

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

\* \* \* \* \*

VETERANS IN POLITICS  
INTERNATIONAL, INC.; AND STEVE W.  
SANSON,

Appellant,

vs.

MARSHAL S. WILICK; AND WILICK  
LAW GROUP,

Respondent.

SC NO: Electronically Filed  
72778 2018 04:36 p.m.  
DC NO: Elizabeth A. Brown  
Clerk of Supreme Court

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**INDEX TO RESPONDENT'S APPENDIX  
VOLUME I**

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**DATE ORDER**

**Attorneys for Respondent:**

JENNIFER V. ABRAMS, ESQ.  
Attorney for Respondent  
Nevada Bar No. 7575  
THE ABRAMS AND MAYO LAW FIRM  
6252 South Rainbow Blvd., Ste. 100  
Las Vegas, Nevada 89118  
(702) 222-4021  
email: [JVAGroup@theabramslawfirm.com](mailto:JVAGroup@theabramslawfirm.com)

**Attorneys for Appellant:**

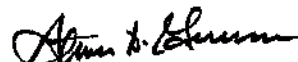
ANAT LEVY, ESQ.  
Attorney for Appellant  
Nevada Bar No. 12250  
5841 E. Charleston Blvd.,  
#230-421  
Las Vegas, Nevada 89142  
(310) 621-1199  
Email: [alevy96@aol.com](mailto:alevy96@aol.com)

**APPENDIX INDEX  
DATE ORDER**

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| 15             | Veterans In Politics International, Inc. Email regarding Michael Cherry's Appearance   | 1/6/2018                       | IV, part III<br>RA000922 –<br>RA000923 |
| 16             | Letter to Judge Cherry: Re Veterans In Politics International radio appearance, scheduled for January 13, 2018   | 1/10/2018                      | IV, part III<br>RA000924 –<br>RA000955 |
| 17             | Judges' Ties to Sanson Have Courts in Tight Spot by Jane Ann Morrison  | 1/20/2018                      | IV, part III<br>RA000956 –<br>RA000963 |
| 18             | DiCiero, Mark (2018, January 26). Nevada Court Watchers [Facebook group]. Retrieved from <a href="https://www.facebook.com/groups/433293260115971/permalink/1322318161213472/">https://www.facebook.com/groups/433293260115971/permalink/1322318161213472/</a> | 1/29/2018                      | IV, part III<br>RA000964               |
| 19             | Emails between Josh Gilmore, Esq., and Anat Levy re: joint appendix  | 6/12/17                        | IV, part III<br>RA000965 –<br>RA000966 |
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| 20             | Transcript from the recusal hearing on August 30, 2017   | 9/19/17                        | V<br>RA000967 –<br>RA001009            |

  
CLERK OF THE COURT

1 **MSNC**  
Brandon K. Leavitt, Esq. (11834)  
2 Jennifer V. Abrams, Esq. (7575)  
THE ABRAMS & MAYO LAW FIRM  
3 6252 South Rainbow Blvd., Suite 100  
Las Vegas, Nevada 89118  
4 Tel: (702) 222-4021  
Fax: (702) 248-9750  
5 Email: [bklgroup@theabramslawfirm.com](mailto:bklgroup@theabramslawfirm.com)  
Attorney for Plaintiff

Eighth Judicial District Court  
Family Division  
Clark County, Nevada

8 BRANDON PAUL SAITER, ) Case No.: D-15-521372-D  
9 Plaintiff, ) Department: L  
10 vs. )  
11 TINA MARIE SAITER, ) Date of Hearing: 11/10/2016  
12 Defendant. ) Time of Hearing: 10:00 am  
ORAL ARGUMENT REQUESTED  
X YES NO

13 NOTICE: YOU ARE REQUIRED TO FILE A WRITTEN RESPONSE TO THIS  
14 MOTION WITH THE CLERK OF THE COURT AND TO PROVIDE THE  
15 UNDERSIGNED WITH A COPY OF YOUR RESPONSE WITHIN TEN (10) DAYS OF  
16 YOUR RECEIPT OF THIS MOTION. FAILURE TO FILE A WRITTEN RESPONSE  
17 WITH THE CLERK OF THE COURT WITHIN TEN (10) DAYS OF YOUR RECEIPT  
18 OF THIS MOTION MAY RESULT IN THE REQUESTED RELIEF BEING GRANTED  
19 BY THE COURT WITHOUT A HEARING PRIOR TO THE SCHEDULED HEARING  
20 DATE.

21 **MOTION FOR SANCTIONS AND ATTORNEY'S FEES**

22 **NOW INTO COURT** comes Defendant, BRANDON PAUL SAITER, by and  
23 through his attorneys of record, BRANDON K. LEAVITT, ESQ. and JENNIFER V.  
24 ABRAMS, ESQ., of THE ABRAMS & MAYO LAW FIRM, and hereby files his Motion  
for Sanctions and Attorney's Fees.


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1 This motion is made and based upon the attached Points and Authorities  
2 attached hereto, all papers and pleadings on file herein, and any oral argument  
3 adduced at the hearing of this matter.

4 DATED Thursday, September 08, 2016.

5 Respectfully Submitted,  
6 THE ABRAMS & MAYO LAW FIRM

7   
8 Brandon K. Leavitt, Esq. (11834)  
9 Jennifer V. Abrams, Esq. (7575)  
6252 South Rainbow Blvd., Suite 100  
Las Vegas, Nevada 89118  
Tel: (702) 222-4021  
Attorney for Plaintiff

11 **NOTICE OF MOTION**

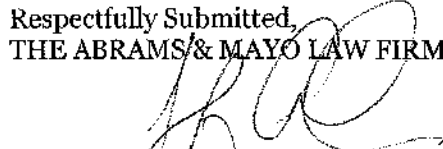
12 TO: TINA MARIE SAITER, Defendant;

13 TO: LOUIS C. SCHNEIDER, ESQ., 430 S. 7th Street, Las Vegas, Nevada 89101,  
14 Attorney for Defendant;

15 PLEASE TAKE NOTICE that the foregoing Motion will be heard on  
16 11/10/2016, at 10:00am, in Department L  
17 of the above-entitled Court.

18 Dated Thursday, September 08, 2016.

19 Respectfully Submitted,  
20 THE ABRAMS & MAYO LAW FIRM

21   
22 Brandon K. Leavitt, Esq. (11834)  
23 Jennifer V. Abrams, Esq. (7575)  
6252 South Rainbow Blvd., Suite 100  
Las Vegas, Nevada 89118  
Tel: (702) 222-4021  
Attorney for Plaintiff

1                   **MEMORANDUM OF POINTS AND AUTHORITIES**

2   **I.     INTRODUCTION**

3           There is no joy in filing this motion but, given Attorney Schnieder's  
4 continuing frustration of any progress in this case – even while he has one foot out  
5 the door - it is necessary.

6           Given the aggressive accusations by Attorney Schnieder against Brandon  
7 throughout this litigation, it may come as a surprise to this Court that Tina and  
8 Brandon have a good relationship with each other. They co-parent the children  
9 together, they speak on a regular basis, and they even “visit” with one another in a  
10 very “loving” way on a regular basis. Tina and Brandon were able to settle custody on  
11 their own and they both desire to amicably resolve the financial aspects of this case  
12 without litigation.

13           Unfortunately, Attorney Schnieder has strongly discouraged Tina from  
14 settling this case and he has fueled unnecessary litigation for months. Tina shared  
15 her concerns about Attorney Schnieder with Brandon on numerous occasions.  
16 Finally, with the last round of shenanigans by Attorney Schnieder resulting in a delay  
17 of the trial, added attorney fees and costs, and more untrue allegations against  
18 Brandon, Tina fired Attorney Schneider.<sup>1</sup> Accordingly, Attorney Schneider filed a  
19 Motion to Withdraw and subsequently a Motion to Reduce Fees to Judgment. While  
20 Tina has been telling Brandon that she would like to meet to discuss settlement, the  
21 undersigned will not meet with her while she still maintains counsel of record.

22  
23  
24           <sup>1</sup> Additionally, Tina confided in Brandon that Attorney Schneider has made her feel uncomfortable  
with sexually suggestive conduct.

1 A non-opposition to Attorney Schnieder's Motion to Withdraw was filed by  
2 the undersigned and a proposed Order submitted. However, this Court refused to  
3 enter the Order of Withdrawal at Attorney Schneider's request that a hearing be  
4 held.

5 Attorney Schnieder's unethical and vexatious conduct, designed to fuel  
6 litigation and churn attorney fees, should not go without consequence. In addition to  
7 the multiple late filings,<sup>2</sup> failure to follow the discovery rules, failure to provide a  
8 legitimate billing statement to support his requests for fees and failure to adequately  
9 prepare the case for Trial, Attorney Schneider has also made multiple  
10 misrepresentations to this Court.<sup>3</sup> His misrepresentations have increased the  
11 litigation in this case resulting in additional attorney's fees and expert fees to both  
12 sides. Attorney Schneider's misconduct has been briefed to this Court on numerous  
13 prior occasions: (1) Plaintiff's EDCR 7.27 Trial Memorandum, (2) Motion for  
14 Reconsideration, Sanctions, Attorney's Fees and Other Related Relief, (3) Opposition  
15 to Motion to Strike May 4, 2016 Ex-Parte Communication from File; To Exclude Jeff  
16 Nash as an Expert Witness; and for Attorney's Fees, (4) Opposition to Motion to  
17 Compel, and (5) Reply to Opposition to Motion for Reconsideration, Sanctions,  
18 Attorney's Fees and Other Related Relief and Opposition to Countermotion for  
19 Attorney's Fees and Response to Objection to Discovery Commissioner's Order

20  
21 <sup>2</sup> Tina, through her counsel, did not timely file her Answer, she did not timely file her  
22 Spousal Support Rehabilitation Plan, she submitted twenty-six (26) out of the approximately  
one hundred and fifty (150) job search efforts that she was ordered to complete, she did not  
timely respond to discovery requests and she did not timely provide her Trial Exhibits.

23 <sup>3</sup> The Court should also recall that Tina's counsel prepared the Order from the December  
24 hearing and submitted it to the Court without ever sending it to Brandon's counsel for  
review and signature first. This is a direct violation of the Rules of Professional Conduct as  
well as the Judicial Cannons as it constitutes an ex parte communication between the Court  
and one of the parties' to the action.



1 Extending Time. Despite the fact that Attorney Schneider's misrepresentations have  
2 been brought to his attention on multiple occasions, both in pleadings and on the  
3 record in Court, he has refused to make any effort to correct same. Each time this  
4 Court overlooked his misconduct, he was further empowered to continue unethical  
5 conduct with immunity. It is time to end that improper empowerment.

## 6 **II. ROYALTY PAYMENTS**

7 Attorney Schneider informed the Court on April 19, 2016 that he had **just**  
8 learned about the royalty payments that day. However, the royalty payments were  
9 discussed and addressed in the business valuation report, which Attorney  
10 Schneider billed his client (i.e., Brandon Saiter) for reviewing. Clearly, if Attorney  
11 Schneider had reviewed the report – as he billed his client to do – the royalty  
12 payments would not have been any surprise.

13 Furthermore, Attorney Schneider stated to the Court in the off-the-record-  
14 discussion that Brandon was hiding / never reported the royalty payments. This  
15 was a lie. Jeff Nash acknowledged that Brandon was up front about the royalty  
16 payments from the onset of the valuation. While many of Attorney Schneider's  
17 misrepresentations in the off-the-record-discussion were not placed on the record,  
18 the following was stated on the record based upon his misstatements:

19 Court - "...apparently Jeff Nash made some comments today that kind  
20 of made the Defendant concerned, and Plaintiff's counsel was  
not aware." See video record at 15:00:25.

21 None of it was true. Brandon's counsel was aware of the royalty payments  
22 and Tina's counsel, if he had actually reviewed the report as provided in his  
23 "hypothetical billing statements," would have been aware of the royalty payments  
24 as well. Mr. Nash never raised any concerns over the issue. It was Attorney

Schneider who was alleging for the very first time that these royalty payments were somehow never addressed. The Court went on to state:

Court - "But, I know there's somethings that were said in the hall about money that was coming in, that's found so I don't want to act like I don't know that these are allegations but I also don't know if it's true or there might be some reason for these funds." See video record at 15:03:29.

There was no new money found.

Finally, the following was said about the royalty payments when Attorney Leavitt explained that they were addressed in Mr. Jeff Nash's report.

Court - "Didn't he say to you that because it wasn't part of this corporation that he did not include it in valuing the equity in the business."

Schneider - "That's correct because it's a royalty payment."  
See video record at 15:07:00.

The royalty payments were considered, in that they've historically been revenue to the business to which business expenses, including, Brandon's income have been paid. They were considered in the cash flow analysis. There was an adjustment<sup>4</sup> made by Mr. Nash due to the fact that the royalty payments were not expected to continue beyond August 2016.<sup>5</sup> The proper procedure for Attorney Schneider to address any concerns with Mr. Nash's conclusions was on cross-examination, not by making blatantly false representations to this Tribunal and causing an unnecessary delay and unnecessarily multiplying these proceedings.

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<sup>4</sup> It is noteworthy that adjustments were also made for non-recurring and discretionary expenses – wherein these expenses were added back in.

<sup>5</sup> These royalty payments have, in fact, ended.

1 **III. ATTORNEY SCHNEIDER'S FABRICATED BILL AND REQUESTS**  
2 **FOR FEES**

3 On December 15, 2015, these parties were before this Court on a hearing  
4 initiated by Tina's Motion for Interim Orders. Tina's Motion requested an award of  
5 attorney's fees in the amount of \$7,500. Tina's Motion was supported by a Financial  
6 Disclosure Form, which for the most part, was blank. Tina's Financial Disclosure  
7 Form did indicate that she owed her attorney the sum of \$3,500, which was the same  
8 amount as the initial retainer that Brandon had placed with The Abrams & Mayo  
9 Law Firm at the commencement *of what was supposed to be an uncontested*  
10 *matter*.<sup>6</sup> At the hearing on Tina's Motion, Tina's counsel requested an award of  
11 \$10,000 in attorney's fees and represented that he had received \$1,000 from Tina  
12 thus far.<sup>7</sup> This Court awarded Tina attorney's fees in the amount of \$15,000. As of  
13 that hearing, Brandon had paid his attorney approximately \$6,943.<sup>8</sup>

14 To keep costs down, Brandon and his counsel decided to send discovery  
15 requests to Tina, as opposed to taking her deposition. Tina was late in responding to  
16 the discovery requests, thereby waiving the right to make any objections. Brandon's  
17 counsel had to send several emails, correspondence, and even hold an EDCR 2.34  
18 telephone conference to obtain the requested documentation<sup>9</sup> – all of which  
19 increased Brandon's attorney's fees.

20 <sup>6</sup> The retainer for a contested divorce at The Abrams & Mayo Law Firm is almost always a  
21 minimum of \$7,500.

22 <sup>7</sup> Although the \$1,000 payment is not reflected in his billing statements.

23 <sup>8</sup> This Court's award of \$15,000 – *150% of the amount requested* – appears to have  
24 encouraged Attorney Schneider to "milk" this case for as much as he could at the expense of  
the parties and ultimately, their children.

<sup>9</sup> To this day, Brandon's counsel has not received complete responses.

1 In response to the request to produce Tina's attorney's billing statements, first  
2 there was an objection based upon attorney/client privilege. In response to the  
3 interrogatory requesting specifics about Tina's attorney's fees, Tina responded as  
4 follows:

5 Law Offices of Louis C. Schneider, Esq. - 430 South 7th St. Las Vegas,  
6 NV 89101- \$15,000 in attorney's fees have been paid to Mr. Schneider  
pursuant to an order of this Court. Tina's current balance is \$0.00.

7 Tina signed off on her discovery responses on March 21, 2016 and her  
8 attorney signed off on her discovery responses on March 23, 2016.<sup>10</sup>

9 Attorney Leavitt had to remind Attorney Schneider that while he could redact  
10 attorney/client privilege information from the bills, he needed to produce the  
11 **actual** bills and retainer agreement.<sup>11</sup> Attorney Schneider alleged that the delay in  
12 providing the bills was due to **needing time to redact same**. However, when  
13 Attorney Leavitt finally received the "billing statements" from Attorney Schneider  
14 there were **no redactions at all – there was not a single actual billing**  
15 **statement produced. A "hypothetical billing statement" was concocted**  
16 **and produced**. The issues with Attorney Schneider's draft "billing statement" are  
17 fully set forth in Brandon's EDCR 7.27 Trial Memorandum.

18 Therefore, the facts and authorities in Plaintiff's EDCR 7.27 Trial  
19 Memorandum are hereby incorporated into this Motion as if fully set forth herein.  
20 To this day, Attorney Schneider has produced **one** billing statement – attached to  
21 his Motion to Reduce Fees to Judgment - despite the fact that this Court has

22  
23 <sup>10</sup> However, the draft "billing statement" that Attorney Schneider eventually provided states  
24 that the meeting with Tina regarding the discovery responses was held on March 23<sup>rd</sup> and  
opposing counsel worked on the responses on March 23<sup>rd</sup> and March 29<sup>th</sup>.

<sup>11</sup> *Love v. Love*, 114 Nev. 572, 959 P.2d 523 (1998).

1 awarded Tina a total of \$25,000 in unwarranted attorney's fees to date. The Court  
2 should note that in his "invoice # 7" Attorney Schneider is continuing with the same  
3 inflating billing practices. As an example, Attorney Schneider is alleging that his  
4 Motion to Compel, which largely consisted of him copying and pasting his discovery  
5 requests<sup>12</sup> and the law, took 6.8 hours to complete. Furthermore, Attorney  
6 Schneider alleges that he prepared this Motion himself when it is more likely that he  
7 had his paralegal or should have had his paralegal prepare same.

8 **IV. ATTORNEY SCHNEIDER'S FAILURE TO FOLLOW DISCOVERY**  
9 **RULES**

10 Attorney Schnceider did not send out one single subpoena, one single  
11 discovery request (except for the requests **served the same day as Trial**), and  
12 never served a single 16.2 disclosure in preparation for Trial.

13 Specifically **after** he successfully derailed the Trial, Attorney Schneider  
14 propounded discovery. Said discovery includes requests such as Brandon's credit  
15 report, documents relating to jewelry, and the dog, "Chubbs." Furthermore, many of  
16 the banking and credit card statements being requested had long since been  
17 disclosed by Brandon. It is clear from the requests that Attorney Schneider did  
18 another "copy and paste job" because in several of the requests, Mr. Schneider refers  
19 to Brandon's counsel as "Louis C. Schneider" and refers to Brandon divorcing  
20 himself. Despite those glaring issues, this Court stated at the April 19th Trial that, "I  
21 don't want to make too many statements because I what want to do is open  
22 **discovery relative to these issues.**" (Emphasis Added) See video record at  
23 14:59:30. Attorney Schneider was well aware that discovery was not opened as to all

24 <sup>12</sup> Discovery requests, which for the most part were blanket requests that his staff  
acknowledged were sent out to "fuck with Brandon."

1 issues, yet he did a blanket discovery request – mostly copied from Brandon’s timely  
2 requests - anyway.

3 When this matter was discussed between counsel outside the courtroom  
4 before the last hearing, Attorney Schneider’s assistant acknowledged that she sent  
5 out the blanket discovery requests “to fuck with Brandon” and that they were well  
6 aware that discovery wasn’t re-opened as to all issues.

7 It should also be noted that in violation of NRCP 45, Attorney Schneider  
8 served a Subpoena upon Wells Fargo without copying Brandon or his counsel with  
9 same. Brandon only learned of the Subpoena when Wells Fargo informed him that  
10 they’d be responding to same. Please see *Correspondence to Wells Fargo Regarding*  
11 *Subpoena Issued by Defendant and Never Served Upon Plaintiff* filed with the  
12 Court on July 11, 2016.

13 **V. LAW AND ARGUMENT**

14 NRS 7.085 states:

15 Payment of additional costs, expenses and attorney’s fees by attorney  
16 who files, maintains or defends certain civil actions or extends civil  
actions in certain circumstances.

17 1. If a court finds that an attorney has:

18 (a) Filed, maintained or defended a civil action or proceeding in any  
19 court in this State and such action or defense is not well-grounded in  
fact or is not warranted by existing law or by an argument for changing  
the existing law that is made in good faith; or

20 (b) Unreasonably and vexatiously extended a civil action or  
proceeding before any court in this State,

21 the court shall require the attorney personally to pay the additional  
22 costs, expenses and attorney’s fees reasonably incurred because of such  
conduct.

23 2. The court shall liberally construe the provisions of this section in  
24 favor of awarding costs, expenses and attorney’s fees in all appropriate  
situations. It is the intent of the Legislature that the court award costs,  
expenses and attorney’s fees pursuant to this section and impose

1 sanctions pursuant to Rule 11 of the Nevada Rules of Civil Procedure in  
2 all appropriate situations to punish for and deter frivolous or vexatious  
3 claims and defenses because such claims and defenses overburden  
4 limited judicial resources, hinder the timely resolution of meritorious  
5 claims and increase the costs of engaging in business and providing  
6 professional services to the public.

7 NRS 7.085 allows a district court to make an attorney personally liable for the  
8 attorney fees and costs an opponent incurs when the attorney files, maintains or  
9 defends a civil action that is not well-grounded in fact or is not warranted by existing  
10 law or by a good-faith argument for changing the existing law.” *Watson Rounds,*  
11 *P.C., v. Eight Judicial Dist. Ct. (Himelfarb & Associates)*, 131 Nev. Adv. Op. 79, 10  
12 (September 24, 2015).

13 In *Watson Rounds, P.C.*, the Nevada Supreme Court held that NRCP 11 and  
14 NRS 7.085 each represent a distinct, independent mechanism for sanctioning  
15 attorney misconduct. *Id.*, at 1. NRCP 11 sanctions are designed to deter future  
16 misconduct by an attorney, while NRS 7.085 is designed to hold the attorney liable  
17 for fees incurred by the other party as a result of the misconduct. Accordingly, this  
18 Court is not restrained by having to choose one sanction over the other—meaning  
19 Attorney Schneider may be sanctioned under both rules.<sup>13</sup>

20 EDCR 7.60 states in relevant part:

21 (b) The court may, after notice and an opportunity to be heard,  
22 impose upon an attorney or a party any and all sanctions which may,  
23 under the facts of the case, be reasonable, including the imposition of  
24 fines, costs or attorney’s fees when an attorney or a party without just  
25 cause:

(1) Presents to the court a motion or an opposition to a  
motion which is obviously frivolous, unnecessary or  
unwarranted.

(2) Fails to prepare for a presentation.

<sup>13</sup> Additionally, NRCP 11 permits this Court to issue sanctions on its own initiative.

1 (3) So multiplies the proceedings in a case as to increase  
costs unreasonably and vexatiously.

2 (4) Fails or refuses to comply with these rules.

3 (5) Fails or refuses to comply with any order of a judge  
of the court.

4 Attorney Schneider made misrepresentations to this Court. He falsely alleged  
5 that Brandon was receiving royalty payments that were never disclosed. He falsely  
6 alleged that he had **just** learned about the royalty payments **that day** despite the  
7 fact that the royalty payments were fully addressed in Mr. Nash's joint expert report  
8 that was in his possession over a month prior to Trial. Brandon was ready to call Mr.  
9 Nash to the witness stand to testify about the royalty payments (payments that were  
10 disclosed at the onset of the business valuation, taken into consideration by Mr.  
11 Nash and specifically addressed in his **joint** report – a report that was provided to  
12 both counsel over a month before Trial). However, Brandon was not permitted by  
13 this Court to call Mr. Nash to testify. Instead, this Court proceeded to enter Orders  
14 rewarding Attorney Schneider for making up false allegations, not preparing for Trial  
15 and blatantly misrepresenting the content of the joint expert's report. Tina and her  
16 counsel's false allegation that they were unaware of the contents of that report until  
17 the morning of Trial (notwithstanding Attorney Schneider's billing for review of said  
18 report) is sanctionable under NRS 7.085 and EDCR 7.60.

19 Additionally, this Court's Order for an additional award of \$10,000 in  
20 attorney's fees was without basis – Attorney Schnieder failed to produce a single  
21 billing statement. Instead, he concocted a "hypothetical bill" in an attempt to justify  
22 his fees. The numerous falsehoods in that hypothetical bill were addressed in  
23 Brandon's EDCR 7.27 Trial Memorandum which was timely filed with this Court.  
24



1 Attorney Schneider's misconduct in this case has resulted in Brandon  
2 incurring tens of thousands of dollars in attorney's fees and thousands of dollars in  
3 additional expert fees. Brandon should be made whole before Attorney Schneider  
4 walks away from this case. A memorandum of fees and costs will be provided upon  
5 request.

6 **VI. CONCLUSION**

7 Based on the foregoing, this Honorable Court should grant the relief  
8 requested in Brandon's Motion in its entirety as set forth:

- 9 1. An award of monetary sanctions against Attorney Schneider;
- 10 2. Attorney fees and costs; and
- 11 3. For such other and further relief as this Court deems just.

12 DATED Thursday, September 08, 2016.

13 Respectfully Submitted,

14 THE ABRAMS & MAYO LAW FIRM

15 \_\_\_\_\_  
16 Brandon K. Leavitt, Esq. (11834)  
17 Jennifer V. Abrams, Esq. (7575)  
18 6252 South Rainbow Blvd., Suite 100  
19 Las Vegas, Nevada 89118  
20 Attorney for Plaintiff  
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**AFFIDAVIT OF JENNIFER V. ABRAMS, ESQ.**

STATE OF NEVADA       )  
                                  ) ss:  
COUNTY OF CLARK       )

1. I, JENNIFER V. ABRAMS, ESQ., do solemnly swear to testify herein to the truth, the whole truth and nothing but the truth.

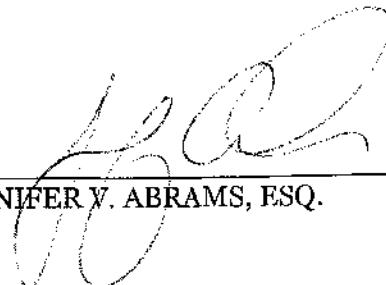
2. That I represent the Plaintiff in the above-entitled action.

3. That I am above the age of majority and am competent to testify to the facts contained in this affidavit.

4. That I make this affidavit in support of the foregoing *MOTION FOR SANCTIONS AND ATTORNEY'S FEES*.

5. That I have read said Motion and hereby certify that the facts set forth in the Points and Authorities attached thereto are true of my own knowledge, except for those matters therein contained stated upon information and belief, and as to those matters, I believe them to be true. I incorporate said facts into this Affidavit as though fully set forth herein.

FURTHER, AFFIANT SAYETH NAUGHT.

  
\_\_\_\_\_  
JENNIFER V. ABRAMS, ESQ.

SUBSCRIBED AND SWORN to before me this 8 day of September, 2016.

  
\_\_\_\_\_  
NOTARY PUBLIC



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Louis C. Schneider, Esq.  
Attorney for Defendant

Chad Ward  
An Employee of The Abrams & Mayo Law Firm

1                   **AFFIDAVIT OF BRANDON K. LEAVITT, ESQ. IN SUPPORT OF**  
2                   **MOTION FOR SANCTIONS AND ATTORNEY'S FEES**

3 STATE OF NEVADA            )  
                                  ) ss:  
4 COUNTY OF CLARK         )

5           1.     I, BRANDON K. LEAVITT, ESQ., do solemnly swear to testify herein to  
6 the truth, the whole truth and nothing but the truth.

7           2.     That I am the Plaintiff's counsel in the above-entitled action.

8           3.     That I am above the age of majority and am competent to testify to the  
9 facts contained in this affidavit.

10          4.     That I make this affidavit in support of the foregoing *MOTION FOR*  
11 *SANCTIONS AND ATTORNEY'S FEES*.

12          5.     That I have read said Motion and hereby certify that the facts set forth  
13 in the Points and Authorities attached thereto are true of my own knowledge, except  
14 for those matters therein contained stated upon information and belief, and as to  
15 those matters, I believe them to be true. I incorporate said facts into this Affidavit as  
16 though fully set forth herein.

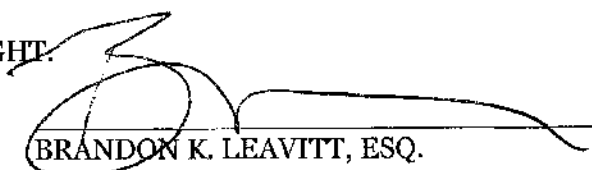
17          6.     Attorney Schneider did not send out one single subpoena, one single  
18 discovery request (except for the requests **served the same day as Trial**), and  
19 never served a single 16.2 disclosure in preparation for Trial.

20          7.     Specifically **after** he successfully derailed the Trial, Attorney Schneider  
21 propounded discovery. Said discovery includes requests such as Brandon's credit  
22 report, documents relating to jewelry, and the dog, "Chubbs." Furthermore, many of  
23 the banking and credit card statements being requested had long since been  
24 disclosed by Brandon. It is clear from the requests that Attorney Schneider did

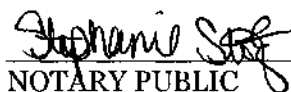
1 another "copy and paste job" because in several of the requests, Mr. Schneider refers  
2 to Brandon's counsel as "Louis C. Schneider" and refers to Brandon divorcing  
3 himself. Despite those glaring issues, this Court stated at the April 19th Trial that, "I  
4 don't want to make too many statements because I what want to do is open  
5 **discovery relative to these issues.**" (Emphasis Added) See video record at  
6 14:59:30. Attorney Schneider was well aware that discovery was not blankedly  
7 opened as to all issues, yet he did a blanket discovery request -- mostly copied from  
8 Brandon's timely requests - anyway.

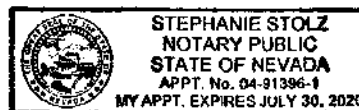
9 8. When this matter was discussed between Attorney Schneider and I  
10 outside the courtroom before the last hearing, Attorney Schneider's assistant  
11 acknowledged that she sent out the blanket discovery requests "to fuck with  
12 Brandon" and that they were well aware that discovery wasn't re-opened as to all  
13 issues.

14 FURTHER, AFFIANT SAYETH NAUGHT.

15   
16 BRANDON K. LEAVITT, ESQ.

17 SUBSCRIBED AND SWORN to before  
18 me this 12 day of September, 2016.

19   
20 NOTARY PUBLIC



1                   **AFFIDAVIT OF BRANDON PAUL SAITER IN SUPPORT OF**  
2                   **MOTION FOR SANCTIONS AND ATTORNEY'S FEES**

3   STATE OF NEVADA       )  
                                  ) ss:  
4   COUNTY OF CLARK     )

5           1.     I, BRANDON PAUL SAITER, do solemnly swear to testify herein to the  
6   truth, the whole truth and nothing but the truth.

7           2.     That I am the Plaintiff in the above-entitled action.

8           3.     That I am above the age of majority and am competent to testify to the  
9   facts contained in this affidavit.

10          4.     That I make this affidavit in support of the foregoing *MOTION FOR*  
11 *SANCTIONS AND ATTORNEY'S FEES.*

12          5.     That I have read said Motion and hereby certify that the facts set forth  
13 in the Points and Authorities attached thereto are true of my own knowledge, except  
14 for those matters therein contained stated upon information and belief, and as to  
15 those matters, I believe them to be true. I incorporate said facts into this Affidavit as  
16 though fully set forth herein.

17          6.     Tina and I have a good relationship with each other. We co-parent the  
18 children together, we speak on a regular basis, and we even "visit" with one another  
19 in a very "loving" way on a regular basis. Tina and I were able to settle custody on  
20 our own and we both desire to amicably resolve the financial aspects of this case  
21 without litigation.

22          7.     Unfortunately, it is my understanding that Attorney Schnieder has  
23 strongly discouraged Tina from settling this case and he has fueled unnecessary  
24 litigation for months. Tina shared her concerns about Attorney Schnieder with me

1 on numerous occasions. Finally, with the last round of shenanigans by Attorney  
2 Schnieder resulting in a delay of the trial, added attorney fees and costs, and more  
3 untrue allegations against me, Tina fired Attorney Schneider.<sup>1</sup> Accordingly, Attorney  
4 Schneider filed a Motion to Withdraw and subsequently a Motion to Reduce Fees to  
5 Judgment. While Tina has been telling me that she would like to meet to discuss  
6 settlement, my attorney will not meet with her while she still maintains counsel of  
7 record.

8 8. A non-opposition to Attorney Schnieder's Motion to Withdraw was  
9 filed by my counsel and a proposed Order submitted. However, it is my  
10 understanding that this Court refused to enter the Order of Withdrawal at Attorney  
11 Schneider's request that a hearing be held.

12 9. It is noteworthy that Tina and I recently spent our children's birthdays  
13 together (Brandon Jr. just turned 8 and Makenzie just turned 12). I have pictures  
14 and video of Tina and I together and she is smiling and enjoying herself. Tina and I  
15 were together at the former marital residence, we rode together in my car and we sat  
16 together at the restaurant where my mother joined us. Clearly, Tina is not "afraid" of  
17 me as falsely alleged by Attorney Schneider.

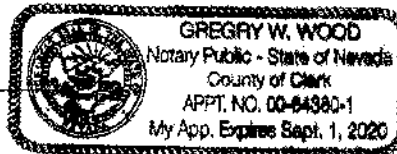
18 FURTHER, AFFIANT SAYETH NAUGHT.

19 CLARK COUNTY, NEVADA

BRANDON PAUL SAITER

20 SUBSCRIBED AND SWORN to before  
me this 12<sup>th</sup> day of September, 2016.

21  
22 *Gregory W. Wood*  
NOTARY PUBLIC



23  
24 <sup>1</sup> Additionally, Tina confided in me that Attorney Schneider has made her feel uncomfortable with sexually suggestive conduct. It is also my understanding that Attorney Schneider continues to email Tina, but she ignores his emails.

MOFI

DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA

BRANDON PAUL SAITER,  
Plaintiff/Petitioner

v.  
TINA MARIE SAITER,  
Defendant/Respondent

Case No. D-15-521372-D

Dept. L

**MOTION/OPPOSITION  
FEE INFORMATION SHEET**

**Notice:** Motions and Oppositions filed after entry of a final order issued pursuant to NRS 125, 125B or 125C are subject to the reopen filing fee of \$25, unless specifically excluded by NRS 19.0312. Additionally, Motions and Oppositions filed in cases initiated by joint petition may be subject to an additional filing fee of \$129 or \$57 in accordance with Senate Bill 388 of the 2015 Legislative Session.

**Step 1.** Select either the \$25 or \$0 filing fee in the box below.

- ☐ **\$25** The Motion/Opposition being filed with this form is subject to the \$25 reopen fee.
- OR-
- ☒ **\$0** The Motion/Opposition being filed with this form is not subject to the \$25 reopen fee because:
- ☒ The Motion/Opposition is being filed before a Divorce/Custody Decree has been entered.
  - ☐ The Motion/Opposition is being filed solely to adjust the amount of child support established in a final order.
  - ☐ The Motion/Opposition is for reconsideration or for a new trial, and is being filed within 10 days after a final judgment or decree was entered. The final order was entered on \_\_\_\_\_.
  - ☐ Other Excluded Motion (must specify) \_\_\_\_\_.

**Step 2.** Select the \$0, \$129 or \$57 filing fee in the box below.

- ☒ **\$0** The Motion/Opposition being filed with this form is not subject to the \$129 or the \$57 fee because:
- ☒ The Motion/Opposition is being filed in a case that was not initiated by joint petition.
  - ☐ The party filing the Motion/Opposition previously paid a fee of \$129 or \$57.
- OR-
- ☐ **\$129** The Motion being filed with this form is subject to the \$129 fee because it is a motion to modify, adjust or enforce a final order.
- OR-
- ☐ **\$57** The Motion/Opposition being filing with this form is subject to the \$57 fee because it is an opposition to a motion to modify, adjust or enforce a final order, or it is a motion and the opposing party has already paid a fee of \$129.

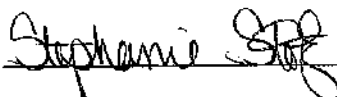
**Step 3.** Add the filing fees from Step 1 and Step 2.

The total filing fee for the motion/opposition I am filing with this form is:

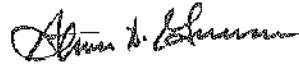
☒ \$0 ☐ \$25 ☐ \$57 ☐ \$82 ☐ \$129 ☐ \$154

Party filing Motion/Opposition: Plaintiff / Petitioner Date 09/12/2016

Signature of Party or Preparer







CLERK OF THE COURT

1 MEMO

2 Jennifer V. Abrams, Esq.  
3 Nevada State Bar Number: 7575  
4 Brandon K. Leavitt, Esq.  
5 Nevada State Bar Number: 11834  
6 THE ABRAMS & MAYO LAW FIRM  
7 6252 South Rainbow Blvd., Suite 100  
8 Las Vegas, Nevada 89118  
9 Tel: (702) 222-4021  
10 Fax: (702) 248-9750  
11 Email: [bklgroup@theabramslawfirm.com](mailto:bklgroup@theabramslawfirm.com)  
12 Attorney for Plaintiff

13 Eighth Judicial District Court  
14 Family Division  
15 Clark County, Nevada

16 BRANDON PAUL SAITER, ) Case No.: D-15-521372-D  
17 )  
18 Plaintiff, ) Department: L  
19 )  
20 vs. )  
21 )  
22 TINA MARIE SAITER, )  
23 )  
24 Defendant. )  
25 )

26 MEMORANDUM OF ATTORNEY'S FEES AND COSTS<sup>1</sup>

27 NOW INTO COURT comes Plaintiff, BRANDON PAUL SAITER,  
28 by and through his attorneys of record, Jennifer V. Abrams, Esq., and  
29 Brandon K. Leavitt, Esq., of The Abrams & Mayo Law Firm, and hereby  
30 submits his *Memorandum of Attorney's Fees and Costs*.

31 // /

<sup>1</sup> The Motion for Sanctions and Attorney Fees filed on September 12, 2016 is incorporated by this reference as if fully set forth herein.

1                   **MEMORANDUM OF POINTS AND AUTHORITIES**

2           This case was initially “uncontested.” The parties were able to  
3 amicably resolve custody amongst themselves and both had expressed a  
4 strong desire and willingness to amicably resolve the financial aspects of  
5 the case. During the course of settlement discussions, a draft Decree of  
6 Divorce was prepared on September 24, 2015 by The Abrams & Mayo  
7 Law Firm. That draft Decree of Divorce included the amount of the  
8 balance owed on the business loan at that time. When the Decree was  
9 updated roughly one year later, that figure was inadvertently left  
10 unchanged.<sup>2</sup>

11          Wife filed a Motion for Interim Orders on October 28, 2015. In  
12 that Motion, she sought an award of child support, spousal support, and  
13 \$7,500 in attorney fees and costs.

14          On December 7, 2015, Wife filed a Supplement to Motion for  
15 Interim Orders wherein she requested a business valuation.

16          From the very first Financial Disclosure Form that was filed with  
17 this Court on behalf of Brandon Saiter, he accurately and correctly  
18 disclosed his income. See page 2 of the General Financial Disclosure  
19

20          <sup>2</sup> This Court asked where the number came from. After inquiry, it was left over  
21 from an earlier draft of the Decree when the balance owed was \$445,000. See  
screenshot attached as Exhibit 1 showing the date the Decree of Divorce was  
originally drafted.

1 Form<sup>3</sup> filed on December 14, 2015, wherein Brandon reports, in relevant  
2 part:

3 A. Year-to-date Income.  
4 As of the pay period ending 11/28/15 my gross year to  
date pay is \$219,850\*.

5 B. Determine your Gross Monthly Income.  
6 Annual Salary  
\$219,850 / 11 months = \$19,986.36

7 C. Other Sources of Income.  
8 Other: promissory note on business (\$5,000.00)  
Total Average Gross Monthly Income \$14,986.36

9 \* I am required to pay \$5,000 per month toward the  
10 promissory note for purchasing the business. I have been  
11 paying it out of post-tax dollars. Therefore, said amount is  
included in my income even though I do not receive said  
funds.

12 This was a complete and accurate disclosure of income. After a  
13 business valuation and income analysis was performed by Jeff Nash, the  
14 jointly-retained expert confirmed that Husband's income from the  
15 business was accurately reported. After an audit of Jeff Nash's business  
16 valuation was completed by Anthem Forensics, Husband's income from  
17 the business was again confirmed to have been accurately reported. The  
18 undersigned – who drafted the updates to NRCP 16.2 and NRCP 16.205  
19 and who drafted the Detailed Financial Disclosure Form for high asset  
20 and complex cases in Nevada courts – can think of no other way to more

21 <sup>3</sup> Attached hereto as Exhibit 2.

1 accurately report the income received by Husband — \$219,850 annually,  
2 or \$19,986 per month, from the very first Financial Disclosure Form  
3 filed in this case.

4 And, as this Court recognized at the September 29, 2016 hearing,  
5 after Husband pays the \$5,000 per month to the prior owner of the  
6 business, pays \$4,360 to Wife in child support, and pays the tax  
7 obligation on both of those amounts, there is barely enough money left  
8 for his basic household expenses. Specifically, this Court stated that after  
9 paying these expenses, “that really puts [Husband] out of the league of  
10 being able to really give [Tina] anything.” [Video record from September  
11 29, 2016 hearing at 12:46.10]

12 The \$5,000 payment to the prior owner of the business has a  
13 **significant** impact on Husband’s ability to pay spousal support to  
14 Wife. ***It was because of the significance of that required***  
15 ***monthly payment that Husband and his counsel disclosed***  
16 ***and explained it to this Court in detail, right up front, on***  
17 ***page 2 of his Financial Disclosure Form. It was further***  
18 ***explained in moving and opposing papers filed with this***  
19 ***court and during oral argument.***

20 At the December 15, 2015 hearing, rather than focus on the merits  
21 of the case and recognize the significant impact of this mandatory

1 monthly payment on Husband's ability to pay support, this Court –  
2 without any evidence or offers of proof that Husband had done anything  
3 wrong - accused Husband and his counsel of misrepresentation,  
4 awarded Wife's counsel double the amount of the attorney fees  
5 requested in his motion,<sup>4</sup> and ordered a "business valuation" and  
6 "forensic accounting"— even though there was no motion for a forensic  
7 accounting pending before the Court.

8 The parties *stipulated* to an expert, Jeff Nash,<sup>5</sup> to prepare a  
9 report as to the value of the business as well as a "forensic accounting,"  
10 *referring to a report of Husband's income and cash flow for*  
11 *purposes of seeing what's available for the payment of*  
12 *support*. Specifically, at the December 15, 2015 hearing,<sup>6</sup> this Court  
13 stated (at Video record 11:00:14):

14 ///

15 <sup>4</sup> This Court awarded Wife's counsel \$15,000 in preliminary attorney fees. The  
16 Motion for Interim Orders filed on Wife's behalf on October 28, 2015 (at p. 2)  
requested an award of "Attorney's Fees and Costs in the amount of \$7,500.00."

17 <sup>5</sup> The fact that the parties stipulated to the retention of Mr. Nash for the  
"business valuation" and "forensic accounting" is significant. Mr. Nash was not Mr.  
18 Saiter's expert, he was the *joint* expert of the parties.

19 <sup>6</sup> It is noteworthy that Tina's counsel prepared the Order from the December  
15, 2015 hearing and submitted it to the Court without ever sending it to Husband's  
counsel for review first. When Attorney Abrams brought this up to the Court,  
20 Attorney Schneider represented that he did provide the Order first to Attorney  
Leavitt. Attorney Schneider was ordered by this Court to provide proof of same.  
Despite the foregoing, and to this day, Attorney Schneider has not provided any  
21 proof of having provided the proposed Order to The Abrams & Mayo Law Firm. We  
maintain that it was never provided to us.

1 COURT: So, one of the things I want done today is a call to  
2 Western Valuers, Jeff Nash. Find out what his  
3 case load looks like. Can he handle a business  
4 valuation including any kind of forensic  
5 accounting, if needed, *relative to what*  
6 *income is available*? I don't want somebody  
7 to come in and say 'oh, you didn't ask for that,'  
8 cause *I need to know not only what cash is*  
9 *available, but what the business is worth.*

10 And, while the Court took issue with Husband's Financial  
11 Disclosure Form, the Court appeared to have no problem whatsoever  
12 with Wife's Financial Disclosure Form which provided exactly **zero**  
13 financial information *even though Wife was admittedly working*  
14 *at that time.*<sup>7</sup> The entirety of the "income" page was **blank**. The  
15 entirety of the "Personal Expense Schedule" page was **blank**. The  
16 entirety of the "Household Information" page was **blank**, with the  
17 exception of the children's names and biographical information. And,  
18 the entirety of the "Personal Asset and Debt Chart" page was **blank**.

19 ///

20  
21 <sup>7</sup> See Wife's General Financial Disclosure Form, filed on October 22, 2015,  
attached hereto as Exhibit 3.

1       And we now know from Wife's testimony on October 5, 2016 that  
2 the only information she *did* provide was *false*. Wife's first Financial  
3 Disclosure Form says she paid her attorney nothing and owed her  
4 attorney \$3,500. Her second Financial Disclosure Form, filed on March  
5 23<sup>rd</sup>, is blank as to attorney's fees. Wife testified on October 5, 2016 that  
6 her parents paid Louis Schneider \$1,000 up front and that she was told  
7 by Mr. Schneider that *she would not owe him any further fees—*  
8 *all future fees would be limited to whatever was awarded against and*  
9 *collected from Husband (i.e., a contingency fee)(video record at*  
10 *12:53:40):*

11       ABRAMS: You didn't pay your lawyer any money up front, is that  
12                   right?

13       TINA:     My parents did. \$1,000 because I wasn't going to get  
14                   an attorney; because I didn't want to have to pay any  
15                   fees; I just wanted to see if we could make an  
16                   agreement but we couldn't come up with an agreement  
17                   together.

