quash the Summons ("Nevada Court Order"). Plaintiffs' *SUF*, ¶13; Debtor's *SUF* Response, ¶13. Pursuant to the Nevada Court Order, the Nevada State Court found that Debtor "failed to show cause why she should not be added to the judgment and be bound by its terms... Her motion to quash [the Summons] is therefore denied... [Debtor] shall be bound by the Default Judgment in all respects and as if she had been named in the original complaint and the Default Judgment." *Mot.*, Ex. 7, pg. 140, Ins 5-10. The Nevada Court also found that Debtor had "not presented a credible defense to the wrongful diversion of funds from the corporation to her bank accounts." *Mot.*, Ex. 7, pg. 140, Ins 1-4. As such, the Nevada Court

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Order was on the merits.

The Nevada Court Order was not appealed. Pursuant to Nevada Rules of Civil Procedure §62(a), "no execution shall issue upon a judgment nor shall proceedings be taken for its enforcement until the expiration of 10 days after service of written notice of its entry." Additionally, pursuant to Nevada Rule of Appellate Procedure 4, in a civil appeal a notice of appeal must be filed with the clerk of the District Court [trial court] no later than 30 days after notice of entry of the judgment or order appealed. *Nev. R. Appellate Proc. 4*. The Nevada Court Order was entered and served on February 10, 2014. *Mot.*, Ex. 7, pg. 132, 141. No appeal was taken within 30 days and thus, the Nevada Court Order is final.

Privity between the parties

Debtor was a party in the prior Nevada proceeding. As noted, on October 11, 2013, the Plaintiffs served Debtor with the Summons. Plaintiffs' *SUF*, ¶10; Debtor's *SUF* Response, ¶10. On February 10, 2014, the Nevada Court Order was entered. Plaintiffs' *SUF*, ¶13; Debtor's *SUF* Response, ¶13. Pursuant to the Nevada Court Order, the Nevada State Court found that Debtor "failed to show cause why she should not be added to the judgment and be bound by its terms... Her motion to quash [the Summons] is therefore denied... [Debtor] shall be bound by the Default Judgment in all respects and as if she had been named in the original complaint and the Default Judgment." *Mot.*, Ex. 7, pg. 140, Ins 5-10. Accordingly, Debtor was a party in the Nevada proceeding.

Identical issues that were actually and necessarily litigated

The issues under §523(a)(4) and (a)(6) of whether Defendant's actions constitute "larceny" or "willful and malicious injury" may be identical to the issues litigated in the Nevada proceeding, but Debtor's intent as required by § 523(a)(4) and (a)(6) was not actually and necessarily litigated.

(1) §523(a)(4)

Section 523(a)(4) excepts debts from discharge when they are

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obtained by "fraud or defalcation while acting in a fiduciary capacity, embezzlement, or larceny." 11 U.S.C. §523(a)(4). "For purposes of section 523(a)(4), a bankruptcy court is not bound by the state law definition of larceny but, rather, may follow federal common law, which defines larceny as a 'felonious taking of another's personal property with intent to convert it or deprive the owner of the same.'" *In re Ormsby*, 591 F.3d 1199, 1205 (9th Cir. 2010)(quoting 4 *Collier on Bankruptcy* §523.10[2] (15th ed. rev. 2008)). Felonious is defined as "proceeding from an evil heart for purpose, malicious, villainous ... wrongful; (of an act) done without excuse of color or right." *Id.* at 1205 fn. 4.

One of the issues before the Nevada Court was whether Debtor and others converted and/or diverted the funds loaned to C4. See Mot., Ex. 1, pgs. 8-10. In Nevada, conversion is defined as "a distinct act of dominion wrongfully exerted over another's personal property in denial of, or inconsistent with his title or rights therein or in derogation, exclusion, or defiance of such title or rights. Additionally, conversion is an act of general intent, which does not require wrongful intent and is not excused by care, good faith, or lack of knowledge." *In re Ormsby*, 592 F.3d at 1205 (citing *M.C. Multi-Family Development, L.L.C. v. Crestdale Assoc., Ltd.*, 193 P.3d 536, 542-43 (Nev. 2008)). The Second Amended Nevada Complaint alleged that "the funds loaned to C4 were not placed in a checking account separate from all other C4 funds, but rather, were placed in C4's Wells Fargo checking account no. -177 from where over \$400,000 of the funds were diverted as payments or loans to the individual defendants." Mot., Ex. 1 [Second Amended Nevada Complaint], pg. 9, ¶48. The Nevada Judgment found in "Plaintiff's favor and against C4, [DR] Rawson, and Kavanagh, jointly and severally, in the principal amount of twenty million dollars (\$20,000,000) under the ... Fifth Claim for Relief (Conversion)..." Mot., Ex. 2 [Nevada Judgment], pg. 22, Ins 19-24.