18       COURT:    Talk a little louder, okay Mom?

19       TINA:     We couldn't come up with the agreement together so  
20                   my parents paid \$1,000. And it's because he  
21

1                   summoned me in like mid-September. And I didn't  
2                   know what to do so I had to get an attorney.  
3                   ...  
4           ABRAMS: Okay, so there was a \$1,000 payment from your  
5                   parents to Mr. Schneider, is that correct?  
6           TINA:     Yes.  
7           ABRAMS: Were there any other payments to any other attorney?  
8           TINA:     No.  
9                   ...  
10          ABRAMS: Was it your understanding that Mr. Schneider's fees  
11                   would be paid by Brandon?  
12          TINA:     Um, yes.  
13          COURT:    I couldn't hear you.  
14          TINA:     Yes. Yeah, that Brandon would pay my fees as well,  
15                   when we went to Court in December.  
16          ABRAMS: Was it your understanding that you would not have to  
17                   pay Mr. Schneider anything beyond the \$1,000  
18                   deposit?  
19          TINA:     Correct.  
20          Mr. Saiter did everything he was supposed to do. He was  
21          cooperative with Jeff Nash, answered questions accurately and to the



1 best of his knowledge, provided documents accurately and timely, and  
2 cooperated in every manner possible. There has been no allegation and  
3 no evidence whatsoever to suggest that Husband was anything other  
4 than 100% forthcoming and timely in providing information to Jeff  
5 Nash. In his report, Jeff Nash both *valued the business and*  
6 *provided the requested analysis of Husband's income.*<sup>8</sup> Income  
7 information is summarized on pages 19-22. The report was issued on  
8 March 14, 2016. There were no complaints from Wife or her counsel or  
9 from the Court regarding the scope of the report for weeks, until the day  
10 scheduled for trial.

11 In the meantime, Wife was repeatedly confiding in Husband that  
12 her counsel, Louis Schneider, was asking her to lunch, asking her to  
13 dinner, sending her text messages that made her feel uncomfortable,  
14 sending her pictures of his horses, and that Louis Schneider even offered  
15 to purchase a vehicle for her. Wife testified on October 5, 2016 (video  
16 record at 12:56:00) that she was "frustrated" with Mr. Schneider because  
17 he kept making personal attacks on Husband that were not warranted.

18 ABRAMS: You wanted this case to be over a long time ago,  
is that right?

19 TINA: Yes.

20  
21 <sup>8</sup> See Nash Report, Exhibit 4.

1 ABRAMS: You didn't want it to drag out this long is that  
2 true?  
3 TINA: Yes.  
4 ABRAMS: You and Brandon were able to resolve custody is  
5 that correct?  
6 TINA: Yes.  
7 ABRAMS: You were frustrated with your attorney for his  
8 personal attacks on Brandon is that correct?  
9 TINA: Yes.  
10 ABRAMS: And that's because you know those attacks were  
11 not warranted, is that correct?  
12 TINA: Mm-yes.

13 Louis Schneider even admitted in open court on September 29<sup>th</sup>,  
14 (video record at 12:25:22) that his client wanted him to stop making  
15 personal attacks on Husband and that he would promise not to do so  
16 anymore if he could continue to represent her in this case—despite her  
17 repeated requests that he withdraw.

18 After Jeff Nash's report was distributed to both sides, Mr. Leavitt  
19 made numerous attempts to settle the case. Both Wife and Husband  
20 expressed repeatedly that they wanted the case settled. However, Mr.  
21 Schneider insisted that he could not settle the case for less than \$2,500  
per month in spousal support above the \$4,360 in child support that  
Husband was already paying to Wife —a position that made settlement

1 impossible given Husband's financial condition. Louis Schneider  
2 maintained this position even though, according to their respective  
3 Financial Disclosure Forms, Wife had a surplus of nearly two thousand  
4 dollars each month while Husband had a deficit of several thousand  
5 dollars each month and even though Wife repeatedly told Husband that  
6 she knew there was no money and wanted to settle.

7 On April 19, 2016, the day scheduled for trial, Husband and his  
8 counsel appeared with the jointly retained expert, Jeff Nash, who was  
9 ready to present evidence. Before the start of trial, Mr. Schneider made a  
10 series of false allegations:

11 1. Mr. Schnieder falsely alleged that he "just found out about the  
12 royalty payments." Those royalty payments had been disclosed  
13 and were fully explored by and explained in the report by Jeff  
14 Nash that Louis Schnieder had received approximately one  
15 month earlier. Louis Schneider billed 0.75 hours on March 7,  
16 2016 date to "[r]eview business valuation." (even though Jeff  
17 Nash didn't issue his draft report until March 14<sup>th</sup>).<sup>9</sup> Mr.  
18 Schneider lied.

19  
20 <sup>9</sup> Please see the "draft" billing statement that was concocted by Louis Schneider (i.e.,  
21 it is not an actual billing statement), attached as Exhibit 5. The egregiousness of the  
representations on said "draft" billing statement are set forth in Plaintiff's EDCR  
7.27 Trial Memorandum filed on April 15, 2016 and incorporated by this reference as  
if fully set forth herein.

1       2. Mr. Schneider further alleged that Husband was “paying his  
2       personal credit cards out of the business.” This was a lie. Mr.  
3       Schneider did not have one iota of evidence to substantiate such  
4       a false allegation which was ultimately confirmed by Anthem  
5       Forensics to be completely false, some tens of thousands of  
6       dollars later.

7       3. Mr. Schneider further falsely alleged that his “private  
8       investigator” located a “hidden bank account.” This was another  
9       lie. The bank account located by private investigator Hal  
10      DeBecker *was the business operating account*—an  
11      account that was known, disclosed, and the subject of Jeff  
12      Nash’s analysis in his report.

13      Mr. Leavitt repeatedly requested permission to call Mr. Nash to  
14      the witness stand to explain his report and his findings. This Court  
15      refused. With no motion to continue pending, and no notice whatsoever  
16      to Husband or his counsel, this Court granted Mr. Schneider’s oral  
17      request for a continuance. *With no request for an additional*  
18      *award of attorney fees pending, this Court awarded Mr.*  
19      *Schneider another \$10,000 in attorney fees.*

20      Even though the matter was set for trial that day and witnesses  
21      were waiting to testify, they were not permitted to do so. No

1 consideration was given for the expert witness fees incurred by Husband  
2 for Jeff Nash's appearance that day. Without reviewing Jeff Nash's  
3 report or hearing any testimony, this Court accused Husband of "hiding"  
4 information and ordered that a second expert be retained, Anthem  
5 Forensics, to conduct a "forensic accounting." While the Court continued  
6 to utilize the term "forensic accounting," the Court was no longer  
7 referring to an analysis of Husband's income and cash flow. Instead, the  
8 Court was now using the term "forensic accounting" to refer to an *audit*  
9 of Husband's books and records.

10 In other words, even though the Court repeatedly insisted that it  
11 wanted a "forensic accounting" from the beginning, it had initially  
12 sought a "forensic accounting" to determine Husband's true income and  
13 monthly cash flow for purposes of seeing what was available with which  
14 to pay support.<sup>10</sup> Such analysis was included on pages 19-22 of Jeff  
15 Nash's report. Based on the false and completely unsubstantiated  
16 allegations made by Mr. Schneider (i.e., the "personal attacks" on  
17 Husband that Wife had specifically asked Mr. Schneider to stop), the  
18 Court then ordered what it continued to call a "forensic accounting" but

19 <sup>10</sup> The minutes from the April 19, 2016 hearing confirm the foregoing:

20 "Court noted it had ordered a business evaluation and a forensic  
21 accounting. Further noted the Court does not have all of the  
information relative to the alimony issue and there may be some funds  
that were not included."

1 was really an “audit” of Husband’s financial books and records—again, at  
2 Husband’s expense.

3 Husband’s counsel filed a Motion for Reconsideration on May 20,  
4 2016. In response, Mr. Schneider sent a Rule 11 letter to Mr. Leavitt four  
5 days later demanding that the motion be withdrawn “within 21 days of  
6 this letter.”<sup>11</sup>

7 Wife informed Husband that she would not attend the hearing on  
8 the Motion for Reconsideration because of a scheduling conflict with  
9 Euphoria, where she was studying to become a cosmetologist. At the  
10 hearing on the Motion for Reconsideration, Mr. Schneider falsely alleged  
11 that Wife did not appear at the hearing because she had been  
12 “threatened” by Husband.

13 At the October 5, 2016 hearing, Wife testified that both parties  
14 have been civil with each other and have a good relationship. There was  
15 no threat, as falsely alleged by Mr. Schneider that day. The Court, again  
16 blindly buying into Mr. Schneider’s baseless and false allegations,  
17 ordered that an Order to Show Cause be issued against Husband for “not  
18 having a forensic accounting carried out, which was separate from a  
19 business evaluation.” Mr. Schneider began making allegations—in his  
20 client’s absence—that she was a “battered woman.” There was no police

21 <sup>11</sup> See Exhibit 6.

1 report, no photos, no TPO application, not even a prior allegation that  
2 she was a "battered woman." Yet, without his client's presence to rebut  
3 such a falsehood, Mr. Schneider represented same to the Court.

4 The Motion for Reconsideration was denied, an Order to Show  
5 Cause granted, and a further award of attorney fees was made to Mr.  
6 Schneider.

7 Wife finally had enough and terminated Mr. Schneider's services.  
8 Even though Mr. Schneider had been terminated and had a pending  
9 Motion to Withdraw which was unopposed by Husband and his counsel,  
10 he refused to allow the entry of an Order for his withdrawal. With his  
11 numerous counts of misconduct combined with his relentless  
12 interference in the resolution of this case, a Motion for Sanctions was  
13 finally filed by Husband and his counsel.

14 Fearful that his misconduct would be exposed, on September 15,  
15 2016, Mr. Schneider threatened Husband's counsel in writing. He  
16 wrote:<sup>12</sup>

17 I've had about all I can take.  
18 Withdraw your Motion and I'll withdraw from the case.  
19 Be advised - Tina has asked me not to leave the case.  
20 I was getting ready to withdraw my motion to withdraw.  
21 If your firm does not withdraw that motion, I will oppose it  
**and take additional action beyond the opposition.**  
[Emphasis added.]

21 <sup>12</sup> See email from Mr. Schneider, attached hereto as Exhibit 7.

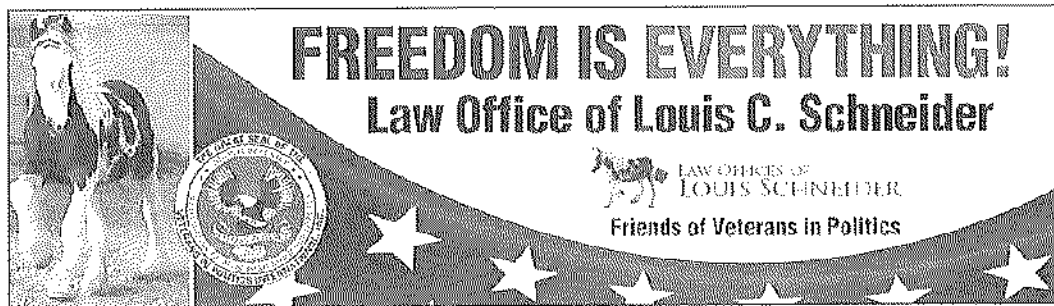
1           The sanctions motion was not withdrawn.

2           At the September 29, 2016 hearing on that sanctions motion, this  
3 Court first excluded Attorney Abrams from the “off-the-record”  
4 conference, then made a series of baseless and incorrect accusations and  
5 allegations against Attorney Abrams and The Abrams & Mayo Law Firm,  
6 including the repeated reference to Abrams and her “entire firm” as  
7 “unethical.” The Court’s baseless attack on Attorney Abrams gave Mr.  
8 Schneider an opportunity to conspire with Steve Sanson, Veterans In  
9 Politics International, Inc. and their other cronies to defame and place  
10 Abrams and her law firm in a false light and cause economic damages.  
11 Louis Schneider requested the hearing video the next day.<sup>13</sup> A series of  
12 no less than six “smear campaigns” were launched against Attorney  
13 Abrams via email blast, YouTube, numerous Facebook pages, Twitter  
14 accounts, Google+ accounts, and on various blogs and Facebook  
15 “Groups” as well as unknown other avenues. Sanson re-posted the  
16 embedded video again and again thereafter. Throughout, both Husband  
17 and Wife’s privacy was invaded, their personal information  
18 disseminated, and the emotional well-being of everyone in the family  
19

20 <sup>13</sup> See email, produced by the Eighth Judicial District Court in response to Subpoena Duces  
21 Tecum, attached as Exhibit 8. It is noteworthy that Attorney Schneider filed an Ex Parte  
Motion Quashing Subpoena to the Eighth Judicial District Court, but said Ex Parte Motion  
was not granted.



1 (including their children) compromised. Several days later, the following  
2 appeared on Steve Sanson's Facebook page:



8

9 While Wife had difficulty making decisions as seen in open court,  
10 she was absolutely certain about a few things: first, she never wavered or  
11 vacillated about wanting to do what is best for her kids and second, she  
12 never wavered or vacillated about wanting to resolve the divorce  
13 promptly and amicably – she wanted more than anything for the divorce  
14 proceedings to be over and for everyone to move on amicably. Despite  
15 these very clear goals, Mr. Schneider breached his duties of loyalty and  
16 confidentiality to Wife and caused the video from her divorce to be  
17 disseminated all over the internet. He again prioritized his personal gain  
18 over the interests and duties to his client.

19 As a result of the foregoing, the undersigned was ordered to  
20 submit this Memorandum. Mr. Schneider's actions have not only wasted  
21 judicial resources, but have also caused Husband to incur a total of

1 \$81,114.97 in attorney's fees and costs through the preparation of this  
2 Memorandum.<sup>14</sup>

3 Court rules specifically allow this Court to consider an award of  
4 attorney's fees and costs when the other party "[s]o multiplies the  
5 proceedings in a case as to increase costs unreasonably and vexatiously."  
6 EDCR 7.60(b)(3). That is exactly what happened and continues to  
7 happen here. Husband must be made whole for his costs associated in  
8 defending himself against Mr. Schneider's lies.

9 This Court also has the authority to order Mr. Schneider to pay the  
10 fee award. NRS 7.085 gives this Court the requisite authority to make  
11 Husband whole for Mr. Schneider's misconduct:

12 **NRS 7.085 Payment of additional costs, expenses**  
13 **and attorney's fees by attorney who files, maintains**  
14 **or defends certain civil actions or extends civil**  
15 **actions in certain circumstances.**

16 1. If a court finds that an attorney has:

17 (a) Filed, maintained or defended a civil action or  
18 proceeding in any court in this State and such action or  
19 defense is not well-grounded in fact or is not warranted by  
20 existing law or by an argument for changing the existing law  
21 that is made in good faith; or

(b) Unreasonably and vexatiously extended a civil action  
or proceeding before any court in this State,

☐ the court shall require the attorney personally to pay the  
additional costs, expenses and attorney's fees reasonably  
incurred because of such conduct.

2. The court shall liberally construe the provisions of  
this section in favor of awarding costs, expenses and

<sup>14</sup> See redacted billing statements, attached hereto as Exhibit 9.

1 attorney's fees in all appropriate situations. It is the intent of  
2 the Legislature that the court award costs, expenses and  
3 attorney's fees pursuant to this section and impose sanctions  
4 pursuant to Rule 11 of the Nevada Rules of Civil Procedure in  
5 all appropriate situations to punish for and deter frivolous or  
6 vexatious claims and defenses because such claims and  
7 defenses overburden limited judicial resources, hinder the  
8 timely resolution of meritorious claims and increase the  
9 costs of engaging in business and providing professional  
10 services to the public.

11 The Nevada Supreme Court recently held that NRCP 11 and NRS  
12 7.085 each represent a distinct, independent mechanism for sanctioning  
13 attorney misconduct. *Watson Rounds, P.C., v. Eight Judicial Dist. Ct.*  
14 (*Himelfarb & Associates*), 131 Nev. Adv. Op. 79 (September 24,  
15 2015). NRCP 11 sanctions are designed to deter future misconduct by an  
16 attorney, while NRS 7.085 is designed to hold the attorney liable for fees  
17 incurred by the other party as a result of the misconduct. Accordingly,  
18 this Court is not restrained by having to choose one sanction over the  
19 other—meaning Mr. Schneider may be sanctioned under both rules.

20 Given the facts and history of this case, Mr. Schneider should be  
21 ordered to pay Husband's fees, of which \$56,651.00 (as of January 15,  
22 2017) are still due and owing to The Abrams & Mayo Law Firm.

23 ///

24 ///

25 ///

1 In evaluating requests for reimbursement of fees and costs, the  
2 District Court must evaluate the *Brunzell* Factors for the attorney and  
3 their support staff;<sup>15</sup>

4 1. *The Qualities of the Advocate:* his ability, his training,  
5 education, experience, professional standing and skill.

6 a. Attorney Jennifer V. Abrams

7 Attorney Jennifer V. Abrams graduated *magna cum laude* in the  
8 top 4% of her law school class. She is a member in good standing of the  
9 State Bar of Nevada, Clark County Bar Association, American Bar  
10 Association, American Association for Justice, which is formerly the  
11 Association of Trial Lawyers of America, the State Bar of California and  
12 the Louisiana State Bar (both inactive). Although Attorney Abrams is  
13 admitted to practice law in three states, she chooses to dedicate herself  
14 exclusively to Las Vegas divorce and family law matters. Attorney  
15 Abrams served as a member of the State Bar of Nevada Family Law  
16 Executive Council for five (5) years and was the Treasurer for the section  
17 for four (4) of those years. She is Certified by the State Bar of Nevada as  
18 a Family Law Specialist and is a peer-reviewed and certified Fellow of  
19 the American Academy of Matrimonial Lawyers. She was appointed by  
20 the Nevada Supreme Court to the Family Law Rules Committee. She has

21 <sup>15</sup> *Brunzell v. Golden Gate National Bank*, 85 Nev. 345, 349, 455 P.2d 31, 33 (1969); *Las Vegas Metropolitan Police Department v. Yeghiazarian*, 129 Nev. . . ., 312 P.3d 503 (2013)

1 contributed as an author and editor to several State Bar publications,  
2 including, the Family Practice Manual (second edition), she taught  
3 numerous advanced family law CLE's, she re-wrote NRCP 16.2 and  
4 16.205, and she created the Detailed Financial Disclosure Form for high  
5 asset and complex divorce cases which has been adopted for new cases  
6 filed after January 1, 2013. *See* ADKT 476. She was on the committee  
7 which re-wrote Section 5 of the Eighth Judicial District Court Rules.

8           b.     Attorney Vincent Mayo

9           Attorney Vincent Mayo has been practicing family law in Nevada  
10 almost exclusively for over eight years. He is a Nevada Board Certified  
11 Family Law Specialist, a National Board of Family Law Trial Advocacy  
12 Specialist, a member in good standing of the State Bar of Nevada, State  
13 Bar of Nevada Family Law Section, American Bar Association, Nevada  
14 Justice Association and Clark County Bar Association. Attorney Mayo is  
15 admitted to practice before the United States District Court for the  
16 District of Nevada.

17          Attorney Mayo started his legal career in Nevada working in the  
18 Clark County Family Courts system. He worked directly for former  
19 Clark County Family Court Judge Gloria O'Malley (F.K.A. Sanchez) as a  
20 Law Clerk, from September 2002 to March 2004. Before joining The  
21 Abrams & Mayo Law Firm, he practiced for four years, primarily in

1 Family Law, with Bruce I. Shapiro, Esq. Attorney Mayo joined The  
2 Abrams & Mayo Law Firm in March 2008 and has been practicing  
3 exclusively in Family Law ever since. Attorney Mayo was a co-editor of  
4 the Nevada Family Law Practice Manual and is a published attorney in  
5 regards to family law matters with numerous credits to his name. He  
6 also successfully completed the American Bar Association's Family Law  
7 Trial Advocacy Institute program.

8 c. Attorney Brandon K. Leavitt

9 Attorney Brandon K. Leavitt is admitted to practice law in two (2)  
10 States. Attorney Leavitt has been practicing law for nearly five (5) years  
11 in Las Vegas. Attorney Leavitt focuses his practice on complex and post-  
12 divorce related matters. While putting himself through law school,  
13 Attorney Leavitt worked for a Fortune 100 company as a law clerk. After  
14 graduating from law school with distinction, Attorney Leavitt served as  
15 law clerk to the current Presiding Judge Charles J. Hoskin from April  
16 2009 to June 2010. After working with Judge Hoskin, Attorney Leavitt  
17 started and managed several offices, and was lead counsel who  
18 supervised a large team of legal professionals for the nation's largest  
19 domestic litigation law firm. Attorney Leavitt has been recognized by his  
20 peers for his knowledge and expertise in domestic law matters and was  
21 selected by Super Lawyers magazine as a 2014 Rising Star in the area of

1 family law.

2 d. Certified Paralegal Stephanie Stolz

3 Stephanie Stolz is the current Firm Administrator / Lead Certified  
4 Paralegal and began her legal career at The Abrams Law Firm nine years  
5 ago. She started at the receptionist position in May 2004. While  
6 working full-time for the firm, she simultaneously completed the  
7 Paralegal Studies Program with special emphasis in Nevada Practices  
8 and Procedures, Contract Law, and Family Law from the University of  
9 Nevada Las Vegas. In 2005 she was promoted to a Certified Paralegal  
10 position. In 2006 she achieved the role of Lead Certified Paralegal.  
11 Stephanie was promoted to the role of Firm Administrator in 2010. In  
12 addition to her Lead Certified Paralegal duties, she is responsible for  
13 numerous areas of the firm's business operations including accounting  
14 and vendor relationships.

15 e. Certified Paralegal David Schoen

16 Certified Paralegal David Schoen received his Paralegal  
17 Certification from the United States Army's Judge Advocate General's  
18 Corps Legal Center in 2009 as an Honor Graduate, before serving four  
19 years as a Paralegal Non-Commissioned Officer with the decorated  
20 XVIII Airborne Corps. Mr. Schoen gained extensive experience in  
21 multiple legal disciplines, from capital litigation to military family law,

1 and supported challenging and intensive campaigns, including  
2 Operation Unified Response – Haiti, and Operation New Dawn – Iraq,  
3 where he received numerous awards and commendations for his service  
4 and the quality of work in the legal field. Mr. Schoen is responsible for  
5 maintaining the General and Detailed Financial Disclosure Forms, used  
6 state-wide by Family Court litigants and counsel. Recently, he prepared  
7 and instructed courses on the Financial Disclosure Forms during the  
8 Paralegal Tracks of the 2013 and 2015 Family Law Conferences in Ely.

9       2.     *The Character of the Work to Be Done:* the difficulty, the  
10 intricacy, the importance, time and skill required, the responsibility  
11 imposed and the prominence and character of the parties where they  
12 affect the importance of the litigation. Attorneys Abrams, Mayo, and  
13 Leavitt have diligently reviewed the applicable law, explored the relevant  
14 facts and have properly applied one to the other.

15       3.     *The Work Actually Performed by the Lawyer:* the skill, time  
16 and attention given to the work. The work performed by Attorneys  
17 Abrams, Mayo, Leavitt, and their staff is detailed in the attached billing  
18 statements, and was necessary to prepare Husband's case, and to defend  
19 him against Mr. Schneider's lies.

20     ///

21     ///



1       4.   *The Result:* whether the attorney was successful and what  
2 benefits were derived. Based on the reasons stated herein, the outcome  
3 of this matter was favorable to Husband.

4       Each of these factors should be given consideration, and no one  
5 element should predominate or be given undue weight. *Miller v.*  
6 *Wilfong*, 121 Nev. 619, 119 P.3d 727 (2005).

7                                   **CONCLUSION**

8       Based upon the foregoing, this Honorable Court should award Mr.  
9 Saiter attorney's fees and costs.

10   Dated Tuesday, January 31, 2017.

11                                   Respectfully Submitted:

12                                   THE ABRAMS & MAYO LAW FIRM

13                                     
14                                     
15                                   Jennifer V. Abrams, Esq.  
16                                   Nevada State Bar Number: 7575  
17                                   Brandon K. Leavitt, Esq.  
18                                   Nevada State Bar Number: 11834  
19                                   6252 South Rainbow Blvd., Suite 100  
20                                   Las Vegas, Nevada 89118  
21                                   Tel: (702) 222-4021  
                                 Attorneys for Plaintiff

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing *Memorandum of Attorney's Fees and Costs* was filed electronically with the Eighth Judicial District Court on Tuesday, January 31, 2017. Electronic service of the foregoing document shall be made in accordance with the Master Service List, pursuant to NEFCR 9, as follows:

Louis C. Schneider, Esq.  
Attorney for Defendant

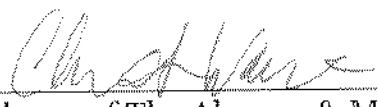
  
An Employee of The Abrams & Mayo Law Firm

EXHIBIT 1

EXHIBIT 1

EXHIBIT 1



EXHIBIT 2

EXHIBIT 2

EXHIBIT 2

### Monthly Personal Income Schedule

**A. Year-to-date Income.**

As of the pay period ending 11/28/15 my gross year to date pay is \$219,850\*.

**B. Determine your Gross Monthly Income.**

Hourly Wage

|             |   |                                 |   |               |   |       |   |               |   |        |   |                      |
|-------------|---|---------------------------------|---|---------------|---|-------|---|---------------|---|--------|---|----------------------|
|             | × |                                 | = |               | × | 52    | = |               | ÷ | 12     | = |                      |
| Hourly Wage |   | Number of hours worked per week |   | Weekly Income |   | Weeks |   | Annual Income |   | Months |   | Gross Monthly Income |

Annual Salary

|               |   |        |   |                      |
|---------------|---|--------|---|----------------------|
| \$219,850     | ÷ | 12     | = | \$19,986.36          |
| Annual Income |   | Months |   | Gross Monthly Income |

**C. Other Sources of Income.**

| Source of Income   | Frequency | Amount | 12 Month Average |
|--|-----------|--------|------------------|
| Annuity or Trust Income  |           |        |                  |
| Bonuses  |           |        |                  |
| Car, Housing, or Other allowance:                                  |           |        |                  |
| Commissions or Tips:   |           |        |                  |
| Net Rental Income:   |           |        |                  |
| Overtime Pay   |           |        |                  |
| Pension/Retirement:  |           |        |                  |
| Social Security Income (SSI)                                       |           |        |                  |
| Social Security Disability (SSD):                                  |           |        |                  |
| Spousal Support  |           |        |                  |
| Child Support  |           |        |                  |
| Workman's Compensation:  |           |        |                  |
| Other: <u>promissory note on business</u>                          |           |        | (55,000.00)      |
| Total Average Other Income Received                                |           |        |                  |
| Total Average Gross Monthly Income (add totals from B and C above) |           |        | \$14,986.36      |

\* I am required to pay \$5,000 per month toward the promissory note for purchasing the business. I have been paying it out of post-tax dollars. Therefore, said amount is included in my income even though I do not receive said funds.

EXHIBIT 3

EXHIBIT 3

EXHIBIT 3

MISC

Name: Louis C. Schneider, Esq.  
Address: 430 South 7th Street  
Las Vegas, NV 89101  
Phone: (702) 435-2121  
Email: lcslawllc@yahoo.com  
Attorney for \_\_\_\_\_  
Nevada State Bar No. 9683

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10/22/2015 12:42:30 PM

  
CLERK OF THE COURT

Eighth Judicial District Court  
Clark County, Nevada

|   |   |
|---|---|
| <u>BRANDON SAITER</u><br>Plaintiff,<br><br>vs. <u>TINA SAITER</u><br>Defendant. | Case No. <u>D-15-521313-D</u><br><br>Dept. <u>D</u> |
|---|---|

GENERAL FINANCIAL DISCLOSURE FORM

A. Personal Information:

1. What is your full name? (first, middle, last) Tina Marie Saiter  
2. How old are you? 31  
3. What is your date of birth? 3/4/84  
4. What is your highest level of education? High School

B. Employment Information:

1. Are you currently employed/ self-employed? (☒ check one)  
☐ No  
☐ Yes If yes, complete the table below. Attached an additional page if needed.

| Date of Hire | Employer Name | Job Title | Work Schedule (days) | Work Schedule (shift times) |
|--------------|---------------|-----------|----------------------|-----------------------------|
|              |               |           |                      |                             |
|              |               |           |                      |                             |

2. Are you disabled? (☒ check one)

☒ No  
☐ Yes

If yes, what is your level of disability? \_\_\_\_\_  
What agency certified you disabled? \_\_\_\_\_  
What is the nature of your disability? \_\_\_\_\_

C. Prior Employment: If you are unemployed or have been working at your current job for less than 2 years, complete the following information.

Prior Employer: \_\_\_\_\_ Date of Hire: \_\_\_\_\_ Date of Termination: \_\_\_\_\_  
Reason for Leaving: \_\_\_\_\_



### Monthly Personal Income Schedule

**A. Year-to-date Income.**

As of the pay period ending \_\_\_\_\_ my gross year to date pay is \_\_\_\_\_.

**B. Determine your Gross Monthly Income.**

Hourly Wage

|             |   |                                 |   |               |   |       |   |               |   |        |   |                      |
|-------------|---|---------------------------------|---|---------------|---|-------|---|---------------|---|--------|---|----------------------|
|             | × |                                 | = |               | × | 52    | = |               | ÷ | 12     | = |                      |
| Hourly Wage |   | Number of hours worked per week |   | Weekly Income |   | Weeks |   | Annual Income |   | Months |   | Gross Monthly Income |

Annual Salary

|               |   |        |   |                      |
|---------------|---|--------|---|----------------------|
|               | ÷ | 12     | = |                      |
| Annual Income |   | Months |   | Gross Monthly Income |

**C. Other Sources of Income.**

| Source of Income  | Frequency | Amount | 12 Month Average |
|---|-----------|--------|------------------|
| Annuity or Trust Income   |           |        |                  |
| Bonuses   |           |        |                  |
| Car, Housing, or Other allowance:   |           |        |                  |
| Commissions or Tips:  |           |        |                  |
| Net Rental Income:  |           |        |                  |
| Overtime Pay  |           |        |                  |
| Pension/Retirement:   |           |        |                  |
| Social Security Income (SSI):   |           |        |                  |
| Social Security Disability (SSD):   |           |        |                  |
| Spousal Support   |           |        |                  |
| Child Support   |           |        |                  |
| Workman's Compensation  |           |        |                  |
| Other:  |           |        |                  |
| <b>Total Average Other Income Received</b>                                |           |        |                  |
| <b>Total Average Gross Monthly Income (add totals from B and C above)</b> |           |        |                  |

#### D. Monthly Deductions

|                                       | Type of Deduction  | Amount |
|---------------------------------------|--|--------|
| 1.                                    | Court Ordered Child Support (automatically deducted from paycheck)                 |        |
| 2.                                    | Federal Health Savings Plan  |        |
| 3.                                    | Federal Income Tax   |        |
| 4.                                    | Health Insurance<br>Amount for you:<br>For Opposing Party:<br>For your Child(ren): |        |
| 5.                                    | Life, Disability, or Other Insurance Premiums                                      |        |
| 6.                                    | Medicare   |        |
| 7.                                    | Retirement, Pension, IRA, or 401(k)  |        |
| 8.                                    | Savings  |        |
| 9.                                    | Social Security  |        |
| 10.                                   | Union Dues   |        |
| 11.                                   | Other: (Type of Deduction)   |        |
| Total Monthly Deductions (Lines 1-11) |  |        |

#### Business/Self-Employment Income & Expense Schedule

##### A. Business Income:

What is your average gross (pre-tax) monthly income/revenue from self-employment or businesses?  
\$ .....

##### B. Business Expenses: Attach an additional page if needed.

| Type of Business Expense                          | Frequency | Amount | 12 Month Average |
|---|-----------|--------|------------------|
| Advertising                                       |           |        |                  |
| Car and truck used for business                   |           |        |                  |
| Commissions, wages or fees                        |           |        |                  |
| Business Entertainment/Travel                     |           |        |                  |
| Insurance   |           |        |                  |
| Legal and professional                            |           |        |                  |
| Mortgage or Rent                                  |           |        |                  |
| Pension and profit-sharing plans                  |           |        |                  |
| Repairs and maintenance                           |           |        |                  |
| Supplies  |           |        |                  |
| Taxes and licenses<br>(include est. tax payments) |           |        |                  |
| Utilities   |           |        |                  |
| Other:  |           |        |                  |
| Total Average Business Expenses                   |           |        |                  |

### Personal Expense Schedule (Monthly)

- A. Fill in the table with the amount of money you spend each month on the following expenses and check whether you pay the expense for you, for the other party, or for both of you.

| Expense                                      | Monthly Amount I Pay | For Me<br><input type="checkbox"/> | Other Party<br><input type="checkbox"/> | For Both<br><input type="checkbox"/> |
|--|----------------------|------------------------------------|---|--------------------------------------|
| Alimony/Spousal Support                      |                      |                                    |   |                                      |
| Auto Insurance                               |                      |                                    |   |                                      |
| Car Loan/Lease Payment                       |                      |                                    |   |                                      |
| Cell Phone                                   |                      |                                    |   |                                      |
| Child Support (not deducted from pay)        |                      |                                    |   |                                      |
| Clothing, Shoes, Etc...                      |                      |                                    |   |                                      |
| Credit Card Payments (minimum due)           |                      |                                    |   |                                      |
| Dry Cleaning                                 |                      |                                    |   |                                      |
| Electric                                     |                      |                                    |   |                                      |
| Food (groceries & restaurants)               |                      |                                    |   |                                      |
| Fuel   |                      |                                    |   |                                      |
| Gas (for home)                               |                      |                                    |   |                                      |
| Health Insurance (not deducted from pay)     |                      |                                    |   |                                      |
| HOA  |                      |                                    |   |                                      |
| Home Insurance (if not included in mortgage) |                      |                                    |   |                                      |
| Home Phone                                   |                      |                                    |   |                                      |
| Internet/Cable                               |                      |                                    |   |                                      |
| Lawn Care                                    |                      |                                    |   |                                      |
| Membership Fees                              |                      |                                    |   |                                      |
| Mortgage/Rent/Lease                          |                      |                                    |   |                                      |
| Pest Control                                 |                      |                                    |   |                                      |
| Pets   |                      |                                    |   |                                      |
| Pool Service                                 |                      |                                    |   |                                      |
| Property Taxes (if not included in mortgage) |                      |                                    |   |                                      |
| Security                                     |                      |                                    |   |                                      |
| Sewer  |                      |                                    |   |                                      |
| Student Loans                                |                      |                                    |   |                                      |
| Unreimbursed Medical Expense                 |                      |                                    |   |                                      |
| Water  |                      |                                    |   |                                      |
| Other:                                       |                      |                                    |   |                                      |
| <b>Total Monthly Expenses</b>                |                      |                                    |   |                                      |

### Household Information

- A. Fill in the table below with the name and date of birth of each child, the person the child is living with, and whether the child is from this relationship. Attached a separate sheet if needed.

|                 | Child's Name | Child's DOB | Whom is this child living with? | Is this child from this relationship? | Has this child been certified as special needs/disabled? |
|-----------------|--------------|-------------|---------------------------------|---------------------------------------|--|
| 1 <sup>st</sup> | Haché        | 5-24-02     | 5-15-0                          | Yes                                   | No   |
| 2 <sup>nd</sup> | Makenzie     | 7-7-04      | 5-15-0                          | Yes                                   | No   |
| 3 <sup>rd</sup> | Amelia       | 11-22-05    | 5-15-0                          | Yes                                   | No   |
| 4 <sup>th</sup> | Brando       | 9-4-03      | 5-15-0                          | Yes                                   | No   |

- B. Fill in the table below with the amount of money you spend each month on the following expenses for each child.

| Type of Expense                             | 1 <sup>st</sup> Child | 2 <sup>nd</sup> Child | 3 <sup>rd</sup> Child | 4 <sup>th</sup> Child |
|---|-----------------------|-----------------------|-----------------------|-----------------------|
| Cellular Phone                              |                       |                       |                       |                       |
| Child Care                                  |                       |                       |                       |                       |
| Clothing                                    |                       |                       |                       |                       |
| Education                                   |                       |                       |                       |                       |
| Entertainment                               |                       |                       |                       |                       |
| Extracurricular & Sports                    |                       |                       |                       |                       |
| Health Insurance (if not deducted from pay) |                       |                       |                       |                       |
| Summer Camp/Programs                        |                       |                       |                       |                       |
| Transportation Costs for Visitation         |                       |                       |                       |                       |
| Unreimbursed Medical Expenses               |                       |                       |                       |                       |
| Vehicle                                     |                       |                       |                       |                       |
| Other:                                      |                       |                       |                       |                       |
| <b>Total Monthly Expenses</b>               |                       |                       |                       |                       |

- C. Fill in the table below with the names, ages, and the amount of money contributed by all persons living in the home over the age of eighteen. If more than 4 adult household members attached a separate sheet.

| Name | Age | Person's Relationship to You (i.e. sister, friend, cousin, etc...) | Monthly Contribution |
|------|-----|--|----------------------|
|      |     |  |                      |
|      |     |  |                      |
|      |     |  |                      |
|      |     |  |                      |

### Personal Asset and Debt Chart

A. Complete this chart by listing all of your assets, the value of each, the amount owed on each, and whose name the asset or debt is under. If more than 15 assets, attach a separate sheet.

| Line                                      | Description of Asset and Debt Thereon | Gross Value | Total Amount Owed | Net Value | Whose Name is on the Account?<br>You, Your Spouse/Domestic Partner or Both |
|---|---------------------------------------|-------------|-------------------|-----------|--|
| 1.  |                                       | \$          | \$                | \$        |  |
| 2.  |                                       | \$          | \$                | \$        |  |
| 3.  |                                       | \$          | \$                | \$        |  |
| 4.  |                                       | \$          | \$                | \$        |  |
| 5.  |                                       | \$          | \$                | \$        |  |
| 6.  |                                       | \$          | \$                | \$        |  |
| 7.  |                                       | \$          | \$                | \$        |  |
| 8.  |                                       | \$          | \$                | \$        |  |
| 9.  |                                       | \$          | \$                | \$        |  |
| 10.                                       |                                       | \$          | \$                | \$        |  |
| 11.                                       |                                       | \$          | \$                | \$        |  |
| 12.                                       |                                       | \$          | \$                | \$        |  |
| 13.                                       |                                       | \$          | \$                | \$        |  |
| 14.                                       |                                       | \$          | \$                | \$        |  |
| 15.                                       |                                       | \$          | \$                | \$        |  |
| Total Value of Assets<br>(add lines 1-15) |                                       | \$          | \$                | \$        |  |

B. Complete this chart by listing all of your unsecured debt, the amount owed on each account, and whose name the debt is under. If more than 5 unsecured debts, attach a separate sheet.

| Line #                               | Description of Credit Card or Other Unsecured Debt | Total Amount owed | Whose Name is on the Account?<br>You, Your Spouse/Domestic Partner or Both |
|--------------------------------------|--|-------------------|--|
| 1.                                   |  | \$                |  |
| 2.                                   |  | \$                |  |
| 3.                                   |  | \$                |  |
| 4.                                   |  | \$                |  |
| 5.                                   |  | \$                |  |
| 6.                                   |  | \$                |  |
| Total Unsecured Debt (add lines 1-6) |  | \$                |  |

## CERTIFICATION

**Attorney Information:** Complete the following sentences:

1. I (have/have not) HAVE retained an attorney for this case.
2. As of the date of today, the attorney has been paid a total of \$ 0 on my behalf.
3. I have a credit with my attorney in the amount of \$ \_\_\_\_\_.
4. I currently owe my attorney a total of \$ 3,500.00.
5. I owe my prior attorney a total of \$ \_\_\_\_\_.

**IMPORTANT:** Read the following paragraphs carefully and initial each one.

  ✓   I swear or affirm under penalty of perjury that I have read and followed all instructions in completing this Financial Disclosure Form. I understand that, by my signature, I guarantee the truthfulness of the information on this Form. I also understand that if I knowingly make false statements I may be subject to punishment, including contempt of court.

       I have attached a copy of my 3 most recent pay stubs to this form.

       I have attached a copy of my most recent YTD income statement/P&L statement to this form, if self-employed.

       I have not attached a copy of my pay stubs to this form because I am currently unemployed.

Signature

Date

9/29/15

CERTIFICATE OF SERVICE

I hereby declare under the penalty of perjury of the State of Nevada that the following is true and correct:

That on (date) 10/22/2015, service of the General Financial Disclosure Form was made to the following interested parties in the following manner:

☒ Via 1<sup>st</sup> Class U.S. Mail, postage fully prepaid addressed as follows:

THE ABRAMS LAW FIRM  
BRANDON LEAVITT  
6250 S. RAINBOW BLVD #100  
LV, NV 89118

☐ Via Electronic Service, in accordance with the Master Service List, pursuant to NEPCR 9, to:

☒ Via Facsimile and/or Email Pursuant to the Consent of Service by Electronic Means on file herein to: BLEAVITT@THEABRAMSLAWFIRM.COM

Executed on the 22 day of OCT, 2015.

Signature

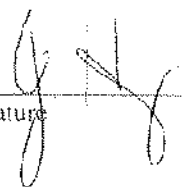


EXHIBIT 4

EXHIBIT 4

EXHIBIT 4





## WESTERN VALUATION ADVISORS

VALUATION & CAPITAL CONSULTANTS

March 14, 2016

Brandon K. Leavitt, Esq.  
The Abrams Law Firm, LLC  
6252 S. Rainbow Blvd., Suite 100  
Las Vegas, Nevada 89118

Louis C. Schneider, Esq.  
Law Offices of Louis C. Schneider, LLC  
430 South Seventh Street  
Las Vegas, Nevada 89101

Re: Valuation of Harmonic Innerprizes, Inc.

Dear Mr. Leavitt and Mr. Schneider:

Pursuant to your request, we have estimated the fair market value of Harmonic Innerprizes, Inc. ("Harmonic" or "the Company") as of November 30, 2015. The analysis is prepared on a controlling interest basis for marital dissolution purposes in connection with the matter of Saiter v. Saiter.

Methodology

The report first presents a brief background and history of the Company. It next provides an overview of the national and local economies.

A financial analysis of the Company was also prepared. Finally, the report determines explicit values for the ownership interest set forth above. Several valuation methods were considered: income approach, asset approach, and transaction value. After considering the assumptions and relative justification of each valuation method, the results are synthesized into a fair market value estimate of the Company and the subject interest valued herein.

### Company Background

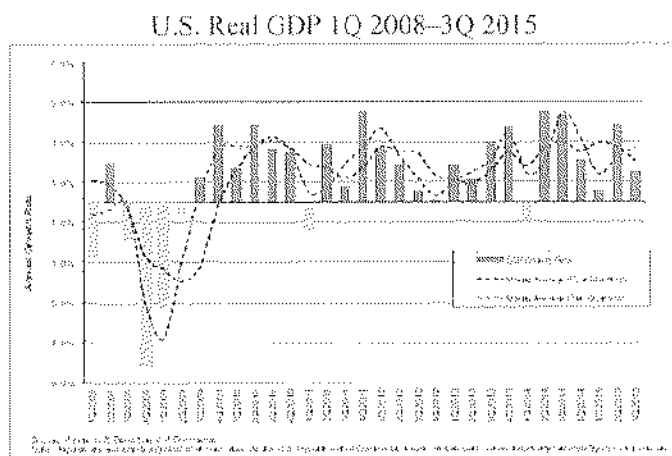
Harmonic Innerprizes was founded in 1995 by Patrick Bailey who has had over 32 years of experience in the dietary supplement industry. The Company was purchased by Brandon Saiter in March of 2013. Harmonic is an online wholesaler and retailer of nutritional supplements including vitamins, herbs, minerals, and botanicals. The Company's offices are located at 7705 Commercial Way, Suite 140 in Henderson, Nevada.

Harmonic sells its products online and through a network of independent sales representatives. The Company has two full-time employees in addition to Mr. Saiter, and has recently hired a part-time bookkeeper and a part-time warehouse worker. Mr. Saiter owns 100 percent of the Company as of the valuation date.

### National Economic Overview

To understand the general economic conditions existing at the valuation date, the following presents an overview and near-term outlook for the United States economy from the most recent information available as of the third quarter of 2015, with updated data as of November 30, 2015, where available.

The Bureau of Economic Analysis (BEA) reports<sup>(1)</sup> that the United States economy, as indicated by gross domestic product (GDP), grew at an annual rate of 1.5 percent in the third quarter of 2015, which was consistent with a Bloomberg survey of economists finding that the median forecast rated was a 1.6 percent. This was a sizable deceleration from the 3.9 percent growth in the second quarter. In 2014, the economy grew by 2.4 percent over the year before, the biggest advance since 2010, following a 1.5 percent expansion in 2013.



Source: U.S. Bureau of Economic Analysis

Final sales of domestic product rose in the third quarter, at a rate of 3.0 percent, after a growth rate of 3.9 percent in the second quarter. Final sales are GDP minus the influence of

private inventory investment, which tends to be volatile from quarter to quarter. The Economic Policy Institute has stated that final sales are arguably a better indicator of underlying economic strength than GDP.

The third-quarter GDP increase was driven by positive consumer spending, state and local government spending, nonresidential fixed investment, exports, and residential fixed investment. The increase was partly offset by negative contributions from private inventory investment. Also, imports, which are treated as a subtraction in GDP calculation, increased in the quarter.

The Conference Board's Leading Economic Index<sup>(2)</sup> (LEI) rose 0.4 point in November, continuing the momentum of the October 0.6 point rise. The November increase was driven by improvements in building permits, the interest rate spread, and stock prices. The report found that, while the six-month growth rate of LEI has moderated, the economic outlook remains positive for the final quarter of 2015 and into 2016. LEI increased at a 3.0 percent annual rate in the six-month period ending November 2015, slower than the 3.9 percent annual rate during the previous six months.

The Conference Board's Consumer Confidence Index<sup>(3)</sup> tumbled 8.7 points in November to a reading of 90.4. The Conference Board's Present Situation Index<sup>(3)</sup> component dropped to 108.1 in November from 114.6 the previous month, while the Conference Board's Expectations Index<sup>(3)</sup> dropped to 78.6 from its previous reading of 88.7. The percentage of respondents expecting business conditions to improve over the next six months fell to 14.8 percent from 18.1 percent, while the percentage of those expecting business conditions to worsen rose slightly, to 11.0 percent from 10.4 percent.

The National Federation of Independent Business reported that the Small Business Optimism Index<sup>(4)</sup> fell 1.3 points in November to 94.8, remaining below the 42-year average of 98.0.

### *Employment & Income*

The U.S. Department of Labor reported that economy added 211,000 jobs in November, more than the median forecast of 200,000 from a Bloomberg survey of economists. November 2015 also marked the strongest three years of job creation since 2000. The private sector is reported to have added 13.7 million jobs over 69 straight months of job growth, extending the longest streak on record.

The BEA reported that current-dollar personal income increased \$171.6 billion in third-quarter 2015, after increasing by \$139.5 billion in the second. This primarily reflected acceleration in wages and salaries and an upturn in farm proprietor income partly offset by a deceleration in personal interest income.

Personal outlays increased \$136.6 billion in the third quarter, decelerating from an increase of \$182.3 billion in the second. Personal saving (disposable personal income less personal outlays) was \$636.7 billion in the third quarter, up from \$617.5 billion in the second.

The personal saving rate, saving as a percentage of disposable personal income, was 4.7 percent in the third quarter, up slightly from 4.6 percent in the previous quarter.

### *Unemployment*

The unemployment rate (U3) held steady at 5.0 percent in November, remaining at a rate that is the lowest since April 2008. The total number of unemployed persons was little changed in November, at 7.9 million. The U3 unemployment rate is the official unemployment rate recognized by the International Labour Organization, defined as individuals who actively sought work in the past four weeks but are still unemployed.

The labor force participation rate ticked up 0.1 percent in November to 62.5 percent, after October and September saw the lowest rate since October 1977. The employment-population ratio, the share of the working-age population with a job, was unchanged at 59.3 percent and has shown little movement since October 2014.

The population of unemployed out of work for 27 weeks or more comprised 25.7 percent of the total unemployed, or 2.1 million people, in November. On average, the unemployed were out of work in November 2015 for 25.7 weeks, compared with 26.8 weeks in October, and 31.0 weeks in November 2014.

The U6 unemployment rate crept up 0.1 percent in November to 9.9 percent, but is down from the 11.4 percent rate from one year ago. The U6 category is broader than U3, and includes (a) individuals seeking full-time employment but have settled for part-time work, and (b) 'marginally attached' workers who are not actively looking for employment but indicate they want a job and have looked for work without success at sometime in the past 12 months. This class includes 'discouraged workers' who have given up on finding employment and feel they will not find a job.

### *Consumer Spending & Retail Sales*

American spending rose in November by the most in four months. Retail sales increased 0.2 percent, slightly weaker than the median forecast of 0.3 percent in a Bloomberg survey of economists. Regardless, retail sales were up 1.4 percent from one year ago. Total sales for the September through November 2015 period were up 1.7 percent from the same period a year ago. Economists view retail sales as a key economic indicator since consumer spending accounts for about two-thirds of GDP.

Core retail sales rose 0.6 percent in November, and were up 3.1 percent from one year ago. A Bloomberg survey of economists expected core retail sales to rise 0.4 percent. Core retail sales exclude automobiles, gasoline, building materials, and food services, and corresponds most closely with the consumer-spending component of GDP. Ward's Automotive Group data show that sales of cars and light trucks exceeded an 18.0 million annualized rate in November for a record third straight month. However this was contrary to the retail sales report from the U.S. Census Bureau that found that auto sales fell in both October and November.

### *Manufacturing Sector*

The Institute for Supply Management (ISM) reported that its Manufacturing Index (PMI) retreated 1.5 percent in November to a reading of 48.6 percent. This was the lowest PMI reading since June 2009. PMI is an indicator of the economic health of the manufacturing sector and is based on data compiled from purchasing and supply executives nationwide. PMI is an indicator of the economic health of the manufacturing sector based on data compiled from purchasing and supply executives nationwide. A reading above 50 percent indicates the manufacturing economy is generally expanding; a reading below 50 percent indicates general contraction. A PMI in excess of 43.1 percent over a period of time generally indicates an expansion of the overall economy. Therefore, the November PMI indicates the first contraction in the manufacturing sector since November 2012, but growth in the overall economy for the 78th consecutive month.

The PMI New Orders component fell 4.0 percent in November to 48.9 percent. This indicated that the new orders component contracted for the first time since November 2012. A New Orders Index above 52.1 percent over time is generally consistent with an increase in the Census Bureau's series on manufacturing orders.

The PMI Production component dropped 3.7 percent in November to 49.2 percent, indicating a contraction for the first time since August 2012. An index above 51.1 percent over time is generally consistent with an increase in the Federal Reserve Board's industrial production figures.

The PMI Inventory component declined 3.5 percent to 43.0 percent, indicating raw materials inventories contracted in November for the fifth consecutive month. An Inventories Index greater than 42.9 percent over time is generally consistent with expansion in BEA figures on overall manufacturing inventories.

### *Services Sector*

The ISM reported that its Non-Manufacturing Index (NMI) decreased 3.2 percent in November to 55.9 percent. NMI measures the strength of the services sector using data compiled from purchasing and supply executives nationwide. A reading above 50 percent indicates the services sector of the economy is generally expanding, whereas a reading below 50 percent indicates general contraction. An NMI in excess of 48.7 percent over a period of time generally indicates an expansion in the overall economy. Therefore, the November NMI indicates an expansion in the services sector for the 70th consecutive month and growth in the overall economy for the 76th consecutive month.

### *Financial Markets*

The major stock indexes saw modest gains in November, building on strong gains in October. The Dow Jones Industrial Average® (Dow) ended November with a 0.7 percent total return, and the Standard & Poor's 500 Index® (S&P 500) saw a total return of 0.3 percent. Small- and mid-cap stocks, which are generally more volatile than large-cap stocks, outperformed the large-caps in November. The S&P MidCap 400® returned 1.4 percent in

November, and the Russell 2000® returned 3.3 percent. The technology heavy NASDAQ Composite Index® (NASDAQ) saw a total return of 1.1 percent. T Rowe Price reported the financial and industrial and business services sectors were the top performers in the S&P 500 in the month, while the utilities sector was the worst.

T. Rowe Price reported that increased concerns about slowing growth in China, and continued uncertainty about the timing of the Federal Reserve's first interest rate hike since 2006, created considerable volatility in U.S. Treasuries. The 30-day T-bill rate was zero percent at the end of the third-quarter 2015, down from 0.02 percent at the end of the previous quarter. The five-year Treasury ended the third quarter yielding 1.37 percent and 1.63 percent at the end of the third quarter and the previous quarter, respectively. Likewise, the 10-year Treasury bond yielded 2.06 percent and 2.35 percent, respectively and the 20-year Treasury bond yielded 2.51 percent and 2.83 percent, respectively.

Moody's seasoned Aaa and Baa rated corporate bonds ended the third quarter yielding 4.00 percent and 4.72 percent, respectively, down from 4.19 percent and 5.18 percent at the end of the previous quarter. The prime lending rate was 3.25 percent at the beginning of the third quarter and remained unchanged through the end of September. The discount window (primary credit) remained at 0.75 percent during the third quarter.

#### *Housing Sector*

Building permits and housing starts rose in November, rising above year-ago levels. Privately-owned housing starts were at a seasonally adjusted annual rate of 1,173,000 in November, up 10.5 percent from the previous month and 16.5 percent above one year ago. Single-family home construction rose 7.6 percent in November and was up 14.6 percent from one year ago. Multifamily home construction jumped 18.1 percent in November, remaining 21.3 percent above one year ago. The multifamily home sector, comprising buildings with five or more living units, tends to be more volatile than the single-family home sector.

Building permit authorizations for privately owned housing units, considered a good leading indicator of demand for new homes, were at a seasonally adjusted rate of 1,289,000 in November. This was 11.0 percent above the prior month rate and 19.5 percent above one year ago. Building permits for single-family housing units moved up 1.1 percent in November and were up 9.0 percent from one year ago, while permits for multifamily housing units surged 30.8 percent in November and were up 38.9 percent from one year ago.

The National Association of Realtors (NAR) reported Existing-home sales declined significantly in November to the slowest pace in 19 months<sup>(5)</sup>. All four major regions saw sales declines in November. Existing-home sales fell 10.5 percent in November to an annual pace of 4.76 million sales from 5.32 million in October. The November decline was the largest since July 2010, and the pace is the slowest since April 2014. Sales are now 3.8 percent below a year ago, the first year-over-year decrease since September 2014. Existing-home sales are completed transactions that include single-family houses, townhomes, condominiums, and co-ops.

The national median existing-home price for all housing types was \$220,300 in November, up 6.3 percent from a year ago, and marking the 45th consecutive month of year-over-year price gains. Home prices in the Northeast improved 3.2 percent from one year ago, and prices climbed 5.3 percent, 6.3 percent, and 8.3 percent in the Midwest, South and West, regions respectively.

Total housing inventory decreased 3.3 percent in November to 2.04 million existing homes available for sale. Housing inventory is now down 1.9 percent from one year ago. Unsold inventory increased to a 5.1 month supply at the current sales pace in November, from 4.8 months in October.

The NAR reported that, according to Freddie Mac, the national average commitment rate for a 30-year, conventional, fixed rate mortgage rose to 3.94 percent in November from 3.80 percent in October but remained below 4.00 percent for the fourth consecutive month. The average 30-year rate was 4.00 percent one year ago.

#### *Commercial Real Estate*

The most recent NAR Commercial Real Estate Market Survey, analyzing third-quarter 2015, found the market continued on a positive trend with respondents continuing to report improved fundamentals and investment sales. Commercial sales volume rose 7.2 percent from a year ago, and 63.0 percent of NAR members closed a sale.

Leasing volume rose 3.8 percent in the third quarter, and leasing rates advanced 2.5 percent. Tenant demand was the greatest in the 5,000 square-foot smaller space, accounting for 72.0 percent of all leased properties. However, demand for space in the 5,000 to 7,499 square-foot range more than doubled during the third quarter, comprising 13.0 percent of total leases. Lease terms remained consistent, with 36-month and 60-month leases accounting for 64.0 percent of the market.

Vacancy rates changes varied across the various property types. Office vacancies increased by 30 basis points from a year ago to reach 16.0 percent. Industrial availability saw a yearly increase of 160 basis points, bringing the rate to 11.5 percent. Retail vacancies declined 80 basis points over the past 12 months to 13.0 percent. Hotel properties remained the highest, with vacancy rates of 17.5 percent, while multifamily units were the lowest, at 7.4 percent.

#### *Consumer Prices*

The Consumer Price Index (CPI) was unchanged in November, on a seasonally adjusted basis. Over the last 12 months, CPI has risen 0.5 percent. CPI is a measure of a basket of products and services, including housing, electricity, food, and transportation, and is used as a measure of inflation. CPI is comprised of the food index, the energy index, and Core CPI.

Core CPI, a measure of inflation that excludes volatile food and energy costs, increased 0.2 percent in November, after rising 0.2 percent the prior month. Core CPI has risen 2.0 percent

over the past 12 months with approximately two-thirds of the increase represented by the shelter index, which rose 3.2 percent over the period.

### *Producer Prices*

The U.S. Department of Labor reported that the Producer Price Index (PPI) rose 0.3 percent in November, on a seasonally adjusted basis, after declining in each of the prior three months. PPI is down 1.1 percent over the past 12 months. PPI is a gauge of inflation in the manufacturing process that can be a precursor to inflation in consumer prices.

PPI for final demand is comprised of two main indexes: final demand services and final demand goods. The final demand services index increased 0.5 percent in November, following two consecutive monthly declines. The final demand goods index inched down 0.1 percent in November, the index's fifth consecutive decline. Over 90 percent of the November decline in the final demand goods index was attributed to prices for final demand energy, which fell 0.6 percent. Declining gas prices, which fell 1.3 percent, were a major factor in the drop in final demand energy.

### *Energy*

The CPI energy index fell 1.3 percent in November, the third decline in the last four months. The energy index is down 14.7 percent from one year ago. With the exception of electricity, all the major components within the energy index fell in November.

The Energy Information Administration (EIA) reported that the spot price for a barrel of West Texas Intermediate (WTI) crude oil was \$45.06 at the end of the third-quarter 2015. This was down from \$59.48 per barrel at the end of the second quarter and from a much higher \$91.17 per barrel one year ago.

The regular retail gas price (conventional areas) was \$2.25 per gallon at the end of the third quarter, below the price of \$2.71 per gallon at the end of the previous quarter, and down significantly from \$3.30 per gallon one year ago.

### *Outlook*

The monthly publication Consensus Forecasts USA<sup>(6)</sup> panel forecasts real GDP will real GDP will increase at a seasonally adjusted annual rate of 2.7 percent in the fourth-quarter 2015, and 2.6 percent in first-quarter 2016. The forecasters expect GDP to grow by 2.4 percent in 2015, 2.6 percent in 2016, and 2.5 percent in 2017. The panel also forecasts:

- Personal spending will increase at a rate of 3.0 percent in both fourth-quarter 2015, then 2.6 percent in 2016, and 2.5 percent in 2017.
- The unemployment rate will average 5.0 percent in fourth-quarter 2015, before ticking down to 4.9 percent in first-quarter 2016, and will average 5.3 percent in 2015, declining to 4.8 percent in 2016.



- The three-month U.S. Treasury bill rate will be 0.2 percent at the end of 2015, and 0.4 percent at the end of first-quarter 2016. The 10-year Treasury bond yield will be 2.3 percent at the end of fourth-quarter 2015 and 2.5 percent at the end of first-quarter 2016.
- Consumer prices will rise 0.6 percent in fourth-quarter 2015 and 1.7 percent in first-quarter 2016, increasing 0.1 percent in all of 2015 before rising 1.7 percent in 2016.
- Producer prices to decline at a rate of 1.5 percent in fourth-quarter 2015 before increasing at a rate of 1.5 percent in first-quarter 2016. Producer prices will drop 2.4 percent in 2015, but increase 1.4 percent in 2016.
- Real disposable personal income will rise at a rate of 3.4 percent in fourth-quarter 2015 and 2.8 percent in first-quarter 2016. Real disposable personal income will increase 3.2 percent in all of 2015, and 2.8 percent in 2016.
- Industrial production will increase at a rate of 1.3 percent in fourth-quarter 2015 and picking up to 2.2 percent in first-quarter of 2016, increasing 1.5 percent in all of 2015 and 2.0 percent in 2016.
- The Energy Information Administration (EIA) predicts that the West Texas Intermediate crude oil spot-price will average approximately \$49.08 per barrel in 2015, before rising to \$50.89 per barrel in 2016, compared with \$93.17 in 2014. The EIA expects retail prices for regular-grade gasoline to average 2.43 per gallon in 2015 and \$2.37 per gallon in 2016, down from \$3.36 in 2014.

The NAR housing sector forecast is:

- Housing starts will increase to 1,127,000 (+12.6 percent) in 2015, and 1,380,000 (+22.4 percent) in 2016.
- Existing home sales will be 5.263 million (+6.5 percent) in 2015, and 5.500 million (+4.5 percent) in 2016. The median existing-home price will be \$222,700 (+6.9 percent) in 2015, increasing to \$232,000 (+4.2 percent) in 2016.
- New single-family home sales will be 574,000 (+30.8 percent) in 2015, increasing to 730,000 (+27.2 percent) in 2016. The median new-home price will be \$293,800 (+3.9 percent) in 2015, rising to \$305,000 (+3.8 percent) in 2016.
- The 30-year fixed mortgage rate will average 4.0 percent in 2015, rising to 4.8 percent in 2016. The one-year adjustable rate will average 2.6 percent in 2015, and 4.0 percent in 2016.
- The most recent three year outlook from the Urban Land Institute (ULI) and Ernst & Young<sup>(7)</sup> found real estate industry economists and analysts believe the real estate industry will remain on a sustainable course of solid growth for 2015 through 2017. Key findings include:
- Issuance of commercial mortgage-backed securities is projected to rise to \$150 billion in 2017, rising from \$115 billion in 2015 and \$133 billion in 2016. With banks and insurance companies also active, real estate lending will remain competitive and favorable for borrowers.
- Commercial real estate prices, as measured by the Moody's RCA Index, are expected to rise by an average of 7.6 percent per year, compared to a long-term

average increase of 5.3 percent, implying three strong years of net appreciation for real estate.

- Warehouse rents and hotel revenue per available room (RevPAR) are expected to lead the major property types, growing by an average of 3.6 percent and 5.3 percent, respectively, between 2015 and 2017. This is significantly greater than their historical growth rates.
- The total return rate for core unleveraged properties, as measured by the National Council of Real Estate Investment Fiduciaries (NCREIF), is expected to average 9.9 percent between 2015 and 2017, which is significantly higher than the expected average yield for U.S. Treasuries.

The most recent Real Estate Consensus Forecast<sup>(6)</sup> findings include:

- Apartment vacancy rates are expected to rise from 4.6 percent in 2014, to 4.7 percent in 2015, 5.0 percent in 2016, and 5.3 percent in 2017. Rental rates are expected to rise by 3.5 percent in 2015, 3.0 percent in 2016, and 2.7 percent in 2017. NCREIF total annual returns for the sector are expected to be 9.0 percent in 2015, 8.3 percent in 2016, and 8.0 percent in 2017.
- Industrial and warehouse availability rates are expected to drop from 10.3 percent in 2014, to 9.8 percent in 2015 and to 9.6 percent in both 2016 and 2017. Rental rates are expected to rise by 4.0 percent in 2015, 3.8 percent in 2016, and 3.1 percent in 2017. NCREIF total annual returns for the sector are projected to be 12.0 percent in 2015, 10.5 percent in 2016, and 9.5 percent in 2017.
- Office vacancy rates are expected to continue their decline, dropping from 13.9 percent in 2014, to 13.0 percent in 2015, 12.5 percent in 2016, and 12.0 percent by the end of 2017. Rental rates are expected to rise by 4.0 percent in 2015, 4.1 percent in 2016, and 3.5 percent in 2017. NCREIF total annual returns for the sector are forecast to be 11.8 percent in 2015, 10.0 percent in 2016, and 9.0 percent in 2017.
- Retail availability rates are expected to drop from 11.4 percent in 2014, to 10.9 percent in 2015, 10.5 percent in 2016, and 10.2 percent in 2017. Rental rates are projected to rise 2.0 percent in 2015, 3.0 percent in 2016, and 2.9 percent in 2017. NCREIF total annual returns for the sector are projected to be 10.9 percent in 2015, 10.0 percent in 2016, and 8.4 percent in 2017.
- Hotel occupancy rates are expected to rise from 64.4 percent in 2014, to 65.2 percent in 2015 and to 65.6 percent in both 2016 and 2017. RevPAR rates are projected to rise 7.0 percent in 2015, 5.0 percent in 2016, and 4.0 percent in 2017.

Sources: *Business Valuation Resources, LLC Economic Outlook Update; Yahoo! Finance; U.S. Bureau of Economic Analysis.*

*Footnotes:*

- (1) *The Bureau of Economic Analysis emphasizes that its reporting near the end of any given quarter includes "advance" estimates based on source data that are incomplete or subject to further revision. A "second" estimate is typically released at a later date.*

- (2) *The LEI is calculated by The Conference Board, a nongovernmental organization, and is a leading American economic indicator intended to forecast future activity. The index is determined from the values of 10 key variables which include: average weekly manufacturing hours; manufacturers' new orders for consumer goods and materials; manufacturers' new orders for nondefense capital goods excluding aircraft orders; Institute for Supply Management Index of New Orders; average weekly initial claims for unemployment insurance; new building permits for new residential housing units; Standard & Poor's 500 stock prices; Leading Credit Index; interest rate spread for 10-year Treasury bonds less federal funds; and average consumer expectations for business conditions.*
- (3) *The Consumer Confidence Index is an indicator designed to measure the degree of optimism about the state of the economy that consumers are expressing through savings and spending. A month-on-month decreasing trend in the Consumer Confidence Index suggests consumers have a negative outlook on their ability to secure and retain good jobs, whereas a rising trend indicates improvements in consumer buying patterns. Opinions on current conditions make percent 40 percent of the index (the Present Situation Index), while expectations of future conditions comprise the remaining 60 percent (the Expectations Index).*
- (4) *The Small Business Optimism Index is compiled from a survey of the 350,000 National Federation of Independent Business members conducted each month. The index is a composite of 10 seasonally adjusted components based on questions about the following: plans to increase employment; plans to make capital outlays; plans to increase inventories; whether members expect the economy will improve; whether they expect real sales will be higher; current inventory; current job openings; expected credit conditions; whether now is a good time to expand, and earnings trend. Analysts watch the index because small businesses are responsible for the majority of new job creation.*
- (5) *The NAR Realtors Confidence Index (RCI) is a key indicator of housing market strength based on a monthly survey of over 50,000 real estate practitioners regarding expectations for home sales, prices, and market conditions. The RCI for future conditions was mostly improved in March but was still down compared to one year ago—a 100 index reading indicates strong market expectations; 50 is moderate, and 0 is weak.*
- (6) *Consensus Economics Inc. publishes the monthly report Consensus Forecasts USA, which surveys a panel of 30 prominent U.S. economic and financial forecasters for predictions on a range of variables, including future growth, inflation, current account and budget balances, and interest rates.*

- (7) *The Urban Land Institute (ULI) Ernst & Young Real Estate Consensus Forecast is a semiannual publication based on a survey of 46 of the industry's top economists and analysts representing 33 of the country's leading real estate investment, advisory, and research firms and organizations. The forecast for each indicator is the median forecast from the 43 survey respondents.*
- (8) *The ULI Real Estate Consensus Forecast is based on a survey of 43 of the industry's top economists and analysts representing 32 of the country's leading real estate investment, advisory, and research firms and organizations.*

### **The Las Vegas Metropolitan Area**

The Las Vegas Metropolitan Area (LVMA) comprises the entire 7,910 square-miles of Clark County, Nevada, which is the 13th-largest county in the United States covering an area about the size as New Jersey. The LVMA is bordered on the east by the Colorado River and Arizona border, on the southwest by California, and on the north and northwest by the Nevada counties of Lincoln and Nye.

The core part of the LVMA is the Las Vegas Valley, a 600 square-mile basin that includes the state's largest city, Las Vegas, and the primary cities of Henderson, North Las Vegas, Paradise, and Boulder City. Also within Clark County are the cities of Laughlin on the Colorado River, and Mesquite on the Arizona border, both popular tourist destinations. In 2014, U.S. Census Bureau estimates ranked the Las Vegas-Henderson-Paradise metropolitan statistical area (the Las Vegas MSA) the 30th-largest in the nation.

The LVMA is situated in a basin on the floor of the Mojave Desert surrounded by mountain ranges with much of the landscape arid and rocky with desert vegetation. Las Vegas is approximately 2,000 feet above sea level and the surrounding mountain peaks reach elevations of over 10,000 feet creating a barrier for moisture flowing in from the surrounding areas. The majority of the LVMA is unsuitable for agriculture although there is some arable land in the County.

The LVMA has a hot desert climate typical of the Mojave Desert, averaging about 310 days of sunshine per year. The summer months of June through September are hot and mostly dry with a July daily average temperature of 91.2° Fahrenheit, while night temperatures often remain above 80°. There are an average of 134 days of 90° highs, and 74 days of 100° highs each year, with most of the days in July and August exceeding 100°. Average relative humidity is very low, often under 10 percent. The LVMA winter is short and generally mild. December is the coolest month, averaging 47.0°, and while the surrounding mountains accumulate snow during the winter, snow is rare in the Las Vegas Valley where winter temperatures reach freezing on about 16 nights each year. Annual precipitation in the LVMA is about 4.5 inches, which on average falls about 26.5 days annually, mainly in the winter months, but even the wettest month of February averages just four days of precipitation.

### ***Demographics***

Clark County added approximately 286,500 residents during the last decade. However, population growth slowed significantly after 2007, and the County experienced year-over-year population decreases in two of the last ten years. Population in the County, which includes the five incorporated cities of Boulder City, Henderson, Las Vegas, North Las Vegas, and Mesquite, increased 39,985, or 1.9 percent in 2014 to total 2,102,238, over 2,062,253 in 2013. In the five-year period from 2010 to 2014, the County's population increased slightly at an average annual rate of 0.8 percent, and from 1990 to 2014, the County's population grew at an average annual rate of 4.2 percent (see Exhibit 1).

Although immigration has slowed recently, newcomers continue to be attracted to the area by its climate, absence of personal income tax, low cost of living, and recreational opportunities. The Las Vegas Global Economic Alliance publication Las Vegas Perspective reported the number of newcomers was approximately 63,900 in 2014, a 3.0 percent decrease from 65,800 in 2013. The top-five states of origin for these newcomers were California (21,128 newcomers), Arizona (3,540), Florida (3,390), Texas (2,946), and Utah (2,509).

Young people were a significant share of these newcomers with 22.6 percent under the age of 25, and 35.3 percent between the ages of 25 and 34. The median age of all newcomers was 32.0 years, a significant decrease from last year's median of 39.5 years. Approximately 19.4 percent of newcomers had completed some college with no degree, and 36.5 percent had completed college with 15.1 percent holding an Associate degree, 14.8 percent a Bachelor's degree, and 6.6 percent a Graduate degree (see Exhibit 2).

### ***Economy***

Employment in the Las Vegas MSA improved in 2014 to total 940,000 workers, a 3.3 percent increase from the revised employment level reported for 2013. Employment peaked in 2008 at a 915,100, before decreasing by 11.5 percent in 2009 to a 856,500 then increasing slightly in 2010 to a 848,600 (see Exhibit 3). Employment increased at an average annual rate of 2.6 percent over the last five years, and increased at an average annual rate of 1.9 percent in the period from 2003 through 2014. The unemployment rate was reported at 7.8 percent in 2014, a decrease from the 9.6 percent in 2013.

In 2014, the leisure and hospitality sector continued to dominate the tourism oriented Las Vegas MSA economy, employing approximately 279,000 and representing 31.6 percent of all jobs in the area with a significant portion of these directly related to the hotel, gaming, entertainment, and resort industries. The next largest employment sector was trade, transportation and utilities, representing 18.3 percent of all jobs, followed by professional & business services at 13.3 percent, and the government, or public-sector, at 10.9 percent. No business sector declined in number of employed over the previous year. The Natural Resources and Mining sector had the strongest year-over-year employment growth at 33.3 percent, however, this was an increase from 300 workers in 2013 to 400 in 2014 and the industry represents less than one percent of total employment in the Las Vegas MSA. More relevant, the Construction sector had the next strongest employment growth at 9.7 percent over 2013, adding 4,000 workers followed by the Information sector at 7.1 percent (adding 700 workers), Other Services at 5.3 percent (1,300 workers), and Professional and Business

Services at 4.9 percent (5,500 workers); this sector led employment growth in 2013. These top-5 sectors added a combined 11,600 workers in 2014 (see Exhibit 4).

It is important to note that while the Leisure & Hospitality sector was ranked fifth in growth rate, at 4.3 percent over 2013, the sector added 11,600 workers in the year, the most of any other sector and equal to the top-5 combined. The slowest employment growth was seen in the financial services and government sectors.

In 2014, the largest employer in Clark County was MGM Resorts International followed by the Clark County School District, each employing over 30,000 workers. Caesars Entertainment (employing over 25,000), Wynn resorts Limited, and Stations Casinos (each employing over 10,000) round out the top-five. Las Vegas Sands Corporation, the Clark County government, Boyd Gaming Corporation, and the University of Nevada Las Vegas each employed over 5,000, and 18 companies employed between 2,500 and 4,999 workers; 30 companies employed between 1,000 and 2,499 workers; and 40 companies employed between 500 to 999 workers (see Exhibit 5).

Median household income in the Las Vegas MSA declined slightly in 2014 from the previous year, reported at \$50,274, a 0.4 percent decrease from \$50,454 reported in 2013. Over the last five years, household income decreased at an average annual rate of 3.7 percent (see Exhibit 6). Due to the large role tourism industry plays in the LVMA economy, taxable retail sales are an important revenue source for the Nevada state budget. In 2014, taxable retail sales in Clark County totaled \$36.5 billion, up 8.9 percent from the previous year total of \$33.5 billion. Over the last five years from 2010 to 2014, taxable retail sales increased at an average annual rate of 6.6 percent, overcoming a substantial decline of 17.6 percent in 2009 (see Exhibit 7).

Given the area's rapid population expansion in the last decade, the resulting demand for goods and services is bringing many new retail outlets to Clark County. Retail activity comprises a significant share of commercial building, as evidenced by the construction of thirteen major malls since 1998. The completion of Crystals in 2009, located at the new CityCenter development, added 500,000 square-feet of retail space in the area. The Shops at the Cosmopolitan Hotel opened in 2010 adding 36,000 square-feet of retail space, while Tivoli Village in Summerlin opened in 2011 adding 225,000 square-feet of retail space. The LINQ, an open air retail, dining, and entertainment district anchored by the world's tallest observation wheel, opened in late December 2013, adding 30,000 square-feet of retail space. In total, 48,517 square-feet of new retail space was added in 2013, with an additional 2.0 million square-feet under construction, and 2.8 million square-feet in the planning stage. The Shops at Summerlin, a 1.6 million-square-foot shopping center at the 215 Beltway and Sahara Avenue, was perhaps the most anticipated retail project in the suburban market, and the Tivoli Village expansion will add 200,000 square-feet of retail space and 70,000 square-feet of office space.

The Las Vegas Convention and Visitors Authority (LVCVA), is undertaking the Las Vegas Global Business District, to be completed in phases, to create an international convention and business destination. The most significant project the LVCVA has undertaken since building the Las Vegas Convention Center in the 1950's, the project is expected to generate an estimated 6,000 construction jobs and nearly 6,000 permanent jobs.

Opening spring 2016, the Las Vegas Arena will serve as a multipurpose entertainment venue capable of hosting more than 100 events annually including boxing, Ultimate Fighting Championship (UFC), NBA and NHL teams, and other sporting events, concerts, award shows, and major events. Owned by Las Vegas Arena Company partners AEG and MGM Resorts International, the privately funded, 20,000 seat, \$375 million indoor arena will be located west of the Las Vegas Strip between the New York New York Hotel & Casino and Monte Carlo Resort & Casino. The venue will feature private luxury suites and a two-acre outdoor plaza for pre-event functions and special events.

While the gaming industry still dominates the Las Vegas economy—with approximately \$12 billion in developments planned, including the \$4 billion Resorts World Las Vegas developed by the Genting Group—the Las Vegas Global Economic Alliance is making efforts to diversify the region's economy, with success attracting diversified companies to Southern Nevada, including Creative International, R.W. Garcia, and Catamaran in 2014, which is expected to continue in 2015.

### *Housing*

The housing market in Nevada showed continued mixed signs of recovery in 2014. Permits issued for single-family housing declined 4.2 percent from 7,072 in 2013 to 6,774 in 2014, while the total permitted value increased 2.3 percent from \$918.0 million to \$938.8 million, respectively. Of note, the number of single-family permits in 2014 remains well below the peak of 31,031 reported in 2004, and the last time annual single-family permits exceeded 10,000 was in 2007. Over the last five years, the number of single-family permits increased at an annual rate of 10.7 percent (see Exhibit 8).

Data compiled by SalesTraq show new home sales in the Las Vegas MSA totaled 6,107 units in 2014, a decrease of 13.7 percent from the previous year total of 7,076. The number of resale home sales also slowed in 2014 to 42,353, a decrease of 11.0 percent from 47,570 in 2013.

The median new home price in the Las Vegas MSA increased to \$292,506 in 2014, up 12.5 percent from \$260,000 in 2013, and up 41.0 percent from the median price of \$207,490 in 2012. The median new home price has increased at an average annual rate of 9.0 percent over the last five years. The median existing home price increased to \$168,800 in 2014, up 13.3 percent from \$149,000 in 2013, total to in 2013, and up 44.3 percent from the median price of \$117,000 in 2012. The median existing home price increased at an average annual rate of 9.2 percent over the last five years.

The story is different for multifamily housing, where the number of permitted units (for instance, apartment units within a multifamily building) increased 72.3 percent from 1,705 in 2013 to 2,938 in 2014, and the total permitted value of units increased 69.9 percent from \$113.6 million to \$192.9 million, respectively (see Exhibit 8). The average apartment market rent in the Las Vegas MSA increased from \$757 in 2013 to \$799 in 2014, and the apartment occupancy rate improved from 92.0 percent in 2013 to 93.2 percent in 2014.

### *Commercial Real Estate*

The value of hotel and motel construction permits in Clark County increased from \$0 in 2013 to \$108.4 million in 2014. Four permits were issued in 2014, and no permits were issued in 2013, 2011 and 2010. The valuation of commercial building permits—excluding hotel, motel, and public buildings—decreased 34.9 percent in 2014 to \$297.9 million from \$457.9 million in 2013. The retail sector grew as more retailers either expanded or relocated to the Las Vegas valley with the net absorption rate for retail space up from 400,000 square-feet demanded in 2013, to 1.7 million in 2014, and retail market inventory increasing from 52.4 million square-feet in 2013 to 54.4 million in 2014. However, the retail vacancy rate increased slightly to 9.4 percent in 2014, up from 9.2 percent in 2013, but lower than the 10.4 percent average for the three-year period from 2010 through 2012.

The office market grew in the Las Vegas valley with the net absorption rate for office space up from 400,000 square-feet demanded in 2013 to 800,000 in 2014, and office market inventory increasing from 52.4 million square-feet in 2013 to 52.9 million in 2014. Another positive metric was the office vacancy rate, which decreased to 23.7 percent in 2014, down from 24.4 percent in 2013 and lower than the 24.5 percent average for the period from 2010 through 2012. CBRE reports the average asking rate for leased office space in Las Vegas was \$1.88 per square-foot in 2014.

The industrial market improved in the Las Vegas MSA with the net absorption rate for industrial space up from 4.4 million square-feet demanded in 2013, to 4.7 million in 2014, and industrial market inventory increasing from 107.1 million square-feet in 2013 to 107.8 million in 2014. Another positive metric was the industrial vacancy rate, which decreased to 8.1 percent in 2014, down from 11.9 percent in 2013 and lower than the 15.9 percent average for the three-year period from 2010 through 2012. CBRE reports the average asking rate for leased industrial space in Las Vegas was \$0.56 per square-foot in 2014.

### ***Tourism & Transportation***

The number of visitors to Las Vegas increased from 35.5 million in 2003 to 39.2 million in 2007, before decreasing to low of 36.4 million in 2009. Visitor volume rebounded with the improving economy over the 2010 through 2014 period, reaching 41.1 million in 2014. Visitor volume increased by 1.3 percent annually from 2003 through 2014, and more recently increased by 2.4 percent annually from 2010 through 2014 (see Exhibit 9).

The number of conventions held in Las Vegas totaled 22,103 in 2014, a 0.3 percent increase over the total of 22,027 in 2013. Conventions grew by an average 5.3 percent annually from 2010 through 2014, however, despite this growth the number of conventions in 2014 was still down from the most recent high of 2007 total of 23,847, and from the peak reported in 2003 of 24,463 conventions.

In 2014, total hotel and motel room inventory in the Las Vegas MSA were reported at 150,544, relatively unchanged from the 2013 total of 150,593 rooms. Total room inventory was static over the last five years, increasing an average 0.3 percent per year. Occupancy rates fluctuated over the period, ranging from a low of 80.0 percent in 1991 to a high of 90.4 percent in 1996 and



2007, and averaged 86.1 percent from 1990 to 2014. In 2014, the occupancy rate was reported at 86.8 percent, up 3.0 percent from 84.3 percent in 2013 (see Exhibit 10).

Transportation data show that the McCarran International Airport in Las Vegas is one of the nation's busiest airports, ranking ninth in the country by enplaned passengers. McCarran International Airport accommodated approximately 42.9 million passengers in 2014, up 2.4 percent from 41.9 million passengers in 2013. The total number of passengers using McCarran International increased at an average annual rate of 1.9 percent over the last five years (see Exhibit 11).

The data prove that no other city in the United States is better geared toward attracting and entertaining visitors than Las Vegas. The area boasts some of the world's finest hotel and meeting facilities, has more hotel rooms than any city in the country, and is generally viewed as the country's entertainment capital and convention center.

The leisure and hospitality sector is the largest business sector in Southern Nevada, strongly driven by gaming and tourism. In 2014, gaming revenue in Clark County totaled approximately \$9.6 billion, which was down by 1.2 percent from \$9.7 billion in 2013. Prior to this, gaming revenue grew from 2009 through 2013, but never reached its pre-recession level of \$10.9 billion recorded in 2007. Considering the longer-term trend, gaming revenue grew at an average annual rate of 3.6 percent in the period from 1992 to 2014, and more recently increased by 1.8 percent annually over the last five years (see Exhibit 12).

Las Vegas is home to the 15 largest hotels in the country, and total hotel and motel room inventory in Las Vegas exceeds that of any other city in America (see Exhibit 13).

### ***Outlook***

Looking forward, the Southern Nevada economy, like much of the nation, appears to be moving through an historically slow recovery stage following the Great Recession. The tourism and hospitality sectors showed improvement in 2014, gaming was down slightly, and the housing sector is showing mixed, but positive signs. The trend for commercial office, retail, and industrial space is predominantly positive. However, while unemployment declined for the fifth straight year, it remains persistently elevated, and while the LVMA population continues to grow, the rate has slowed, and fewer newcomers came to the area last year. In the near-term, the Southern Nevada economy is projected to continue improving, but possibly at a slower pace than some of the surrounding areas and the overall United States economy.

Economists at The Center for Regional Studies at the University of Nevada Reno point out that the Southern Nevada economy remains dependent on the leisure and hospitality sector, and any major economic change in the areas that send tourists to Las Vegas could compromise ongoing recovery. The Center for Regional Studies expects growth in the Las Vegas MSA of between 2.5 percent and 3.0 percent in 2015.

*Sources: U.S. Census Bureau; Las Vegas Global Economic Alliance "Las Vegas Perspective 2015"; Applied Analysis online newsroom.*

## Financial Overview

Exhibit 14 sets forth the historical income statements for Harmonic for the years ended December 31, 2010 through 2014 and for the eleven month period ended November 30, 2015. Exhibit 15 sets forth common size income statements for the same time period. The balance sheets for the Company as of December 31, 2010 through November 30, 2015 are presented on Exhibit 16, while common size balance sheets are presented on Exhibit 17. The financial statements were prepared by the Company.

As can be seen on Exhibit 14, the Company's revenue increased from a low of \$508,029 in 2010 to a high of \$943,910 in 2013, before decreasing to \$893,025 in 2014. Revenue totaled \$902,002 for the first eleven months of 2015. Cost of goods sold increased from \$86,625 in 2010 to \$169,020 in 2013, and then decreased to \$159,065 in 2014. For the first eleven months of 2015, the Company's cost of goods sold totaled \$208,358. Resulting gross profit increased from \$421,404 in 2010 to a period high of \$774,890 in 2013, before decreasing to \$733,961 in 2014. Harmonic's gross profit was reported at \$693,644 for the eleven-month period ended November 30, 2015. As a percent of total revenue, the Company's gross profit ranged from a low of 80.9 percent in 2011 to a high of 82.9 percent in 2010, and totaled 76.9 percent for the first eleven months of 2015.

Operating expenses increased from \$483,223 in 2010 to a period high of \$743,880 in 2013, before decreasing to \$734,143 in 2014. The Company's total operating expenses were reported at \$623,768 for the first eleven months of 2015. Major operating expenses reported by the Company include advertising and promotion, broker's commissions, freight and shipping, payroll expenses, and rent. As a percent of total revenue, operating expense decreased from 95.1 percent in 2010 to a low of 74.2 percent in 2012, and then increased to 82.2 percent in 2014. Operating expenses comprised 69.2 percent of total revenue for the first eleven months of 2015.

Harmonic reported operating losses in 2010, 2011 and 2014 and operating income in 2012, 2013, and the first eleven months of 2015. Operating losses ranged between \$61,818 in 2010 to only \$182 in 2014, while operating income ranged from \$31,010 in 2013 to \$69,876 for the first eleven months of 2015.

Harmonic reported other income/expenses over the periods studied ranging from other expenses of \$9,954 in 2010 to \$50,115 of other income in 2011.

The Company reported a net loss in 2010 of \$71,772. Taxable income increased from \$43,412 in 2011 to \$61,730 in 2012, and then dropped to \$29,230 in 2013. A net loss of \$936 was reported in 2014, while taxable income was reported at \$69,887 for the first eleven months of 2015. Net margins ranged from a negative 14.1 percent in 2010 to a high of 7.7 percent in for the first eleven months of 2015.

With respect to balance sheets, Harmonic's current assets were primarily comprised of inventory. Current assets experienced an overall increase over the period, from \$205,678 in December 2010 to \$300,181 in November 2015. Current assets in November 2015 were comprised of \$77,620 in checking and savings accounts, accounts receivable of \$47,036,

inventory of \$125,620, prepaid inventory of \$5,363, prepaid taxes of \$4,310 and undeposited funds of \$28,419.

Gross fixed assets increased from \$80,450 in December 2010 to \$146,768 in December 2012 before dropping to \$110,970 in November 2015. Net fixed assets ranged from \$8,863 in December 2011 to \$29,105 in December 2012, and totaled \$25,306 as of November 2015.

Other assets decreased from \$122,074 in December 2010 to \$660 in November 2015. Resulting total assets decreased from \$341,139 in December 2010 to \$232,096 in December 2011, before increasing to \$275,545 in December 2013. Total assets decreased to \$261,490 in December 2014 before increasing to \$326,147 in November 2015.

Total current liabilities decreased from a high of \$232,865 in December 2010 to a low of \$25,382 in November 2015. Current liabilities in November 2015 were primarily comprised of accounts payable of \$9,358 and credit cards of \$15,767. Long-term liabilities were not reported in any period studied.

Resulting equity increased from \$108,274 in December 2010 to a high of \$300,765 in November 2015. Equity comprised 92.2 percent of total assets in November 2015.

### **Value Estimate**

#### ***Income Approach***

The income approach to valuation requires the determination of “normalized earnings” or “earning power” and an appropriate capitalization rate. Adjustments should be made for nonrecurring or extraordinary items affecting past operations, as well as for items that are completely under management's discretion, such as officers' or owners' compensation, retirement plan contributions, and related party transactions.

#### ***Historical Earnings***

As previously discussed, the Company's revenue ranged from \$508,029 in 2010 to a high of \$943,910 in 2013, and totaled \$902,002 for the first eleven months of 2015. Taxable income ranged from losses reported in 2010 and 2014 to income of \$69,887 for the first eleven months of 2015.

Based on the trend in revenue and taxable income over the period, and considering that Mr. Salter purchased the Company in March 2013, the income approach was based on the performance of the Company over the 2013 through November 2015 period. In order to arrive at the historical earning power estimate, the following expenses were considered for adjustment:

**Officers'/Owners' Compensation:** Officers'/owners' compensation is primarily related to Brandon Salter and was reported at \$291,913 in 2013, \$232,250 in 2014, and \$211,350 for the first eleven months of 2015. It is important to note that

\$37,917 of officer compensation in 2013 was related to Patrick Bailey, the former owner of the Company.

Mr. Saiter currently works between 30 and 40 hours per week for the Company. Prior to September 2015, Mr. Saiter indicated he was working 50 to 50 hours per week, but has since had to reduce his hours to accommodate the demands of caring for his kids.

Officers' compensation data for miscellaneous non-durable goods wholesaling companies is compiled by the Risk Management Association. Industry data for companies with revenue between \$0 and \$1.0 million ranged from a low of about 3.4 percent of revenue for the lower quartile to a high of 10.7 percent for the upper quartile. Median compensation comprised about 6.3 percent of revenue. Applying the RMA percentages to the trailing twelve-month revenue reported by Harmonic of about \$976,000 indicates compensation ranging from a lower quartile of approximately \$33,000 to an upper quartile of \$104,000, with median compensation of approximately \$61,000.

An additional source of compensation data is compiled by the Nevada Department of Employment, Training & Rehabilitation ("NDETR"). The data indicates that median compensation for all management occupations in the Las Vegas MSA was \$83,000, while average compensation totaled about \$97,000. Median compensation for general and operations managers in the Las Vegas MSA approximated \$83,000. Average compensation for general and operations managers was higher at \$102,000.

Based on the compensation data presented above, Mr. Saiter's responsibilities, the hours he works, and income generated by the Company, reasonable owners' compensation for Mr. Saiter is estimated at \$75,000 per annum.

**Advertising & Promotion:** Advertising and promotion expenses were reported at \$48,634 in 2014, considerably higher than the \$36,614 reported in 2013 or the \$31,333 reported for the first eleven months of 2015. For valuation purposes, advertising expense was adjusted to a level consistent with 2013 and 2015.

**Analytical Testing:** Analytical testing expenses were reported at \$35,933 in 2013, considerably higher than the \$21,404 reported in 2014 or the \$8,925 reported for the first eleven months of 2015. A portion of the 2013 analytical testing expenses were determined to be extraordinary and were added back to reported income.

**Depreciation:** Based on a review of the Company's fixed assets, depreciation was adjusted to a normal level of \$10,000 per annum, which should provide reasonable reserves for future capital expenditures.

**Auto Expense:** Harmonic reported auto expenses related to the previous owner of the Company in 2013 and 2014. These expenses are considered non-recurring and have been added back to reported income.

**Melissa Bailey Salary:** Melissa Bailey, the prior owner's wife, was providing bookkeeping services for the Company prior to the sale in 2013. Since Ms. Bailey is no longer employed by the Company, her salary has been added back to the reported income of the Company.

**Salary Adjustments:** The Company recently hired a part-time bookkeeper and warehouse employee. Accordingly, adjustments were made to reflect the expenses of the new employees.

**Website Development:** The Company reported website development costs of approximately \$6,000 in 2013 that are not expected to continue going forward. These costs were added back given their non-recurring nature.