During the litigation, Plaintiffs provided the Nevada Court with copies of C4's Wells Fargo Bank account -2177 records, which showed transfers were made to Defendant's Bank of America Account in the amount of \$299,500. Mot., Ex. 6 [Response to Margaret Rawson's Renewed Claim of Exemption], pg. 79, Ins 9-19 and pg. 81, Ins 8-18. In the Nevada Court Order, the Nevada Court noted that "Plaintiffs submitted copies of a Wells Fargo Bank account

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number ending 2177 previously belonging to the corporation, showing his money was deposited therein, and subsequently transferred to [Debtor] Rawson's bank account in 2009. Cain argues nearly \$300,000 was of his money was transferred to [Debtor] Rawson's Bank of America account number ending 2414 and 4515, and others in 2009-2010, and that this assertion has never been disputed." Mot., Ex. 7, pg. 136, Ins 22-28.

In binding Debtor to the terms of the Nevada Judgment, the Nevada Court found that Debtor had "not denied that funds obtained from [Plaintiffs] on or about November 30, 2009 were subsequently transferred to her personal bank accounts in the approximate amount of \$300,000." Mot., Ex. 7, pg. 139, Ins 20-24. The Nevada Court further found that Debtor "had not presented a credible defense to the wrongful diversion of funds from the corporation to her bank accounts." Mot., Ex. 7, pg. 140, Ins 1-4. As a result, the Nevada Court ordered that Debtor be bound by the Nevada Judgment in all respects and as if she had been named in the original complaint and the Default Judgment. As such, the issue of conversion and wrongful diversion of funds decided in the prior litigation appears to be identical to the issue presented in the current action under §523(a)(4) for larceny.

However, "[w]hen an issue is properly raised ... and is submitted for determination, ... the issue is actually litigated." *Alcantara ex. rel Alcantara v. Wal-Mart Stores, Inc.*, 321 P.3d 912, 919 (2014). Whether the issue was necessarily litigated turns on whether "the common issue was ... necessary to the judgment in the earlier suit." *Id.* Here, the Nevada Court did not actually and necessarily decide Debtor's intent with respect to the wrongful diversion of funds. To prove larceny under §523(a)(4), Debtor must have wrongfully took of another's personal property with intent to convert it or deprive the owner of the same. *In re Ormsby*, 591 F.3d at 1205. As noted, the Nevada Court found that Debtor had "not denied that funds obtained from [Plaintiffs] on or about November 30, 2009 were subsequently transferred to her personal bank accounts in the approximate amount of \$300,000." Mot., Ex. 7, pg. 139, Ins 20-24. The Nevada Court further found that Debtor "had not presented a credible defense to the wrongful diversion of funds from the corporation to her bank accounts." Mot., Ex. 7, pg. 140, Ins 1-4. As a result, the Nevada Court ordered that Debtor be bound by the Nevada Judgment. Therefore, the Nevada Court did not actually and necessarily decide that

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Debtor intended to convert the money or deprive Plaintiffs of the money. In fact, Debtor testifies that "DR would occasionally make deposits into our accounts. He did not discuss these with me. In December of 2009, he caused to be deposited into our account (Bank of America 2414) a total of \$299,500. I was aware that DR Rawson had funds wire transferred into the account. He explained to me that it was a loan to him from C4." Rawson Decl., ¶11. Debtor further testifies that she "never wrote any checks; I never signed any checks; I was never involved in any financial dealings whatsoever with C4." Rawson Decl., ¶10.

Based on the foregoing, the issue of Debtor's intent to convert the money and/or deprive Plaintiffs of the money, as required for a finding of larceny under §523(a)(4), was not actually and necessarily decided in the prior litigation. The Nevada Court Order did not specifically find that Debtor has the requisite intent; but rather, found that Debtor failed to deny that Plaintiffs' funds were transferred to her bank account and presented no credible defense to the wrongful conversion of funds. As such, issue preclusion cannot be utilized with respect to Plaintiffs' objection to discharge under §523(a)(4) as the requisite intent was not actually or necessarily litigated.

(2) §523(a)(6)

Section 523(a)(6) excepts from discharge debts arising from a debtor's "willful and malicious" injury to another person or to the property of another. *Barboza v. New Form, Inc. (In re Barboza)*, 545 F.3d 702, 706 (9th Cir. 2008). The "willful" and "malicious" requirements are conjunctive and subject to separate analysis. *Id.* A "malicious" injury requires: "(1) a wrongful act, (2) done intentionally, (3) which necessarily causes injury, and (4) is done without just cause or excuse." *Petralia v. Jercich (In re Jercich)*, 238 F.3d 1202, 1209 (9th Cir. 2001).