**Gifts & Promotions:** Gifts & promotions expenses are considered discretionary for valuation purposes and have been added back to the reported income of the Company..

**Losses on the Sale of Assets:** Losses on asset disposal are considered non-recurring events for valuation purposes and were added back to the reported income of the Company.

**Non-Recurring Royalty Payments From Pure Essence:** The Company has been receiving royalty payments of \$6,000 per month from Pure Essence Labs related to the purchase of the prior owner's interest in Pure Essence Labs. Management indicated that the buy-out will be completed in mid-2016 and the Company will no longer be receiving royalty payments. This revenue is considered non-recurring for valuation purposes and has been removed from the income statements.

**Nutraveris Expense:** The Company attempted to get registered to sell its products in Europe in 2014, but was unsuccessful. Expenses related to the registration attempt are considered non-recurring and have been added back to the reported income of the Company.

Exhibit 20 sets forth the estimated earning power for Harmonic based on the historical 2013 through November 2015 period and on the above adjustments. The earning power estimate decreased from \$164,000 in 2013 to \$66,000 in 2014, and totaled \$110,000 for the first eleven months of 2015. The earning power estimate averaged \$117,000 over the 2013 through November 2015 period.

Based on the trend in the Company's earning power over the period, the average earning power of \$117,000 is used as a proxy for the Company's future earning capacity. The earning

power was lower than the earning power estimated for 2013 but higher than the earning power estimated for 2014 and similar to the earning power for the first eleven months of 2015, if that earning power were annualized.

For the valuation formula to be technically correct, the estimated future earning power should be capitalized. We have estimated the future earning power by applying a long-term growth rate of 3.0 percent to the earning power estimates discussed above. Once taxes are applied, the Company's after-tax earning power estimate is \$96,000 (see Exhibit 20).

A discount rate or capitalization rate must be determined in order to convert this estimate of future earning power into a present value. A proper discount rate is one that takes into account the risk free rate, inflation, and the relevant market and industry risk factors as well as the specific risk factors of the company.

The discount rate is the minimum rate of return required by an investor purchasing the firm's shares. Its foundation is the opportunity cost of foregoing other competing investments. The components of the discount rate are the risk free rate, the incremental required return to reflect the risk associated with investment in publicly traded common stock, and industry and company specific risk components.

Exhibit 21 presents a historical structure of rates of return observable and available (and, in the long run, "required") on selected classes of securities. As can be seen, the rate of return required on a typical common stock is approximately 7.0 percent above the income return on U.S. Treasury Bonds (or 11.0 percent, assuming a proxy Treasury Bond rate of about 4.0 percent). An investor would require from holding an interest in the Company's common stock a return estimated at 5.8 percent above the average yield available in the common stock market to reflect the smaller size of the Company. This risk factor is quantified by Duff & Phelps in its 2015 Valuation Handbook - Guide to Cost of Capital for companies in the tenth decile size category. A further adjustment to the build-up rate is industry specific risk. For SIC code 5100 (wholesale non-durable goods) industry-specific risk is measured at a negative 1.6 percent.

Finally, an investor would require an additional premium for Company specific risk. It is reasonable for him to require such a premium over the general market because of Company-specific risk characteristics (e.g., absence of operational diversification, its relative lack of management depth, the period of time used to calculate the earning power estimate, and the current economic outlook). Specific risk is a subjective element of the build-up rate, which we have estimated at 8.0 percent.

The discount/capitalization rate calculation set forth on Exhibit 22 reflects an estimated capitalization rate for the Company of 20.2 percent. Application of the capitalization rate of 20.2 percent to the estimated after-tax earning power estimate of \$96,000 produces a present value estimate of \$475,000, rounded, under the income approach (see Exhibit 26).

### *Asset Approach*

The book value of a company, that is, the carrying balances of the equity accounts on the company's records, normally bears only a tenuous relationship to the market value of the company. A useful accounting concept, it has a somewhat limited role in the valuation process. For informational purposes, Harmonic reported a book value of \$300,765 as of November 30, 2015 (see Exhibit 16).

A common alternative measure of asset value is the liquidation value of the business. A quitting concern concept, it is not entirely applicable to the valuation of a typical going concern. The value of a company is typically not a function of what the assets of the company could be sold for (net of liabilities), but is rather a function of how those assets can be utilized in generating revenue and net income. Furthermore, the value estimate produced under a liquidation approach will not exceed the value of the Company as a going concern. Hence, liquidation value is not considered as a measure of the fair market value of the Company.

### ***Market Approach***

The market value approach attempts to estimate the value of Harmonic based upon information compiled from publicly traded companies with similar operations or operating in similar industries. Ideally, market value ratios for the Company should be inferred from ratios of similar firms whose stocks are actively traded in the public market. Unfortunately, most firms with operations similar to Harmonic are closely held businesses for which no market value has been established. Since these companies are not publicly traded, it is not possible to use them as a basis for making inferences regarding the market value of Harmonic.

A database of approximately 8,000 publicly traded companies was reviewed to determine which companies have somewhat similar operations to Harmonic. Unfortunately, there were no public companies with operations similar to Harmonic. Therefore, the market approach was not used to value the Company.

### ***Transaction Approach***

The next method used to produce a value estimate for the Company is based on transactional data for nutritional supplement manufacturers, wholesalers, and online retailers as reported in Pratt's Stats. The transactions that met the criteria set forth above are presented on Exhibit 23. The mean and median MVIC-revenue ratios for the transactions were 0.90 and 0.76, respectively. The mean MVIC-EBIT ratio was reported at 7.34, while median was reported at 7.48. The mean MVIC-EBITDA ratio was reported at 7.27 and the median was reported at 7.44.

The transactions in the sample group reported average revenue of \$2.8 million and median revenue of \$1.1 million. Harmonic's adjusted revenue for the trailing twelve-month period ended November 30, 2015 of \$976,421 was similar to the transaction median and lower than the mean. The Company reported an adjusted EBIT and EBITDA margin of 11.9 percent and 12.9 percent, respectively. This compares to the mean EBIT and EBITDA margins for the sample group of 8.1 percent and 10.0 percent, respectively.

Applying the median MVIC-revenue ratio of 0.76 to the Company's trailing twelve-month revenue of \$976,421, produces a value estimate for the Company under the MVIC-revenue approach of \$742,000, rounded.

Based on a review of the transactions, an adjustment of 20 percent was applied to the median MVIC-EBIT and MVIC-EBITDA multiples. Applying the adjusted MVIC-EBIT ratio of 5.99 to the Company's adjusted average EBIT over the 2013 through November 2015 period of \$119,000 produces a value estimate for the Company under the MVIC-EBIT approach of \$713,000, rounded.

Applying the adjusted MVIC-EBITDA ratio of 5.95 to the Company's adjusted average EBITDA over the 2013 through November 2015 period of \$129,000 produces a value estimate for the Company under the MVIC-EBITDA approach of \$768,000, rounded.

The value estimates under the transaction approach are applicable to the assets of the Company. Therefore, in order to estimate the value of the Company's equity, interest-bearing debt reported on the Company's balance sheet must be deducted from the value estimates above. The Company reported interest-bearing debt of \$15,767 as of November 30, 2015.

### **Value Conclusion**

Several approaches have been used or considered to estimate the fair market value of Harmonic as of November 30, 2015. The income approach to value produced a marketable minority interest value. The value estimates under the transaction approaches produced enterprise or control values. The purpose of this study is to estimate the value of a controlling ownership interest in the Company. Therefore a control premium is applicable to the value estimate produced under the income approach.

Data reported by Mergerstat Review showed an average premium for control of about 57 percent over the last five years and 42 percent in 2014. Data for companies within the "wholesale and distribution" industry showed an average premium of 63 percent over the last five years and but only 22 percent in 2014. Given the significant adjustments prepared to the Company's reported earnings and the transactional data presented above, a reasonable control premium applicable to the values estimated under the income approach is 10 percent.

The income approach also produced a marketable interest value. Thus, a marketability discount is applicable to the value estimate reflected under the income approach to adjust for differences between publicly traded securities and an ownership interest in a closely held company such as Harmonic.

A review of marketability discounts applicable to restricted shares of public companies indicates an empirically derived discount ranging from 11 to 45 percent. Several of the major studies which address the issue of lack of marketability and the respective discounts determined include:



- SEC Institutional Investor Study –Mean Discount: 25.8% (All Companies) and Mean Discount 32.6% (Non-Reporting OTC Companies)
- Gelman Study –Mean Discount 33.0%
- Trout Study –Mean Discount 33.45%
- Moroney Study –Mean Discount 35.6% and Median Discount 33.0%
- Maher Study –Mean Discount 35.43%
- Standard Research Consultants –Median Discount 45.0%
- Willamette Study –Median Discount 31.2%
- Silber Study –Mean Discount 33.75%
- FMV Opinions, Inc. –Mean Discount 23.0%
- Management Planning, Inc. –Mean Discount 27.1%
- Johnson Study –Mean Discount 20.2%
- CFAI (96-4/97) –Mean Discount 21.0%
- CFAI (5/97-98) –Mean Discount 13.0%
- Stour Risius Ross –Mean Discount 10.9%

The following presents a summary of the above studies:

**SEC Institutional Investor Study** – The study analyzed restricted stock of 398 publicly traded companies and determined a mean discount of 25.8 percent for trades of restricted shares. The study also found a mean discount of 32.6 percent for non-reporting OTC companies, which more closely resemble privately-held companies.

**Gelman Study** – In 1972, Milton Gelman published the results of a study of prices paid for restricted securities by four closed-end investment companies that specialized in restricted securities investment. For the 89 transactions occurring between 1968-1970, the mean and median discount was 33 percent. In addition, almost 60 percent of the purchases were at discounts of 30 percent or higher.

**Trout Study** – In his study of letter stock purchased by mutual funds from 1968-1972, Robert Trout found a discount of 33.45 percent for restricted stock from freely publicly traded stock.

**Moroney Study** – His study indicated that the average discount for the 146 transactions was 35.6 percent while the median discount was 33.0 percent.

**Maher Study** – Maher's study, which used the five-year period 1969 through 1973, showed a mean discount for lack of marketability of 35.43 percent. After eliminating the top and bottom ten percent, the mean discount was computed at 34.73 percent.

**Standard Research Consultants** – In 1983 Standard Research Consultants ("SRC") analyzed private placements of common stock. SRC studied 28 private placements of restricted common stock from October 1978 through June 1982. Discounts ranged from 7 percent to 91 percent, with a median of 45 percent.

**Willamette Management Study** – The Willamette study analyzed private placement of restricted stock for the period January 1, 1981 through May 31, 1984. Thirty-three transactions occurred during that period that Willamette classified as “arms-length” for which the price of the restricted shares could be compared directly with the price of unrestricted shares of the same company at the same time. The median discount for the transactions was 31.2 percent.

**Silber Study** – William Silber presented the results of an analysis of 69 private placements of common stock of publicly traded companies between 1981-1988. The Silber study showed an average discount of 33.75 percent.

**FMV Opinions, Inc. Study** – The FMV Opinions study examined over 100 restricted stock transactions from 1979 through April 1992. The study found a mean price discount of 23 percent.

**Management Planning, Inc. Study** – The Management Planning study examined 53 private placements of restricted stock that were reported from January 1, 1980 through December 31, 1996. The study found a mean price discount of 27.1 percent.

**Johnson Study** – In his study of 72 restricted stock transactions from 1991-1995, Bruce Johnson found an average discount of 20.2 percent for restricted stock from freely publicly traded stock. Further, the study analyzed discounts by company revenue level, net income level, and transaction amount, and in each case lower revenues, income, and transaction sizes corresponded with higher discounts.

**Columbia Financial Advisors Studies** – Columbia Financial Advisors, Inc. (“CFAI”) conducted a study of 23 private common equity placements taking place from January 1, 1996 through April 30, 1997, finding an average discount of 21.0 percent. CFAI conducted an additional study of 15 private common equity placements taking place from May 1, 1997 to December 31, 1998. The second study found a mean discount of 13.0 percent, and took place subsequent to the April 1997 Rule 144 holding period change from two years to one year (see discussion below).

**Stout Risius Ross Study** – The Stout Risius Ross Study of 98 transactions between September 2005 and May 2010 found mean and median discount rates of 10.9 percent and 9.3 percent, respectively. As with the second CFAI study, this study took place subsequent to the April 1997 Rule 144 holding period change from two years to one year. In addition, there was an additional Rule 144 holding period change from one year to six months, effective February 15, 2008, which occurred within the period of the study.

Houlihan Valuation Advisors completed a study analyzing the private placement of restricted stock over the 1980-1991 period. The discounts ranged from a premium of 6 percent to a discount of 72 percent with a median discount of 24 percent. In general, companies with greater revenues exhibited lower discounts.

In addition to the above studies examining the marketability discount associated with restricted stock, John D. Emory has conducted nine studies examining the relationship between

private, closely held stock transactions and subsequent initial public offerings (IPOs) of the same stock. The Emory studies found that in the case of closely held securities which do not have an established market to sell into after the removal of trading restrictions, discounts for lack of marketability were greater than those when an underlying market exists. Although the studies were prepared in very diverse market conditions, the results were relatively similar. Over 4,000 prospectuses were reviewed in the nine studies and 346 qualifying transactions were used. The mean and median discount for the 346 transactions in the nine studies ranged from 40 percent to 66 percent. The (1995-1997) study was conducted in a strong stock market, with the Dow Jones Industrial Average increasing from about 4,800 to over 7,000. Interest rates were relatively flat and Emory indicated that the IPO market could be considered "hot". Nevertheless, the 1995-1997 study indicated a mean and median discount of 43 percent and 42 percent, respectively. The 1997 through 2000 study saw a strong move in the stock market as measured by the DJIA going from 7,000 to 10,800. Interest rates were relatively flat and the market for IPOs could be considered strong. There was an explosion of "new economy" type IPOs as well as the year 2000 melt down of Dot-Com and other new economy stocks. The 1997 through 2000 study is one in a series of similar studies done in the same way over a period of approximately 21 years. However, the 1997 through 2000 study was over 44 months rather than the 18 months of the first eight studies.

In preparation for this study, an analysis of discounts arising from sale transactions in the 92 IPOs of companies that had ".com" in their names, as being reflective of new economy companies, and which occurred in the 35-month time frame of May 1997 through March 2000 ("Dot-Com Study"). Mean and median discounts were both 54 percent for the 53 sales transactions used in the Dot-Com Study.

The overall study was expanded to December 2000. Approximately 1,800 prospectuses were examined and 222 sale transactions were found. The list was reduced to 36 sales transactions that met the historic (first eight traditional studies) criteria. Additionally, a minimum of \$10 million sales and a current loss of no more than 10 percent of sales were set as criteria. The 36 sale transactions were comprised of 27 common stock transactions and 9 convertible preferred stock transactions.

As mentioned, the Dot-Com Study median discount was 54 percent, which is higher than the median for the 36 more substantial companies used in the current study. The mean and median discounts for the 36 transactions were 48 percent and 44 percent, respectively.

The above studies indicate marketability discounts ranging from 11 percent to over 40 percent.

Restricted stock of a public company is identical to its counterpart that is traded on a major exchange with the exception that the restricted stock cannot be freely traded for a designated period of time. Restricted stock is usually issued by a company to raise capital while avoiding the costs of registering with the Securities and Exchange Commission. Prior to 1990, the stock of small companies could be sold by a public company without making a public offering. The securities sold in this type of transaction were subject to certain restrictions which stated that the stock could not be resold without being registered with the SEC or qualifying for a

Rule 144 exemption. Originally, Rule 144 allowed the limited resale of unregistered, restricted securities after a holding period of 2 years.

In 1990, the SEC implemented new regulations that allowed qualified institutional investors to trade restricted stock among themselves without filing registration documents. This new rule, called Rule 144A, effectively created a limited market for the purchase and sale of these restricted stocks and thereby increased liquidity for restricted stocks. In 1997, the SEC reduced the Rule 144 holding period from 2 years to 1 year, effective April 29, 1997. This change further increased the liquidity of restricted stocks. Most recently, the SEC reduced the required holding period for the resale of restricted securities for both affiliates and nonaffiliates of a reporting issuer to six months, effective February 15, 2008.

The time-frame of the data presented above from the restricted stock studies was selected because it encompassed restricted stock transactions during a period where the restricted stock was still subject to a two year holding period. As presented in Exhibit 24, the mean marketability discounts decreased subsequent to the changes in the holding periods from two years to one year and from one year to six months, which is to be expected. Further, the discounts also decreased subsequent to the enactment of Rule 144A in 1990, which increased the marketability of restricted stock.

The required increase in the rate of return of a non-controlling ownership interest in a closely-held entity due to its illiquidity can also be estimated by examining "horizon risk" in publicly-traded bonds. Horizon risk is a component of the total risk of a bond. Generally, as the time remaining until a bond matures increases, the risk and required return also increases. Investors in the public bond market typically require a higher return for long term bonds than short term bonds because, while bonds are marketable, a long term bond investor is exposed to more risk over the holding period of the bond. A similar correlation exists with interests in closely-held entities. As the holding period increases due to lack of marketability, the required rate of return also increases.

According to information published in Practitioners Publishing Company's Guide to Business Valuations, studies of holding period and risk indicate that investors typically require a 20 percent to 35 percent increase in the rate of return of an investment to offset the risk associated with the inability to readily sell an interest. This is based on a comparison of long-term bond and Treasury bill returns. Treasury bonds have on average, maintained higher yields than short-term Treasury bills to compensate for higher risk associated with the Treasury bond's longer maturity.

The increased rate of return for long-term bonds is appropriate because long-term investors are exposed to greater uncertainty during the holding period compared to investors in short-term investments. For example, while long-term bonds can be sold quickly, an investor must hold the bond to maturity to be guaranteed the return of the face amount of the bond in the event interest rates rise. Therefore, investors require a higher rate of return to compensate for the uncertainty of the longer holding period.

A long-term Treasury bond and a short-term Treasury bill are both marketable investments. The comparison of these financial instruments is used as a proxy for understanding how the capital markets measure risk between two similar investments that vary by maturity (i.e., holding period). The measurement of the increased risk of a longer term investment relative to a comparable short term investment provides a basis of how much to increase the rate of return of a nonmarketable investment. This relationship should not be used as an absolute but as a general indication that a longer holding period increases risk, and that investors compensate for that risk by requiring a higher return.

For example, a long-term Treasury bond must be held to maturity to receive a full return of the original principal investment. Over the holding period, fluctuations in interest rates and economic factors can occur which could increase or decrease the value of the bond. Therefore, investors require a higher return to compensate for the additional risk of the longer holding period. In many ways, the holding period for a non-controlling ownership interest in a closely-held entity is comparable.

Over the past 20 years, the mean and median yield reported for six month Treasury bills were 2.8 percent and 2.6 percent, respectively (See Exhibit 25). For three-year bonds, the average yield over the past 20 years was reported at 3.4 percent while the median was reported at 3.5 percent. The mean and median yields reported for ten-year bonds over the 1995-2014 period were 4.4 percent and 4.5 percent, respectively. Hence, the average variance in yield between six month Treasury bills and ten-year Treasury bonds has been approximately 1.6 percent. This differential represents an incremental increase in yield between short and long-term investments in risk-free securities.

In other words, investors have demanded a higher rate of return over the last 20 years of approximately 56 percent ( $1.58\% \text{ divided by } 2.81\% = 56.3\%$ ) for the additional risk of the extended holding period. Comparatively, a privately-held ownership interest that cannot be sold in a secondary market is a riskier investment that may also need to be held for an extended period of time due to the lack of a ready market.

The above presented a review of marketability discounts applicable to restricted shares of public companies.

The following factors were also considered in estimating the discount for lack of marketability. The following factors were cited in the *Estate of Mandelbaum v. Commissioner*, T.C. Memo 1995-255, *affd.* without published opinion, 91 F.3d 124 (3d Cir. 1996) as factors to consider in estimating the discount for lack of marketability.

**The Existence of "Put Rights."** In general, the most powerful factor that could reduce or eliminate a valuation discount for lack of marketability would be the existence of a "put" right. A put is a contractual right that entitles the holder, at his/her option, to sell the stock to a specified party at some time or under some specified circumstances, at the price or mechanism for determining the price specified in the contract. As a consequence, a put guarantees a market under specified circumstances. Puts are found most commonly in connection with stock held in an Employee Stock Ownership Plan.

There is no existence of any put rights associated with the Company; therefore, this factor would increase the discount for lack of marketability.

**The Likelihood of Dividend Payments.** The price for stock with no (or low) dividends suffers much more from a lack of marketability than stocks with high dividends. Besides being empirically demonstrable, this makes common sense. If the stock pays no dividend, the holder is dependent entirely on some future ability to sell the stock to realize any return at all. The Company does not have a history of making income distributions, which would tend to increase the discount for marketability.

**The Prospect of a Public Offering or Sale of the Company.** The marketability discount would decrease if a public offering or sale of the business is imminent. However, such prospects are almost always never certain, and the degree of offset to the discount for lack of marketability can be problematic. As of the valuation date, management indicated that there were no intentions that the Company will make a public offering. This factor would tend to increase the discount for lack of marketability.

**Restrictions on Sale of Business.** Many closely held stocks are subject to provisions which severely restrict the right of the holder to transfer the stock. Any provision which limits the right of the holder to transfer the stock tends to increase the amount of the valuation discount for lack of marketability. A positive factor would be no restrictions on the transfer of the equity interest being valued. However, any restrictions that reduce the ability to sell the ownership equity interest would have a negative impact on value. In the case of the subject Company, there are no restrictions on the ability to sell the interest valued herein, which would tend to decrease the marketability discount.

**Size of the Interest Valued Herein.** The purpose of this report is to determine the fair market value of a controlling ownership interest in the Company. As set forth in the empirical studies cited above, the discount for lack of marketability is greater for non-controlling (minority) interests. The fact that the purpose of this study is to estimate the fair market value of a controlling ownership interest would tend to decrease the discount for lack of marketability.

Taking into account the factors cited above, an appropriate discount for lack of marketability is 12.0 percent.

Considering all relevant factors, including the assumptions of each approach, the fair market value of Harmonic Innerprizes, Inc. on a controlling ownership basis is estimated at \$500,000 as of November 30, 2015 (see Exhibit 26). Please note that this value does not take into account the balance of the promissory note that Mr. Saiter used to purchase the business in March of 2013. The note had a balance of \$403,512 as of November 30, 2015 and should be considered a liability of the community on the marital balance sheet.

### Limited Conditions

We were requested to perform an Appraisal Report for marital dissolution purposes. The value opinion expressed herein is valid only for the stated purpose and date of the valuation and is not to be used for any other purpose. The report is not to be copied nor given to unauthorized parties without the direct written consent of WVA.

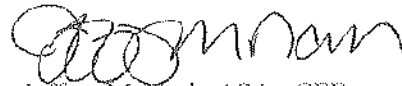
In preparing this valuation, we have used information provided by the Company and its representatives. It has been represented that the information is reasonably complete and accurate. We did not make independent examinations of any information which was relied upon, and accordingly we make no representations or warranties nor do we express an opinion regarding the accuracy or reasonableness of such.

Neither WVA nor its principals have any present or intended interest in the Company. WVA's fees for this valuation are based on professional time charges, and are in no way contingent upon the final valuation figure determined.

The value estimate is based on the information provided to our office as of the date of the written report. We reserve the right to amend the report if additional information becomes available that would warrant a revision.

If you have any questions or comments, please feel free to contact our office at your convenience.

Best Regards,



Jeffrey M. Nash, ASA, CFE  
Accredited Senior Appraiser  
Certified Fraud Examiner

Exhibit 1  
Clark County Population  
1990–2014

| Year  | Population | Percent Change |
|---|------------|----------------|
| 1990  | 784,682    | —              |
| 1991  | 834,907    | 6.4%           |
| 1992  | 870,694    | 4.3%           |
| 1993  | 919,388    | 5.6%           |
| 1994  | 965,827    | 7.2%           |
| 1995  | 1,040,688  | 5.6%           |
| 1996  | 1,119,705  | 7.6%           |
| 1997  | 1,188,110  | 6.1%           |
| 1998  | 1,246,196  | 4.9%           |
| 1999  | 1,321,317  | 6.0%           |
| 2000  | 1,428,690  | 8.1%           |
| 2001  | 1,498,274  | 4.9%           |
| 2002  | 1,578,332  | 5.3%           |
| 2003  | 1,641,529  | 4.0%           |
| 2004  | 1,747,025  | 6.4%           |
| 2005  | 1,815,700  | 3.9%           |
| 2006  | 1,912,654  | 5.3%           |
| 2007  | 1,996,542  | 4.4%           |
| 2008  | 1,988,146  | (0.5%)         |
| 2009  | 2,005,347  | 1.0%           |
| 2010  | 2,038,358  | 1.5%           |
| 2011  | 1,988,630  | (3.4%)         |
| 2012  | 2,008,654  | 2.1%           |
| 2013  | 2,052,253  | 2.7%           |
| 2014  | 2,102,238  | 1.9%           |
| Average Annual<br>Percent Change<br>2010–2014 |            |                |
|   |            | 0.8%           |
| Average Annual<br>Percent Change<br>1990–2014 |            |                |
|   |            | 4.2%           |

Source: Global Economic Alliance Las Vegas Perspective 2015 Edition



Exhibit 2  
Las Vegas MSA Newcomers Profile  
2014

Total Newcomers 63,900

| <u>Age Group</u> | <u>Percent</u> |
|------------------|----------------|
| 18–24            | 22.6%          |
| 25–34            | 35.3%          |
| 35–44            | 18.7%          |
| 45–54            | 5.5%           |
| 55–64            | 14.6%          |
| 65 and over      | 3.2%           |
| Average Age      | 30.6           |
| Median Age       | 32.0           |

Education

|                               |       |
|-------------------------------|-------|
| Some High School (No Diploma) | 12.5% |
| High School Graduate (or GED) | 31.6% |
| Some College (No Degree)      | 19.4% |
| Associate Degree              | 15.1% |
| Bachelor's Degree             | 14.8% |
| Graduate Degree               | 6.6%  |

*Source: Las Vegas Perspective*

Exhibit 3  
Las Vegas MSA Employment  
2003–2014

| <u>Year</u> | <u>Employment</u> | <u>Percent<br/>Change</u> |
|-------------|-------------------|---------------------------|
| 2003        | 762,800           | —                         |
| 2004        | 793,000           | 4.0%                      |
| 2005        | 833,900           | 5.2%                      |
| 2006        | 881,100           | 5.7%                      |
| 2007        | 908,300           | 3.1%                      |
| 2008        | 915,100           | 0.7%                      |
| 2009        | 856,500           | (6.4%)                    |
| 2010        | 848,600           | (0.9%)                    |
| 2011        | 863,400           | 1.7%                      |
| 2012        | 888,200           | 2.9%                      |
| 2013        | 910,000           | 2.5%                      |
| 2014        | 940,000           | 3.3%                      |

Average Annual  
Percent Change  
2010–2014                      2.6%

Average Annual  
Percent Change  
2003–2014                      1.9%

*Source: Nevada Dept. of Employment, Training & Rehabilitation.*

Exhibit 4  
Las Vegas MSA Employment by Sector  
2013 and 2014

| Sector                           | 2013    | Percent<br>of Total | 2014    | Percent<br>of Total | Percent<br>Change |
|----------------------------------|---------|---------------------|---------|---------------------|-------------------|
| Leisure & Hospitality            | 267,400 | 31.5%               | 279,000 | 31.6%               | 4.3%              |
| Trade, Transport & Utilities     | 156,600 | 18.4%               | 162,100 | 18.3%               | 3.5%              |
| Professional & Business Services | 111,600 | 13.1%               | 117,100 | 13.3%               | 4.9%              |
| Government                       | 95,100  | 11.2%               | 96,100  | 10.9%               | 1.1%              |
| Education & Health Services      | 79,200  | 9.3%                | 82,400  | 9.3%                | 4.0%              |
| Construction                     | 41,100  | 4.8%                | 45,100  | 5.1%                | 9.7%              |
| Financial Activities             | 43,400  | 5.1%                | 43,800  | 5.0%                | 0.9%              |
| Other Services                   | 24,500  | 2.9%                | 25,600  | 2.9%                | 5.3%              |
| Manufacturing                    | 20,700  | 2.4%                | 21,100  | 2.4%                | 1.9%              |
| Information                      | 9,800   | 1.2%                | 10,500  | 1.2%                | 7.1%              |
| Natural Resources & Mining       | 300     | 0.0%                | 400     | 0.0%                | 33.3%             |
| All industries                   | 849,700 | 100.0%              | 883,400 | 100.0%              |                   |

*Source: Nevada Dept. of Employment, Training & Rehabilitation*

**Exhibit 5**  
**Clark County Largest Employers**  
**2014**

| <b>Number of<br/>Employees</b> | <b>Employer</b>                    | <b>Sector</b>        |
|--------------------------------|------------------------------------|----------------------|
| <b>30,000 and above</b>        | MGM Resorts International          | Tourism              |
|                                | Clark County School District       | Education            |
| <b>25,000 – 29,999</b>         | Caesars Entertainment              | Tourism              |
| <b>20,000 – 24,999</b>         | —                                  | —                    |
| <b>15,000 – 19,999</b>         | —                                  | —                    |
| <b>10,000 – 14,999</b>         | Wynn Resorts Limited               | Tourism              |
|                                | Stations Casinos                   | Tourism              |
| <b>8,000 – 9,999</b>           | Las Vegas Sands Corporation        | Tourism              |
|                                | Clark County                       | Municipal Government |
| <b>7,500 – 7,999</b>           | Boyd Gaming Corporation            | Tourism              |
| <b>5,000 – 7,499</b>           | University of Nevada Las Vegas     | Education            |
| <b>4,500 – 4,999</b>           | University Health Services         | Healthcare           |
|                                | L.V. Metro Police Department       | Police               |
| <b>4,000 – 4,499</b>           | Sunrise Health System              | Healthcare           |
|                                | The Blackstone Group LP            | Tourism              |
| <b>3,500 – 3,999</b>           | American Casino & Entertainment    | Tourism              |
|                                | University Medical Center          | Healthcare           |
| <b>3,000 – 3,499</b>           | Southwest Airlines                 | Air Transportation   |
|                                | City of Henderson                  | Municipal Government |
|                                | City of Las Vegas                  | Municipal Government |
|                                | Dignity Health                     | Healthcare           |
|                                | Landry's                           | Tourism              |
|                                | Yellow Checker Star Transportation | Transportation       |
| <b>2,500 – 2,999</b>           | Cannery Casino Resorts             | Tourism              |
|                                | Nellis & Creech AFB                | National Defense     |
|                                | College of Southern Nevada         | Education            |
|                                | SBE Entertainment                  | Tourism              |
|                                | Treasure Island Hotel & Casino     | Tourism              |
|                                | Westgate Resorts                   | Tourism              |
| <b>1,000 – 2,499</b>           | 30 Companies                       | —                    |
| <b>500 – 999</b>               | 40 Companies                       | —                    |

*Source: Nevada Dept. of Employment, Training & Rehabilitation (Average Estimate)*

Exhibit 6  
Las Vegas MSA Median Household Income  
1990–2014

| Year  | Median<br>Household<br>Income | Percent<br>Change |
|---|-------------------------------|-------------------|
| 1990  | \$32,499                      | —                 |
| 1991  | 34,725                        | 6.8%              |
| 1992  | 34,934                        | 0.6%              |
| 1993  | 35,895                        | 2.8%              |
| 1994  | 36,357                        | 1.3%              |
| 1995  | 36,710                        | 1.0%              |
| 1996  | 38,389                        | 4.6%              |
| 1997  | 40,514                        | 5.5%              |
| 1998  | 40,958                        | 1.1%              |
| 1999  | 41,875                        | 2.2%              |
| 2000  | 41,657                        | (0.5%)            |
| 2001  | 43,787                        | 5.1%              |
| 2002  | 45,607                        | 4.2%              |
| 2003  | 44,307                        | (2.9%)            |
| 2004  | 47,097                        | 6.3%              |
| 2005  | 47,320                        | 0.5%              |
| 2006  | 53,111                        | 12.2%             |
| 2007  | 53,704                        | 1.1%              |
| 2008  | 57,403                        | 6.9%              |
| 2009  | 58,148                        | 1.3%              |
| 2010  | 58,432                        | 0.5%              |
| 2011  | 54,255                        | (7.1%)            |
| 2012  | 50,962                        | (6.1%)            |
| 2013  | 50,454                        | (1.0%)            |
| 2014  | 50,274                        | (0.4%)            |
| Average Annual<br>Percent Change<br>2010–2014 |                               |                   |
|   |                               | (3.7%)            |
| Average Annual<br>Percent Change<br>1990–2014 |                               |                   |
|   |                               | 1.8%              |

*Source: Las Vegas Perspective*

Exhibit 7  
Clark County Taxable Retail Sales  
2003–2014

| Year | Revenue<br>(\$000's) | Percent<br>Change |
|------|----------------------|-------------------|
| 2003 | \$26,190,136         | -----             |
| 2004 | 30,582,641           | 16.8%             |
| 2005 | 34,288,079           | 12.1%             |
| 2006 | 36,174,108           | 5.5%              |
| 2007 | 36,368,251           | 0.5%              |
| 2008 | 34,582,125           | (4.9%)            |
| 2009 | 28,503,924           | (17.6%)           |
| 2010 | 28,307,925           | (0.7%)            |
| 2011 | 30,105,394           | 6.3%              |
| 2012 | 31,968,782           | 6.2%              |
| 2013 | 33,515,335           | 4.8%              |
| 2014 | 36,508,527           | 8.9%              |

Average Annual  
Percent Change  
2010–2014                      6.6%

Average Annual  
Percent Change  
2003–2014                      3.1%

*Source: Nevada Department of Taxation*

Exhibit 8  
Clark County  
New Residential Building Permits and Valuation  
1990–2014

| Year                          | Single-family |                     | Multi-family |                     |
|-------------------------------|---------------|---------------------|--------------|---------------------|
|                               | Permits       | Value<br>(\$ 000's) | Units        | Value<br>(\$ 000's) |
| 1990                          | 11,177        | \$711,181           | 9,909        | \$296,979           |
| 1991                          | 12,120        | 783,188             | 6,089        | 203,253             |
| 1992                          | 9,966         | 648,961             | 3,455        | 135,205             |
| 1993                          | 15,015        | 956,023             | 3,774        | 145,644             |
| 1994                          | 17,374        | 1,263,400           | 7,932        | 330,284             |
| 1995                          | 17,674        | 1,445,552           | 9,428        | 407,888             |
| 1996                          | 18,701        | 1,578,503           | 11,168       | 481,738             |
| 1997                          | 18,934        | 1,605,725           | 10,085       | 438,762             |
| 1998                          | 19,775        | 1,711,902           | 10,887       | 483,072             |
| 1999                          | 19,585        | 1,817,532           | 7,393        | 430,083             |
| 2000                          | 20,826        | 2,224,415           | 6,195        | 348,127             |
| 2001                          | 21,532        | 2,250,057           | 8,513        | 454,649             |
| 2002                          | 21,322        | 2,504,913           | 8,507        | 575,736             |
| 2003                          | 26,609        | 3,160,552           | 10,549       | 571,276             |
| 2004                          | 31,031        | 3,639,866           | 5,843        | 403,230             |
| 2005                          | 29,408        | 3,550,169           | 9,671        | 1,175,225           |
| 2006                          | 20,747        | 2,484,518           | 13,138       | 1,793,179           |
| 2007                          | 13,020        | 1,578,497           | 11,418       | 2,323,445           |
| 2008                          | 5,740         | 698,319             | 7,413        | 635,108             |
| 2009                          | 3,813         | 435,845             | 1,981        | 126,447             |
| 2010                          | 4,509         | 512,594             | 1,271        | 60,471              |
| 2011                          | 3,672         | 486,835             | 1,847        | 73,068              |
| 2012                          | 6,111         | 737,393             | 1,658        | 145,040             |
| 2013                          | 7,072         | 917,961             | 1,705        | 113,584             |
| 2014                          | 6,774         | 938,794             | 2,938        | 192,942             |
| Average Annual Percent Change |               |                     |              |                     |
| 2010–2014                     | 10.7%         | 16.3%               | 23.3%        | 33.7%               |
| Average Annual Percent Change |               |                     |              |                     |
| 1990–2014                     | (2.1%)        | 1.2%                | (4.9%)       | (1.8%)              |

*Source: Las Vegas Perspective*

Exhibit 9  
Las Vegas MSA  
Visitor Volume and Conventions  
2003–2014

| Year  | Visitors<br>(000) | Number of<br>Conventions |
|---|-------------------|--------------------------|
| 2003  | 35,540            | 24,463                   |
| 2004  | 37,389            | 22,286                   |
| 2005  | 38,567            | 22,154                   |
| 2006  | 38,915            | 23,825                   |
| 2007  | 39,197            | 23,847                   |
| 2008  | 37,482            | 22,464                   |
| 2009  | 36,351            | 19,394                   |
| 2010  | 37,335            | 18,004                   |
| 2011  | 38,929            | 19,029                   |
| 2012  | 39,727            | 21,615                   |
| 2013  | 39,668            | 22,027                   |
| 2014  | 41,127            | 22,103                   |
| Average Annual<br>Percent Change<br>2010–2014 |                   |                          |
|   | 2.4%              | 5.3%                     |
| Average Annual<br>Percent Change<br>2003–2014 |                   |                          |
|   | 1.3%              | (0.9%)                   |

*Source: Las Vegas Convention & Visitors Authority*



Exhibit 10  
Las Vegas MSA  
Room Inventory and Occupancy  
1990–2014

| <u>Year</u>                                   | <u>Total<br/>Rooms</u> | <u>Percent<br/>Change</u> | <u>Total<br/>Occupancy</u> |
|---|------------------------|---------------------------|----------------------------|
| 1990  | 81,906                 | —                         | 85.8%                      |
| 1991  | 86,027                 | 5.0%                      | 80.0%                      |
| 1992  | 84,646                 | (1.6%)                    | 83.9%                      |
| 1993  | 86,053                 | 1.7%                      | 87.6%                      |
| 1994  | 88,560                 | 2.9%                      | 89.0%                      |
| 1995  | 90,046                 | 1.7%                      | 88.0%                      |
| 1996  | 101,106                | 12.3%                     | 90.4%                      |
| 1997  | 105,347                | 4.2%                      | 86.4%                      |
| 1998  | 109,365                | 3.8%                      | 85.8%                      |
| 1999  | 120,294                | 10.0%                     | 88.0%                      |
| 2000  | 124,270                | 3.3%                      | 89.1%                      |
| 2001  | 126,610                | 1.9%                      | 84.7%                      |
| 2002  | 126,787                | 0.1%                      | 84.0%                      |
| 2003  | 130,482                | 2.9%                      | 85.0%                      |
| 2004  | 131,503                | 0.8%                      | 88.6%                      |
| 2005  | 133,186                | 1.3%                      | 89.2%                      |
| 2006  | 132,605                | (0.4%)                    | 89.7%                      |
| 2007  | 132,947                | 0.3%                      | 90.4%                      |
| 2008  | 140,529                | 5.7%                      | 86.0%                      |
| 2009  | 148,941                | 6.0%                      | 81.5%                      |
| 2010  | 148,935                | (0.0%)                    | 80.4%                      |
| 2011  | 150,161                | 0.8%                      | 83.8%                      |
| 2012  | 150,481                | 0.2%                      | 84.4%                      |
| 2013  | 150,593                | 0.1%                      | 84.3%                      |
| 2014  | 150,544                | (0.0%)                    | 86.6%                      |
| Average Annual<br>Percent Change<br>2010–2014 |                        |                           |                            |
|   |                        | 0.3%                      |                            |
| Average Annual<br>Percent Change<br>1990–2014 |                        |                           |                            |
|   |                        | 2.6%                      |                            |

*Note: Includes Hotel and Motel rooms.*

*Source: Las Vegas Convention & Visitors Authority*

**Exhibit 11**  
**McCarran Airport Statistics**  
**1990–2014**

| <u>Year</u>                                   | <u>Total<br/>Passengers</u><br>(000) | <u>Percent<br/>Change</u> |
|---|--------------------------------------|---------------------------|
| 1990  | 19,090                               | —                         |
| 1991  | 20,172                               | 5.7%                      |
| 1992  | 20,913                               | 3.7%                      |
| 1993  | 22,492                               | 7.6%                      |
| 1994  | 26,850                               | 19.4%                     |
| 1995  | 28,027                               | 4.4%                      |
| 1996  | 30,460                               | 8.7%                      |
| 1997  | 30,306                               | (0.5%)                    |
| 1998  | 30,227                               | (0.3%)                    |
| 1999  | 33,715                               | 11.5%                     |
| 2000  | 36,866                               | 9.3%                      |
| 2001  | 35,180                               | (4.6%)                    |
| 2002  | 35,009                               | (0.5%)                    |
| 2003  | 36,266                               | 3.6%                      |
| 2004  | 41,442                               | 14.3%                     |
| 2005  | 44,267                               | 6.8%                      |
| 2006  | 46,193                               | 4.4%                      |
| 2007  | 47,728                               | 3.3%                      |
| 2008  | 44,075                               | (7.7%)                    |
| 2009  | 40,469                               | (8.2%)                    |
| 2010  | 39,757                               | (1.8%)                    |
| 2011  | 41,480                               | 4.3%                      |
| 2012  | 41,668                               | 0.5%                      |
| 2013  | 41,857                               | 0.5%                      |
| 2014  | 42,870                               | 2.4%                      |
| Average Annual<br>Percent Change<br>2010–2014 |                                      |                           |
|   | 1.9%                                 |                           |
| Average Annual<br>Percent Change<br>1990–2014 |                                      |                           |
|   | 3.4%                                 |                           |

*Source: Clark County Department of Aviation*

**Exhibit 12**  
**Clark County Gross Gaming Revenue**  
**1992–2014**

| <u>Year</u> | <u>Gross Gaming<br/>Revenue</u><br>(000's) | <u>Percent<br/>Change</u> |
|-------------|--|---------------------------|
| 1992        | \$4,381,116                                | —                         |
| 1993        | 4,729,093                                  | 7.9%                      |
| 1994        | 5,431,475                                  | 14.9%                     |
| 1995        | 5,720,391                                  | 5.3%                      |
| 1996        | 5,783,610                                  | 1.1%                      |
| 1997        | 6,151,904                                  | 6.4%                      |
| 1998        | 6,347,697                                  | 3.2%                      |
| 1999        | 7,210,086                                  | 13.6%                     |
| 2000        | 7,673,134                                  | 6.4%                      |
| 2001        | 7,632,022                                  | (0.5%)                    |
| 2002        | 7,630,273                                  | (0.0%)                    |
| 2003        | 7,830,676                                  | 2.6%                      |
| 2004        | 8,711,244                                  | 11.2%                     |
| 2005        | 9,710,060                                  | 11.5%                     |
| 2006        | 10,643,824                                 | 9.5%                      |
| 2007        | 10,868,554                                 | 2.1%                      |
| 2008        | 9,796,723                                  | (9.9%)                    |
| 2009        | 8,838,235                                  | (9.8%)                    |
| 2010        | 8,908,630                                  | 0.8%                      |
| 2011        | 9,222,700                                  | 3.5%                      |
| 2012        | 9,399,900                                  | 1.9%                      |
| 2013        | 9,673,000                                  | 2.9%                      |
| 2014        | 9,554,000                                  | (1.2%)                    |

Average Annual  
Percent Change  
2010–2014 1.8%

Average Annual  
Percent Change  
1992–2014 3.6%

*Source: Nevada Gaming Control Board*

Exhibit 13  
15 Largest U.S. Hotels  
2014

| Rank | Hotel            | City      | Rooms |
|------|------------------|-----------|-------|
| 1    | MGM Grand        | Las Vegas | 5,044 |
| 2    | Luxor            | Las Vegas | 4,400 |
| 3    | Venetian         | Las Vegas | 4,027 |
| 4    | ARIA Resort      | Las Vegas | 4,004 |
| 5    | Excalibur        | Las Vegas | 3,991 |
| 6    | Bellagio         | Las Vegas | 3,933 |
| 7    | Caesars Palace   | Las Vegas | 3,776 |
| 8    | Circus Circus    | Las Vegas | 3,767 |
| 9    | Flamingo         | Las Vegas | 3,460 |
| 10   | Mandalay Bay     | Las Vegas | 3,211 |
| 11   | The Palazzo      | Las Vegas | 3,066 |
| 12   | Mirage           | Las Vegas | 3,044 |
| 13   | The Cosmopolitan | Las Vegas | 2,995 |
| 14   | Monte Carlo      | Las Vegas | 2,992 |
| 15   | Westgate         | Las Vegas | 2,950 |