The willful injury requirement speaks to the state of mind necessary for nondischargeability. An exacting requirement, it is satisfied when a debtor harbors "either a subjective intent to harm, or a subjective belief that harm is substantially certain." *In re Su*, 290 F.3d 1140, 1144 (9th Cir. 2002); see also *In re Jercich*, 238 F.3d at 1208. The injury must be deliberate or intentional,

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"not merely a deliberate or intentional act that leads to injury." *Kawaauhau v. Geiger*, 523 U.S. 57, 61 (1998). Thus, "debts arising from recklessly or negligently inflicted injuries do not fall within the compass of § 523(a)(6)." *Id.* at 64.

Injury to property includes the conversion of property. *In re Riso*, 978 F.2d 1151, 1154 (9th Cir. 1992). In Nevada, "conversion is defined as a distinct act of dominion wrongfully exerted over another's personal property in denial of, or inconsistent with his title or rights therein or in derogation, exclusion, or defiance of such title or rights. Moreover, an act, to be a conversion, must be essentially tortious; a conversion imports an unlawful act, or an act which cannot be justified or excused in law." *Scaffidi v. United Nissan*, 425 F. Supp. 2d 1159, 1168 (D. Nev. 2005). This discussion parallels the one provided above under §523(a)(4). The Nevada Judgment found in Plaintiffs' favor for the Fifth Claim for Relief (Conversion). Mot., Ex. 2 [Nevada Judgment], pg. 22, Ins 19-24. In binding Debtor to the Nevada Judgment, the Nevada Court found that Debtor had "not denied that funds obtained from [Plaintiffs] on or about November 30, 2009 were subsequently transferred to her personal bank accounts in the approximate amount of \$300,000." Mot., Ex. 7, pg. 139, Ins 20-24. The Nevada Court further found that Debtor "had not presented a credible defense to the wrongful diversion of funds from the corporation to her bank accounts." Mot., Ex. 7, pg. 140, Ins 1-4. As a result, the issue of conversion and wrongful diversion of funds decided in the prior litigation appears to be identical to the issue presented in the current action under §523(a)(6) for injury to property.

However, section 523(a)(6) requires a "willful and malicious" injury to property of another. 11 U.S.C. §523(a)(6). The Nevada Court did not actually or necessarily decide that Debtor committed the alleged wrongful diversion intentionally or with the subjective intent to cause harm. Rather, the Nevada Court bound Debtor to the Nevada Judgment because she failed to deny that Plaintiffs' funds were transferred to her bank account and presented no credible defense to the wrongful conversion of funds. Mot., Ex. 7, pg. 139, Ins 20-24, pg. 140, Ins 1-4. These findings by the Nevada Court do not equate to a finding of willful and malicious injury. As such, issue preclusion cannot be utilized with respect to Plaintiffs' objection to discharge under §523(a)(6) as the requisite intent was not actually or necessarily litigated.

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EVIDENTIARY OBJECTIONS

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A. Evidentiary Objections to the Declaration of Margaret Rawson

<u>Paragraph #</u>	<u>Ruling</u>
3 (sic) 12	Sustained
15	Sustained
17	Sustained

B. Evidentiary Objections to the Declaration of DR Rawson

12	Overruled as to "I did not discuss this loan with Margaret"; Sustained as to the balance
14	Sustained
16	Sustained

Party Information

Debtor(s):

Margaret Allen Rawson	Represented By Sylvia Lew David A Tilem
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Defendant(s):

Margaret Allen Rawson	Represented By Kevin S Lacey
-----------------------	---------------------------------

Plaintiff(s):

Heli Ops International, LLC	Represented By Misty A Perry Isaacson
Jeffrey Cain	Represented By Misty A Perry Isaacson
Peggy Cain	Represented By

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Misty A Perry Isaacson

Trustee(s):

Richard A Marshack (TR)

Represented By
Misty A Perry Isaacson
Donald W Sieveke

Richard A Marshack (TR)

Pro Se

U.S. Trustee(s):

United States Trustee (SA)

Pro Se

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CASE NO.: 11-CV-0296

DEPT. NO.: II

This document does not contain personal information of any person.

THE NINTH JUDICIAL DISTRICT COURT OF NEVADA
IN AND FOR THE COUNTY OF DOUGLAS

PEGGY CAIN, an individual; JEFFREY CAIN,
an individual; and HELI OPS
INTERNATIONAL, LLC, an Oregon limited
liability company,

Plaintiffs,

v.

D.R. RAWSON, an individual;
C4 WORLDWIDE, INC., a Nevada corporation;
RICHARD PRICE, an individual; JOE BAKER,
an individual; MICKEY SHACKELFORD,
an individual; MICHAEL K. KAVANAGH,
an individual; and JEFFREY EDWARDS, an
individual,

Defendants.