*Note: Includes only Hotel rooms; timeshares are excluded.*

*Source: Las Vegas Convention & Visitors Authority*

Exhibit 14  
Harmonic Innerprizes, Inc.  
Summary Income Statements  
Years Ended December 31, 2012 through 2014 and  
The Eleven Months Ended November 30, 2015

|                                  | 2010       | 2011      | 2012      | 2013      | 2014      | 11 Months<br>2015 |
|----------------------------------|------------|-----------|-----------|-----------|-----------|-------------------|
| Gross Sales                      | \$508,025  | \$654,220 | \$844,463 | \$943,916 | \$895,025 | \$892,082         |
| Cost of Goods Sold               | 86,625     | 129,804   | 153,135   | 169,020   | 159,084   | 203,368           |
| Gross Profit                     | \$421,404  | \$529,117 | \$691,358 | \$774,896 | \$735,941 | \$688,714         |
| Operating Expenses               |            |           |           |           |           |                   |
| Retirement Administration        | \$0        | \$0       | \$0       | \$0       | \$1,099   | \$163             |
| Warehouse Equipment Exp.         | 0          | 0         | 0         | 0         | 259       | 0                 |
| Lab Equipment Exp.               | 0          | 0         | 0         | 0         | 403       | 0                 |
| Penalties                        | 0          | 0         | 0         | 74        | 5         | 0                 |
| Fraud                            | 0          | 0         | (50)      | 57        | 3         | 249               |
| Sales Tax                        | 0          | 0         | 68        | 2,567     | 774       | 383               |
| Advertising & Promotion          | 13,926     | 14,562    | 20,328    | 36,614    | 46,634    | 31,333            |
| Analytical Testing               | 4,637      | 11,577    | 38,924    | 25,935    | 21,404    | 4,925             |
| Automobile Expense               | 10,584     | 203       | 3,851     | 6,833     | 832       | 0                 |
| Bad Debt Expense                 | 834        | 424       | 201       | 6         | 31        | 0                 |
| Bank Service Charges             | 66         | 495       | 290       | 1,637     | 501       | 370               |
| Broker's Commissions             | 8,067      | 752       | 32,448    | 55,504    | 56,653    | 83,359            |
| Business Licenses & Permits      | 1,030      | 1,420     | 4,283     | 2,234     | 1,914     | 2,594             |
| Casual Labor                     | 50         | 2,993     | 20        | 6         | 482       | 0                 |
| Charitable Donation              | 600        | 0         | 0         | 0         | 3         | 0                 |
| Computer & Internet Expenses     | 8,458      | 5,479     | 9,064     | 11,603    | 15,573    | 3,371             |
| Credit Card Clearing Fees        | 12,585     | 12,065    | 12,108    | 12,194    | 12,442    | 12,485            |
| Depreciation                     | 7,340      | 38,315    | 14,611    | 2,841     | 4,919     | 0                 |
| Dues & Subscriptions             | 1,030      | 2,147     | 2,720     | 2,191     | 3,287     | 3,150             |
| Education                        | 0          | 795       | 469       | 0         | 1,471     | 1,359             |
| Equipment Rental                 | 8,842      | 8,825     | 2,758     | 2,135     | 2,515     | 3,240             |
| Equipment Supplies & Maintenance | 0          | 164       | 2,151     | 4,265     | 5,883     | 2,366             |
| Freight & Shipping               | 30,823     | 31,833    | 38,243    | 46,825    | 49,754    | 43,389            |
| Gifts & Promotions               | 1,080      | 0         | 369       | 437       | 5,419     | 0                 |
| Graphic Design                   | 1,133      | 14,069    | 19,053    | 10,320    | 16,535    | 15,485            |
| Graphic Material                 | 663        | 301       | 0         | 75        | 543       | 718               |
| Insurance                        | 20,668     | 19,884    | 24,632    | 24,312    | 21,759    | 23,451            |
| Meals & Entertainment            | 587        | 1,095     | 4,767     | 8,947     | 10,537    | 5,416             |
| Miscellaneous Expense            | 0          | 156       | 325       | 0         | 455       | 213               |
| Office Supplies                  | 3,682      | 4,673     | 6,712     | 4,275     | 5,553     | 5,359             |
| Payroll Expenses                 | 277,994    | 283,405   | 298,744   | 347,594   | 236,521   | 283,138           |
| Postage & Delivery               | 292        | 87        | 525       | 215       | 561       | 511               |
| Product Testing                  | 736        | 1,018     | 1,684     | 1,937     | 1,921     | 1,588             |
| Professional Fees                | 3,078      | 9,070     | 23,814    | 23,755    | 30,859    | 1,377             |
| R & D                            | 3,014      | 7,523     | 4,647     | 3,611     | 5,274     | 1,120             |
| Reconciliation Discrepancies     | (214)      | (66)      | (145)     | (2,039)   | (569)     | (389)             |
| Rent Expense                     | 30,402     | 30,251    | 26,790    | 30,195    | 35,393    | 33,417            |
| Repairs & Maintenance            | 4          | 0         | 1,530     | 3,122     | 1,709     | 1,157             |
| Security                         | 798        | 798       | 821       | 830       | 1,492     | 1,201             |
| Shipping Supplies                | 3,073      | 5,491     | 5,847     | 7,039     | 6,667     | 3,383             |
| Taxes - Modified Business Tax    | 214        | 824       | 176       | 888       | 3         | 0                 |
| Taxes - Property                 | 623        | 817       | 535       | 0         | 569       | 397               |
| Telephone Expense                | 4,831      | 7,585     | 7,757     | 5,210     | 6,724     | 5,765             |
| Trade Show                       | 4,331      | 1,534     | 100       | 4,697     | 14,443    | 15,744            |
| Travel Expense                   | 2,560      | 3,779     | 6,188     | 20,756    | 32,343    | 11,568            |
| Unusable Inventory               | 5,676      | 3,058     | 11,674    | 9,595     | 101       | 153               |
| Utilities                        | 5,126      | 3,011     | 4,325     | 5,110     | 6,302     | 5,857             |
| Web Site Development             | 768        | 4,841     | 9,379     | 9,126     | 5,083     | 2,574             |
| Total Operating Expense          | \$463,223  | \$535,819 | \$626,824 | \$743,880 | \$734,143 | \$623,768         |
| Operating Income                 | (\$41,818) | (\$6,703) | \$64,434  | \$21,016  | (\$182)   | \$65,376          |
| Other Income/(Expense)           |            |           |           |           |           |                   |
| Interest Income                  | \$2        | \$9       | \$422     | \$6       | \$11      | \$11              |
| Interest Expense & Loan Fees     | (10,466)   | (7,017)   | (\$,127)  | (2,474)   | (535)     | 0                 |
| Other Income                     | 0          | 58,022    | 0         | 1,023     | 3         | 0                 |
| Other Expense                    | 0          | 0         | 0         | 0         | 3         | 0                 |
| Gain/(Loss) on Sale of Assets    | 500        | 0         | 0         | (331)     | (223)     | 0                 |
| Total Other Income/(Expense)     | (\$0,564)  | \$50,115  | (\$2,704) | (\$1,775) | (\$754)   | \$11              |
| Taxable Income                   | (\$71,772) | \$43,412  | \$61,730  | \$29,230  | (\$935)   | \$65,387          |

Source: Company Financials

Exhibit 15  
Harmonic Enterprises, Inc.  
Common Size Income Statements  
Years Ended December 31, 2012 through 2014 and  
the Eleven Months Ended November 30, 2015

|                                  | 2010   | 2011   | 2012   | 2013   | 2014   | 11 Months<br>2015 |
|----------------------------------|--------|--------|--------|--------|--------|-------------------|
| Gross Sales                      | 100.0% | 100.0% | 100.0% | 100.0% | 100.0% | 100.0%            |
| Cost of Goods Sold               | 17.1%  | 19.1%  | 18.1%  | 17.9%  | 17.8%  | 23.1%             |
| Gross Profit                     | 82.9%  | 80.9%  | 81.9%  | 82.1%  | 82.2%  | 76.9%             |
| Operating Expenses               |        |        |        |        |        |                   |
| Retirement Administration        | 0.0%   | 0.0%   | 0.0%   | 0.0%   | 0.1%   | 0.0%              |
| Warehouse Equipment Exp.         | 0.0%   | 0.0%   | 0.0%   | 0.0%   | 0.0%   | 0.0%              |
| Lab Equipment Exp.               | 0.0%   | 0.0%   | 0.0%   | 0.0%   | 0.1%   | 0.0%              |
| Penalties                        | 0.0%   | 0.0%   | 0.0%   | 0.0%   | 0.0%   | 0.5%              |
| Fraud                            | 0.0%   | 0.0%   | (2.7%) | 0.0%   | 0.0%   | 0.0%              |
| Sales Tax                        | 0.0%   | 0.0%   | 0.0%   | 0.3%   | 0.1%   | 0.1%              |
| Advertising & Promotion          | 2.7%   | 2.2%   | 2.4%   | 3.9%   | 5.4%   | 3.5%              |
| Analytical Tooling               | 0.9%   | 1.8%   | 3.7%   | 3.8%   | 2.4%   | 1.0%              |
| Automobile Expense               | 2.1%   | 0.0%   | 0.5%   | 0.7%   | 0.1%   | 0.0%              |
| Bad Debt Expense                 | 0.2%   | 0.1%   | 0.0%   | 0.0%   | 0.0%   | 0.0%              |
| Bank Service Charges             | 0.0%   | 0.1%   | 0.0%   | 0.2%   | 0.0%   | 0.0%              |
| Broker's Commissions             | 1.6%   | 0.1%   | 3.9%   | 5.9%   | 7.7%   | 8.9%              |
| Business Licenses & Permits      | 0.2%   | 0.2%   | 0.5%   | 0.2%   | 0.2%   | 0.3%              |
| Casual Labor                     | 0.0%   | 0.5%   | 0.0%   | 0.0%   | 0.1%   | 0.0%              |
| Charitable Donation              | 0.0%   | 0.0%   | 0.0%   | 0.0%   | 0.0%   | 0.0%              |
| Computer & Internet Expenses     | 1.7%   | 0.8%   | 1.1%   | 1.3%   | 1.5%   | 0.7%              |
| Credit Card Clearing Fees        | 2.5%   | 1.8%   | 1.4%   | 1.3%   | 1.4%   | 1.4%              |
| Depreciation                     | 1.4%   | 5.9%   | 1.7%   | 0.3%   | 0.5%   | 0.0%              |
| Dues & Subscriptions             | 0.3%   | 0.3%   | 0.3%   | 0.2%   | 0.4%   | 0.3%              |
| Education                        | 0.0%   | 0.1%   | 0.1%   | 0.0%   | 0.2%   | 0.2%              |
| Equipment Rental                 | 1.7%   | 1.4%   | 0.3%   | 0.2%   | 0.3%   | 0.3%              |
| Equipment Supplies & Maintenance | 0.0%   | 0.0%   | 0.3%   | 0.5%   | 0.4%   | 0.3%              |
| Freight & Shipping               | 0.0%   | 4.9%   | 4.5%   | 4.9%   | 3.6%   | 4.8%              |
| Gifts & Promotions               | 0.2%   | 0.0%   | 0.0%   | 0.0%   | 0.4%   | 0.0%              |
| Graphic Design                   | 0.2%   | 2.2%   | 1.2%   | 1.1%   | 2.1%   | 1.7%              |
| Graphic Material                 | 0.1%   | 0.0%   | 0.0%   | 0.0%   | 0.0%   | 0.1%              |
| Insurance                        | 4.1%   | 3.1%   | 2.9%   | 2.6%   | 3.4%   | 2.9%              |
| Meals & Entertainment            | 0.1%   | 0.2%   | 0.6%   | 1.0%   | 1.2%   | 0.6%              |
| Miscellaneous Expense            | 0.0%   | 0.0%   | 0.0%   | 0.0%   | 0.1%   | 0.0%              |
| Office Supplies                  | 0.7%   | 0.7%   | 0.8%   | 0.6%   | 0.7%   | 0.6%              |
| Payroll Expenses                 | 54.7%  | 43.3%  | 35.4%  | 36.8%  | 32.5%  | 31.9%             |
| Postage & Delivery               | 0.1%   | 0.0%   | 0.1%   | 0.0%   | 0.1%   | 0.1%              |
| Product Testing                  | 0.1%   | 0.2%   | 0.2%   | 0.2%   | 0.2%   | 0.2%              |
| Professional Fees                | 0.6%   | 1.4%   | 2.8%   | 2.5%   | 3.5%   | 0.2%              |
| R & D                            | 0.6%   | 1.1%   | 0.0%   | 0.4%   | 0.4%   | 0.1%              |
| Reconciliation Discrepancies     | (0.0%) | (0.0%) | (0.0%) | (0.2%) | (0.1%) | (0.0%)            |
| Rent Expense                     | 0.6%   | 4.6%   | 3.2%   | 3.2%   | 4.0%   | 3.4%              |
| Repairs & Maintenance            | 0.0%   | 0.0%   | 0.2%   | 0.3%   | 0.2%   | 0.1%              |
| Security                         | 0.2%   | 0.1%   | 0.1%   | 0.1%   | 0.2%   | 0.1%              |
| Shipping Supplies                | 0.6%   | 0.8%   | 0.7%   | 0.8%   | 1.0%   | 0.4%              |
| Taxes - Modified Business Tax    | 0.0%   | 0.1%   | 0.0%   | 0.1%   | 0.0%   | 0.0%              |
| Taxes - Property                 | 0.1%   | 0.1%   | 0.1%   | 0.0%   | 0.1%   | 0.1%              |
| Telephone Expense                | 1.0%   | 1.2%   | 0.9%   | 0.6%   | 0.3%   | 0.6%              |
| Trade Show                       | 0.5%   | 0.2%   | 0.0%   | 0.5%   | 1.6%   | 1.7%              |
| Travel Expense                   | 0.6%   | 0.6%   | 0.7%   | 2.2%   | 3.6%   | 1.3%              |
| Unusable Inventory               | 1.1%   | 0.5%   | 1.4%   | 1.0%   | 0.0%   | 0.0%              |
| Utilities                        | 1.0%   | 0.5%   | 0.6%   | 0.0%   | 0.0%   | 0.6%              |
| Web Site Development             | 0.1%   | 0.7%   | 1.1%   | 1.0%   | 0.3%   | 0.3%              |
| Total Operating Expense          | 85.1%  | 81.9%  | 74.2%  | 78.8%  | 82.2%  | 69.2%             |
| Operating Income                 | (2.2%) | (1.0%) | 7.6%   | 3.3%   | (0.0%) | 7.7%              |
| Other Income/(Expense)           |        |        |        |        |        |                   |
| Interest Income                  | 0.0%   | 0.0%   | 0.1%   | 0.0%   | 0.0%   | 0.0%              |
| Interest Expense & Loan Fees     | (2.1%) | (1.2%) | (0.4%) | (0.3%) | (0.1%) | 0.0%              |
| Other Income                     | 0.0%   | 8.9%   | 0.0%   | 0.1%   | 0.0%   | 0.0%              |
| Other Expense                    | 0.0%   | 0.0%   | 0.0%   | 0.0%   | 0.0%   | 0.0%              |
| Gain/(Loss) on Sale of Assets    | 0.1%   | 0.0%   | 0.0%   | (0.0%) | (0.0%) | 0.0%              |
| Total Other Income/(Expense)     | (2.0%) | 7.7%   | (0.3%) | (0.2%) | (0.1%) | 0.0%              |
| Taxable Income                   | (4.1%) | 6.6%   | 7.3%   | 3.1%   | (0.1%) | 7.7%              |

Exhibit 16  
Harmonic Innerprizes, Inc.  
Summary Balance Sheets  
As of December 31, 2010 through 2014 and  
As of November 30, 2015

|                                   | Dec. 31,<br>2010 | Dec. 31,<br>2011 | Dec. 31,<br>2012 | Dec. 31,<br>2013 | Dec. 31,<br>2014 | Nov. 30,<br>2015 |
|-----------------------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| <b>Assets</b>                     |                  |                  |                  |                  |                  |                  |
| <b>Current Assets</b>             |                  |                  |                  |                  |                  |                  |
| Checking & Savings                | \$14,799         | \$78,519         | \$80,803         | \$71,462         | \$39,625         | \$77,620         |
| Accounts Receivable               | 8,078            | (21,249)         | 1,812            | 39,920           | 40,946           | 47,036           |
| Employee Advances                 | 2,777            | 2,777            | 4,000            | 5,968            | 9,237            | 11,814           |
| Inventory Asset                   | 179,405          | 137,648          | 130,121          | 129,161          | 139,000          | 125,620          |
| Prepaid Inventory                 | 0                | 0                | (905)            | 0                | 1,088            | 5,563            |
| Prepaid Taxes                     | 0                | 0                | 0                | 0                | 4,310            | 4,310            |
| Undeposited Funds                 | 620              | (102)            | 0                | 2,447            | 418              | 28,419           |
| Total Current Assets              | \$205,678        | \$195,593        | \$215,031        | \$248,958        | \$235,524        | \$300,181        |
| <b>Fixed Assets</b>               |                  |                  |                  |                  |                  |                  |
| Website                           | \$0              | \$8,800          | \$8,800          | \$8,800          | \$8,800          | \$8,800          |
| Clean Room                        | 0                | 0                | 23,424           | 23,424           | 23,424           | 23,424           |
| Computer Equipment                | 29,542           | 29,970           | 40,859           | 38,338           | 28,736           | 28,736           |
| Furniture & Equipment             | 13,558           | 14,473           | 14,473           | 14,473           | 11,914           | 11,914           |
| Lab Equipment                     | 35,908           | 50,239           | 48,447           | 48,447           | 27,332           | 27,332           |
| Warehouse Equipment               | 1,392            | 10,765           | 10,765           | 10,765           | 10,765           | 10,765           |
| Gross Fixed Assets                | \$80,450         | \$114,242        | \$146,768        | \$144,247        | \$110,970        | \$110,970        |
| Less: Accumulated Deprec.         | (67,064)         | (105,379)        | (117,663)        | (118,329)        | (85,665)         | (85,665)         |
| Net Fixed Assets                  | \$13,387         | \$8,863          | \$29,105         | \$25,927         | \$25,306         | \$25,306         |
| <b>Other Assets</b>               |                  |                  |                  |                  |                  |                  |
| Refundable Deposits               | \$660            | \$660            | \$660            | \$660            | \$660            | \$660            |
| Due from Medicinal Nutraceuticals | 121,414          | 25,980           | 26,126           | 0                | 0                | 0                |
| Total Other Assets                | \$122,074        | \$27,640         | \$26,786         | \$660            | \$660            | \$660            |
| Total Assets                      | \$341,139        | \$232,096        | \$270,923        | \$275,545        | \$261,490        | \$326,147        |
| <b>Liabilities &amp; Equity</b>   |                  |                  |                  |                  |                  |                  |
| <b>Current Liabilities</b>        |                  |                  |                  |                  |                  |                  |
| Accounts Payable                  | \$9,834          | \$10,531         | \$8,289          | \$19,573         | \$19,752         | \$9,358          |
| Credit Cards                      | 0                | 0                | 0                | 0                | 11,050           | 15,767           |
| Federal Corporate IT Payable      | 0                | 0                | 4,241            | 672              | 0                | 0                |
| Loan Wells Fargo SBA              | 150,000          | 69,810           | 49,317           | 21,694           | 0                | 0                |
| NetLe Clearing Account            | 72,977           | (4)              | 0                | 0                | 0                | 0                |
| Sales Tax Payable                 | 54               | 73               | 50               | 299              | (193)            | 257              |
| Total Current Liabilities         | \$232,865        | \$80,410         | \$61,896         | \$42,240         | \$30,812         | \$25,382         |
| <b>Long-Term Liabilities</b>      |                  |                  |                  |                  |                  |                  |
| Long-Term Debt                    | \$0              | \$0              | \$0              | \$0              | \$0              | \$0              |
| Total Liabilities                 | \$232,865        | \$80,410         | \$61,896         | \$42,240         | \$30,812         | \$25,382         |
| <b>Equity</b>                     |                  |                  |                  |                  |                  |                  |
| Capital Stock                     | \$12,914         | \$12,914         | \$12,914         | \$12,914         | \$12,914         | \$12,914         |
| Retained Earnings                 | 170,104          | 98,332           | 141,595          | 189,084          | 223,592          | 220,936          |
| Treasury Stock                    | (2,971)          | (2,971)          | (2,971)          | (2,971)          | (2,971)          | (2,971)          |
| Net Income                        | (71,772)         | 43,412           | 57,489           | 24,279           | (2,556)          | 69,607           |
| Total Equity                      | \$108,274        | \$151,686        | \$209,026        | \$233,305        | \$230,878        | \$300,765        |
| Total Liabilities & Equity        | \$341,139        | \$232,096        | \$270,923        | \$275,545        | \$261,490        | \$326,147        |

Source: Company Financials

Exhibit 17  
Harmonic Innerprizes, Inc.  
Common Size Balance Sheets  
As of December 31, 2010 through 2014 and  
As of November 30, 2015

|                                       | Dec. 31,<br>2010 | Dec. 31,<br>2011 | Dec. 31,<br>2012 | Dec. 31,<br>2013 | Dec. 31,<br>2014 | Nov. 30,<br>2015 |
|---------------------------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| <b>Assets</b>                         |                  |                  |                  |                  |                  |                  |
| <b>Current Assets</b>                 |                  |                  |                  |                  |                  |                  |
| Checking & Savings                    | 4.3%             | 33.0%            | 29.8%            | 25.9%            | 15.2%            | 23.8%            |
| Accounts Receivable                   | 2.4%             | (9.2%)           | 0.4%             | 14.5%            | 15.7%            | 14.4%            |
| Employee Advances                     | 0.8%             | 1.2%             | 1.5%             | 2.2%             | 3.5%             | 3.6%             |
| Inventory Asset                       | 52.6%            | 59.3%            | 48.0%            | 46.9%            | 53.2%            | 38.5%            |
| Prepaid Inventory                     | 3.0%             | 0.0%             | (0.3%)           | 0.0%             | 0.8%             | 1.6%             |
| Prepaid Taxes                         | 3.0%             | 0.0%             | 0.0%             | 0.0%             | 1.6%             | 1.3%             |
| Undeposited Funds                     | 0.2%             | (0.0%)           | 0.0%             | 0.9%             | (0.2%)           | 8.7%             |
| Total Current Assets                  | 60.3%            | 84.3%            | 79.4%            | 90.4%            | 90.1%            | 92.0%            |
| <b>Fixed Assets</b>                   |                  |                  |                  |                  |                  |                  |
| Website                               | 0.0%             | 3.8%             | 3.2%             | 3.2%             | 3.4%             | 2.7%             |
| Clean Room                            | 0.0%             | 0.0%             | 3.6%             | 8.5%             | 9.0%             | 7.2%             |
| Computer Equipment                    | 8.7%             | 12.9%            | 15.1%            | 13.9%            | 11.0%            | 8.8%             |
| Furniture & Equipment                 | 4.0%             | 6.2%             | 5.3%             | 5.3%             | 4.8%             | 3.7%             |
| Lab Equipment                         | 10.5%            | 21.6%            | 17.9%            | 17.6%            | 10.5%            | 8.4%             |
| Warehouse Equipment                   | 0.4%             | 4.6%             | 4.0%             | 3.9%             | 4.1%             | 3.3%             |
| Gross Fixed Assets                    | 23.6%            | 49.2%            | 54.2%            | 52.3%            | 42.4%            | 34.0%            |
| Less: Accumulated Deprec.             | (19.7%)          | (45.4%)          | (43.4%)          | (42.9%)          | (32.8%)          | (26.3%)          |
| Net Fixed Assets                      | 3.9%             | 3.8%             | 10.7%            | 9.4%             | 9.7%             | 7.8%             |
| <b>Other Assets</b>                   |                  |                  |                  |                  |                  |                  |
| Refundable Deposits                   | 0.2%             | 0.3%             | 0.2%             | 0.2%             | 0.3%             | 0.2%             |
| Due from Medicinal Nutraceuticals     | 35.6%            | 11.6%            | 9.6%             | 0.0%             | 0.0%             | 0.0%             |
| Total Other Assets                    | 35.8%            | 11.9%            | 9.9%             | 0.2%             | 0.3%             | 0.2%             |
| <b>Total Assets</b>                   | <b>100.0%</b>    | <b>100.0%</b>    | <b>100.0%</b>    | <b>100.0%</b>    | <b>100.0%</b>    | <b>100.0%</b>    |
| <b>Liabilities &amp; Equity</b>       |                  |                  |                  |                  |                  |                  |
| <b>Current Liabilities</b>            |                  |                  |                  |                  |                  |                  |
| Accounts Payable                      | 2.9%             | 4.5%             | 3.1%             | 7.1%             | 7.6%             | 2.9%             |
| Credit Cards                          | 0.0%             | 0.0%             | 0.0%             | 0.0%             | 4.2%             | 4.3%             |
| Federal Corporate IT Payable          | 0.0%             | 0.0%             | 1.6%             | 0.2%             | 0.0%             | 0.0%             |
| Loan Wells Fargo SBA                  | 44.0%            | 30.1%            | 18.2%            | 7.9%             | 0.0%             | 0.0%             |
| Nellie Clearing Account               | 21.4%            | (0.0%)           | 0.0%             | 0.0%             | 0.0%             | 0.0%             |
| Sales Tax Payable                     | 0.0%             | 0.0%             | 0.0%             | 0.1%             | (0.1%)           | 0.1%             |
| Total Current Liabilities             | 68.3%            | 34.6%            | 22.8%            | 15.3%            | 11.7%            | 7.3%             |
| <b>Long-Term Liabilities</b>          |                  |                  |                  |                  |                  |                  |
| Long-Term Debt                        | 0.0%             | 0.0%             | 0.0%             | 0.0%             | 0.0%             | 0.0%             |
| <b>Total Liabilities</b>              | <b>68.3%</b>     | <b>34.6%</b>     | <b>22.8%</b>     | <b>15.3%</b>     | <b>11.7%</b>     | <b>7.3%</b>      |
| <b>Equity</b>                         |                  |                  |                  |                  |                  |                  |
| Capital Stock                         | 3.8%             | 5.6%             | 4.8%             | 4.7%             | 4.9%             | 4.0%             |
| Retained Earnings                     | 49.9%            | 42.4%            | 52.3%            | 72.3%            | 85.5%            | 87.7%            |
| Treasury Stock                        | (0.9%)           | (1.3%)           | (1.1%)           | (1.1%)           | (1.1%)           | (0.9%)           |
| Net Income                            | (21.0%)          | 16.7%            | 21.2%            | 8.8%             | (1.0%)           | 21.4%            |
| Total Equity                          | 31.7%            | 65.4%            | 77.2%            | 84.7%            | 88.3%            | 92.2%            |
| <b>Total Liabilities &amp; Equity</b> | <b>100.0%</b>    | <b>100.0%</b>    | <b>100.0%</b>    | <b>100.0%</b>    | <b>100.0%</b>    | <b>100.0%</b>    |



Exhibit 18  
Harmonic Incorporated, Inc.  
Selected Ratios  
2010 through 2014

| Ratios                                     | 2010    | 2011  | 2012  | 2013  | 2014   | Average |
|--|---------|-------|-------|-------|--------|---------|
| Current                                    | 0.9     | 2.4   | 3.5   | 5.9   | 7.7    | 4.1     |
| Quick Ratio                                | 0.1     | 0.7   | 1.3   | 2.0   | 2.0    | 1.5     |
| EBIT/Interest Expense                      | nm      | 6.5   | 20.7  | 12.8  | nm     | 13.3    |
| Fixed/Net Worth                            | 0.1     | 0.1   | 0.1   | 0.1   | 0.1    | 0.1     |
| Total Debt/Net Worth                       | 2.2     | 0.5   | 0.3   | 0.2   | 0.1    | 0.7     |
| Profit Before Taxes/<br>Tangible Net Worth | (66.3%) | 28.9% | 29.5% | 12.5% | (0.4%) | 0.8%    |
| Profit Before Taxes/<br>Total Assets       | (21.0%) | 18.7% | 22.8% | 10.6% | (0.4%) | 6.1%    |
| Sales/Net Fixed Assets                     | 37.9    | 73.8  | 29.0  | 36.4  | 35.3   | 42.5    |
| Sales/Total Assets                         | 1.5     | 2.8   | 3.1   | 3.4   | 3.4    | 2.9     |

Exhibit 19  
Harmonic Innerprizes, Inc.  
Selected Statistics and Ratio Comparison  
Other Misc. Nondurable Goods Merchant Wholesalers (NAICS 424990)  
With Sales Between \$0.0 and \$1.0 Million

|  | Harmonic<br>Innerprizes (a) | Median Of<br>Median of<br>NAICS 424990 |
|--|-----------------------------|--|
| Number of Companies                    |                             | 44                                     |
| Total Assets (000's)                   | \$261                       | \$358                                  |
| <b>Balance Sheet Items</b>             |                             |  |
| (% of Total Assets)                    |                             |  |
| Current Assets                         | 90.1%                       | 72.1%                                  |
| Cash                                   | 15.2%                       | 16.2%                                  |
| Accounts Receivable                    | 15.7%                       | 12.1%                                  |
| Net Fixed Assets                       | 9.7%                        | 14.8%                                  |
| Current Liabilities                    | 11.7%                       | 50.1%                                  |
| Long-Term Debt                         | 0.0%                        | 23.3%                                  |
| Total Liabilities                      | 11.7%                       | 98.8%                                  |
| Net Worth                              | 88.3%                       | 1.2%                                   |
| <b>Income Statement Items</b>          |                             |  |
| (% of Revenues)                        |                             |  |
| Annual Sales (000's)                   | \$893                       | \$521                                  |
| Gross Profit                           | 82.2%                       | 48.5%                                  |
| Operating Expense                      | 82.2%                       | 41.4%                                  |
| Operating Income                       | 0.0%                        | 7.1%                                   |
| All Other Expenses                     | 0.1%                        | 1.7%                                   |
| Income Before Taxes                    | (0.1%)                      | 5.3%                                   |
| <b>Liquidity &amp; Leverage Ratios</b> |                             |  |
| Current Ratio                          | 7.7                         | 2.0                                    |
| Quick Ratio                            | 2.6                         | 0.8                                    |
| Interest Coverage Ratio                | nm                          | 3.1                                    |
| Fixed/Worth                            | 0.1                         | 0.0                                    |
| Debt/Equity                            | 0.1                         | 3.6                                    |
| <b>Profitability Ratios</b>            |                             |  |
| Before-Tax Return on Equity (%)        | (0.4%)                      | 29.0%                                  |
| Before-Tax Return on Assets (%)        | (0.4%)                      | 9.9%                                   |
| Sales/Net Fixed Assets                 | 35.3                        | 167.3                                  |
| Sales/Total Assets                     | 3.9                         | 1.8                                    |

Notes: (a) Year ended December 31, 2014

nm = not meaningful

na = not available

Source: Risk Management Association, Annual Statement Studies

Exhibit 20  
Harmonic Innerprizes, Inc.  
Earning Power Estimate  
As of November 30, 2015

|  | 2013      | 2014      | 11 Months<br>2015 |
|--|-----------|-----------|-------------------|
| Taxable Income                             | \$29,230  | (\$936)   | \$69,887          |
| Adjustments:                               |           |           |                   |
| Reported Owners'/Officers' Compensation    | 291,913   | 232,250   | 211,350           |
| Advertising and Promo                      | 0         | 10,000    | 0                 |
| Analytical Testing                         | 10,000    | 0         | 0                 |
| Depreciation Adjustment                    | (7,159)   | (5,090)   | (9,167)           |
| Non-Recurring Auto Expense                 | 6,883     | 832       | 0                 |
| Part-Time Warehouse Employee               | (17,160)  | (17,160)  | (15,730)          |
| Part-Time Bookkeeper                       | (13,000)  | (13,000)  | (11,917)          |
| Melissa Bailey Salary                      | 3,720     | 0         | 0                 |
| Non-Recurring Website Development          | 6,000     | 0         | 0                 |
| Gifts & Promotions                         | 432       | 3,410     | 0                 |
| Gain/(Loss) on Sale of Assets              | 337       | 229       | 0                 |
| Non-Recurring Royalty Pmts - Pure Essence  | (72,000)  | (72,000)  | (66,000)          |
| Nutraveris Expense                         | 0         | 2,804     | 0                 |
| Fair Market Owners'/Officers' Compensation | (75,000)  | (75,000)  | (68,750)          |
| Earning Power                              | \$164,196 | \$66,339  | \$109,674         |
| Average                                    |           |           | \$116,643         |
| Earning Power Estimate                     |           |           | \$120,142         |
| Less: Taxes                                |           |           | (24,358)          |
| After-Tax Earning Power Estimate           |           |           | \$95,784          |
|  |           | (rounded) | \$96,000          |

**Exhibit 21**  
**Historical Structure Of Yields Observable**  
**And Available On Selected Securities**

|   | <u>Historical<br/>Return (1)</u> |  | <u>Differential</u> |
|---|----------------------------------|--|---------------------|
| Inflation                                     | 3.0%                             |  |                     |
|   |                                  | Real Interest  | 0.5%                |
| U.S. Treasury Bills                           | 3.5%                             |  |                     |
|   |                                  | Maturity Premium<br>Long-Term v. T-Bill                              | 1.6%                |
| Long-Term Government<br>Bonds (Income Return) | 5.1%                             |  |                     |
|   |                                  | Default Premium  | 1.3%                |
| Long-Term Corporate<br>Bonds                  | 6.4%                             |  |                     |
|   |                                  | Ownership Premium  | 5.7%                |
| Common Stocks                                 | 12.1%                            |  |                     |
|   |                                  | Differential Between Common Stock Return<br>and U.S. Long-Term Bonds | 7.0%                |

(1) Arithmetic Mean

Source: Ibbotson Associates, Stocks, Bonds, Bills and Inflation,  
2015 Valuation Handbook

Exhibit 22  
Harmonic Innerprizes, Inc.  
Discount and Capitalization Rate Computation  
As of November 30, 2015

|   | <u>Percent</u>      |
|---|---------------------|
| Risk Free Return<br>(Proxy Return on U.S. Treasury Bonds) | 4.0%                |
| Equity Risk Premium<br>(Stocks-Bonds)                     | 7.0%                |
| Industry Specific Risk                                    | (1.6%)              |
| Size Premium  | 5.8%                |
| Company Specific Risk                                     | <u>8.0%</u>         |
| Discount Rate   | 23.2%               |
| Less: Long-Term Growth                                    | <u>(3.0%)</u>       |
| Capitalization Rate                                       | <u><u>20.2%</u></u> |

**Exhibit 23**  
**Analysis of Recent Transactions**  
**Nutritional Supplement Manufacturers, Wholesalers and Online Retailers**

| Location                                | Transaction Date | Net Sales   | EBIT       | EBITDA     | EBIT Margin | EBITDA Margin | MVIC        | MVIC/ Revenue | MVIC/ EBIT | MVIC/ EBITDA |
|---|------------------|-------------|------------|------------|-------------|---------------|-------------|---------------|------------|--------------|
| <u>Supplement Manufacturers</u>         |                  |             |            |            |             |               |             |               |            |              |
| Florida                                 | 08/31/12         | \$2,680,506 | \$268,342  | \$268,342  | 10.0%       | 10.0%         | \$2,215,000 | 0.83          | 8.25       | 8.25         |
| California                              | 05/25/12         | \$18,135    | (30,011)   | (30,011)   | (4.9%)      | (4.9%)        | \$350,000   | 0.85          | nm         | nm           |
| Mean                                    |                  | \$1,649,331 | \$119,156  | \$119,156  | 2.6%        | 2.6%          | \$1,307,000 | 0.74          | 8.25       | 8.25         |
| Median                                  |                  | \$1,649,331 | \$119,156  | \$119,156  | 3.0%        | 3.0%          | \$1,307,000 | 0.74          | 8.25       | 8.25         |
| <u>Supplement Wholesalers</u>           |                  |             |            |            |             |               |             |               |            |              |
| California                              | 05/30/15         | \$692,553   | (\$25,387) | (\$25,387) | (3.7%)      | (3.7%)        | \$825,000   | 0.76          | nm         | nm           |
| Maine                                   | 01/22/15         | 12,886,137  | 770,516    | 771,291    | 6.1%        | 6.1%          | 6,000,000   | 0.47          | 7.78       | 7.78         |
| California                              | 09/25/12         | 4,539,545   | (302,574)  | na         | (6.7%)      | na            | 2,015,000   | 0.44          | nm         | na           |
| Mean                                    |                  | \$5,972,745 | \$147,518  | \$372,952  | (1.4%)      | (1.2%)        | \$2,847,000 | 0.56          | 7.78       | 7.78         |
| Median                                  |                  | \$4,539,545 | (\$25,387) | \$372,952  | (3.7%)      | (1.2%)        | \$2,015,000 | 0.47          | 7.78       | 7.78         |
| <u>Supplement Online Retailers</u>      |                  |             |            |            |             |               |             |               |            |              |
| Florida                                 | 05/19/15         | \$1,411,308 | \$942,050  | \$942,050  | 36.4%       | 36.4%         | \$3,500,000 | 2.46          | 6.46       | 6.46         |
| Florida                                 | 05/15/15         | 1,095,906   | 161,612    | 161,612    | 14.7%       | 14.7%         | 1,150,000   | 1.05          | 7.18       | 7.18         |
| Florida                                 | 05/01/13         | 989,324     | 118,313    | 22,623     | 12.0%       | 12.6%         | 945,000     | 0.97          | 6.12       | 7.71         |
| Florida                                 | 04/10/13         | 755,501     | 52,175     | 52,175     | 6.8%        | 6.8%          | 325,000     | 0.42          | 6.23       | 6.23         |
| Mean                                    |                  | \$1,050,634 | \$218,038  | \$219,615  | 18.0%       | 18.2%         | \$1,482,500 | 1.23          | 7.00       | 6.99         |
| Median                                  |                  | \$1,032,668 | \$138,863  | \$142,113  | 13.4%       | 13.7%         | \$1,052,500 | 1.02          | 6.82       | 6.82         |
| Overall Mean                            |                  | \$2,828,326 | \$172,560  | \$232,637  | 6.1%        | 10.0%         | \$1,888,333 | 0.90          | 7.34       | 7.27         |
| Overall Median                          |                  | \$1,035,500 | \$115,313  | \$142,113  | 6.8%        | 8.4%          | \$1,160,000 | 0.76          | 7.46       | 7.44         |
| Harmonic Interpolizes (TTM As Reported) |                  | \$975,421   | \$89,861   | \$70,603   | 7.2%        | 7.2%          |             |               |            |              |
| Harmonic Interpolizes (TTM As Adjusted) |                  |             | \$115,943  | \$125,945  | 11.9%       | 12.9%         |             |               |            |              |

Source: Public Slat

Exhibit 24  
Historical Restricted Stock Studies  
Average Discounts By Study

| Study  | Study Period        | Rule 144 Required Holding Period | Average Discount |
|--|---------------------|----------------------------------|------------------|
| SEC Institutional Investor Study (All)               | 1966-1969           | 2 Years                          | 25.8%            |
| SEC Institutional Investor Study (Non-Reporting OTC) | 1966-1969           | 2 Years                          | 32.6%            |
| Geiman Study   | 1968-1970           | 2 Years                          | 33.0%            |
| Frout Study  | 1968-1972           | 2 Years                          | 33.5%            |
| Moroney Study  | 1969-1972           | 2 Years                          | 35.6%            |
| Maher Study  | 1969-1973           | 2 Years                          | 35.4%            |
| Standard Research Consultants Study                  | 1978-1982           | 2 Years                          | 45.0%*           |
| Willamette Study                                     | 1981-1988           | 2 Years                          | 31.2%*           |
| Silber Study   | 1981-1988           | 2 Years                          | 33.8%            |
| Management Planning, Inc. Study                      | 1980-1996           | 2 Years                          | 27.1%            |
| FMV Opinions, Inc. Study                             | 1980-1997           | 2 Years/1 Year                   | 22.1%            |
| Johnson Study  | 1991-1995           | 2 Years                          | 20.2%            |
| Columbia Financial Advisors, Inc. Study              | 1996-April 1997     | 2 Years                          | 21.0%            |
| Columbia Financial Advisors, Inc. Study              | May 1997-1998       | 1 Year                           | 13.0%            |
| Slout Risius Ross Study                              | Sept. 2005-May 2010 | 1 Year/6 Months                  | 10.9%            |

\*Mean Discounts Unavailable for Standard Research Consultants and Willamette Studies, Hence the Above Represent Median Discounts

**Exhibit 25**  
**Historical Yields on U.S. Government Treasury Securities**  
**Period 1995 - 2014**

| <u>Year</u> | <u>Three Month<br/>Treasury</u> | <u>Six Month<br/>Treasury</u> | <u>One Year<br/>Treasury</u> | <u>Three Year<br/>Treasury</u> | <u>Five Year<br/>Treasury</u> | <u>Ten Year<br/>Treasury</u> | <u>Twenty Year<br/>Treasury</u> |
|-------------|---------------------------------|-------------------------------|------------------------------|--------------------------------|-------------------------------|------------------------------|---------------------------------|
| 1995        | 5.88%                           | 5.82%                         | 5.94%                        | 6.25%                          | 6.38%                         | 6.57%                        | 6.95%                           |
| 1996        | 5.15%                           | 5.29%                         | 5.52%                        | 5.99%                          | 6.18%                         | 6.44%                        | 6.93%                           |
| 1997        | 5.20%                           | 5.39%                         | 5.63%                        | 6.10%                          | 6.22%                         | 6.35%                        | 6.69%                           |
| 1998        | 4.91%                           | 5.02%                         | 5.05%                        | 5.14%                          | 5.15%                         | 5.26%                        | 5.72%                           |
| 1999        | 4.78%                           | 4.95%                         | 5.08%                        | 5.40%                          | 5.55%                         | 5.65%                        | 6.20%                           |
| 2000        | 6.00%                           | 6.17%                         | 6.11%                        | 6.22%                          | 6.16%                         | 6.03%                        | 6.23%                           |
| 2001        | 3.48%                           | 3.45%                         | 3.49%                        | 4.09%                          | 4.56%                         | 5.02%                        | 5.63%                           |
| 2002        | 1.64%                           | 1.72%                         | 2.00%                        | 3.10%                          | 3.82%                         | 4.61%                        | 5.43%                           |
| 2003        | 1.03%                           | 1.08%                         | 1.24%                        | 2.10%                          | 2.97%                         | 4.01%                        | 4.96%                           |
| 2004        | 1.40%                           | 1.61%                         | 1.89%                        | 2.78%                          | 3.43%                         | 4.27%                        | 5.04%                           |
| 2005        | 3.22%                           | 3.50%                         | 3.62%                        | 3.93%                          | 4.05%                         | 4.29%                        | 4.64%                           |
| 2006        | 4.85%                           | 5.00%                         | 4.94%                        | 4.77%                          | 4.75%                         | 4.80%                        | 5.00%                           |
| 2007        | 4.48%                           | 4.62%                         | 4.53%                        | 4.35%                          | 4.43%                         | 4.93%                        | 4.91%                           |
| 2008        | 1.40%                           | 1.66%                         | 1.83%                        | 2.24%                          | 2.80%                         | 3.66%                        | 4.36%                           |
| 2009        | 0.15%                           | 0.28%                         | 0.47%                        | 1.43%                          | 2.20%                         | 3.26%                        | 4.11%                           |
| 2010        | 0.14%                           | 0.20%                         | 0.32%                        | 1.11%                          | 1.93%                         | 3.22%                        | 4.03%                           |
| 2011        | 0.05%                           | 0.10%                         | 0.18%                        | 0.75%                          | 1.52%                         | 2.78%                        | 3.62%                           |
| 2012        | 0.09%                           | 0.13%                         | 0.17%                        | 0.38%                          | 0.76%                         | 1.80%                        | 2.54%                           |
| 2013        | 0.06%                           | 0.09%                         | 0.13%                        | 0.54%                          | 1.17%                         | 2.35%                        | 3.12%                           |
| 2014        | 0.03%                           | 0.06%                         | 0.12%                        | 0.90%                          | 1.64%                         | 2.54%                        | 3.02%                           |
| Mean        | 2.69%                           | 2.81%                         | 2.91%                        | 3.38%                          | 3.78%                         | 4.38%                        | 4.95%                           |
| Median      | 2.43%                           | 2.59%                         | 2.75%                        | 3.52%                          | 3.94%                         | 4.45%                        | 4.98%                           |

Source: United States Federal Reserve Bank



Exhibit 26  
Harmonic Innerprizes, Inc.  
Control Value Estimate  
As of November 30, 2015

| <u>Approach</u>      | <u>Value<br/>Estimate</u> | <u>Less Debt</u> | <u>Net Equity<br/>Value</u> | <u>Control<br/>Premium</u> | <u>Marketability<br/>Discount</u> | <u>Adjusted<br/>Value</u> |
|----------------------|---------------------------|------------------|-----------------------------|----------------------------|-----------------------------------|---------------------------|
| Income Approach      | \$475,000                 | na               | \$475,000                   | \$47,500                   | (\$62,700)                        | \$459,800                 |
| Book Value           | 300,765                   | na               | 300,765                     | na                         | na                                | 300,765                   |
| Transaction Approach |                           |                  |                             |                            |                                   |                           |
| MVIC-EBIT            | 713,000                   | (15,767)         | 697,233                     | na                         | na                                | 697,233                   |
| MVIC-EBITDA          | 768,000                   | (15,767)         | 752,233                     | na                         | na                                | 752,233                   |
| MVIC-Revenue         | 742,000                   | (15,767)         | 726,233                     | na                         | na                                | 726,233                   |
| Value Estimate       |                           |                  |                             |                            |                                   | <u>\$500,000</u>          |

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## JEFFREY M. NASH, ASA, CFE

*Western Valuation Advisors  
Las Vegas & Salt Lake City Offices*

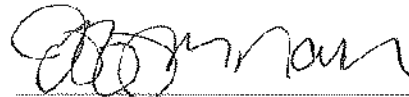
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|                           |   |
|---------------------------|---|
| PROFESSIONAL DESIGNATIONS | <p>Accredited Senior Appraiser (ASA)<br/>Senior Member of the American Society of Appraisers, Business Valuation</p> <p>Certified Fraud Examiner (CFE)<br/>Association of Certified Fraud Examiners</p>   |
| ACADEMIC DEGREES          | <p>M.B.A., University of Utah<br/>B.S., University of Utah, Finance</p>   |
| EMPLOYMENT                | <p><b>Western Valuation Advisors</b><br/><i>Principal - 2011 to Present</i><br/>The firm provides professional services relative to business valuations, fairness and solvency opinions, due diligence, capital planning, compensation studies, economic loss analyses, and other valuation and economic issues. Western Valuation Advisors has offices in Las Vegas and Salt Lake City.</p> <p><b>Houlihan Valuation Advisors</b><br/><i>Appraiser - 1995 to 2010</i><br/>The firm provides professional services relative to business valuations, fairness and solvency opinions, due diligence, capital planning, compensation studies, economic loss analyses, and other valuation and economic issues.</p> <p><b>Brit Howard Appraising</b><br/><i>Research Associate - 1994 to 1995</i><br/>Brit Howard Appraising provides residential real estate appraisal services including vacant land, single-family homes, duplexes, and multi-unit dwellings.</p> <p><b>D. Hunter Thompson &amp; Associates</b><br/><i>Research Associate - 1992 to 1994</i><br/>D. Hunter Thompson &amp; Associates provides commercial real estate appraising services including vacant land, office buildings, retail buildings, and industrial property.</p> |
| EXPERIENCE                | <p>Mr. Nash has been involved in the appraisal profession since 1992. He has participated in numerous business valuation engagements covering a wide range of business segments including construction companies, manufacturing companies, law practices, limited partnerships, medical practices, service companies, and various retail businesses. Valuation engagement purposes include ESOP and other employee plans, estate and gift taxes, stock acquisitions, mergers, litigation and others. He has also evaluated economic loss suffered by individuals in wrongful death and personal injury cases and has been involved in a wide array of other financial analysis and consulting activities for clients.</p> <p>Mr. Nash has provided expert testimony relating to economic and business valuation issues in State and Federal Court.</p>  |
| PROFESSIONAL SOCIETIES    | <p>Association of Certified Fraud Examiners-- Board Member, Las Vegas Chapter 2015<br/>American Society of Appraisers -- President, Las Vegas Chapter, 2011 - 2015<br/>American Society of Appraisers -- President, Salt Lake City Chapter, 2001 - 2003</p>   |

## Certification

*I certify that, to the best of my knowledge and belief:*

- the statements of fact contained in this report are true and correct.
- the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the company that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.
- my compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
- my analysis, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- no one provided significant professional assistance to the person signing this certification.