INTERROGATORIES

Propounding Parties:

Plaintiffs PEGGY CAIN; JEFFREY CAIN; and
HELI OPS INTERNATIONAL, LLC

Responding Party:

Defendants DR RAWSON and MARGARET
RAWSON

Set No. Four

TO: Defendants DR RAWSON and MARGARET RAWSON

Under authority of Rule 33 of the Nevada Rules of Civil Procedure, Plaintiffs
PEGGY CAIN, JEFFREY CAIN, and HELI OPS INTERNATIONAL, LLC, hereby request that
Defendants DR RAWSON and MARGARET RAWSON answer in writing and under oath, within
thirty (30) days of receipt hereof, the interrogatories hereinafter set forth.

PRELIMINARY DEFINITIONS AND INSTRUCTIONS

The following preliminary definitions and instructions apply to each of the Interrogatories
set forth hereafter and are deemed to be incorporated therein.

1 1. The terms "document" and "writing" and the plural forms thereof shall mean all
2 written, recorded or graphic matters, however produced or reproduced, of every kind and
3 description, pertaining in any way to the subject matter of this action. The terms "documents" and
4 "writing" shall include, but are not limited to, any books, pamphlets, periodicals, memoranda
5 (including those of telephone or oral conversations), contracts, correspondence, agreements,
6 applications, financial records, security instruments, disbursements, checks, bank statements, time
7 records, accounting or financial records, notes, diaries, logs, telegrams or cables (prepared,
8 drafted, received or sent), tapes, transcripts, recordings, minutes of meetings, directives, work
9 papers, charts, drawings, prints, flow sheets, photographs, films, computer printouts, medical and
10 hospital records and reports, x-ray photographs, advertisements, catalogs or any handwritten,
11 recorded, transcribed, punched, taped, filmed or graphic matter, however produced or reproduced,
12 in the Responding Party's possession, custody or control, or to which the Responding Party has or
13 had access.

14 2. The term "person," its plural or any synonym thereof, is intended to and shall
15 embrace and include any individual, partnership, corporation, company, association, government
16 agency (whether federal, state, local or any agency of the government of a foreign country) or any
17 other entity.

18 3. The term "communication," its plural or any synonym thereof, is intended to and
19 shall embrace and include all written communications, and with respect to all written
20 communications shall include, but is not limited to, every discussion, conversation, conference,
21 meeting, interview, telephone call or doctor or other professional service visit.

22 4. The terms "identify," "identity" or "identification," their plural or synonyms
23 thereof, when used with reference to a person shall mean to state the full name and address, and
24 where applicable, that person's present position and business affiliation, if known.

25 5. The terms "identify," "identity" or "identification," their plurals or synonyms
26 thereof, when used with reference to a document mean to state the type of document, its general
27 subject matter, the date, author, addressee and recipient.

28 6. The terms "identify," "identity" and "identification," when used in reference to a
communication, mean to state with respect to each communication the nature of the

1 communication (telephone call, letter, etc.), the date of the communication, the persons who were
2 present at or participated in the communication or with, to or from whom the communication was
3 made, and the substance of the statement made by each person involved in such communication.

4 7. The terms "identify," "identity" and "identification," when used in reference to
5 damages, mean to state with respect to all items of damage claimed by you as a result of the acts
6 of the defendant set forth in your Answer, the type of damage, whether general, special, punitive
7 or otherwise, the nature of such damage, the dollar amount of each item of damage claimed as of
8 the date of your answers to these Interrogatories, how you calculated each such damage claim,
9 each fact which you claim supports such damage claim, the identity of each document you claim
10 supports each damage claim, the identity of each person whom you believe has information about
11 any facts with respect to such damage claim and specifically what information you believe each
12 person identified in response to such Interrogatory possesses.

13 8. All information is to be divulged which is in your possession or control, or can be
14 ascertained upon reasonable investigation or areas within your control. The knowledge of your
15 attorney is deemed to be your knowledge so that, apart from privileged matters, if your attorney
16 has knowledge of the information sought to be elicited herein, said knowledge must be
17 incorporated into these answers, even if such information is unknown to you.

18 9. Whenever you are unable to state an answer to these Interrogatories based upon
19 your own personal knowledge, please so state, and identify the person or persons you believe to
20 have such knowledge, what you believe the correct answer to be and the facts upon which you
21 based your answer.

22 10. Where an Interrogatory calls for an answer in more than one part, each part should
23 be separated so that the answer is clearly understandable.

24 11. Each Interrogatory should be construed independently. Unless otherwise
25 specifically directed, no Interrogatory should be construed by reference to any other Interrogatory
26 if the result is a limitation of the scope of the answer to such Interrogatory.

27 12. "And" and "or" shall be construed disjunctively or conjunctively as necessary, in
28 order to bring within the scope of the Interrogatory all responses which might otherwise be
construed to be outside its scope.

1 13. If an Interrogatory is objected to, in whole or in part, or if information responsive to
2 an Interrogatory is withheld on the ground of privilege or otherwise, please set forth fully each
3 objection, describe generally the information which is withheld and set forth the facts upon which
4 you rely as the basis for each such objection.

5 **INTERROGATORY NO. 20:** Identify any and all sources of income and any and
6 all expenses from June 1, 2016 through the date of your response to these interrogatories.

7 **INTERROGATORY NO. 21:** Identify by bank and account number any and all
8 accounts held by or for DR Rawson and/or Margaret Rawson, whether individual accounts or joint
9 accounts from November 1, 2009 until the present. Include any and all accounts currently open
10 and any accounts closed during this time frame.

11 Dated this 30th day of August 2016.

12 MATUSKA LAW OFFICES, LTD.

13
14 By: 

15 MICHAEL L. MATUSKA, SBN 5711
16 2310 South Carson Street, Suite 6
17 Carson City, NV 89701
18 Attorneys for Plaintiffs
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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of Matuska Law Offices, Ltd., and that on the 30th day of August 2016, I served a true and correct copy of the preceding document entitled **INTERROGATORIES (Set No. Four)** as follows:

[X] BY U.S. MAIL: I deposited for mailing in the United States mail, with postage fully prepaid, an envelope containing the above-identified document(s) at Carson City, Nevada, in the ordinary course of business.

Richard A. Oshinski, Esq.
Mark Forsberg, Esq.
Oshinski & Forsberg, Ltd.
504 East Musser Street, Suite 302
Carson City NV 89701

Robert Thompson, Esq.
Kring & Chung, LLP
1050 Indigo Drive, Suite 200
Las Vegas, NV 89145

Attorneys for Defendants Richard Price and
Mickey Shackelford

Attorneys for Defendant Margaret Rawson

[] BY EMAIL ONLY:

[] BY PERSONAL SERVICE: I personally delivered the above-identified document(s) by hand delivery to the office(s) of the person(s) named above.

[] BY FACSIMILE:

[] BY FEDERAL EXPRESS ONE-DAY DELIVERY.

[] BY MESSENGER SERVICE: I delivered the above-identified document(s) to Reno-Carson Messenger Service for delivery.



ERIC STERN, PARALEGAL

CASE NO.: 11-CV-0296

DEPT. NO.: II

This document does not contain personal information of any person.

THE NINTH JUDICIAL DISTRICT COURT OF NEVADA

IN AND FOR THE COUNTY OF DOUGLAS

PEGGY CAIN, an individual; JEFFREY CAIN,
an individual; and HELI OPS
INTERNATIONAL, LLC, an Oregon limited
liability company.

Plaintiffs.

v.

D.R. RAWSON, an individual;
C4 WORLDWIDE, INC., a Nevada corporation;
RICHARD PRICE, an individual; JOE BAKER,
an individual; MICKEY SHACKELFORD,
an individual; MICHAEL K. KAVANAGH,
an individual; and JEFFREY EDWARDS, an
individual,

Defendants.

REQUESTS FOR PRODUCTION OF
DOCUMENTS

Propounding Parties:

Plaintiffs PEGGY CAIN; JEFFREY CAIN; and
HELI OPS INTERNATIONAL, LLC

Responding Party:

Defendants DR RAWSON and MARGARET
RAWSON

Set No. Five

TO: Defendants DR RAWSON and MARGARET RAWSON

Pursuant to Nevada Rules of Civil Procedure 34 and 69, Plaintiffs PEGGY CAIN, JEFFREY CAIN and HELI OPS INTERNATIONAL, LLC, request Defendants DR Rawson and Margaret Rawson produce and permit for copying the following documents. The time and place for such inspection shall be 30 days from the date of service of this document, allowing 3 extra days if this document is served by mail, at the Matuska Law Offices, 2310 South Carson Street, Suite 6, Carson City, Nevada 89701. In lieu of appearing, you may deliver copies of all documents responsive to the requests contained herein, so long as they are delivered on or before

1 the time set forth above, and provided that you certify that the documents produced constitute all
2 responsive documents in your possession, custody or control.

3 DEFINITIONS

4 1. When used herein, the words "YOU" and "YOUR" shall include in addition to
5 respondent(s) hereof and respondent's(s') counsel, and all agents, servants, employees,
6 representatives, investigators and anyone else in the possession of or who has obtained
7 information on behalf of respondent(s).
8

9 2. When used herein, "DOCUMENT" means and includes any kind of written, typewritten,
10 printed or recorded material whatsoever, regardless of the source or author thereof, including, but
11 not limited to, correspondence, letters, notes (handwritten or typed), memoranda, papers, business
12 records, account ledgers, bank statements, bank checks, statistical records, journals, diaries,
13 transaction files, appointment books, desk calendars, minutes of meetings, contracts, agreements,
14 understandings, commitments, documents of title, instruments of assignment, transfer of
15 conveyance, books, drawings, photographs, pictures, charts, dictated tapes, tape recordings,
16 phonograph recordings, transcriptions, data processing cards and any other means by which data is
17 stored or preserved electrically, electronically, digitally, magnetically or mechanically. The word
18 "DOCUMENT" also includes, without limitation, all originals, all file copies, all drafts, all
19 extracts and summaries, and all copies not identical to the original, no matter how prepared, of any
20 of the above items.
21