Jeffrey M. Nash, ASA, CFE

Accredited Senior Appraiser  
Certified Fraud Examiner

EXHIBIT 5

EXHIBIT 5

EXHIBIT 5



**The Law Office of Louis C. Schneider**

430 South Seventh Street  
Las Vegas, Nevada 89101  
(702) 433-2121

**INVOICE**

Tina Saiter

Invoice # Draft

Invoice Date: Mon, April 11, 2016

**Re: Saiter, Tina**

*Current Charges:*

**Fees**

| Date       | Description  | Hours | Amount   |
|------------|--|-------|----------|
| 9/29/2015  | Initial consultation with Tina Saiter.   | 2.25  | 1,012.50 |
| 9/29/2015  | Receive/review e-mail from client.   | 0.25  | 112.50   |
| 10/22/2015 | Assist client in preparing Financial Disclosure Statement; file.               | 0.5   | 225.00   |
| 10/26/2015 | Begin drafting Motion for Interim Orders.                                      | 2.75  | 1,237.50 |
| 10/27/2015 | Continue drafting Motion for Interim Orders.                                   | 2.0   | 900.00   |
| 10/27/2015 | Telephone conference with client re status.                                    | 0.25  | 112.50   |
| 10/28/2015 | Finalize and file Motion for Interim Orders.                                   | 0.25  | 112.50   |
| 10/28/2015 | Telephone conference with client re Motion for Interim Orders; status of case. | 0.25  | 112.50   |
| 11/5/2015  | Draft Notice of Appearance.  | 0.25  | 112.50   |
| 11/9/2015  | Prepare Peremptory Challenge of Judge.   | 0.25  | 112.50   |
| 11/17/2015 | Prepare Application for Order Shortening Time.                                 | 0.5   | 225.00   |
| 11/18/2015 | Telephone conference with Tina Saiter re status.                               | 0.25  | 112.50   |
| 12/7/2015  | Draft Supplement to Motion for Interim Orders.                                 | 0.75  | 337.50   |
| 12/15/2015 | Meeting with Tina Saiter in preparation for hearing.                           | 2.5   | 1,125.00 |
| 12/15/2015 | Attend hearing re Motion for Interim Orders.                                   | 2.5   | 1,125.00 |
| 12/16/2015 | Draft correspondence re child support.   | 0.5   | 225.00   |
| 12/18/2015 | Draft Order from Hearing.  | 0.5   | 225.00   |
| 12/21/2015 | Meeting with Tina Saiter re status of case.                                    | 2.5   | 1,125.00 |
| 1/7/2016   | Meeting with Tina Saiter re status of case.                                    | 2.0   | 900.00   |
| 1/7/2016   | Telephone conference with Jeff Nash re services.                               | 0.5   | 225.00   |
| 1/25/2016  | Receive/review e-mail from client.   | 0.25  | 112.50   |
| 2/2/2016   | Meeting with Tina Saiter re status of case.                                    | 1.5   | 675.00   |
| 2/4/2016   | Receive/review e-mail from client re status of case.                           | 0.25  | 112.50   |

|           |   |           |                    |
|-----------|---|-----------|--------------------|
| 2/10/2016 | Telephone conference with Tina Saiter re status of case.                  | 0.25      | 112.50             |
| 3/7/2016  | Review business valuation.  | 0.75      | 337.50             |
| 3/8/2016  | Telephone conference with client re status of case.                       | 0.25      | 112.50             |
| 3/11/2016 | Receive/review Plaintiff's Second 16.2 Disclosures                        | 2.5       | 1,125.00           |
| 3/16/2016 | Draft Answer and Counterclaim.  | 1.0       | 450.00             |
| 3/21/2016 | Review Plaintiff's 3rd Supplemental 16.2 Production.                      | 3.5       | 1,575.00           |
| 3/22/2016 | Receive/review Plaintiff's 4th Supplemental 16.2 Production.              | 1.75      | 787.50             |
| 3/23/2016 | Meeting with Tina Saiter re status of case.                               | 1.5       | 675.00             |
| 3/23/2016 | Begin preparing Tina Saiter's responses to Plaintiff's written discovery. | 3.5       | 1,575.00           |
| 3/23/2016 | Prepare Spousal Rehabilitation Plan.                                      | 0.5       | 225.00             |
| 3/24/2016 | Receive/review Reply to Counterclaim.                                     | 0.25      | 112.50             |
| 3/29/2016 | Finalize Tina Saiter's responses to Plaintiff's written discovery.        | 2.75      | 1,237.50           |
| 3/31/2016 | Receive/review Plaintiff's 5th Supplemental 16.2 Production.              | 1.5       | 675.00             |
| 4/1/2016  | Receive/review Plaintiff's 6th Supplemental 16.2 Production.              | 1.25      | 562.50             |
| 4/4/2016  | Meeting with Tina Saiter re status of case.                               | 1.75      | 787.50             |
| 4/4/2016  | Draft Pre-Trial Memorandum.   | 1.5       | 675.00             |
| 4/7/2016  | Preparation for trial.  | 4.5       | 2,025.00           |
| 4/8/2016  | Review Plaintiff's exhibits in preparation for trial.                     | 5.5       | 2,475.00           |
|           | <b>Fees for Services Rendered</b>   | <b>58</b> | <b>\$25,300.00</b> |

**Total New Charges**

**\$25,300.00**

*Account Statement:*

|                              |                    |
|------------------------------|--------------------|
| Balance as of Last Invoice   | 0.00               |
| Retainer Balance             | 15,000.00          |
| Current Charges              | 25,300.00          |
| Retainers Applied            | <u>-15,000.00</u>  |
| Amount Due and Owing to Date | <b>\$10,300.00</b> |

*Payments:*

| Date     | Description          | Amount             |
|----------|----------------------|--------------------|
| 2/5/2016 | Payment              | <u>15,000.00</u>   |
|          | <b>Total Payment</b> | <b>\$15,000.00</b> |

EXHIBIT 6

EXHIBIT 6

EXHIBIT 6

## FAX COVER SHEET

TO Brandon K. Leavitt

COMPANY Abrams & Mayo Law Firm

FAX NUMBER 17022489750

FROM Louis Schneider

DATE 2016-05-24 23:16:01 GMT

RE Saiter v. Saiter

## COVER MESSAGE

One (1) Page attached



**LAW OFFICES OF LOUIS C. SCHNEIDER  
ATTORNEY AT LAW**

May 24, 2016

Brandon K. Leavitt, Esq.  
The Abrams Law Firm  
6252 S. Rainbow Blvd, Suite 100  
Las Vegas, NV 89118

Re: Saiter v. Saiter

Dear Mr. Leavitt:

I have received and read your Motion for Reconsideration, Sanctions, Attorney's Fees and Other Related Relief. The statements made by you are blatant misrepresentations. I would suggest you withdraw your Motion, and do so within 21 days of the date of this letter.

I look forward to hearing from you.

Sincerely,



Louis C. Schneider, Esq.

LCS/EMM

EXHIBIT 7

EXHIBIT 7

EXHIBIT 7

## Stephanie Stolz

---

**From:** Louis Schneider <lcslawllc@yahoo.com>  
**Sent:** Thursday, September 15, 2016 8:57 AM  
**To:** Brandon Leavitt  
**Cc:** Stephanie Stolz  
**Subject:** Re: Saiter v. Saiter

I've had about all I can take.  
Withdraw your Motion and I'll withdraw from the case.  
Be advised - Tina has asked me not to leave the case.  
I was getting ready to withdraw my motion to withdraw.  
If your firm does not withdraw that motion, I will oppose it and take additional action beyond the opposition.

### *Law Office of Louis C. Schneider*

Nevada Bar No. 9683  
430 South Seventh Street  
Las Vegas, Nevada 89101  
Phone: 702-435-2121  
Fax: 702-431-3807

CONFIDENTIALITY WARNING: This e-mail and any attachments are for the exclusive and confidential use of the intended recipient. If you are not the intended recipient, please do not read, distribute or take action in reliance upon this missive. If you have received this in error, please notify the sender immediately by reply e-mail and delete this message and its attachments from your computer system. We do not waive any attorney-client, work product or other privilege by sending this email or attachment.

**From:** Brandon Leavitt <BLEavitt@theabramslawfirm.com>  
**To:** Louis Schneider <lcslawllc@yahoo.com>  
**Cc:** Stephanie Stolz <sstolz@theabramslawfirm.com>  
**Sent:** Thursday, September 15, 2016 8:50 AM  
**Subject:** Saiter v. Saiter

PERSONAL AND CONFIDENTIAL  
The information contained in this e-mail is from The Abrams & Mayo Law Firm which may be confidential and may also be attorney-client privileged. The information is intended for the use of the individual or entity to whom it is addressed and others who have been specifically authorized to receive it. If you are not the intended recipient, you are hereby instructed to return this e-mail unread and delete it from your inbox and recycle bin. You are hereby notified that any disclosure, dissemination, distribution, use or copying of the contents of this information is strictly prohibited.

Lou,

I was CC'd on an email from your client to you requesting you to give me permission to speak with her directly. 1) Do I have your permission to do so?; and 2) Will you allow the department to Zoom your Order to Withdraw so I can attempt to button this matter up?

I'm hamstrung until you allow me to work with her directly or withdraw so I can. Please advise. Thanks.

Sincerely,  
Brandon K. Leavitt, Esq.  
THE ABRAMS & MAYO LAW FIRM  
6252 South Rainbow Blvd., Suite 100  
Las Vegas, Nevada 89118  
Tel: (702) 222-4021  
Fax: (702) 248-9750  
[www.TheAbramsLawFirm.com](http://www.TheAbramsLawFirm.com)

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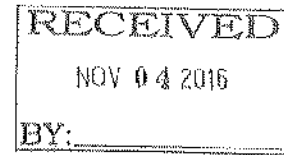
[Not spam](#)

[Forget previous vote](#)

EXHIBIT 8

EXHIBIT 8

EXHIBIT 8



**RANDALL G. FORMAN**  
STAFF ATTORNEY  
(702) 455-1676

**EIGHTH JUDICIAL DISTRICT COURT**  
FAMILY COURT AND SERVICES BUILDING  
501 N PECOS RD  
LAS VEGAS, NEVADA 89101  
(702) 455-2385

**STEVEN D. GRIERSON**  
COURT EXECUTIVE OFFICER  
**TIMOTHY ANDREWS**  
ASSISTANT COURT ADMINISTRATOR  
**LEONARD CASH**  
ASSISTANT COURT ADMINISTRATOR

November 4, 2016

**Via Hand Delivery**

Jennifer V. Abrams, Esq.  
The Abrams & Mayo Law Firm  
6252 South Rainbow Blvd., Suite 100  
Las Vegas, NV 89118

Re: Subpoena Duces Tecum Saiter v. Saiter, D-15-521372-D

Dear Ms. Abrams:

Please find the accompanying documents and Certificate of Custodian of Records in response to your subpoena issued on October 19, 2016 directed to the Eighth Judicial District Court, Clark County, Nevada.

Pursuant to the terms of the Subpoena, the Custodian of Record does not intend to appear at the deposition scheduled for November 7, 2016 at 8:00 a.m. Thus, the check you served with the Subpoena is being returned to you. Please contact me as soon as possible if you intend to proceed with the deposition.

Sincerely,

Randall G. Forman

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NOW COMES Kristina O'Conner, who after first being duly sworn deposes and says:

2. That on the 24th day of the month of October of the year 2016, the Eighth Judicial District Court was served with a subpoena in connection with District Court Case D-15-521372-D, Brandon Saiter v. Tina Saiter, calling for the production of records as follows:

3. That I have examined the original of the records and have made or caused to be made a true and exact copy of them and that the reproduction of them attached hereto is true and complete.

4. That the original of those records was made at or near the time of the act, event, condition, opinion or diagnosis recited therein by or from information transmitted by a person with knowledge, in the course of a regularly conducted activity of myself or the Eighth Judicial District Court.

Kristina O'Conner  
Kristina O'Conner  
Court Division Administrator  
Eighth Judicial District Court

Subscribed and sworn to before me  
on this 4<sup>th</sup> day of November, 2016.

Notary Public



---

**From:** Louis Schneider <lcslawllc@yahoo.com>  
**Sent:** Friday, September 30, 2015 8:02 AM  
**To:** Gurule, Kim; Video Requests, Attorney; Video Requests, Attorney  
**Subject:** Upload Request

Can you please upload the video from yesterday's hearing?

Thank you.

:)

**Register of Actions**

**Case No. D-15-521372-D**

|  |                              |                            |
|--|------------------------------|----------------------------|
| Brandon Paul Salter, Plaintiff vs. Tina Mario Salter, Defendant. | Case Type:                   | Divorce - Complaint        |
|  | Subtype:                     | Complaint Subject Minor(s) |
|  | Date Filed:                  | 09/19/2015                 |
|  | Location:                    | Department I               |
|  | Cross-Reference Case Number: | DS11372                    |

***Law Office of Louis C. Schneider***

Nevada Bar No. 9683  
430 South Seventh Street  
Las Vegas, Nevada 89101  
Phone: 702-435-2121  
Fax: 702-431-3807

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EXHIBIT 9

EXHIBIT 9

EXHIBIT 9



The

**ABRAMS & MAYO**

**Law Firm**

Mr. Brandon Saiter  
Henderson, Nevada

Jennifer V. Abrams, Esq.  
Vincent Mayo, Esq.  
Brandon K. Leavitt, Esq.

6252 South Rainbow Blvd.  
Suite 100  
Las Vegas, Nevada 89118  
Telephone (702) 222-4021  
Facsimile (702) 248-9750

September 15, 2015  
Statement # 22246  
Due Upon Receipt

RE: Brandon P. Saiter v. Tina M. Saiter

**Statement of Account**

| Date   | AT/PL/LS | Activity  | Hours                       |
|--|----------|---|-----------------------------|
| 09/11/15   | AT3      | Meeting with client to answer questions and discuss negotiation between parties.  | 0.60                        |
|  | PL       | Open computer and physical file   | 0.40                        |
| 09/15/15   | AT3      | Telephone call from opposing party re: questions about timing of divorce process and the ability to changes to proposed Decree of Divorce; Receive and analyze voice mail from client; Return client's call and respond to his questions. | 0.50                        |
| Total of   | 1.10     | AT3 Attorney Leavitt's  | Hours @ \$375.00 = \$412.50 |
| Total of   | 0.40     | PL Paralegal Stolz's  | Hours @ \$175.00 = \$70.00  |
| Total for Services   |          |   | \$482.50                    |
| Total Fees and Costs on This Statement                                 |          |   | \$482.50                    |
| Payments from Trust Account on This Statement                          |          |   | - \$482.50                  |
| Unpaid Accounts Receivable Balance as of This Statement                |          |   | \$0.00                      |
| Your required minimum Trust Account Balance at this time is \$1,750.00 |          |   |                             |
| <b><u>TOTAL BALANCE DUE NOW</u></b>                                    |          |   | <b><u>\$0.00</u></b>        |

**Recent Activity in Trust Account**

09/11/15 Payment by Credit Card on File - Thank You.

**Balance Forward**

\$3,500.00

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September 15, 2015

Statement # 22246

Page # 2

09/15/15      Payment for invoice: 22246

\$482.50

Your remaining Trust Account Balance is

\$3,017.50



The

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**Law Firm**

Mr. Brandon Saiter  
Henderson, Nevada

**Jennifer V. Abrams, Esq.**

**Vincent Mayo, Esq.**

**Brandon K. Leavitt, Esq.**

6252 South Rainbow Blvd.  
Suite 100

Las Vegas, Nevada 89118

Telephone (702) 222-4021

Faxsimile (702) 248-9750

**September 30, 2015**

**Statement # 22338**

**Due Upon Receipt**

**RE: Brandon P. Saiter v. Tina M. Saiter**

**Statement of Account**

| Date     | AT/PL/LS | Activity   | Hours |
|----------|----------|--|-------|
| 09/16/15 | AT3      | Review, Revise and approve summons, complaint and joint preliminary injunction; Telephone call with opposing party re: status of documents and prospective changes to be made to arguments; Review and analyze voice messages (2) from client; Telephone call and voice message back to client.  | 0.60  |
|          | PL       | Draft Summons, Complaint for Divorce and Joint Preliminary Injunction, for Attorney Leavitt's review; Email to Client re: Attached Summons, Complaint for Divorce and Joint Preliminary Injunction, and request for Client's availability to sign off on the Complaint for Divorce   | 0.70  |
| 09/18/15 | PL       | Receive signed and notarized Complaint for Divorce from Client; Prepare Family Court Cover Sheet; E-file Complaint for Divorce   | 0.20  |
| 09/21/15 | PL       | Conference with Attorney Leavitt re: [REDACTED]<br>[REDACTED] Prepare Summons and Joint Preliminary Injunction to be issued by Court Clerk; Telephone Conference from Client re: Status; Draft Affidavit of Resident Witness; Email to Client re: same; Receive email from Client re: Attached signed Affidavit of Resident Witness; Instructions to Legal Secretary re: E-file same | 0.40  |
| 09/22/15 | AT3      | Review and analyze acceptance of service; Defendant's Answer in Pro Per; Disclaimer of Self-Representation; Approve all.   | 0.30  |
|          | PL       | Draft Acceptance of Service, Answer to Complaint for Divorce, Disclaimer and Acknowledgement of Self Representation, Affidavit in Support of Request for Summary Disposition and Request for Summary Disposition, all for Attorney Leavitt's review; Email to  | 1.10  |

September 30, 2015

Statement # 22338

Page # 2

|          |     |   |      |
|----------|-----|---|------|
|          |     | Client re: [REDACTED]   |      |
| 09/23/15 | AT3 | Review and approve Affidavit in Support of Summary Disposition; Review, Revise and approve Summary Disposition; Review, Revise Decree of Divorce and supporting documents, Reformat and approve to send to client.  | 1.20 |
|          | PL  | Draft Decree of Divorce, for Attorney Leavitt's review; Email to Client re: Attached Decree of Divorce, for review and approval; Receive message from and telephone conference to Client re: Discuss next steps; Exchange emails w/ Client re: Discuss case related matters; Receive, review, and reply to email from Client re: Answer Client's question regarding COPE class  | 2.80 |
| 09/24/15 | AT3 | Telephone call from opposing party re: documents; Review and analyze revisions to Decree of Divorce.  | 0.30 |
|          | PL  | Email to Client re: Attached summary disposition documents, for review; Telephone Conference with Client re: Discuss case related matters and Client's changes to Decree of Divorce; Modify Decree of Divorce accordingly, for Attorney Leavitt's review; Email to Client re: Attached revised Decree of Divorce, for review and approval; Exchange communications w/ Client re: same; Exchange emails w/ Client re: Coordinating meeting with Opposing Party and related matters and Client's approval of Decree of Divorce; Email to Opposing Party re: Attached proposed Decree of Divorce and coordinating meeting; Conference with Attorney Leavitt re: same | 1.00 |
| 09/25/15 | PL  | Exchange several communications with Client re: Today's meeting, rescheduling today's meeting, information for if we need to serve Opposing Party and other related matters; Send confirming email to Opposing Party with new meeting date and time; Conferences with Attorney Leavitt re: same   | 0.40 |
| 09/28/15 | AT3 | Telephone call with client re: [REDACTED]   | 0.30 |
|          | PL  | Exchange communications w/ Client over the weekend and today re: Status of meeting, meeting canceled and receive instructions to proceed with serving Opposing Party; Instructions to Process Server re: same; Telephone  | 0.50 |

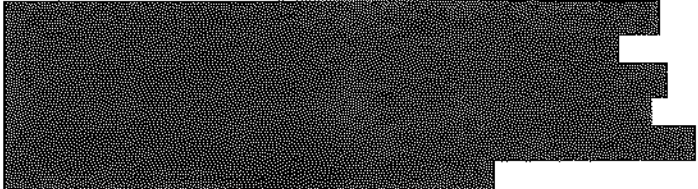
The  
**ABRAMS & MAYO**

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September 30, 2015

Statement # 22338

Page # 3

|          |     |  |      |
|----------|-----|--|------|
|          |     | Conference from Process Server re: Opposing Party was served; Email to Client re: same and Conference with Attorney Leavitt re: same; Calculate and calendar Answer deadline   |      |
| 09/29/15 | AT3 | Telephone call to client re: his multiple emails - discussion about process and case related matters.  | 0.30 |
|          | PL  | Exchange communications w/ Louis Schneider and his office re: He was retained by Opposing Party, will be filing an Answer and Motion and request to discuss issues before the filing of a Motion; Exchange communications w/ Client re: same and discuss other case related matters; Conference with Attorney Leavitt re: same | 0.30 |
| 09/30/15 | AT3 | Telephone call with client re: financials and temporary support issues; Telephone call to opposing counsel and left voice message; Receive and analyze multiple emails from client re: issues arising in the case.   | 1.50 |
|          | PL  | Telephone Conference with Client and Attorney Leavitt re:    | 0.60 |

Total of 4.50 AT3 Attorney Leavitt's Hours @ \$375.00 = \$1,687.50

Total of 8.00 PL Paralegal Stolz's Hours @ \$175.00 = \$1,400.00

Total for Services \$3,087.50

**Case Costs**

E-Filing Fee - Invoice Copy Attached \$311.47

Courier Service \$15.00

E-Filing Fee \$3.50

Special Process Service - Invoice Copy Attached \$70.00

Total for Costs \$399.97

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September 30, 2015  
Statement # 22338  
Page # 4

|   |                          |
|---|--------------------------|
| Total Fees and Costs on This Statement                              | \$3,487.47               |
| Payments from Trust Account on This Statement                       | - \$3,017.50             |
| Unpaid Accounts Receivable Balance as of This Statement             | \$469.97                 |
| Your required minimum Trust Account Balance at this time is         | \$1,750.00               |
| Therefore, please include the following amount in your next payment | \$1,750.00               |
| <b><u>TOTAL BALANCE DUE NOW</u></b>                                 | <b><u>\$2,219.97</u></b> |

| Recent Activity in Trust Account         | Balance Forward |            |
|--|-----------------|------------|
|  | \$3,017.50      |            |
| 09/30/15      Payment for invoice: 22338 |                 | \$3,017.50 |
| Your remaining Trust Account Balance is  | \$0.00          |            |



**The**  
**ABRAMS & MAYO**  
**Law Firm**

Mr. Brandon Saiter  
Henderson, Nevada

Jennifer V. Abrams, Esq.  
Vincent Mayo, Esq.  
Brandon K. Leavitt, Esq.

6252 South Rainbow Blvd.  
Suite 100  
Las Vegas, Nevada 89118  
Telephone (702) 222-4021  
Facsimile (702) 248-9750

October 15, 2015  
Statement # 22462  
Due Upon Receipt

RE: Brandon P. Saiter v. Tina M. Saiter

**Statement of Account**

| Date     | AT/PL/LS | Activity   | Hours               |
|----------|----------|--|---------------------|
| 10/01/15 | AT3      | Telephone call to client [REDACTED]  | 0.20                |
|          | PL       | Exchange emails w/ Client re: Completing the Financial Disclosure Form, Opposing Party taking children's cell phones, status and other case related matters; Conference with Attorney Leavitt re: same | 0.20                |
| 10/02/15 | AT3      | Telephone call to opposing counsel to discuss case and attempting negotiation of case; Telephone call to client to discuss settlement negotiations between the parties                                 | 0.70                |
|          | PL       | Exchange emails w/ Opposing Counsel re: Coordinating telephone conference with Attorney Leavitt; Receive, review, and reply to email from Client re: Status; Conference with Attorney Leavitt re: same | 0.20                |
| 10/06/15 | AT3      | Telephone call from client re: wife moving back into marital residence.  | 0.20                |
| 10/07/15 | AT3      | Review and analyze email from opposing counsel; Telephone call to opposing counsel to discuss case related matters; Telephone call from client re: events of prior evening and case related matters.   | 0.50                |
| 10/12/15 | AT3      | Telephone call from client re: opposing party striking him and leaving marks on his body.  | 0.20                |
| 10/13/15 | AT3      | Telephone call with client re: facts of case and case related matters.   | 0.40                |
| 10/14/15 | AT3      | Receive and analyze email from client; Telephone call with client re: alleged deal the parties have reached to resolve case.   | 0.20                |
| Total of | 2.40     | AT3 Attorney Leavitt's Hours @   | \$375.00 = \$900.00 |



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October 15, 2015  
Statement # 22462  
Page # 2

|            |      |    |   |         |            |   |                                     |                          |
|------------|------|----|---|---------|------------|---|-------------------------------------|--------------------------|
| Total of   | 0.40 | PL | Paralegal Stolz's   | Hours @ | \$175.00   | — | \$70.00                             |                          |
|            |      |    |   |         |            |   | <b>Total for Services</b>           | <b>\$970.00</b>          |
| Case Costs |      |    |   |         |            |   |                                     |                          |
|            |      |    | E-Filing Fee  |         | \$3.50     |   | <b>Total for Costs</b>              | <b>\$3.50</b>            |
|            |      |    |   |         |            |   |                                     |                          |
|            |      |    | Balance from Last Statement Before any Payments                     |         |            |   |                                     | <b>\$469.97</b>          |
|            |      |    |   |         |            |   |                                     |                          |
|            |      |    | Total Fees and Costs on This Statement                              |         |            |   |                                     | <b>\$973.50</b>          |
|            |      |    |   |         |            |   |                                     |                          |
|            |      |    | Unpaid Accounts Receivable Balance as of This Statement             |         |            |   |                                     | <b>\$1,443.47</b>        |
|            |      |    |   |         |            |   |                                     |                          |
|            |      |    | Your required minimum Trust Account Balance at this time is         |         | \$3,750.00 |   |                                     |                          |
|            |      |    | Therefore, please include the following amount in your next payment |         |            |   |                                     | <b>\$3,750.00</b>        |
|            |      |    |   |         |            |   |                                     |                          |
|            |      |    |   |         |            |   | <b><u>TOTAL BALANCE DUE NOW</u></b> | <b><u>\$5,193.47</u></b> |

|   |                 |
|---|-----------------|
| Recent Activity in Trust Account        | Balance Forward |
| Your remaining Trust Account Balance is | \$0.00          |



The

**ABRAMS & MAYO**

**Law Firm**

Mr. Brandon Saiter  
Henderson, Nevada

**Jennifer V. Abrams, Esq.**  
**Vincent Mayo, Esq.**  
**Brandon K. Leavitt, Esq.**

6252 South Rainbow Blvd.  
Suite 100  
Las Vegas, Nevada 89118  
Telephone (702) 222-4021  
Facsimile (702) 248-9750

**October 31, 2015**  
**Statement # 22540**  
**Due Upon Receipt**

**RE: Brandon P. Saiter v. Tina M. Saiter**

**Statement of Account**

| Date   | AT/PL/LS    | Activity   | Hours                              |
|--|-------------|--|------------------------------------|
| 10/19/15   | PL          | Telephone Conference with Client re: Case status, case related matters and Client's request to hold off on taking Opposing Party's Default for now; Conference with Attorney Leavitt re: same  | 0.20                               |
| 10/21/15   | AT3         | Telephone call from client re: tax referral.   | 0.20                               |
| 10/22/15   | AT3         | Review and analyze voice message from client; Telephone call to opposing counsel re: return call and to provide status update.   | 0.20                               |
|  | PL          | Obtain a file-stamped copy of Opposing Party's General Financial Disclosure Form via Court's website; Exchange communications w/ Client re: same and Conference with Attorney Leavitt re: same | 0.20                               |
| <b>Total of</b>  | <b>0.40</b> | <b>AT3 Attorney Leavitt's</b>  | <b>Hours @ \$375.00 = \$150.00</b> |
| <b>Total of</b>  | <b>0.40</b> | <b>PL Paralegal Stolz's</b>  | <b>Hours @ \$175.00 = \$70.00</b>  |
| <b>Total for Services</b>  |             |  | <b>\$220.00</b>                    |
| <b>Balance from Last Statement Before any Payments</b>                     |             |  | <b>\$1,443.47</b>                  |
| <b>Payments From Trust Account On and/or Since Last Statement</b>          |             |  | <b>= \$1,443.47</b>                |
| <b>Total Fees and Costs on This Statement</b>                              |             |  | <b>\$220.00</b>                    |
| <b>Unpaid Accounts Receivable Balance as of This Statement</b>             |             |  | <b>\$220.00</b>                    |
| <b>Your required minimum Trust Account Balance at this time is</b>         |             |  | <b>\$3,750.00</b>                  |
| <b>Therefore, please include the following amount in your next payment</b> |             |  | <b>\$3,750.00</b>                  |

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October 31, 2015  
Statement # 22540  
Page # 2

**TOTAL BALANCE DUE NOW**      **\$3,970.00**

| Recent Activity in Trust Account                          | Balance Forward |            |
|---|-----------------|------------|
| 10/31/15      Payment by Credit Card on File - Thank You. | \$1,443.47      |            |
| Payment on A/R Balance - Thank You.                       |                 | \$1,443.47 |
| Your remaining Trust Account Balance is                   | \$0.00          |            |



The

**ABRAMS & MAYO**

**Law Firm**

Mr. Brandon Saiter  
Henderson, Nevada

**Jennifer V. Abrams, Esq.**

**Vincent Mayo, Esq.**

**Brandon K. Leavitt, Esq.**

6252 South Rainbow Blvd.  
Suite 100

Las Vegas, Nevada 89118

Telephone (702) 222-4021

Facsimile (702) 248-9750

**November 15, 2015**

**Statement # 22666**

**Due Upon Receipt**

**RE: Brandon P. Saiter v. Tina M. Saiter**

**Statement of Account**

| Date     | AT/PL/LS | Activity   | Hours |
|----------|----------|--|-------|
| 11/02/15 | PL       | Obtain a file-stamped copy of Opposing Party's Motion via Court's website; Email to Client re: Attached Motion and hearing information; Conference with Attorney Leavitt re: same and discuss other case related matters; Exchange communications w/ Client re: Case related matters   | 0.30  |
| 11/03/15 | PL       | Receive voice mail from and telephone conference to Client re: Discuss recent Motion filed by Opposing Party and other case related matters; Conference with Attorney Leavitt re: same   | 0.30  |
| 11/05/15 | AT3      | Telephone call from opposing counsel re: motion going forward and granting extension of time to respond.   | 0.30  |
|          | PL       | Follow up email to Client re: Request status of Client completing and returning the Financial Disclosure Form; Conference with Attorney Leavitt re: same   | 0.20  |
| 11/06/15 | AT3      | Review and Sign peremptory challenge.  | 0.20  |
|          | PL       | Draft Peremptory Challenge of Judge Pomrenze, for Attorney Leavitt's review; Instructions to Legal Secretary re: same  | 0.30  |
| 11/09/15 | AT3      | Draft Opposition and Countermotion for Custody/Support.  | 3.20  |
| 11/10/15 | AT3      | Telephone call to client to discuss case related matters and new Judge.  | 0.20  |
|          | PL       | Conference with Attorney Leavitt on November 9th re: Case was reassigned to department L, Judge Elliott; Obtain a file-stamped copy of Notice of Department Reassignment today; Email to Client re: same and Conference with Attorney Leavitt re: same; Update calendar with new hearing date and time; Receive voice mail from and telephone conference to Client re: Discuss case status and case related matters; Telephone Conference from Client re: Case related matters | 0.40  |

The  
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November 15, 2015

Statement # 22666

Page # 2

|          |     |  |      |
|----------|-----|--|------|
| 11/12/15 | AT3 | Review and analyze revisions of Opposition and<br>Counter-motion from client; Revise per client's instructions;<br>Forward revised document to client for final review and<br>signature.   | 0.50 |
|          | PL  | Receive, review, and reply to email from Client re: [REDACTED]<br>[REDACTED]<br>Conference with Attorney Leavitt re: same; Prepare<br>Opposition Fee Information Sheet; Instructions to Legal<br>Secretary re: E-file and serve same | 0.20 |

|          |      |     |                    |         |          |   |            |
|----------|------|-----|--------------------|---------|----------|---|------------|
| Total of | 4.40 | AT3 | Attorney Leavitt's | Hours @ | \$375.00 | = | \$1,650.00 |
|----------|------|-----|--------------------|---------|----------|---|------------|

|          |      |    |                   |         |          |   |          |
|----------|------|----|-------------------|---------|----------|---|----------|
| Total of | 1.70 | PL | Paralegal Stolz's | Hours @ | \$175.00 | = | \$297.50 |
|----------|------|----|-------------------|---------|----------|---|----------|

|                    |            |
|--------------------|------------|
| Total for Services | \$1,947.50 |
|--------------------|------------|

Case Costs

|                                      |          |
|--------------------------------------|----------|
| E-Filing Fee - Invoice Copy Attached | \$467.00 |
|--------------------------------------|----------|

|              |        |
|--------------|--------|
| E-Filing Fee | \$3.50 |
|--------------|--------|

|                 |          |
|-----------------|----------|
| Total for Costs | \$470.50 |
|-----------------|----------|

|   |          |
|---|----------|
| Balance from Last Statement Before any Payments | \$220.00 |
|---|----------|

|  |            |
|--|------------|
| Total Fees and Costs on This Statement | \$2,418.00 |
|--|------------|

|   |            |
|---|------------|
| Unpaid Accounts Receivable Balance as of This Statement | \$2,638.00 |
|---|------------|

Your required minimum Trust Account Balance at this time is \$3,750.00

|   |            |
|---|------------|
| Therefore, please include the following amount in your next payment | \$3,750.00 |
|---|------------|

|                                     |                          |
|-------------------------------------|--------------------------|
| <b><u>TOTAL BALANCE DUE NOW</u></b> | <b><u>\$6,388.00</u></b> |
|-------------------------------------|--------------------------|

Recent Activity in Trust Account

Your remaining Trust Account Balance is

Balance Forward

\$0.00



The

**ABRAMS & MAYO**

**Law Firm**

Mr. Brandon Saiter  
Henderson, Nevada

**Jennifer V. Abrams, Esq.**

**Vincent Mayo, Esq.**

**Brandon K. Leavitt, Esq.**

6252 South Rainbow Blvd.  
Suite 100

Las Vegas, Nevada 89118

Telephone (702) 222-4021

Facsimile (702) 248-9750

**November 30, 2015**

**Statement # 22744**

**Due Upon Receipt**

**RE: Brandon P. Saiter v. Tina M. Salter**

**Statement of Account**

| Date     | AT/PL/LS | Activity  | Hours |
|----------|----------|---|-------|
| 11/16/15 | AT       | Strategy meeting with Attorney Leavitt re: [REDACTED]   | 0.20  |
|          | AT3      | Review and analyze emails from over the weekend; [REDACTED]   | 0.20  |
|          | AT3      | Conference with Attorney Abrams re: [REDACTED]  | 0.20  |
| 11/17/15 | AT3      | Review and analyze email from opposing counsel; Telephone call with client re: same; Responsive email back to opposing counsel to request settlement offer in writing.  | 0.30  |
| 11/18/15 | PL       | Conferences with Attorney Leavitt on November 16th and today re: Case related matters; Exchange emails w/ Client on November 18th re: Request to schedule a meeting with Attorney Leavitt and myself to discuss the case, case related matters and next steps | 0.20  |
| 11/19/15 | AT2      | Conference w/ Paralegal Stolz and Attorney Leavitt re: Case status  | 0.20  |
|          | AT3      | Meeting with client re: Case Strategy [REDACTED]  | 1.00  |
|          | PL       | Meeting with Client and Attorney Leavitt re: [REDACTED]   | 0.90  |
|          |          | [REDACTED] Conference with Attorney Leavitt re: same  |       |
| 11/23/15 | PL       | Begin making changes to proposed Decree of Divorce to include Client's most recent settlement proposal; Email to  | 0.70  |

November 30, 2015

Statement # 22744

Page # 2

|          |     |  |      |
|----------|-----|--|------|
|          |     | Client re: Additional information needed to finalize same;<br>Telephone Conference from Client re: same  |      |
| 11/24/15 | PL  | Obtain a file-stamped copy of Opposing Party's Application for an Order Shortening Time via Court's website; Telephone Conference to Court re: Request status of reviewing Opposing Party's request - Order Shortening Time granted and possible new dates; Email to Client re: same and Conference with Attorney Leavitt re: same; Receive emails from Client re: [REDACTED] and unavailability on one of the possible dates for rescheduling the hearing; Conference with Attorney Leavitt re: same                                  | 0.30 |
| 11/25/15 | AT3 | Telephone call to opposing counsel re: moving hearing date.  | 0.30 |
|          | PL  | Obtain information via Court's website that Court already moved the hearing to December 8th (date Client is unavailable); Conference with Attorney Leavitt re: same; Telephone Conference to Court re: Request Court's availability for rescheduling the hearing - Court can move it one week out; Conference with Attorney Leavitt re: same; Email to Opposing Counsel re: Request for an agreement to move hearing one week out; Conference with Attorney Leavitt re: Opposing Counsel agreed to request; Email to Client re: Status | 0.30 |
| 11/30/15 | AT3 | Telephone call from opposing counsel re: new date and signing stipulation and order to move hearing date; Review and approve red-lined changes to the Decree of Divorce; Review and approve stipulation and order to continue; Review and Sign Request for Family Mediation Center Services.   | 0.90 |
|          | PL  | Draft Stipulation and Order to Continue Hearing, for Attorney Leavitt's review; Finalize revised Decree of Divorce, for Attorney Leavitt's review; Email to Client re: Attached revised Decree of Divorce, for review and approval; Exchange emails w/ Client re: same and discuss other case related matters; Email to Opposing Counsel re: Attached Stipulation and Order to Continue Hearing, for review and signature; Receive email from Opposing Counsel re: Attached signed Stipulation and Order; Finalize                     | 1.00 |

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November 30, 2015  
Statement # 22744  
Page # 3

same and submit to Court; Draft FMC Request and Order for  
Mediation, for Attorney Leavitt's review; Instructions to Legal  
Secretary re: same

|   |      |     |                    |         |          |   |                          |
|---|------|-----|--------------------|---------|----------|---|--------------------------|
| Total of  | 0.20 | AT  | Attorney Abrams'   | Hours @ | \$500.00 | = | \$100.00                 |
| Total of  | 0.20 | AT2 | Attorney Mayo's    | Hours @ | \$450.00 | = | \$90.00                  |
| Total of  | 2.90 | AT3 | Attorney Leavitt's | Hours @ | \$375.00 | = | \$1,087.50               |
| Total of  | 3.40 | PL  | Paralegal Stolz's  | Hours @ | \$175.00 | = | \$595.00                 |
| Total for Services  |      |     |                    |         |          |   | \$1,872.50               |
| Balance from Last Statement Before any Payments                     |      |     |                    |         |          |   | \$2,638.00               |
| Payments From Trust Account On and/or Since Last Statement          |      |     |                    |         |          |   | - \$2,000.00             |
| Total Fees and Costs on This Statement                              |      |     |                    |         |          |   | \$1,872.50               |
| Unpaid Accounts Receivable Balance as of This Statement             |      |     |                    |         |          |   | \$2,510.50               |
| Your required minimum Trust Account Balance at this time is         |      |     |                    |         |          |   | \$3,750.00               |
| Therefore, please include the following amount in your next payment |      |     |                    |         |          |   | \$3,750.00               |
| <b><u>TOTAL BALANCE DUE NOW</u></b>                                 |      |     |                    |         |          |   | <b><u>\$6,260.50</u></b> |

| Recent Activity in Trust Account        |   | Balance Forward |
|---|---|-----------------|
| 11/30/15                                | Payment by Credit Card on File - Thank You. | \$2,000.00      |
|   | Payment on A/R Balance - Thank You.         | \$2,000.00      |
| Your remaining Trust Account Balance is |   | \$0.00          |





**The**  
**ABRAMS & MAYO**  
**Law Firm**

Mr. Brandon Saiter  
Henderson, Nevada

Jennifer V. Abrams, Esq.  
Vincent Mayo, Esq.  
Brandon K. Leavitt, Esq.

6252 South Rainbow Blvd.  
Suite 100  
Las Vegas, Nevada 89118  
Telephone (702) 222-4021  
Facsimile (702) 248-9750

December 15, 2015  
Statement # 22872  
Due Upon Receipt

RE: Brandon P. Saiter v. Tina M. Saiter

**Statement of Account**

| Date     | AT/PL/LS | Activity   | Hours |
|----------|----------|--|-------|
| 12/01/15 | PL       | Exchange emails w/ Client re: Client provided paystubs and business related documents and I updated Client's file; Receive email from Client re: Approval of revised Decree of Divorce; Finalize same, for Attorney Leavitt's review; Email to Opposing Counsel re: Attached revised Decree of Divorce, for settlement purposes  | 0.30  |
| 12/02/15 | PL       | Obtain new hearing date and time via Court's website; Email to Client re: same and Conference with Attorney Leavitt re: same; Update calendar accordingly; Receive, review, and reply to email from Opposing Counsel re: Opposing Counsel requested and I provided Decree of Divorce in modifiable format, per Attorney Leavitt's instructions   | 0.20  |
| 12/03/15 | AT3      | Review and Sign Notice of Entry of Order of Stipulation and Order.   | 0.20  |
|          | PL       | Draft Notice of Entry of Stipulation and Order to Continue Hearing and Certificate of Service, for Attorney Leavitt's review; Instructions to Legal Secretary re: E-file and serve same  | 0.30  |
| 12/08/15 | PL       | Exchanges messages with Client yesterday re: Status and case related matters; Telephone Conference from Client today re: same; Telephone Conference to Opposing Counsel re: Request status of responding to revised Decree of Divorce and receive the response that they just plan on going to court next week; Email to Client re: same and request for Client's FDF ASAP and Conference with Attorney Leavitt re: same | 0.30  |
| 12/09/15 | AT3      | Telephone call with client re: living arrangements and potential settlement of case between parties; Review and Sign 16.2 Production of Documents; Telephone call from opposing counsel re: status of opposing party leaving house.  | 0.70  |

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December 15, 2015

Statement # 22872

Page # 2

|          |     |  |      |
|----------|-----|--|------|
|          | PL  | Telephone Conference with Client re: Discuss case status and case related matters; Conference with Attorney Leavitt re: same; Draft Client's First Set of 16.2 Disclosures and Certificate of Service, for Attorney Leavitt's review; Instructions to Legal Secretary re: same   | 0.50 |
| 12/11/15 | AT3 | Review and Sign Notice of Entry of Order for Family Mediation Center.  | 0.20 |
|          | PL  | Exchange emails w/ Client re: Request and receive Client's Financial Disclosure Form; Conference with Attorney Leavitt re: same; Instructions to Paralegal J. Schoen to type up same; Telephone Conference from Court re: Status of Client's Financial Disclosure Form; Conference with Attorney Leavitt re: same; Draft facsimile to Family Mediation Center re: Attached FMC Request and Order for Mediation - NRS 3.475; Draft Notice of Entry of FMC Request and Order for Mediation - NRS 3.475 and Certificate of Service, for Attorney Leavitt's review; Instructions to Legal Secretary re: same; Email to Client re: Attached FMC Request and Order for Mediation and instructions for same   | 0.50 |
|          | PL4 | Initial draft of Financial Disclosure Form   | 0.30 |
| 12/14/15 | AT3 | Review and approve client's Financial Disclosure Form.   | 0.20 |
|          | PL  | Conference with Attorney Leavitt re: Discuss tomorrow's hearing and other case related matters; Exchange communications w/ Client re: Discuss Client's Financial Disclosure Form and information for same; Finalize Client's Financial Disclosure Form, for Attorney Leavitt's review; Email to Client re: Attached Financial Disclosure Form, for review and approval; Exchange emails w/ Client re: Finalize Client's Financial Disclosure Form and discuss tomorrow's hearing; Conference with Attorney Leavitt re: same; Instructions to Legal Secretary re: E-file and serve Client's Financial Disclosure Form upon Opposing Counsel and Court; Assist Attorney Leavitt with preparation for tomorrow's hearing, including, preparing Client's file for same | 1.20 |
| 12/15/15 | AT3 | Review file and Court's record in preparation for Hearing; Travel to and from Court for Hearing; Appearance before Dept. L on Motions for Temporary Support, etc;  | 4.30 |

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December 15, 2015

Statement # 22872

Page # 3

Telephone call from J.Brown re: "Chubs" the Dog and Affidavit regarding events and circumstances of her receiving said animal.