22 3. "And" and "or" shall be construed disjunctively or conjunctively as necessary, in order to
23 bring within the scope of these Requests for Production of Documents all responses which might
24 otherwise be construed to be outside of its scope.
25

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REQUEST FOR PRODUCTION NO. 21: Provide any and all bank statements from January 1, 2016 to the present for any and all bank accounts, regardless of account type, held by DR Rawson and/or Margaret Rawson, whether individual or joint accounts. Include statements from any and all accounts currently open and any accounts closed during this time period.

Dated this 30th day of August 2016.

MATUSKA LAW OFFICES, LTD.

By: 

MICHAEL L. MATUSKA, SBN 5711
2310 South Carson Street, Suite 6
Carson City, NV 89701
Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of Matuska Law Offices, Ltd., and that on the 30th day of August 2016, I served a true and correct copy of the preceding document entitled **REQUESTS FOR PRODUCTION OF DOCUMENTS (Set No. Five)** as follows:

☒ **BY U.S. MAIL:** I deposited for mailing in the United States mail, with postage fully prepaid, an envelope containing the above-identified document(s) at Carson City, Nevada, in the ordinary course of business.

Richard A. Oshinski, Esq.
Mark Forsberg, Esq.
Oshinski & Forsberg, Ltd.
504 East Musser Street, Suite 302
Carson City NV 89701

Robert Thompson, Esq.
Kring & Chung, LLP
1050 Indigo Drive, Suite 200
Las Vegas, NV 89145

Attorneys for Defendants Richard Price and
Mickey Shackelford

Attorneys for Defendant Margaret Rawson

☐ **BY EMAIL ONLY:**

☐ **BY PERSONAL SERVICE:** I personally delivered the above-identified document(s) by hand delivery to the office(s) of the person(s) named above.

☐ **BY FACSIMILE:**

☐ **BY FEDERAL EXPRESS ONE-DAY DELIVERY.**

☒ **BY MESSENGER SERVICE:** I delivered the above-identified document(s) to Reno-Carson Messenger Service for delivery.


ERIC STERN, PARALEGAL

1 Case No. 11-CV-0296

2 Dept. No. II

RECEIVED

DEC 09 2016

Douglas County
District Court Clerk

FILED

2016 DEC -9 AM 10:27

DELLA R. WILLIAMS
CLERK

M. BIAGGINI DEPUTY

6 IN THE NINTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

7 IN AND FOR THE COUNTY OF DOUGLAS

8
9 PEGGY CAIN, an individual;
10 JEFFREY CAIN, an individual;
11 and HELI OPS INTERNATIONAL,
12 LLC, an Oregon limited
13 liability company,

14 Plaintiffs,

15 vs.

ORDER GRANTING EX PARTE MOTION
TO SHORTEN TIME AND FOR
TEMPORARY RESTRAINING ORDER

16 DR RAWSON, an individual; C4
17 WORLDWIDE, INC., a Nevada
18 corporation; RICHARD PRICE,
19 an individual; JOE BAKER, an
20 individual; MICKEY
21 SHACKELFORD, an individual;
22 MICHAEL K. KAVANAGH, an
23 individual; JEFFREY EDWARDS,
24 an individual; and DOES 1-10,
25 inclusive,

26 Defendants.

27
28 THIS MATTER comes before the Court on Plaintiff's Ex Parte
29 Motion to Shorten Time Re: Motion to Turn Over Funds; and for
30 Temporary Restraining Order filed December 8, 2016. The Court
31 having considered the motion and corresponding exhibits finds
32 and orders as follows:

33 Margaret Rawson is a judgment debtor in these proceedings.
34 Plaintiffs have demonstrated good cause to believe they may be
35 irreparably injured if Margaret Rawson is not immediately

1 enjoined from withdrawing funds from Account No. XXXXXX209
2 other than those funds required to be paid to the United States
3 Bankruptcy Trustee in Bankruptcy Case No. 8:15-bk-10719-ES.
4 Specifically, if Margaret Rawson is not so enjoined, the funds
5 may be removed for purposes other than paying the judgment.

6 Plaintiffs have also demonstrated good cause to proceed
7 without notice given the timing of the bankruptcy proceedings
8 and the urgent need for protection. Because the matter will be
9 heard within fifteen days, the Court finds that bond in the
10 amount of \$500 is a suitable amount to protect those enjoined.
11 Given the quick setting, the Court also finds good cause to
12 shorten Margaret Rawson's time to respond to Plaintiff's Motion
13 to Turn Over Funds; Motion to Compel; and for Other Relief.