PL Conference with Attorney Leavitt re: Results from today's hearing and Calendar Call and Trial dates and times; Update calendar accordingly 0.20

Total of 5.60 AT3 Attorney Leavitt's Hours @ \$375.00 = \$2,100.00

Total of 3.50 PL Paralegal Stolz's Hours @ \$175.00 = \$612.50

Total of 0.30 PL4 Paralegal J. Schoen's Hours @ \$175.00 = \$52.50

Total for Services \$2,765.00

Case Costs

E-Filing Fee \$3.50

Courier Service \$15.00

E-Filing Fee \$3.50

Courier Service \$15.00

E-Filing Fee \$3.50

E-Filing Fee \$3.50

E-Filing Fee \$3.50

Total for Costs \$47.50

Balance from Last Statement Before any Payments \$2,510.50

Total Fees and Costs on This Statement \$2,812.50

Unpaid Accounts Receivable Balance as of This Statement \$5,323.00

Your required minimum Trust Account Balance at this time is \$3,750.00

Therefore, please include the following amount in your next payment \$3,750.00

**TOTAL BALANCE DUE NOW** **\$9,073.00**

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December 15, 2015  
Statement # 22872  
Page # 4

| Recent Activity in Trust Account        | Balance Forward |
|---|-----------------|
| Your remaining Trust Account Balance is | \$0.00          |



**The**  
**ABRAMS & MAYO**  
**Law Firm**

Mr. Brandon Saiter  
Henderson, Nevada

Jennifer V. Abrams, Esq.  
Vincent Mayo, Esq.  
Brandon K. Leavitt, Esq.

6252 South Rainbow Blvd.  
Suite 100  
Las Vegas, Nevada 89118  
Telephone (702) 222-4021  
Facsimile (702) 248-9750

December 31, 2015  
Statement # 22969  
Due Upon Receipt

RE: Brandon P. Saiter v. Tina M. Saiter

**Statement of Account**

| Date     | AT/PL/LS | Activity   | Hours |
|----------|----------|--|-------|
| 12/16/15 | AT       | Strategy meeting with Attorney Leavitt   | 0.50  |
|          | AT3      | Conference with Attorney Abrams re: [REDACTED]   | 0.50  |
| 12/17/15 | PL       | Obtain Court Minutes from December 15, 2015 hearing via Court's website; Email to Client re: same and Conference with Attorney Leavitt re: same  | 0.20  |
| 12/18/15 | PL       | Telephone Conference from Client re: Discuss Orders from last hearing, case status and next steps; Conference with Attorney Leavitt re: same   | 0.20  |
| 12/22/15 | PL       | Exchange communications w/ Client re: [REDACTED]   | 0.30  |
|          |          | [REDACTED] Client requested that we propose a payment plan to Opposing Counsel for the award of attorney's fees; Exchange emails w/ Opposing Counsel re: Propose and receive approval of payment plan; Conference with Attorney Leavitt re: same |       |
| 12/31/15 | PL       | [REDACTED]   | 0.30  |

|          |      |     |                    |         |          |   |          |
|----------|------|-----|--------------------|---------|----------|---|----------|
| Total of | 0.50 | AT  | Attorney Abrams'   | Hours @ | \$500.00 | = | \$250.00 |
| Total of | 0.50 | AT3 | Attorney Leavitt's | Hours @ | \$375.00 | = | \$187.50 |
| Total of | 1.00 | PL  | Paralegal Stolz's  | Hours @ | \$175.00 | = | \$175.00 |

Total for Services \$612.50

Balance from Last Statement Before any Payments \$5,323.00

Payments From Trust Account On and/or Since Last Statement = \$2,500.00

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December 31, 2015  
Statement # 22969  
Page # 2

|   |                          |
|---|--------------------------|
| Total Fees and Costs on This Statement                              | \$612.50                 |
| Unpaid Accounts Receivable Balance as of This Statement             | \$3,435.50               |
| Your required minimum Trust Account Balance at this time is         | \$3,750.00               |
| Therefore, please include the following amount in your next payment | \$3,750.00               |
| <b><u>TOTAL BALANCE DUE NOW</u></b>                                 | <b><u>\$7,185.50</u></b> |

| Recent Activity in Trust Account                     | Balance Forward |            |
|--|-----------------|------------|
| 12/31/15 Payment by Credit Card on File - Thank You. | \$2,500.00      |            |
| Payment on A/R Balance - Thank You.                  |                 | \$2,500.00 |
| Your remaining Trust Account Balance is              | \$0.00          |            |



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**ABRAMS & MAYO**

**Law Firm**

Mr. Brandon Saiter  
Henderson, Nevada

Jennifer V. Abrams, Esq.  
Vincent Mayo, Esq.  
Brandon K. Leavitt, Esq.

6252 South Rainbow Blvd.  
Suite 100  
Las Vegas, Nevada 89118  
Telephone (702) 222-4021  
Facsimile (702) 248-9750

January 15, 2016  
Statement # 23048  
Due Upon Receipt

RE: Brandon P. Saiter v. Tina M. Saiter

**Statement of Account**

| Date  | AT/PL/LS | Activity  | Hours                       |
|---|----------|---|-----------------------------|
| 01/04/16  | PL       | Conference with Attorney Leavitt re: Discuss case related matters; Obtain a file-stamped copy of Order from the December 15, 2015 Hearing and Trial Management Order via Court's website; Email to Client re: same and Conference with Attorney Leavitt re: same; Email to Client re: Follow up with new dog owner regarding Affidavit, per Attorney Leavitt's instructions | 0.30                        |
| 01/05/16  | AT3      | Telephone call with client re: strategy of case; Telephone call with opposing counsel and voice mail re: settlement negotiations.   | 0.40                        |
| 01/06/16  | AT3      | Review and analyze email from client re: status on settlement; Responsive email to client re: need for business valuation; Telephone call from opposing counsel office re: business valuator and retention of same.   | 0.50                        |
| 01/08/16  | PL       | Receive, review, and reply to email from Client re: Updating his Financial Disclosure Form and related matters  | 0.20                        |
| 01/12/16  | PL       | Review Trial Management Order and calculate and calendar all deadlines therein, as well as reminders; Review Order from the December 15, 2015 hearing; Conference with Attorney Leavitt re: same and outstanding issues   | 0.50                        |
| Total of  | 0.90     | AT3 Attorney Leavitt's  | Hours @ \$375.00 = \$337.50 |
| Total of  | 1.00     | PL Paralegal Stolz's  | Hours @ \$175.00 = \$175.00 |
| Total for Services                              |          |   | \$512.50                    |
| Balance from Last Statement Before any Payments |          |   | \$3,435.50                  |
| Total Fees and Costs on This Statement          |          |   | \$512.50                    |

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January 15, 2016  
Statement # 23048  
Page # 2

|   |            |
|---|------------|
| Unpaid Accounts Receivable Balance as of This Statement | \$3,948.00 |
|---|------------|

Your required minimum Trust Account Balance at this time is \$3,750.00

|   |            |
|---|------------|
| Therefore, please include the following amount in your next payment | \$3,750.00 |
|---|------------|

|                              |                   |
|------------------------------|-------------------|
| <u>TOTAL BALANCE DUE NOW</u> | <u>\$7,698.00</u> |
|------------------------------|-------------------|

Recent Activity in Trust Account

Balance Forward

Your remaining Trust Account Balance is

\$0.00





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**ABRAMS & MAYO**

**Law Firm**

Mr. Brandon Saiter  
Henderson, Nevada

Jennifer V. Abrams, Esq.  
Vincent Mayo, Esq.  
Brandon K. Leavitt, Esq.

6252 South Rainbow Blvd.  
Suite 100  
Las Vegas, Nevada 89118  
Telephone (702) 222-4021  
Facsimile (702) 248-9750

January 31, 2016

Statement # 23171

Due Upon Receipt

RE: Brandon P. Saiter v. Tina M. Saiter

**Statement of Account**

| Date     | AT/PL/LS | Activity   | Hours |
|----------|----------|--|-------|
| 01/19/16 | PL       | Email to Client re: Affidavit from new dog owners and gun safety plan; Conference with Attorney Leavitt re: same; Email to Opposing Counsel re: Gun safety plan  | 0.20  |
| 01/20/16 | AT3      | Conference with paralegal Stolz re: case related matters; Telephone call to opposing counsel to inquire about selling marital residence; Emails between client re: realtors.   | 0.30  |
|          | PL       | Telephone Conference with Client re: Discuss payment of bills, request for Opposing Party's new address, request for a stipulation to sell the marital residence and other case related matters; Conference with Attorney Leavitt re: same (Actual time 0.3) | 0.20  |
| 01/21/16 | PL       | Exchange communications w/ Client re: Request for Opposing Party's banking information for wiring child support and related matters - issue resolved; Conference with Attorney Leavitt re: same  | 0.20  |
| 01/27/16 | PL       | Exchange emails w/ Client re: [REDACTED]<br>Conference with Attorney Leavitt re: same  | 0.20  |

Total of 0.30 AT3 Attorney Leavitt's Hours @ \$375.00 = \$112.50

Total of 0.80 PL Paralegal Stolz's Hours @ \$175.00 = \$140.00

Total for Services \$252.50

Balance from Last Statement Before any Payments \$3,948.00

Total Fees and Costs on This Statement \$252.50

Unpaid Accounts Receivable Balance as of This Statement \$4,200.50

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January 31, 2016  
Statement # 23171  
Page # 2

Your required minimum Trust Account Balance at this time is \$3,750.00  
Therefore, please include the following amount in your next payment \$3,750.00

**TOTAL BALANCE DUE NOW**      **\$7,950.50**

| Recent Activity in Trust Account        | Balance Forward |
|---|-----------------|
| Your remaining Trust Account Balance is | \$0.00          |



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**ABRAMS & MAYO**

**Law Firm**

Mr. Brandon Saiter  
Henderson, Nevada

**Jennifer V. Abrams, Esq.**

**Vincent Mayo, Esq.**

**Brandon K. Leavitt, Esq.**

6252 South Rainbow Blvd.  
Suite 100

Las Vegas, Nevada 89118

Telephone (702) 222-4021

Facsimile (702) 248-9750

**February 15, 2016**

**Statement # 23242**

**Due Upon Receipt**

**RE: Brandon P. Saiter v. Tina M. Saiter**

**Statement of Account**

| <b>Date</b> | <b>AT/PL/LS</b> | <b>Activity</b>  | <b>Hours</b> |
|-------------|-----------------|--|--------------|
| 02/02/16    | PL              | Follow up email to Client re: Request status of Client providing the information / details for the Affidavit of the new dog owners   | 0.20         |
| 02/08/16    | PL              | Exchange emails w/ Jeff Nash re: Coordinate telephone conference between Mr. Nash and Attorney Leavitt; Conference with Attorney Leavitt re: same  | 0.20         |
| 02/10/16    | PL              | Telephone Conference from Opposing Counsel's office re: Possibility of filing a Motion for an Order to Show Cause Against Client due to Client allegedly being behind in child support, being behind in attorney's fees and requesting status of addressing the dog issue; Email to Client re: same and discuss other case related matters; Conference with Attorney Leavitt re: same; Telephone Conference from Client re: Child support is up-to-date, attorney's fees will be paid today, expert is paid and has documentation and working on Affidavit of new dog owners; Telephone Conference to Opposing Counsel's office re: same Conference with Attorney Leavitt re: same | 0.60         |
| 02/11/16    | AT3             | Telephone conference with J.Nash and client re: business evaluation.   | 0.40         |
|             | PL              | Telephone Conference with Client and Jeff Nash re: Discuss business valuation and related matters; Receive text messages exchanged between Opposing Party and new dog owners; Instructions to Legal Secretary re: same; Email to Client re: same   | 0.40         |
| 02/12/16    | AT3             | Review and revise discovery requests; Sign same.   | 0.50         |
|             | PL              | Draft Plaintiff's First Request for Production of Documents and Tangible Things and First Set of Interrogatories and Receipt of Copy, for Attorney Leavitt's review; Instructions to Legal Secretary re: same; Email to Client re: same  | 1.00         |

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February 15, 2016  
 Statement # 23242  
 Page # 2

|          |    |   |      |
|----------|----|---|------|
| 02/14/16 | PL | Exchange emails w/ Client re: Answer Client's general questions and discuss case related matters; Conference with Attorney Leavitt re: same | 0.30 |
|----------|----|---|------|

|          |      |     |                    |         |          |   |          |
|----------|------|-----|--------------------|---------|----------|---|----------|
| Total of | 0.90 | AT3 | Attorney Leavitt's | Hours @ | \$375.00 | = | \$337.50 |
|----------|------|-----|--------------------|---------|----------|---|----------|

|          |      |    |                   |         |          |   |          |
|----------|------|----|-------------------|---------|----------|---|----------|
| Total of | 2.70 | PL | Paralegal Stolz's | Hours @ | \$175.00 | = | \$472.50 |
|----------|------|----|-------------------|---------|----------|---|----------|

|                    |          |
|--------------------|----------|
| Total for Services | \$810.00 |
|--------------------|----------|

|   |            |
|---|------------|
| Balance from Last Statement Before any Payments | \$4,200.50 |
|---|------------|

|  |              |
|--|--------------|
| Payments From Trust Account On and/or Since Last Statement | - \$4,200.50 |
|--|--------------|

|  |          |
|--|----------|
| Total Fees and Costs on This Statement | \$810.00 |
|--|----------|

|   |          |
|---|----------|
| Unpaid Accounts Receivable Balance as of This Statement | \$810.00 |
|---|----------|

Your required minimum Trust Account Balance at this time is \$3,750.00

|   |            |
|---|------------|
| Therefore, please include the following amount in your next payment | \$3,750.00 |
|---|------------|

|                                     |                          |
|-------------------------------------|--------------------------|
| <b><u>TOTAL BALANCE DUE NOW</u></b> | <b><u>\$4,560.00</u></b> |
|-------------------------------------|--------------------------|

**Recent Activity in Trust Account**

**Balance Forward**

02/05/16 Payment by Credit Card on File - Thank You.

\$4,200.50

Payment on A/R Balance - Thank You.

\$4,200.50

Your remaining Trust Account Balance is

\$0.00



The

**ABRAMS & MAYO**

**Law Firm**

Mr. Brandon Saiter  
Henderson, Nevada

Jennifer V. Abrams, Esq.

Vincent Mayo, Esq.

Brandon K. Leavitt, Esq.

6252 South Rainbow Blvd.  
Suite 100

Las Vegas, Nevada 89118

Telephone (702) 222-4021

Facsimile (702) 248-9750

February 29, 2016

Statement # 23340

Due Upon Receipt

RE: Brandon P. Saiter v. Tina M. Saiter

**Statement of Account**

| Date   | AT/PL/LS | Activity   | Hours                      |
|--|----------|--|----------------------------|
| 02/17/16   | PL       | Exchange communications w/ Client re: Client provided text messages exchanged with new dog owner and discuss other case related matters; Conference with Attorney Leavitt re: same | 0.20                       |
| 02/26/16   | AT3      | Telephone call with client re: offer on house.   | 0.20                       |
|  | PL       | Exchange communications w/ Client re: Status of providing Affidavit of new dog owners and Client received an offer on the house; Conference with Attorney Leavitt re: same         | 0.20                       |
| Total of   | 0.20     | AT3 Attorney Leavitt's   | Hours @ \$375.00 = \$75.00 |
| Total of   | 0.40     | PL Paralegal Stolz's   | Hours @ \$175.00 = \$70.00 |
| Total for Services   |          |  | \$145.00                   |
| Balance from Last Statement Before any Payments                        |          |  | \$810.00                   |
| Total Fees and Costs on This Statement                                 |          |  | \$145.00                   |
| Unpaid Accounts Receivable Balance as of This Statement                |          |  | \$955.00                   |
| Your required minimum Trust Account Balance at this time is \$3,750.00 |          |  |                            |
| Therefore, please include the following amount in your next payment    |          |  | \$3,750.00                 |
| <b><u>TOTAL BALANCE DUE NOW</u></b>                                    |          |  | <b><u>\$4,705.00</u></b>   |

Recent Activity in Trust Account

Balance Forward

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February 29, 2016  
Statement # 23340  
Page # 2

Your remaining Trust Account Balance is

\$0.00



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**Law Firm**

Mr. Brandon Saiter  
Henderson, Nevada

**Jennifer V. Abrams, Esq.**  
**Vincent Mayo, Esq.**  
**Brandon K. Leavitt, Esq.**

6252 South Rainbow Blvd.  
Suite 100  
Las Vegas, Nevada 89118  
Telephone (702) 222-4021  
Facsimile (702) 248-9750

**March 15, 2016**

**Statement # 23472**

**Due Upon Receipt**

**RE: Brandon P. Saiter v. Tina M. Saiter**

**Statement of Account**

| <b>Date</b> | <b>AT/PL/LS</b> | <b>Activity</b>   | <b>Hours</b> |
|-------------|-----------------|---|--------------|
| 03/02/16    | PL              | Receive voice mail from and telephone conference to Client re: Status of new dog owner's Affidavit, timing of discovery and other case related matters  | 0.20         |
| 03/09/16    | PL              | Exchange emails w/ Jeff Nash re: Request and receive status update on report; Conference with Attorney Leavitt re: same and email to Client re: same  | 0.20         |
| 03/11/16    | AT3             | Review, Revise and Sign 2nd 16.2 production of documents.   | 0.30         |
|             | PL              | Draft Client's Second Set of 16.2 Disclosures and List of Witnesses, for Attorney Leavitt's review; Serve same upon Opposing Counsel  | 0.60         |
| 03/14/16    | PL              | Conference with Attorney Leavitt re: Discuss Order from December 15, 2015 Hearing for Opposing Party to prepare and file a "Spousal Rehabilitation Plan," Opposing Party's failure to prepare and file same and addressing this matter; Draft Correspondence to Opposing Counsel re: Demand for "Spousal Rehabilitation Plan," for Attorney Leavitt's review  | 0.40         |
| 03/15/16    | AT3             | Review and Sign (2) letters to opposing counsel re: Spousal rehab plan and waiver of requests for production and interrogatories; Review and Sign 3 day notice of intent to default.  | 0.50         |
|             | PL              | Draft Correspondence to Opposing Counsel re: Opposing Party's failure to timely respond to Discovery Requests, waiver of objection, deadline for responses or EDCR 2.34 telephone conference, for Attorney Leavitt's review; Instructions to Legal Secretary re: same; Update calendar accordingly; Email to Client re: Attached draft business valuation report and Attorney Leavitt will be in touch to discuss same, per Attorney Leavitt's instructions; Exchange communications w/ Opposing Counsel's office re: They requested and I resent Discovery Requests and proof that | 1.10         |

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March 15, 2016  
Statement # 23472  
Page # 2

they were personally served upon their office and discuss  
order for spousal rehabilitation plan; Conference with  
Attorney Leavitt re: same; Exchange communications w/  
Client re: Discuss recent correspondence to Opposing  
Counsel, Trial preparation and other case related matters;  
Conference with Attorney Leavitt re: same; Email to Client  
re: Attached General Financial Disclosure Form, for  
updating; Draft Three Day Notice of Intent to Take Default  
and Certificate of Service, for Attorney Leavitt's review;  
Instructions to Legal Secretary re: same

|   |      |     |                    |         |          |   |                          |
|---|------|-----|--------------------|---------|----------|---|--------------------------|
| Total of  | 0.80 | AT3 | Attorney Leavitt's | Hours @ | \$375.00 | = | \$300.00                 |
| Total of  | 2.50 | PL  | Paralegal Stolz's  | Hours @ | \$175.00 | = | \$437.50                 |
| Total for Services  |      |     |                    |         |          |   | \$737.50                 |
| Balance from Last Statement Before any Payments                     |      |     |                    |         |          |   | \$955.00                 |
| Payments From Trust Account On and/or Since Last Statement          |      |     |                    |         |          |   | - \$955.00               |
| Total Fees and Costs on This Statement                              |      |     |                    |         |          |   | \$737.50                 |
| Unpaid Accounts Receivable Balance as of This Statement             |      |     |                    |         |          |   | \$737.50                 |
| Your required minimum Trust Account Balance at this time is         |      |     |                    |         |          |   | \$3,750.00               |
| Therefore, please include the following amount in your next payment |      |     |                    |         |          |   | \$3,750.00               |
| <b><u>TOTAL BALANCE DUE NOW</u></b>                                 |      |     |                    |         |          |   | <b><u>\$4,487.50</u></b> |

| Recent Activity in Trust Account                         | Balance Forward |
|--|-----------------|
| 03/08/16     Payment by Credit Card on File - Thank You. | \$955.00        |
| Payment on A/R Balance - Thank You.                      | \$955.00        |
| Your remaining Trust Account Balance is                  | \$0.00          |





The

**ABRAMS & MAYO**

**Law Firm**

Mr. Brandon Saiter  
Henderson, Nevada

**Jennifer V. Abrams, Esq.**  
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**Brandon K. Leavitt, Esq.**

6252 South Rainbow Blvd.  
Suite 100  
Las Vegas, Nevada 89118  
Telephone (702) 222-4021  
Facsimile (702) 248-9750

**March 31, 2016**

**Statement # 23547**

**Due Upon Receipt**

**RE: Brandon P. Saiter v. Tina M. Saiter**

**Statement of Account**

| Date     | AT/PL/LS | Activity  | Hours |
|----------|----------|---|-------|
| 03/16/16 | AT3      | Conference with Paralegal Stolz re: filing default and client's concerns.   | 0.20  |
|          | PL       | Telephone Conference from Client re: Discuss the Three Day Notice of Intent to Take Default and other case related matters  | 0.20  |
| 03/17/16 | PL       | Research possible employment opportunities and statistic for Opposing Party; Conference with Attorney Leavitt re: same and Email to Client re: same; Receive email from Opposing Counsel re: Request for Opposing Party to pick up belongings from the former marital residence, request for children's birth certificates and related matters; Exchange emails w/ Client re: same; Obtain a file-stamped copy of Opposing Party's Answer via Court's website; Exchange emails w/ Client re: same and Conference with Attorney Leavitt re: same | 0.60  |
| 03/18/16 | PL       | Exchange emails w/ Client re: Receive and download documents for disclosing   | 0.20  |
| 03/19/16 | PL       | Email to Opposing Counsel re: Opposing Party can have her personal belongings, but as for anything else, we need a list in advance; Email to Client re: same  | 0.20  |
| 03/21/16 | AT3      | Telephone call from opposing counsel to notify about discovery responses; Telephone call with client re: documents needed for production; Review and Sign 3rd Production of Documents.  | 0.50  |
|          | PL       | Draft Client's Third Set of 16.2 Disclosures and Certificate of Service, for Attorney Leavitt's review; Instructions to Legal Secretary re: same; Exchange several communications w/ Client re: Additional documentation needed and other case related matters; Draft Client's Fourth Set of 16.2 Disclosures and List of Witnesses, for Attorney Leavitt's review; Serve same upon Opposing Counsel  | 2.40  |

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March 31, 2016  
Statement # 23547  
Page # 2

|          |     |  |      |
|----------|-----|--|------|
| 03/23/16 | AT3 | Review and Sign Reply to Counterclaim.   | 0.20 |
|          | PL  | Exchange emails w/ Client re: Additional documents needed; Review Opposing Party's Answer and Counterclaim and draft Reply to Counterclaim and Certificate of Service, for Attorney Leavitt's review   | 0.60 |
| 03/24/16 | AT3 | Telephone call with opposing counsel's office re: settling the case.   | 0.30 |
|          | PL  | Quick review of Opposing Party's Financial Disclosure Form and Discovery Responses; Conference with Attorney Leavitt re: same; Telephone Conference to Opposing Counsel's office re: Discuss case related matters; Review Opposing Party's Discovery Responses and Financial Disclosure Form in more detail and itemize issues in Opposing Party's Discovery Responses; Email to Client re: same and Conference with Attorney Leavitt re: same; Obtain a file-stamped copy of Opposing Party's Spousal Support Rehabilitation Plan via Court's website; Email to Client re: same and Conference with Attorney Leavitt re: same | 1.20 |
| 03/28/16 | AT2 | Conference with Attorney Leavitt re: Opposing Party's unreasonable position and preference for Trial   | 0.20 |
|          | AT3 | Telephone call with opposing counsel re: Disclosures, Trial Preparation, and potential issues.   | 0.50 |
|          | PL  | Email to Jeff Nash re: Request for final report, per Attorney Leavitt's instructions   | 0.20 |
| 03/29/16 | AT3 | Review and analyze production from opposing counsel; Telephone call to opposing counsel's office re: missing pages, lack of readability of pages, and need for opposing counsel to supplement; Review, Revise and Sign Letter to opposing counsel detailing deficiencies in production of documents and demand for supplement in writing.  | 0.60 |
|          | PL  | Email to Client re: Follow up to request for Client to update his Financial Disclosure Form and related matters; Receive and review email from Opposing Counsel with additional documentation from Opposing Party; Instructions to Legal Secretary re: same; Exchange emails w/ Client re: same and Conference with Attorney Leavitt re: same; Draft Correspondence to Opposing Counsel detailing the deficiencies in Opposing Party's Discovery Responses, for  | 2.70 |

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March 31, 2016  
Statement # 23547  
Page # 3

|          |     |   |      |
|----------|-----|---|------|
|          |     | Attorney Leavitt's review; Begin preparation of the Proposed Community Property Division / Marital Balance Sheet  |      |
| 03/30/16 | PL  | Exchange emails w/ Client re: Follow up to request for additional documentation and information; Receive, review, and reply to email from Jeff Nash re: Receive final report; Email to Client re: same and Conference with Attorney Leavitt re: same; Receive email from Opposing Counsel re: Settlement proposal; Email to Client re: same and Conference with Attorney Leavitt re: same; [REDACTED]   | 1.20 |
|          |     | [REDACTED] Exchange emails w/ Client re: same and Conference with Attorney Leavitt re: same   |      |
| 03/31/16 | AT2 | Conference with Attorney Leavitt re: [REDACTED]   | 0.30 |
|          | AT3 | Review and analyze Marital Balance Sheet and exhibits; Telephone call from client re: Trial preparation; Review and Sign 5th Production of Documents; Conference with client re: marital balance sheet; Telephone call with opposing counsel office re: production of documents.  | 2.50 |
|          | PL  | Complete initial draft of Proposed Community Property Division / Marital Balance Sheet, for Attorney Leavitt's review; Conference with Attorney Leavitt re: same; Email to Opposing Counsel re: Information regarding Wells Fargo account(s); Telephone Conference from Client re: Discuss case related matters; Draft Client's Fifth Set of 16.2 Disclosures and Certificate of Service, for Attorney Leavitt's review; Instructions to Legal Secretary re: same; Exchange communications w/ Opposing Counsel's office re: Discuss case related matters and receive additional documentation; Email to Client re: same; Conference with Attorney Leavitt re: same and Instructions to Legal Secretary re: same; Telephone Conferences with Client and Attorney Leavitt and Telephone Conference with Client re: Discuss Proposed Community Property Division / Marital Balance Sheet, [REDACTED] | 3.20 |

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March 31, 2016

Statement # 23547

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|          |      |     |                 |         |          |   |          |
|----------|------|-----|-----------------|---------|----------|---|----------|
| Total of | 0.50 | AT2 | Attorney Mayo's | Hours @ | \$450.00 | = | \$225.00 |
|----------|------|-----|-----------------|---------|----------|---|----------|

**Total of 4.80 AT3 Attorney Leavitt's Hours @ \$375.00 = \$1,800.00**

**Total of 12.70 PL Paralegal Stolz's Hours @ \$175.00 = \$2,222.50**

|                           |                   |
|---------------------------|-------------------|
| <b>Total for Services</b> | <b>\$4,247.50</b> |
|---------------------------|-------------------|

### Case Costs

|              |        |
|--------------|--------|
| E-Filing Fee | \$3.50 |
|--------------|--------|

|              |        |
|--------------|--------|
| E-Filing Fee | \$3.50 |
|--------------|--------|

|                 |        |
|-----------------|--------|
| Total for Costs | \$7.00 |
|-----------------|--------|

|   |          |
|---|----------|
| Balance from Last Statement Before any Payments | \$737.50 |
|---|----------|

|  |   |          |
|--|---|----------|
| Payments From Trust Account On and/or Since Last Statement | = | \$737.50 |
|--|---|----------|

|   |                   |
|---|-------------------|
| <b>Total Fees and Costs on This Statement</b> | <b>\$4,254.50</b> |
|---|-------------------|

|   |            |
|---|------------|
| Unpaid Accounts Receivable Balance as of This Statement | \$4,254.50 |
|---|------------|

**Your required minimum Trust Account Balance at this time is \$3,750.00**

Therefore, please include the following amount in your next payment \$3,750.00

**TOTAL BALANCE DUE NOW**      **\$8,004.50**

### Recent Activity in Trust Account

## Balance Forward

03/23/16      Payment by Credit Card on File - Thank You.

\$737.50

Payment on A/R Balance - Thank You.

\$737.50

Your remaining Trust Account Balance is

\$0.00



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**Law Firm**

Mr. Brandon Saiter  
Henderson, Nevada

**Jennifer V. Abrams, Esq.**  
**Vincent Mayo, Esq.**  
**Brandon K. Leavitt, Esq.**

6252 South Rainbow Blvd.  
Suite 100  
Las Vegas, Nevada 89118  
Telephone (702) 222-4021  
Facsimile (702) 248-9750

**April 17, 2016**

**Statement # 23688**

**Due Upon Receipt**

**RE: Brandon P. Saiter v. Tina M. Saiter**

**Statement of Account**

| Date     | AT/PL/LS | Activity   | Hours |
|----------|----------|--|-------|
| 04/01/16 | AT3      | Review and analyze bank statements; Telephone call from opposing counsel's office to discuss Pretrial Memorandum deadline; Review and Sign 6th Production of Documents.  | 1.00  |
|          | PL       | Exchange emails w/ Client re: Discuss the Proposed Community Property Division / Marital Balance Sheet; Conference with Attorney Leavitt re: same; Follow up email to Opposing Counsel re: Request and receive Opposing Party's bank statements; Email to Client re: same and Conference with Attorney Leavitt re: same; Draft Client's Sixth Set of 16.2 Disclosures and Certificate of Service, for Attorney Leavitt's review; Instructions to Legal Secretary re: same; Email to Client re: Request for confirmation of Jesse Browning's address                  | 0.80  |
| 04/04/16 | AT       | Review, modify, and approve Summary Exhibit for use at Trial; Conference with Attorney Leavitt re: same  | 0.40  |
|          | AT2      | Conference w/ Attorney Abrams and Attorney Leavitt re: Summary exhibit of Client's monthly deficit   | 0.20  |
|          | AT3      | Review and revise Financial Disclosure Form; Review and Revise Pretrial Memorandum and supporting documents; Telephone call from client re: revisions to Financial Disclosure Form.  | 1.30  |
|          | PL       | Draft Client's Pre-Trial Memorandum, finalize the Proposed Community Property Division / Marital Balance Sheet, prepare initial draft of spreadsheet summarizing the parties' income and debts, work on Client's Financial Disclosure Form and Trial Exhibit binders; Exchange several communications with Client regarding same; Conferences with Attorney Leavitt re: same; Finalize documents for serving upon Opposing Counsel and Court; Review Opposing Party's residential lease agreement; Email to Client re: same and Conference with Attorney Leavitt re: | 5.90  |

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April 17, 2016

Statement # 23688

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|          |     |  |      |
|----------|-----|--|------|
|          |     | same; Exchange several communications w/ Attorney Leavitt and Client re: Trial Exhibits  |      |
|          | PL4 | Assist with preparation of five (5) trial binders with 54 exhibits and updating Client's General Financial Disclosure Form; Left message for Client re: same   | 4.80 |
| 04/05/16 | AT2 | Conference with Attorney Leavitt re: Calendar Call and discovery information   | 0.30 |
|          | AT3 | Review and analyze Trial Exhibits; Travel to and from Court for Calendar Call.   | 5.00 |
|          | PL  | Complete Trial Exhibit Notebooks and Trial Exhibit List; Conference with Attorney Leavitt re: Results from today's Calendar Call and next steps; Exchange emails w/ Jeff Nash re: Request and coordinate a telephone conference with Attorney Leavitt; Exchange emails w/ Opposing Counsel re: Coordinating exchange of Trial Exhibit binders and related matters  | 1.50 |
|          | PL4 | Finish with assisting in preparation of five (5) trial binders with 54 exhibits  | 1.30 |
| 04/06/16 | AT2 | Conference with Attorney Leavitt re: [REDACTED]<br>[REDACTED]  | 0.20 |
|          | AT3 | Telephone call with J.Nash re: Valuation Report and Testimony at Trial.  | 0.40 |
|          | PL  | Receive voice mail from and telephone conference to Opposing Counsel's office re: Opposing Counsel's office requested our Proposed Community Property Division / Marital Balance Sheet in modifiable format and discuss other case related matters; Conference with Attorney Leavitt re: same; Telephone Conference with Jeff Nash and Attorney Leavitt re: Discuss the business valuation, Client's income, Trial and related matters; Conference with Attorney Leavitt re: same; Request and receive video record from yesterday's hearing, per Attorney Leavitt's instructions; Telephone Conference with Client and Attorney Leavitt re: Discuss yesterday's hearing and related matters; Obtain Court Minutes from yesterday's hearing; Update Client's file accordingly; Conference with Attorney Leavitt re: same | 0.90 |
| 04/07/16 | PL  | Conference with Attorney Leavitt re: Discuss Opposing Counsel's request for the Proposed Community Property  | 0.60 |

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Division / Marital Balance Sheet in modifiable format, [REDACTED]

Email to Opposing Counsel re: We will provide PCPD / MBS in modifiable format, so long as they send their changes / revised document no later than April 11, 2016, follow up to request for retainer and billing statements and request for them to indicate which exhibits they stipulate to, per Attorney Leavitt's instructions; Email to Client re: Instructions for an A/B list; Receive, review, and reply to email from Opposing Counsel re: Agreement on PCPD / MBS and provide same and working on retainer agreement, billing statement and review of our Exhibit list; Conference with Attorney Leavitt re: same; Receive, review, and reply to email from Client re: Discuss A/B list and Client's proposal for addressing same; Conference with Attorney Leavitt re: same

|          |     |   |      |
|----------|-----|---|------|
| 04/08/16 | AT3 | Perform Legal Research [REDACTED]   | 1.50 |
|          | PL  | Conferences with Attorney Leavitt re: Discuss case related matters and Trial preparation; Receive, review, and reply to email from Opposing Counsel re: Opposing Counsel provided the retainer agreement and follow up request for the billing statements; Email to Client re: same and Conference with Attorney Leavitt re: same; Email to Opposing Counsel re: Proposal for resolving the division of the furniture / furnishings, per Attorney Leavitt's instructions; Email to Client re: same; Exchange emails w/ Opposing Counsel re: Opposing Party's request for access to the home; Exchange emails w/ Client re: same and Conference with Attorney Leavitt re: same; Exchange emails w/ Opposing Counsel re: Request for confirmation that the dog is a non issue - Opposing Counsel states the dog is an issue; Email to Client re: same and Conference with Attorney Leavitt re: same; Email to Client on April 9th re: Issues at Trial | 0.90 |
| 04/11/16 | PL  | Exchange emails w/ Client re: Request and confirm the parties are filing joint taxes for 2015; Conference with Attorney Leavitt re: same; Receive email from Opposing Counsel re: Attached "billing statement"; Email to Client re: same and Conference with Attorney Leavitt re: same  | 0.20 |

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April 17, 2016

Statement # 23688

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|          |     |  |      |
|----------|-----|--|------|
| 04/12/16 | AT3 | Review and Sign Trial Subpoena.  | 0.20 |
|          | PL  | Draft Trial Subpoena for Jesse Browning, for Attorney Leavitt's review; Instructions to Legal Secretary re: same; Conferences with Attorney Leavitt and Attorney Abrams re: Trial preparation, [REDACTED]<br>[REDACTED] Conference with Attorney Leavitt and Attorney Abrams re: same; Email to Client re: Follow up to request to coordinate meeting with Attorney Leavitt for Trial preparation; Follow up email to Opposing Counsel re: Request for PCPD / MBS with their requested changes, as it was due yesterday pursuant to our agreement and request status of Opposing Party's Trial Exhibits; Receive email from Opposing Counsel re: Agreement on PCPD / MBS; Email to Client re: same and Conference with Attorney Leavitt re: same; Receive email from Opposing Counsel re: Exhibit list; Email to Client re: same and Conference with Attorney Leavitt re: same; Follow up email to Opposing Counsel re: Request for list of furniture / furnishings that Opposing Party is requested from the former marital residence; Receive, review, and reply to email from Client re: Case related matters | 1.90 |
| 04/13/16 | AT  | Conference with Attorney Leavitt and Paralegal Stolz re: Trial strategy  | 1.10 |
|          | AT3 | Telephone call from opposing counsel re: Exhibits and avoiding calling valuation expert to testify at Trial; Conference with Attorney Abrams re: Trial Strategy.   | 1.50 |
|          | PL  | Begin draft of EDCR 7.27 Trial Memorandum; Conference with Attorney Leavitt and Attorney Abrams re: Trial and strategy; Exchange emails w/ Jeff Nash re: Confirm he will be present at Trial   | 1.50 |
| 04/14/16 | AT3 | Begin preparing for Trial and drafting Trial Questions of Witnesses.   | 2.00 |
|          | PL  | Email to Client re: Attached Opposing Party's marital balance sheet, list of exhibits and witnesses and discuss same; Exchange emails w/ Opposing Counsel re: Follow up request and receive Opposing Party's list of furniture /   | 1.10 |



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April 17, 2016

Statement # 23688

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furnishings that she'd like from the former marital residence and request confirmation of exhibits they are stipulating to and objecting to; Conference with Attorney Leavitt re: same; Exchange emails w/ Client re: Opposing Party's list of desired furniture and furnishings; Conference with Attorney Leavitt re: same; Work on Trial Memorandum; Exchange communications w/ Process Server re: Status of serving Jesse Browning with Trial Subpoena - Served this evening; Email to Client re: same and Conference with Attorney Leavitt re: same

|          |     |   |      |
|----------|-----|---|------|
| 04/15/16 | AT3 | Review, Revise and Sign EDCR 7.27 Brief; Trial preparation and review exhibits and strategize direct and cross examinations.  | 2.60 |
|          | PL  | Exchange emails w/ Opposing Counsel re: Follow up and confirm that Opposing Counsel is stipulating to all of our Exhibits with the exception of two; Conference with Attorney Leavitt re: same; Update Trial Exhibit List accordingly; Exchange emails w/ Client re: Confirm date and time for meeting with Attorney Leavitt for Trial preparation; Email to Opposing Counsel re: Request for Opposing Party's paystub, if any, per Attorney Leavitt's instructions; Complete draft of Trial Memorandum, for Attorney Leavitt's review; Prepare Exhibits for same; Exchange communications w/ Client and conferences with Attorney Leavitt re: Opposing Party's list of furniture / furnishings, which was provided to the Client; Work on Trial preparation, including, preparing file for same; Receive email from Opposing Counsel re: Opposing Party's paystubs; Email to Client re: same and Conference with Attorney Leavitt re: same | 2.30 |
| 04/16/16 | AT3 | Strategize and draft Opening Statement for Trial.   | 6.00 |
| 04/17/16 | AT3 | Strategize and draft Trial questions of Jesse Browning, Plaintiff and Defendant.  | 6.00 |

|                 |              |            |                           |                |                 |          |                    |
|-----------------|--------------|------------|---------------------------|----------------|-----------------|----------|--------------------|
| <b>Total of</b> | <b>1.50</b>  | <b>AT</b>  | <b>Attorney Abrams'</b>   | <b>Hours @</b> | <b>\$500.00</b> | <b>=</b> | <b>\$750.00</b>    |
| <b>Total of</b> | <b>0.70</b>  | <b>AT2</b> | <b>Attorney Mayo's</b>    | <b>Hours @</b> | <b>\$450.00</b> | <b>=</b> | <b>\$315.00</b>    |
| <b>Total of</b> | <b>27.50</b> | <b>AT3</b> | <b>Attorney Leavitt's</b> | <b>Hours @</b> | <b>\$375.00</b> | <b>=</b> | <b>\$10,312.50</b> |

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April 17, 2016  
Statement # 23688  
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|          |       |     |                       |         |          |   |                    |             |
|----------|-------|-----|-----------------------|---------|----------|---|--------------------|-------------|
| Total of | 17.60 | PL  | Paralegal Stolz's     | Hours @ | \$175.00 | = | \$3,080.00         |             |
| Total of | 6.10  | PL4 | Paralegal J. Schoen's | Hours @ | \$175.00 | = | \$1,067.50         |             |
|          |       |     |                       |         |          |   | Total for Services | \$15,525.00 |

Case Costs

|  |             |
|--|-------------|
| E-Filing Fee                                 | \$3.50      |
| E-Filing Fee                                 | \$3.50      |
| Witness Fee - Jesse Browning                 | \$26.00     |
| E-Filing Fee                                 | \$3.50      |
| COURTESY CREDIT FOR 9.0 HOURS OF<br>AT3 TIME | -\$3,375.00 |
| E-Filing Fee                                 | \$3.50      |
| Total for Costs                              | -\$3,335.00 |

|  |              |
|--|--------------|
| Balance from Last Statement Before any Payments            | \$4,254.50   |
| Payments From Trust Account On and/or Since Last Statement | = \$2,127.50 |

|  |             |
|--|-------------|
| Total Fees and Costs on This Statement | \$12,190.00 |
|--|-------------|

|   |             |
|---|-------------|
| Unpaid Accounts Receivable Balance as of This Statement | \$14,317.00 |
|---|-------------|

|   |            |
|---|------------|
| Your required minimum Trust Account Balance at this time is         | \$3,750.00 |
| Therefore, please include the following amount in your next payment | \$3,750.00 |

|                                     |                           |
|-------------------------------------|---------------------------|
| <b><u>TOTAL BALANCE DUE NOW</u></b> | <b><u>\$18,067.00</u></b> |
|-------------------------------------|---------------------------|

| Recent Activity in Trust Account                          | Balance Forward |
|---|-----------------|
| 04/08/16      Payment by Credit Card on File - Thank You. | \$2,127.50      |
| Payment on A/R Balance - Thank You.                       | \$2,127.50      |
| Your remaining Trust Account Balance is                   | \$0.00          |



The

**ABRAMS & MAYO**

**Law Firm**

Mr. Brandon Saiter  
Henderson, Nevada

**Jennifer V. Abrams, Esq.**

**Vincent Mayo, Esq.**

**Brandon K. Leavitt, Esq.**

6252 South Rainbow Blvd.  
Suite 100

Las Vegas, Nevada 89118

Telephone (702) 222-4021

Facsimile (702) 248-9750

**April 30, 2016**

**Statement # 23752**

**Due Upon Receipt**

**RE: Brandon P. Saiter v. Tina M. Saiter**

**Statement of Account**

| Date     | AT/PL/LS | Activity   | Hours |
|----------|----------|--|-------|
| 04/18/16 | AT2      | Conference w/ Attorney Leavitt re: [REDACTED]  | 2.00  |
|          | AT3      | Meeting with client re: Trial Preparation and taking witness stand.  | 2.00  |
|          | AT3      | Draft direct and cross examination questions of Mr. Jeff Nash; Revise direct and cross examination questions of both Plaintiff and Defendant.  | 3.00  |
|          | PL       | Work on Trial preparation, including, but not limited to, finalization demonstrative exhibit and making arrangements to enlarge same. [REDACTED]   | 0.90  |
|          | PL3      | Conference with Attorney Leavitt re: Proposed Community Property Division versions 2 and 3, demonstrative exhibit comparison; Calculations of same in preparation for trial  | 0.40  |
| 04/19/16 | AT3      | Finalize and fine tune opening and closing statements, direct and cross examination question of 4 witnesses; Travel to and from Court; Appearance at Trial of matter.  | 6.00  |
|          | AT3      | [REDACTED]   | 0.00  |
|          | PL       | Exchange communications w/ Opposing Counsel re: Parties' agreement on division of furniture / furnishings; Exchange emails w/ Client re: Case related matters; Prepare for Trial and draft Stipulation and Order memorializing custody and asset and debt distribution agreements; Attend Trial - Trial continued; Conference with Attorney Leavitt re: Discuss today's Trial and next steps | 4.20  |
| 04/20/16 | AT2      | Conference with Attorney Leavitt re: [REDACTED]  | 0.30  |

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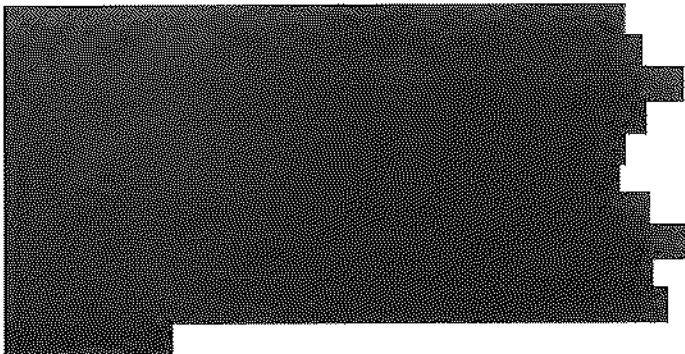
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Law Firm

April 30, 2016

Statement # 23752

Page # 2

|          |     |  |      |
|----------|-----|--|------|
|          | PL  | Conference with Attorney Leavitt re: Continue discussion regarding yesterday's hearing and plan going forward; Request and receive video from yesterday's hearing; Review same; Conference with Attorney Leavitt re: same; Email to Client re: Request to coordinate a meeting with Attorney Leavitt, Attorney Abrams and myself to discuss plan going forward; Receive Discovery Requests from Opposing Counsel; Email to Client re: Attached Discovery Requests and instructions for responding to same; Calculate and calendar deadline for Responses | 0.60 |
| 04/22/16 | AT  | Strategy meeting with Client, Attorney Leavitt, and Paralegal Stolz  | 1.00 |
|          | AT3 | Meeting with client to discuss his bill and strategy of case going forward.  | 1.50 |
|          | PL  | Meeting with Attorney Abrams and Attorney Leavitt re: Discuss case plan  | 1.10 |
| 04/23/16 | PL  | Exchange emails w/ Jeff Nash re: Coordinate telephone conference to discuss case and request for Nash to prepare a letter further explaining the \$6,000 royalty payment and \$5,000 loan payment; Exchange emails w/ Client re: Discuss case related matters  | 0.20 |
| 04/25/16 | PL  | Obtain Court Minutes from April 19, 2016 hearing; Update Client's file accordingly; Conference with Attorney Leavitt re: same  | 0.20 |
| 04/26/16 | AT  | Meeting with Attorney Leavitt and Paralegal Stolz re: case related matters (actual time .5 hours)  | 0.30 |
|          | PL  |    | 1.10 |
| 04/27/16 | AT3 | Telephone call and voice message to S.Keefer, CPA.   | 0.20 |