14 IT IS HEREBY ORDERED that, effective upon the posting of
15 \$500 bond with the Court Clerk, Margaret Rawson is enjoined
16 from withdrawing funds from Account No. XXXXXX209 other than
17 those funds required to be paid to the United States Bankruptcy
18 Trustee in Bankruptcy Case No. 8:15-bk-10719-ES.

19 IT IS FURTHER ORDERED that a hearing on Plaintiff's Motion
20 to Turn Over Funds; Motion to Compel; and for Other Relief will
21 be held on December 23, 2016, at 9:00 a.m. Margaret Rawson
22 shall have until December 20, 2016, to file any opposition.
23 The parties are to notify the Judicial Assistant by December
24 19, 2016 should they need a court reporter for the hearing.

25 Dated this 9th day of December, 2016 at 10:20 a.m.

26
27 
THOMAS W. GREGORY
DISTRICT COURT JUDGE

1 Copies served by mail/email this 9th day of December, 2016,
addressed to:

2 Michael Matuska, Esq. (Mail/Email)
3 2310 South Carson Street, #6
4 Carson City, Nevada 89701
5 mlm@matuskalawoffices.com

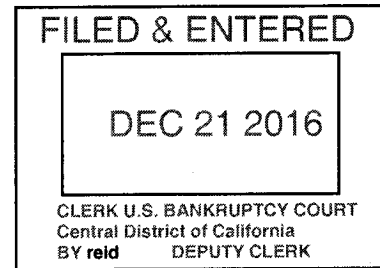
6 Peter Dubowsky, Esq. (Mail/Email)
7 Dubowsky Law Office, Chtd.
8 300 South Fourth Street, Suite 1020
9 Las Vegas, Nevada 89101
10 peter@dubowskylaw.com

11 First Financial Equity Corporation (Mail)
12 c/o National Registered Agents,
13 Inc. Of Nevada
14 701 South Carson Street, Suite 200
15 Carson City, Nevada 89701


Vicki Barrett

1 D. EDWARD HAYS, #162507
ehays@marshackhays.com
2 CHAD V. HAES, #267221
chaes@marshackhays.com
3 MARSHACK HAYS LLP
870 Roosevelt
4 Irvine, CA 92620
Telephone: (949) 333-7777
5 Facsimile: (949) 333-7778

6 Attorneys for Chapter 7 Trustee,
RICHARD A. MARSHACK
7



8 UNITED STATES BANKRUPTCY COURT
9 CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION
10

11 In re
12 MARGARET ALLEN RAWSON,
13 Debtor.
14
15

Case No. 8:15-bk-10719-ES

Chapter 7

ORDER GRANTING IN PART AND
DENYING IN PART TRUSTEE'S
MOTION FOR ORDER COMPELLING
DEBTOR TO TURNOVER BANKRUPTCY
ESTATE ASSETS

[Motion - Docket No. 60]

Date: December 1, 2016
Time: 2:00 p.m.
Crtrm.: 5A

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19 A hearing was held on December 1, 2016, at 2:00 p.m., before the Honorable Erithe A.
20 Smith, United States Bankruptcy Judge for the Central District of California, in Courtroom 5A
21 located at 411 West Fourth Street, Santa Ana, CA 92701-4593, on the Motion for Order Compelling
22 Debtor to Turnover Bankruptcy Estate Assets ("Motion"), filed by Richard A. Marshack, Chapter 7
23 Trustee ("Trustee") of the Bankruptcy Estate of Margaret Allen Rawson ("Debtor"), filed on
24 October 26, 2016 as Docket No. 60.

25 The Court has read and considered the Motion, the related pleadings, heard the statements of
26 counsel, the findings made on the record and with good case shown,

27 ///

28 ///

1 IT IS ORDERED that:

2 1. The Motion is denied insofar as the Chapter 7 Trustee requests the turnover of any
3 powers exercised by Debtor Margaret Rawson in her capacity as Successor Trustee of the Preston
4 M. and Marvel L. Jones Family Trust ("Trust").

5 2. Except as otherwise set forth below, disposition of the Trust assets remains subject
6 to those Orders previously issued by the Court in adversary action bearing adversary case number
7 8:15-10719-ES ("Adversary").

8 3. The alternative relief sought by the Chapter 7 Trustee requesting turnover of half of
9 the Trust funds deposited with FFEC is granted in its entirety. Accordingly, Debtor, in her capacity
10 as Successor Trustee of the Trust, shall turnover to the Chapter 7 Trustee the sum of \$200,000
11 ("Funds") from the Trust to the Chapter 7 Trustee within seven days of the date of entry of this
12 Order.

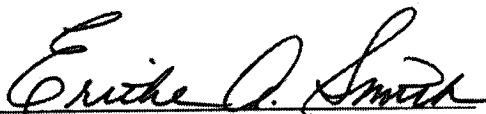
13 4. The Funds shall be held by the Trustee pending further Order of the Court or
14 agreement of the parties and approval of such agreement by Court Order.

15 5. The Debtor, the Trustee, Peggy Cain, Jeffrey Cain and Heli-Ops, International, LLC
16 (collectively, the "Parties") are hereby ordered to attend mediation with respect to all of the
17 disputed issues in this case, including those raised in the Adversary.

18 6. The Parties shall complete their mediation on or before February 28, 2017.

19 # # #
20
21
22

23 Date: December 21, 2016

24 
25 Erithe Smith
26 United States Bankruptcy Judge
27
28

1 STATE OF NEVADA)
2 COUNTY OF _____) ss.
3

4 1. Is MARGARET RAWSON a signatory on account number [REDACTED] 9209 or any other
5 accounts?

6 ANSWER:

7 Margaret Rawson is a signatory on [REDACTED] 9209
8 JONES TRUST, # [REDACTED] 6392 Jones Trust

9 2. Are you in any manner indebted to the defendant MARGARET RAWSON, either
10 in property or money, and is the debt now due? If not, when is the debt to become due? State
11 fully all particulars.

12 ANSWER:

13 Not applicable
14

15 3. Did you have in your possession, in your charge or under your control, on the date
16 the writ of garnishment was served upon you, any money, property, effects, goods, chattels, rights,
17 credits or choses in action of the defendant MARGARET RAWSON is interested? If so, state its
18 value, and state fully all particulars.

19 ANSWER:

20 Yes. Account [REDACTED] 9209 value as of 12/21/10: \$363,625.00
21 Account: [REDACTED] 6392 \$ 49,914.44

22 4. Do you know of any debts owing to the defendant MARGARET RAWSON,
23 whether due or not due, or any money, property, effects, goods, chattels, rights, credits or choses
24 in action, belonging to MARGARET RAWSON, or in which MARGARET RAWSON is
25 interested, and now in the possession or under the control of others? If so, state fully all
26 particulars.

27 ///

28 ///

must be sent
to Sheriff
& Atty -

1 ANSWER:

2 Not applicable

3
4 5. Are you a financial institution with a personal account held by defendant
5 MARGARET RAWSON? If so, state the account number and the amount of money in the
6 account which is subject to garnishment. Include account number [REDACTED] 9209. As set forth in
7 NRS 21.105, \$2,000 or the entire amount in the account, whichever is less, is not subject to
8 garnishment if the financial institution reasonably identifies that an electronic deposit of money
9 has been made into the account within the immediately preceding 45 days which is exempt from
10 execution, including, without limitation, payments of money described in NRS 21.105 or, if no
11 such deposit has been made, \$400 or the entire amount in the account, whichever is less, is not
12 subject to garnishment, unless the garnishment is for the recovery of money owed for the support
13 of any person. The amount which is not subject to garnishment does not apply to each account of
14 the judgment debtor, but rather is an aggregate amount that is not subject to garnishment.

15 ANSWER:

16 Account [REDACTED] 9209 as of 12/21/16 = \$363,625.00

17 Account [REDACTED] 16392 as of 12/21/16 = \$49,914.44

18 6. State your correct name and address, or the name and address of your attorney upon
19 whom written notice of further proceedings in this action may be served.

20 ANSWER:

21 First Financial Equity Corporation, 7373 N. Scottsdale Rd.

22 Suite D120, Scottsdale, AZ 85253

23 /// Attention: Randy Sitzman, CEO

24 ///

25 ///

26 ///

27 ///

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MATUSKA LAW OFFICES, LTD.
937 Mica Drive, Suite 16A
Carson City NV 89705
(775) 392-2313

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PRINT THE NAME AND JOB TITLE OF THE PERSON WHO FILLED OUT THIS FORM:

I, Randy Sztzman do solemnly swear (or affirm) that the
answers to the foregoing interrogatories are true.

(Signature)

SIGNED AND SWORN (or affirmed)
before me on December 22, 2016,
by Randy Sztzman.



Lesa Skarlot
NOTARY PUBLIC

JONES FAMILY TRUST MARGARET L RAWSON TTEE. 8781 DEWEY DR. GARDEN GROVE, CA 92841		88-8314/3119 1263
DATE <u>12-22-16</u>		
PAY TO THE ORDER OF <u>Richard Marshall Chapter 7 Trust</u> \$ <u>300,000.00</u>		
<u>Richard Marshall Chapter 7 Trust</u>		
DOLLARS <u>300,000.00</u>		
SOUTHWEST SECURITIES 10000 DEWEY DR. GARDEN GROVE, CA 92841		
MEMO <u>CASE # 8-15-bx-10719-ES</u>		
<u>August 1980</u>		