The  
ABRAMS & MAYO

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April 30, 2016

Statement # 23752

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|          |     |   |      |
|----------|-----|---|------|
|          | PL  | Exchange communications w/ Client re: Information needed from Client; Conference with Attorney Leavitt re: same   | 0.20 |
| 04/28/16 | AT3 | Telephone call with Shelby Keefer, CPA re: facts of business stock purchase and drafting an affidavit; Conference with Paralegal Stolz re: strategy moving forward.   | 1.00 |
|          | PL  | Conference with Attorney Leavitt re: Discuss Attorney Leavitt's telephone conference with Client's accountant, Shelby Keefer, additional documentation needed from Client and related matters; Exchange emails w/ Client re: [REDACTED] | 0.40 |

|          |       |     |                       |         |          |   |            |
|----------|-------|-----|-----------------------|---------|----------|---|------------|
| Total of | 1.30  | AT  | Attorney Abrams'      | Hours @ | \$500.00 | = | \$650.00   |
| Total of | 2.30  | AT2 | Attorney Mayo's       | Hours @ | \$450.00 | = | \$1,035.00 |
| Total of | 13.70 | AT3 | Attorney Leavitt's    | Hours @ | \$375.00 | = | \$5,137.50 |
| Total of | 8.90  | PL  | Paralegal Stolz's     | Hours @ | \$175.00 | = | \$1,557.50 |
| Total of | 0.40  | PL3 | Paralegal D. Schoen's | Hours @ | \$175.00 | = | \$70.00    |

Total for Services \$8,450.00

Case Costs

|   |          |
|---|----------|
| Special Process Service - Invoice Copy Attached | \$70.00  |
| Special Courier Service - Invoice Copy Attached | \$120.00 |
| E-Filing Fee                                    | \$3.50   |

Total for Costs \$193.50

Balance from Last Statement Before any Payments \$14,317.00

Payments From Trust Account On and/or Since Last Statement - \$2,500.00

Total Fees and Costs on This Statement \$8,643.50

The  
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Law Firm

April 30, 2016

Statement # 23752

Page # 4

|   |             |
|---|-------------|
| Unpaid Accounts Receivable Balance as of This Statement | \$20,460.50 |
|---|-------------|

Your required minimum Trust Account Balance at this time is \$3,750.00

|   |            |
|---|------------|
| Therefore, please include the following amount in your next payment | \$3,750.00 |
|---|------------|

|                              |                    |
|------------------------------|--------------------|
| <u>TOTAL BALANCE DUE NOW</u> | <u>\$24,210.50</u> |
|------------------------------|--------------------|

| Recent Activity in Trust Account                          | Balance Forward |            |
|---|-----------------|------------|
| 04/27/16      Payment by Credit Card on File - Thank You. | \$2,500.00      |            |
| Payment on A/R Balance - Thank You.                       |                 | \$2,500.00 |
| Your remaining Trust Account Balance is                   | \$0.00          |            |



The

**ABRAMS & MAYO**

**Law Firm**

Mr. Brandon Saiter  
Henderson, Nevada

**Jennifer V. Abrams, Esq.**

**Vincent Mayo, Esq.**

**Brandon K. Leavitt, Esq.**

6252 South Rainbow Blvd.  
Suite 100

Las Vegas, Nevada 89118

Telephone (702) 222-4021

Facsimile (702) 248-9750

**May 15, 2016**

**Statement # 23856**

**Due Upon Receipt**

**RE: Brandon P. Saiter v. Tina M. Saiter**

**Statement of Account**

| Date     | AT/PL/LS | Activity  | Hours |
|----------|----------|---|-------|
| 05/02/16 | PL       | [REDACTED]  | 0.20  |
| 05/03/16 | PL       | Follow up email to Client re: COPE; [REDACTED]  | 0.20  |
| 05/04/16 | AT3      | Review and approve Letter to valuation expert to clarify Pure Essence payments; Review and Revise proposed Order; Telephone call to S.Keefer, CPA and voice message re: follow up on her preparing an affidavit of the facts and circumstances surrounding client's purchase of Harmonic Innerprizes. | 0.50  |
|          | PL       | Receive, review and comment on draft Order After Hearing of April 19, 2016, which was prepared by Opposing Counsel; Conference with Attorney Leavitt re: same; Email to Opposing Counsel re: Requested changes to Order; [REDACTED]   | 0.50  |
|          |          | Receive email from Opposing Counsel re: Response to requested changes to Order; Conference with Attorney Leavitt re: same; Serve letter from Jeff Nash upon Court and Opposing Counsel; Email to Client re: same  |       |
| 05/05/16 | AT3      | Follow-up telephone call with S.Keefer, CPA re: Affidavit and designation of "C" or "S" Corporation analysis.   | 0.20  |
|          | PL       | Begin draft of Motion for Reconsideration; Conference with Attorney Leavitt re: Discuss case related matters; Instructions to Paralegal J. Schoen re: Review video record regarding Court's Order for \$10,000 award of fees; Exchange emails w/ Client re: Opposing Counsel's Motion                 | 1.00  |

May 15, 2016  
Statement # 23856  
Page # 2

|          |     |   |      |
|----------|-----|---|------|
|          |     | to Strike and other case related matters; Conference with Attorney Leavitt re: same   |      |
|          | PL4 | Transcribe first portion of the hearing video from April 19th, 2016 re: Attorney's fees and costs   | 0.70 |
|          | PL4 | Finish transcribing video from April 19th 2016  | 0.60 |
| 05/09/16 | AT3 | Review and authorize final order after hearing after opposing counsel's revisions were included.  | 0.20 |
|          | PL  | Exchange communications w/ Client re: Discuss status and case related matters; Receive, review, and reply to email from Opposing Counsel's office re: Request for revised Order and cite to video record; Conference w/ Attorney Leavitt re: same; Receive email from Opposing Counsel re: Attached revised Order; Conference with Attorney Leavitt re: same; Email to Opposing Counsel re: Attached signed Order and original is following in the mail | 0.40 |
| 05/10/16 | PL  | Draft Affidavit of Shelby Keefer, for Attorney Leavitt's review; Work on Motion for Reconsideration   | 0.90 |
| 05/11/16 | AT3 | Review proposed affidavit of S. Keefer, CPA; Conference with Paralegal Stolz re: [REDACTED]   | 0.50 |
|          | PL  | Work on Motion for Reconsideration, including, but not limited to, reviewing video record from December 15th hearing regarding forensic accounting being ordered; Conference with Attorney Leavitt re: [REDACTED]   | 1.10 |
|          |     | [REDACTED] Email to Ms. Keefer re: Attached Affidavit, for review, approval and signature   |      |
| 05/12/16 | AT3 | Conference with Paralegal Stolz re: management of case and receive case update and discussion about next steps to move case forward.  | 0.30 |
| 05/14/16 | PL  | Receive email from Shelby Keefer re: Requested change to her Affidavit; Conference with Attorney Leavitt re: same; Modify Affidavit accordingly; Email to Shelby Keefer re: Attached revised Affidavit, for review and signature  | 0.20 |



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May 15, 2016

Statement # 23856

Page # 3

|   |      |     |                       |         |          |   |                           |
|---|------|-----|-----------------------|---------|----------|---|---------------------------|
| Total of  | 1.70 | AT3 | Attorney Leavitt's    | Hours @ | \$375.00 | = | \$637.50                  |
| Total of  | 4.50 | PL  | Paralegal Stolz's     | Hours @ | \$175.00 | = | \$787.50                  |
| Total of  | 1.30 | PL4 | Paralegal J. Schoen's | Hours @ | \$175.00 | = | \$227.50                  |
| Total for Services  |      |     |                       |         |          |   | \$1,652.50                |
| Balance from Last Statement Before any Payments                     |      |     |                       |         |          |   | \$20,460.50               |
| Total Fees and Costs on This Statement                              |      |     |                       |         |          |   | \$1,652.50                |
| Unpaid Accounts Receivable Balance as of This Statement             |      |     |                       |         |          |   | \$22,113.00               |
| Your required minimum Trust Account Balance at this time is         |      |     |                       |         |          |   | \$3,750.00                |
| Therefore, please include the following amount in your next payment |      |     |                       |         |          |   | \$3,750.00                |
| <b><u>TOTAL BALANCE DUE NOW</u></b>                                 |      |     |                       |         |          |   | <b><u>\$25,863.00</u></b> |

Recent Activity in Trust Account  
Your remaining Trust Account Balance is

Balance Forward  
\$0.00



**The**  
**ABRAMS & MAYO**  
**Law Firm**

Mr. Brandon Saiter  
Henderson, Nevada

**Jennifer V. Abrams, Esq.**  
**Vincent Mayo, Esq.**  
**Brandon K. Leavitt, Esq.**

6252 South Rainbow Blvd.  
Suite 100  
Las Vegas, Nevada 89118  
Telephone (702) 222-4021  
Facsimile (702) 248-9750

**May 31, 2016**  
**Statement # 23957**  
**Due Upon Receipt**

**RE: Brandon P. Saiter v. Tina M. Saiter**

**Statement of Account**

| <b>Date</b> | <b>AT/PL/LS</b> | <b>Activity</b>   | <b>Hours</b> |
|-------------|-----------------|---|--------------|
| 05/16/16    | PL              | Work on Motion for Reconsideration, Sanctions, Attorney's Fees and Other Related Relief   | 0.90         |
| 05/19/16    | AT3             | Review and revise opposition/countermotion; Conference with Paralegal Stolz re: changes and approve for transmission to client.   | 1.00         |
|             | PL              | Complete draft of Motion for Reconsideration, Sanctions, Attorney's Fees and Other Related Relief, for Attorney Leavitt's review; Email to Client re: Attached Motion, for review and approval; Exchange emails w/ Client re: Approval of Motion  | 2.50         |
| 05/20/16    | AT              | Review, modify, and then approve Motion; Conference w/ Paralegal Stolz re: same   | 0.60         |
|             | AT3             | Conference with Paralegal Stolz re: next steps of case and follow up on case filings and other case related matters.  | 0.20         |
|             | PL              | Conference with Attorney Leavitt re: Discuss case related matters; Finalize Motion for Reconsideration; Conference w/ Attorney Abrams re: Motion for Reconsideration; Instructions to Legal Secretary re: same; Email to Opposing Counsel re: Until such time as the Motion is heard, Client will not be responding to Discovery Requests   | 1.50         |
| 05/23/16    | AT3             | Review and approve opposition to motion.  | 0.30         |
|             | PL              | Draft Opposition to Motion to Strike May 4, 2016 Ex-Parte Communication from File; To Exclude Jeff Nash as an expert witness and for Attorney's Fees, for Attorney Leavitt's review; Email to Client re: Attached Opposition, for review and approval; Email to Client re: Attached file-stamped copy of Motion for Reconsideration and hearing information; Calendar hearing and calculate and calendar Opposition deadline; Conference with Attorney Leavitt re: same | 0.80         |
| 05/24/16    | AT3             | Review and analyze opposition to motion to strike.  | 0.30         |

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May 31, 2016  
Statement # 23957  
Page # 2

|     |   |      |
|-----|---|------|
| AT3 | Review and Sign Opposition to Motion to Strike; Telephone call from client re: latest emails from opposing counsel.   | 0.40 |
| PL  | Exchange communications w/ Client re: Approval of Opposition to Motion to Strike; Finalize Opposition; Instructions to Legal Secretary re: E-file and serve same; Email to Client re: Hearing information for Motion to Compel; Calendar hearing and calculate and calendar Opposition deadline | 0.30 |

|          |      |    |                  |         |          |   |          |
|----------|------|----|------------------|---------|----------|---|----------|
| Total of | 0.60 | AT | Attorney Abrams' | Hours @ | \$500.00 | = | \$300.00 |
|----------|------|----|------------------|---------|----------|---|----------|

|          |      |     |                    |         |          |   |          |
|----------|------|-----|--------------------|---------|----------|---|----------|
| Total of | 2.20 | AT3 | Attorney Leavitt's | Hours @ | \$375.00 | = | \$825.00 |
|----------|------|-----|--------------------|---------|----------|---|----------|

|          |      |    |                   |         |          |   |            |
|----------|------|----|-------------------|---------|----------|---|------------|
| Total of | 6.00 | PL | Paralegal Stolz's | Hours @ | \$175.00 | = | \$1,050.00 |
|----------|------|----|-------------------|---------|----------|---|------------|

|                    |            |
|--------------------|------------|
| Total for Services | \$2,175.00 |
|--------------------|------------|

**Case Costs**

|   |         |
|---|---------|
| Special Courier Service - Invoice Copy Attached | \$37.00 |
|---|---------|

|   |        |
|---|--------|
| Special Courier Service - Invoice Copy Attached | \$8.00 |
|---|--------|

|              |        |
|--------------|--------|
| E-Filing Fee | \$3.50 |
|--------------|--------|

|              |        |
|--------------|--------|
| E-Filing Fee | \$3.50 |
|--------------|--------|

|                 |         |
|-----------------|---------|
| Total for Costs | \$52.00 |
|-----------------|---------|

|   |             |
|---|-------------|
| Balance from Last Statement Before any Payments | \$22,113.00 |
|---|-------------|

|  |            |
|--|------------|
| Total Fees and Costs on This Statement | \$2,227.00 |
|--|------------|

|   |             |
|---|-------------|
| Unpaid Accounts Receivable Balance as of This Statement | \$24,340.00 |
|---|-------------|

Your required minimum Trust Account Balance at this time is \$3,750.00

|   |            |
|---|------------|
| Therefore, please include the following amount in your next payment | \$3,750.00 |
|---|------------|

|                                     |                           |
|-------------------------------------|---------------------------|
| <b><u>TOTAL BALANCE DUE NOW</u></b> | <b><u>\$28,090.00</u></b> |
|-------------------------------------|---------------------------|

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May 31, 2016  
Statement # 23957  
Page # 3

**Recent Activity in Trust Account**  
Your remaining Trust Account Balance is

**Balance Forward**  
\$0.00



The

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**Law Firm**

Mr. Brandon Saiter  
Henderson, Nevada

**Jennifer V. Abrams, Esq.**

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**Brandon K. Leavitt, Esq.**

6252 South Rainbow Blvd.  
Suite 100

Las Vegas, Nevada 89118

Telephone (702) 222-4021

Facsimile (702) 248-9750

**June 15, 2016**

**Statement # 24065**

**Due Upon Receipt**

**RE: Brandon P. Saiter v. Tina M. Saiter**

**Statement of Account**

| Date     | AT/PL/LS | Activity   | Hours |
|----------|----------|--|-------|
| 06/01/16 | AT3      | Telephone call from client re: next steps of case and hearing dates; Review and sign motion for Order Shortening Time and Order to Shorten Time.   | 0.50  |
|          | PL       | Draft Ex Parte Motion for an Order Shortening Time and Order Shortening Time, for Attorney Leavitt's review; Finalize same; Instructions to Legal Secretary re: same; Telephone Conference from Court re: Order Shortening Time granted and new hearing date and time; Update calendar accordingly; Email to Client re: same and Conference with Attorney Leavitt re: same; Instructions to Courier Service re: Pick up Order Shortening Time; Receive, review, and reply to email from Client re: Affidavit in Support of Motion and Opposition | 0.80  |
| 06/02/16 | PL       | Finalize Affidavit in Support of Motion and Opposition and email to Client re: same; Draft Notice of Entry of Order Shortening Time and Certificate of Service, for Attorney Leavitt's review; Instructions to Legal Secretary re: E-file and serve same   | 0.40  |
| 06/03/16 | AT3      | Review and Sign Notice of Entry of Order Shortening time.  | 0.20  |
| 06/08/16 | PL       | Exchange emails w/ Client re: Upcoming hearings, status and case related matters   | 0.20  |
| 06/10/16 | AT3      | Review and Sign Ex Parte Motion for Order Shortening Time.   | 0.20  |
|          | PL       | Draft Ex Parte Motion for an Order Extending Time for Discovery Hearing and Order Extending Time, for Attorney Leavitt's review; Finalize same; Instructions to Legal Secretary re: same   | 0.80  |
| 06/11/16 | PL       | Exchange emails w/ Client re: Case related matters; Conference with Attorney Leavitt re: same  | 0.20  |
| 06/13/16 | AT3      | Review and Sign Opposition to Motion to Compel.  | 0.40  |

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June 15, 2016

Statement # 24065

Page # 2

|    |  |      |
|----|--|------|
| PL | Draft Opposition to Motion to Compel and Certificate of Service, for Attorney Leavitt's review; Finalize same, including, preparing Opposition Fee Information Sheet; Instructions to Legal Secretary re: E-file and serve same; Draft Notice of Seminar Completion Pursuant to EDCR 5.07 and Certificate of Service, for Attorney Leavitt's review; Instructions to Legal Secretary re: E-file and serve same | 0.90 |
|----|--|------|

|          |      |     |                    |         |          |   |          |
|----------|------|-----|--------------------|---------|----------|---|----------|
| Total of | 1.30 | AT3 | Attorney Leavitt's | Hours @ | \$375.00 | = | \$487.50 |
|----------|------|-----|--------------------|---------|----------|---|----------|

|          |      |    |                   |         |          |   |          |
|----------|------|----|-------------------|---------|----------|---|----------|
| Total of | 3.30 | PL | Paralegal Stolz's | Hours @ | \$175.00 | = | \$577.50 |
|----------|------|----|-------------------|---------|----------|---|----------|

|                    |            |
|--------------------|------------|
| Total for Services | \$1,065.00 |
|--------------------|------------|

**Case Costs**

|                 |         |
|-----------------|---------|
| Courier Service | \$15.00 |
| E-Filing Fee    | \$3.50  |
| E-Filing Fee    | \$3.50  |
| E-Filing Fee    | \$3.50  |
| E-Filing Fee    | \$3.50  |
| E-Filing Fee    | \$3.50  |
| E-Filing Fee    | \$3.50  |
| E-Filing Fee    | \$3.50  |
| Courier Service | \$15.00 |

|                 |         |
|-----------------|---------|
| Total for Costs | \$54.50 |
|-----------------|---------|

|   |             |
|---|-------------|
| Balance from Last Statement Before any Payments | \$24,340.00 |
|---|-------------|

|  |            |
|--|------------|
| Total Fees and Costs on This Statement | \$1,119.50 |
|--|------------|

|   |             |
|---|-------------|
| Unpaid Accounts Receivable Balance as of This Statement | \$25,459.50 |
|---|-------------|

Your required minimum Trust Account Balance at this time is \$3,750.00

|   |            |
|---|------------|
| Therefore, please include the following amount in your next payment | \$3,750.00 |
|---|------------|

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June 15, 2016  
Statement # 24065  
Page # 3

**TOTAL BALANCE DUE NOW**      **\$29,209.50**

**Recent Activity in Trust Account**  
Your remaining Trust Account Balance is

**Balance Forward**  
\$0.00



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**ABRAMS & MAYO**

**Law Firm**

Mr. Brandon Saiter  
Henderson, Nevada

**Jennifer V. Abrams, Esq.**  
**Vincent Mayo, Esq.**  
**Brandon K. Leavitt, Esq.**

6252 South Rainbow Blvd.  
Suite 100  
Las Vegas, Nevada 89118  
Telephone (702) 222-4021  
Facsimile (702) 248-9750

**June 30, 2016**  
**Statement # 24172**  
**Due Upon Receipt**

**RE: Brandon P. Saiter v. Tina M. Saiter**

**Statement of Account**

| Date     | AT/PL/LS | Activity  | Hours |
|----------|----------|---|-------|
| 06/16/16 | AT3      | Review and Sign Notice of Entry of Extension of Time.   | 0.20  |
|          | PL       | Obtain information via Court's website that the Discovery Commissioner granted our request to extend hearing; Email to Client re: same and Conference w/ Attorney Abrams and Attorney Leavitt re: same; Draft Notice of Entry of Order Extending Time and Certificate of Service, for Attorney Leavitt's review; Instructions to Legal Secretary re: same | 0.40  |
| 06/17/16 | PL       | Draft Stipulation and Order to Shorten Time on Hearing, for Attorney Leavitt's review (0.3 at no charge)  | 0.00  |
|          | PL4      | Multiple Telephone Conferences with The Court and Opposing Counsel re: Dates for the Stipulation and Order to Shorten Time; Multiple Conferences with Attorney Abrams and Attorney Leavitt re: Same; Amend the Stipulations and Order twice and send same to Opposing Counsel's office (0.8 at no charge)   | 0.00  |
| 06/22/16 | PL       | Receive voice mail from and telephone conference to Client re: Discuss case status and case related matters; Conference w/ Attorney Abrams and Attorney Leavitt re: same; Calculate and calendar deadline for responding to Opposing Counsel's recent filing  | 0.30  |
| 06/27/16 | AT2      | Conference w/ Paralegal Stolz re: July 14th hearing   | 0.20  |
| 06/28/16 | PL       | Obtain a file-stamped copy of Opposing Party's Order Shortening Time via Court's website; Email to Client re: same and Conference with Attorney Leavitt re: same; Exchange communications w/ Client re: [REDACTED]<br>[REDACTED] Conference w/ Attorney Abrams and Attorney Leavitt re: same  | 0.20  |
| 06/29/16 | AT       | Conference with Attorney Leavitt re: [REDACTED]   | 0.20  |
|          | AT3      | Conferences with Attorneys Abrams re: [REDACTED]<br>[REDACTED]  | 0.20  |



The  
**ABRAMS & MAYO**

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June 30, 2016

Statement # 24172

Page # 2

|          |     |  |      |
|----------|-----|--|------|
| 06/30/16 | AT3 | Conference call with client re: updates on case; Telephone call and voice message to Wells Fargo Legal Department re: subpoena.                    | 0.50 |
|          | PL  | Conference with Attorney Leavitt and Attorney Abrams yesterday and today re: Opposing Counsel sending out Subpoenas and other case related matters | 0.20 |

|          |      |    |                  |         |          |   |          |
|----------|------|----|------------------|---------|----------|---|----------|
| Total of | 0.20 | AT | Attorney Abrams' | Hours @ | \$500.00 | = | \$100.00 |
|----------|------|----|------------------|---------|----------|---|----------|

|          |      |     |                 |         |          |   |         |
|----------|------|-----|-----------------|---------|----------|---|---------|
| Total of | 0.20 | AT2 | Attorney Mayo's | Hours @ | \$450.00 | = | \$90.00 |
|----------|------|-----|-----------------|---------|----------|---|---------|

|          |      |     |                    |         |          |   |          |
|----------|------|-----|--------------------|---------|----------|---|----------|
| Total of | 0.90 | AT3 | Attorney Leavitt's | Hours @ | \$375.00 | = | \$337.50 |
|----------|------|-----|--------------------|---------|----------|---|----------|

|          |      |    |                   |         |          |   |          |
|----------|------|----|-------------------|---------|----------|---|----------|
| Total of | 1.10 | PL | Paralegal Stolz's | Hours @ | \$175.00 | = | \$192.50 |
|----------|------|----|-------------------|---------|----------|---|----------|

|                    |          |
|--------------------|----------|
| Total for Services | \$720.00 |
|--------------------|----------|

**Case Costs**

|              |        |
|--------------|--------|
| E-Filing Fee | \$3.50 |
|--------------|--------|

|              |        |
|--------------|--------|
| E-Filing Fee | \$3.50 |
|--------------|--------|

|                 |        |
|-----------------|--------|
| Total for Costs | \$7.00 |
|-----------------|--------|

|   |             |
|---|-------------|
| Balance from Last Statement Before any Payments | \$25,459.50 |
|---|-------------|

|  |          |
|--|----------|
| Total Fees and Costs on This Statement | \$727.00 |
|--|----------|

|   |             |
|---|-------------|
| Unpaid Accounts Receivable Balance as of This Statement | \$26,186.50 |
|---|-------------|

Your required minimum Trust Account Balance at this time is \$3,750.00

|   |            |
|---|------------|
| Therefore, please include the following amount in your next payment | \$3,750.00 |
|---|------------|

|                              |                    |
|------------------------------|--------------------|
| <u>TOTAL BALANCE DUE NOW</u> | <u>\$29,936.50</u> |
|------------------------------|--------------------|

**Recent Activity in Trust Account**

**Balance Forward**

Your remaining Trust Account Balance is

\$0.00



The

**ABRAMS & MAYO**

**Law Firm**

Mr. Brandon Saiter  
Henderson, Nevada

Jennifer V. Abrams, Esq.

Vincent Mayo, Esq.

Brandon K. Leavitt, Esq.

6252 South Rainbow Blvd.  
Suite 100

Las Vegas, Nevada 89118

Telephone (702) 222-4021

Facsimile (702) 248-9750

July 15, 2016

Statement # 24276

Due Upon Receipt

RE: Brandon P. Saiter v. Tina M. Saiter

**Statement of Account**

| Date     | AT/PL/LS | Activity   | Hours |
|----------|----------|--|-------|
| 07/01/16 | PL       | Exchange communications w/ Client re: [REDACTED]<br>[REDACTED]   | 0.20  |
| 07/06/16 | AT2      | Conference w/ Paralegal Stolz re: Coordinating as to the hearing   | 0.20  |
|          | AT3      | Review and Sign Letter to Wells Fargo re: subpoena.  | 0.20  |
|          | PL       | Draft Correspondence to Wells Fargo re: Request for Wells Fargo not to respond to Opposing Counsel's Subpoena, as there is a Motion for Reconsideration pending and Opposing Counsel did not properly serve same upon our office, for Attorney Leavitt's review; Instructions to Legal Secretary re: same  | 0.40  |
| 07/07/16 | AT3      | Review, Revise and Sign Reply to Opposition.   | 0.40  |
|          | PL       | Draft Reply to Opposition to Motion for Reconsideration and Response to Objection to Order Extending Time, for Attorney's review; Exchange communications w/ Client re: Attached Reply and receive Client's approval of same and discuss case related matters; Conference with Attorney Leavitt re: same; Instructions to Legal Secretary re: E-file and serve Reply | 1.80  |
| 07/11/16 | AT3      | Review and Sign Opposition to Motion to Reconsider; [REDACTED] Review and Sign Letter to Wells Fargo to not disperse documents pursuant to subpoena.   | 0.60  |
|          | PL       | Draft Opposition to the Amended Motion for Reconsideration of Discovery Commissioner's Order Extending Time and Certificate of Service, for Attorney Leavitt's review; Finalize same; Instructions to Legal Secretary re: same; Draft pleading cover page for  | 0.50  |

The  
**ABRAMS & MAYO**  
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July 15, 2016  
Statement # 24276  
Page # 2

|          |     |  |      |
|----------|-----|--|------|
|          |     | Correspondence to Wells Fargo and Certificate of Service, for Attorney Leavitt's review; Instructions to Legal Secretary re: same; [REDACTED] (Actual time 0.8)  |      |
| 07/12/16 | PL  | Draft proposed Findings of Fact, Conclusions of Law and Order and pleading cover page for same and Certificate of Service, for Attorney Leavitt's review; Prepare Exhibits to same; Instructions to Legal Secretary re: E-file and serve same upon Opposing Counsel and Court  | 1.50 |
| 07/13/16 | AT2 | Review Court filings and start preparing for tomorrow's hearing; Conference w/ Paralegal Stolz and Attorney Leavitt re: same   | 2.10 |
|          | AT3 | Review and Sign Exhibit 6; Review and Revise Findings of Fact and Conclusions of Law; Conference call with client re: [REDACTED]   | 1.10 |
|          | PL  | Assist Attorney Leavitt and Attorney Mayo with preparation for tomorrow's hearing; Prepare Client's file for same; Telephone Conference with Client and Attorney Leavitt re: Discuss case related matters  | 0.70 |
| 07/14/16 | AT2 | Prepare for and represent Client at Court Hearing; Conference w/ Paralegal Stolz, Attorney Leavitt and Attorney Abrams re: Case outcome  | 2.50 |
|          | AT3 | Review file and Court's record in preparation for hearing; Travel to and from Court; Appearance before Dept. L on Motion to Reconsider; Telephone call from client re: next steps of case and how to pay attorney's fees.  | 3.70 |
|          | PL  | Telephone Conference from Court re: Client's attendance at today's hearing; Conferences w/ Attorney Mayo and Attorney Leavitt re: same; Conferences with Attorney Leavitt and Attorney Mayo re: Results from today's hearing, next steps and case related matters (Actual time 1.2)  | 0.60 |
| 07/15/16 | AT2 | Conference with Attorney Leavitt re: Yesterday's hearing   | 0.50 |
|          | AT3 | Telephone call from client re: fees to opposing counsel.   | 0.20 |
|          | PL  | Obtain update regarding hearings via Court's website; Update calendar accordingly; Conference with Attorney Leavitt re: same; Exchange communications w/ Anthem Forensics re: Discuss the forensic accounting, retainer for same and related matters; Conference with Attorney Leavitt re: same; Exchange several communications with Anthem | 0.70 |

The  
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July 15, 2016  
Statement # 24276  
Page # 3

Forensics re: They provided retainer agreement and I provided requested documents that are in our possession and related matters; Exchange emails w/ Client re: same and other case related matters; Conference with Attorney Leavitt re: same

|          |      |     |                    |         |                    |   |            |
|----------|------|-----|--------------------|---------|--------------------|---|------------|
| Total of | 5.30 | AT2 | Attorney Mayo's    | Hours @ | \$450.00           | = | \$2,385.00 |
| Total of | 6.20 | AT3 | Attorney Leavitt's | Hours @ | \$375.00           | = | \$2,325.00 |
| Total of | 6.40 | PL  | Paralegal Stolz's  | Hours @ | \$175.00           | = | \$1,120.00 |
|          |      |     |                    |         | Total for Services |   | \$5,830.00 |

### Case Costs

|                        |         |                |
|------------------------|---------|----------------|
| Courier Service        | \$15.00 |                |
| E-Filing Fee           | \$3.50  |                |
| E-Filing Fee           | \$3.50  |                |
| E-Filing Fee           | \$3.50  |                |
| <b>Total for Costs</b> |         | <b>\$25.50</b> |

|   |             |
|---|-------------|
| Balance from Last Statement Before any Payments                     | \$26,186.50 |
| Total Fees and Costs on This Statement                              | \$5,855.50  |
| Unpaid Accounts Receivable Balance as of This Statement             | \$32,042.00 |
| Your required minimum Trust Account Balance at this time is         | \$3,750.00  |
| Therefore, please include the following amount in your next payment | \$3,750.00  |

**TOTAL BALANCE DUE NOW**      **\$35,792.00**

|   |                 |
|---|-----------------|
| Recent Activity in Trust Account        | Balance Forward |
| Your remaining Trust Account Balance is | \$0.00          |



The

**ABRAMS & MAYO**

**Law Firm**

Mr. Brandon Saiter  
Henderson, Nevada

**Jennifer V. Abrams, Esq.**

**Vincent Mayo, Esq.**

**Brandon K. Leavitt, Esq.**

6252 South Rainbow Blvd.  
Suite 100

Las Vegas, Nevada 89118

Telephone (702) 222-4021

Facsimile (702) 248-9750

**July 31, 2016**

**Statement # 24372**

**Due Upon Receipt**

**RE: Brandon P. Saiter v. Tina M. Saiter**

**Statement of Account**

| Date     | AT/PL/LS | Activity   | Hours |
|----------|----------|--|-------|
| 07/18/16 | AT2      | Interoffice strategy meeting; Review the Minutes from the 7/14/16 Court Hearing  | 0.60  |
|          | AT3      | Review and analyze email from Paralegal Stolz re: [REDACTED]   | 2.30  |
|          |          | [REDACTED]   |       |
|          |          | Review and analyze email from client; Telephone call with client re: status of case and case related matters; Conference with Attorney Abrams re: strategy to resolve case; Telephone call to opposing counsel office and to his cell phone to discuss vacating the hearing for 7/20/16 - left voice message; Telephone call with opposing counsel re: vacating Wednesday's hearing.   |       |
|          | PL       | Telephone Conference with Client and Attorney Leavitt re: Discuss case related matters; Meeting with Attorney Abrams, Attorney Leavitt and Attorney Mayo re: Discuss case, last week's hearing, this week's hearing and plan going forward; Exchange several emails with Client re: Upcoming hearing, providing documents to Anthem Forensics and other case related matters; Exchange communications w/ Anthem Forensics re: Sharing documents and related matters; Email to Anthem Forensics re: Attached relevant pleadings, per Attorney Leavitt's instructions; Request video record and obtain Court Minutes from last week's hearing; Conference w/ Attorneys re: same; Draft Stipulation and Order to Vacate Order to Show Cause Hearing and set Trial date, for Attorney Leavitt's review; Email to Opposing Counsel re: same | 1.80  |
| 07/19/16 | AT2      | Conference with Attorney Leavitt re: Tomorrow's potential hearing  | 0.20  |
|          | AT3      | Review and sign stipulation and order to vacate tomorrow's hearing.  | 0.20  |

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July 31, 2016

Statement # 24372

Page # 2

|          |     |  |      |
|----------|-----|--|------|
|          | PL  | Receive email from Opposing Counsel re: Attached signed Stipulation and Order; Finalize same for submission to the Court; Email to Client re: Status; Obtain confirmation that tomorrow's hearing was vacated and obtain Trial date and time; Email to Client re: same and Conference with Attorney Leavitt re: same | 0.20 |
| 07/20/16 | AT  | Numerous communications with Client and Attorney Leavitt re: case related matters (Monday, yesterday, and today)   | 0.20 |
|          | AT3 | Telephone call with client re: next steps of case and opposing counsel's text message to withdraw.   | 0.40 |
|          | AT3 | Perform Legal Research [REDACTED]  | 2.00 |
| 07/21/16 | PL  | Draft Notice of Entry of Stipulation and Order to Vacate Hearing and Certificate of Service, for Attorney Leavitt's review; Instructions to Legal Secretary re: E-file and serve same  | 0.30 |
| 07/22/16 | PL  | Conferences with Attorney Leavitt on July 20th, July 21st and today re: Case related matters; Calendar Opposing Counsel's Motion to Withdraw hearing and calculate and calendar deadline for oppositions to same; Conference with Attorney Leavitt re: same  | 0.20 |
| 07/25/16 | AT3 | Review and analyze email from forensic accountant; Responsive email re: same.  | 0.20 |
| 07/26/16 | PL  | Emails to Jeff Nash and Anthem Forensics re: New Trial date and time, per Attorney Leavitt's instructions  | 0.20 |
| 07/27/16 | AT3 | Review and analyze voice message from client; Telephone call with client to discuss forensic accounting and documents required to complete same.   | 0.20 |
|          | PL  | Receive, review, and reply to email from Client re: [REDACTED]   | 0.20 |
|          |     | [REDACTED] Conference with Attorney Leavitt re: same   |      |

|          |      |     |                    |         |          |   |            |
|----------|------|-----|--------------------|---------|----------|---|------------|
| Total of | 0.20 | AT  | Attorney Abrams'   | Hours @ | \$500.00 | = | \$100.00   |
| Total of | 0.80 | AT2 | Attorney Mayo's    | Hours @ | \$450.00 | = | \$360.00   |
| Total of | 5.30 | AT3 | Attorney Leavitt's | Hours @ | \$375.00 | = | \$1,987.50 |

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July 31, 2016

Statement # 24372

Page # 3

|   |      |    |                   |         |          |   |                           |                           |
|---|------|----|-------------------|---------|----------|---|---------------------------|---------------------------|
| Total of  | 2.90 | PL | Paralegal Stolz's | Hours @ | \$175.00 | = | \$507.50                  |                           |
|   |      |    |                   |         |          |   | <b>Total for Services</b> | <b>\$2,955.00</b>         |
| <b>Case Costs</b>   |      |    |                   |         |          |   |                           |                           |
|   |      |    | Courier Service   |         | \$15.00  |   |                           |                           |
|   |      |    | E-Filing Fee      |         | \$3.50   |   |                           |                           |
|   |      |    | E-Filing Fee      |         | \$3.50   |   |                           |                           |
|   |      |    |                   |         |          |   | <b>Total for Costs</b>    | <b>\$22.00</b>            |
| <b>Balance from Last Statement Before any Payments</b>                        |      |    |                   |         |          |   |                           | <b>\$32,042.00</b>        |
| <b>Total Fees and Costs on This Statement</b>                                 |      |    |                   |         |          |   |                           | <b>\$2,977.00</b>         |
| <b>Unpaid Accounts Receivable Balance as of This Statement</b>                |      |    |                   |         |          |   |                           | <b>\$35,019.00</b>        |
| <b>Your required minimum Trust Account Balance at this time is \$3,750.00</b> |      |    |                   |         |          |   |                           |                           |
| <b>Therefore, please include the following amount in your next payment</b>    |      |    |                   |         |          |   |                           | <b>\$3,750.00</b>         |
| <b><u>TOTAL BALANCE DUE NOW</u></b>   |      |    |                   |         |          |   |                           | <b><u>\$38,769.00</u></b> |

**Recent Activity in Trust Account**  
Your remaining Trust Account Balance is

**Balance Forward**  
\$0.00



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**Law Firm**

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Henderson, Nevada

**Jennifer V. Abrams, Esq.**

**Vincent Mayo, Esq.**

**Brandon K. Leavitt, Esq.**

6252 South Rainbow Blvd.  
Suite 100

Las Vegas, Nevada 89118

Telephone (702) 222-4021

Facsimile (702) 248-9750

**August 15, 2016**

**Statement # 24473**

**Due Upon Receipt**

**RE: Brandon P. Saiter v. Tina M. Saiter**

**Statement of Account**

| Date   | AT/PL/LS | Activity  | Hours                     |
|--|----------|---|---------------------------|
| 08/11/16   | PL4      | Non- Opposition to Opposing Counsel's Motion to Withdraw for Attorney Leavitt's review and signature; Prepare Order for Opposing Counsel's Motion to Withdraw for Attorney Leavitt's review and signature | 0.80                      |
| Total of 0.80 PL4 Paralegal J. Schoen's Hours @ \$175.00 = \$140.00    |          |   |                           |
| Total for Services   |          |   | \$140.00                  |
| Balance from Last Statement Before any Payments                        |          |   | \$35,019.00               |
| Total Fees and Costs on This Statement                                 |          |   | \$140.00                  |
| Unpaid Accounts Receivable Balance as of This Statement                |          |   | \$35,159.00               |
| Your required minimum Trust Account Balance at this time is \$3,750.00 |          |   |                           |
| Therefore, please include the following amount in your next payment    |          |   | \$3,750.00                |
| <b><u>TOTAL BALANCE DUE NOW</u></b>                                    |          |   | <b><u>\$38,909.00</u></b> |

**Recent Activity in Trust Account**

**Balance Forward**

Your remaining Trust Account Balance is

\$0.00





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**ABRAMS & MAYO**

Law Firm

Mr. Brandon Saiter  
Henderson, Nevada

Jennifer V. Abrams, Esq.

Vincent Mayo, Esq.

Brandon K. Leavitt, Esq.

6252 South Rainbow Blvd.  
Suite 100

Las Vegas, Nevada 89118

Telephone (702) 222-4021

Facsimile (702) 248-9750

August 31, 2016

Statement # 24565

Due Upon Receipt

RE: Brandon P. Saiter v. Tina M. Saiter

Statement of Account

| Date  | AT/PL/LS | Activity   | Hours              |
|---|----------|--|--------------------|
| 08/19/16  | PL       | [REDACTED]   | 0.20               |
| 08/24/16  | AT3      | Review and analyze client's email re: status; Responsive email re: same. | 0.20               |
| Total of  | 0.20     | AT3 Attorney Leavitt's Hours @   | \$375.00 = \$75.00 |
| Total of  | 0.20     | PL Paralegal Stolz's Hours @   | \$175.00 = \$35.00 |
| Total for Services  |          |  | \$110.00           |
| Case Costs  |          |  |                    |
| E-Filing Fee  |          |  | \$3.50             |
| Total for Costs   |          |  | \$3.50             |
| Balance from Last Statement Before any Payments                     |          |  | \$35,159.00        |
| Total Fees and Costs on This Statement                              |          |  | \$113.50           |
| Unpaid Accounts Receivable Balance as of This Statement             |          |  | \$35,272.50        |
| Your required minimum Trust Account Balance at this time is         |          |  | \$3,750.00         |
| Therefore, please include the following amount in your next payment |          |  | \$3,750.00         |
| <u>TOTAL BALANCE DUE NOW</u>  |          |  | <u>\$39,022.50</u> |

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August 31, 2016

Statement # 24565

Page # 2

**Recent Activity in Trust Account**

**Balance Forward**

Your remaining Trust Account Balance is

\$0.00



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**Law Firm**

Mr. Brandon Saiter  
Henderson, Nevada

**Jennifer V. Abrams, Esq.**  
**Vincent Mayo, Esq.**  
**Brandon K. Leavitt, Esq.**

6252 South Rainbow Blvd.  
Suite 100  
Las Vegas, Nevada 89118  
Telephone (702) 222-4021  
Facsimile (702) 248-9750

**September 15, 2016**

**Statement # 24699**

**Due Upon Receipt**

**RE: Brandon P. Saiter v. Tina M. Saiter**

**Statement of Account**

| Date     | AT/PL/LS | Activity  | Hours |
|----------|----------|---|-------|
| 09/02/16 | PL       | Draft Motion for Sanctions and Attorney's Fees, for Attorney Abrams' review; Exchange communications w/ Court re: Status of Order for Opposing Counsel's withdrawal - Opposing Counsel wants to have a hearing on the matter; Conference w/ Attorney Abrams and Attorney Leavitt re: same | 1.40  |
| 09/08/16 | AT       | Review, modify, and then approve Motion for Sanctions; Conference w/ Paralegal Stolz re: same   | 0.80  |
|          | PL       | Email to Client re: Case status, case related matters and attached Motion for Sanctions, for review and approval  | 0.20  |
|          | PL3      | Conferences with Attorney Abrams and Paralegal Stolz re: [REDACTED]   | 0.40  |
| 09/09/16 | AT3      | Review and revise Affidavit for Motion.   | 0.20  |
|          | PL       | Draft Affidavit of Brandon Saiter and Brandon Leavitt in Support of Motion for Sanctions and Attorney's Fees, for Attorney Leavitt's review; Email to Client re: Attached Affidavit, for review, approval and signature   | 0.50  |
|          | PL4      | Prepare Ex Parte Motion for an Order Shortening Time for Attorney Leavitt's review and signature  | 0.50  |
| 09/12/16 | PL       | Exchange emails w/ Client re: Request and receive Client's signed and notarized Affidavit in Support of Motion for Sanctions; Finalize Motion, including, Attorney Leavitt's Affidavit and Motion Fee Information Sheet; Instructions to Legal Secretary re: E-file and serve same        | 0.30  |
| 09/13/16 | AT3      | Telephone call from client re: next steps of case; Review and Sign Application for Order Shortening Time.   | 0.50  |

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|     |   |      |
|-----|---|------|
| PL4 | Finalize Ex Parte Motion for an Order Shortening time; Send same to Attorney Leavitt for review and signature | 0.20 |
|-----|---|------|

### Case Costs

|   |             |
|---|-------------|
| Balance from Last Statement Before any Payments | \$35,272.50 |
|---|-------------|

|   |             |
|---|-------------|
| Unpaid Accounts Receivable Balance as of This Statement | \$36,569.50 |
|---|-------------|

**TOTAL BALANCE DUE NOW      \$40,319.50**

851



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**ABRAMS & MAYO**

**Law Firm**

Mr. Brandon Saiter  
Henderson, Nevada

**Jennifer V. Abrams, Esq.**  
**Vincent Mayo, Esq.**  
**Brandon K. Leavitt, Esq.**

6252 South Rainbow Blvd.  
Suite 100  
Las Vegas, Nevada 89118  
Telephone (702) 222-4021  
Facsimile (702) 248-9750

**September 30, 2016**

**Statement # 24792**

**Due Upon Receipt**

**RE: Brandon P. Saiter v. Tina M. Saiter**

**Statement of Account**

| Date     | AT/PL/LS | Activity  | Hours |
|----------|----------|---|-------|
| 09/19/16 | AT3      | Telephone call from client and Opposing Party re: mediating final issues.   | 0.30  |
|          | PL       | Telephone Conference from with Client, Opposing Party and Attorney Leavitt re: Case status, case related matters and coordinate meeting with both Client and Opposing Party in an attempt to resolve the case   | 0.20  |
| 09/20/16 | AT3      | Review and analyze proposed Order from opposing counsel; Draft email to client re: changes to language.   | 0.20  |
|          | PL       | Telephone Conference from Court re: Order Shortening Time is ready for pick up and request that the Order from the July 14, 2016 hearing be entered before next week's hearing and related matters; Conference with Attorney Leavitt re: same and discuss Opposing Counsel's proposed Order; Email to Opposing Counsel re: Attached Order from the July 14, 2016 Hearing, which was signed by Attorney Leavitt; Instructions to Legal Secretary re: Mail original | 0.30  |
|          | PL4      | Telephone Conference with Court re: Status of Order Shortening Time   | 0.20  |
| 09/22/16 | PL       | Receive, review, and reply to email from Client re: Discuss case related matters; Conference with Attorney Leavitt re: same; Draft Notice of Entry of Order Shortening Time and Receipt of Copy, for Attorney Leavitt's review; Instructions to Legal Secretary re: same  | 0.30  |
| 09/25/16 | AT3      | Prepare for Mediation of Parties to resolve final issues; Meeting with client and Opposing Party to resolve matter; Revise Decree of Divorce; Sign Decree of Divorce with both parties.   | 4.50  |
|          | PL       | Update Disclaimer and Acknowledgement of Self Representation; Assist Attorney Leavitt with preparation for and during today's settlement conference, including, making  | 0.60  |

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September 30, 2016

Statement # 24792

Page # 2

|          |     |   |      |
|----------|-----|---|------|
|          |     | updates to Decree of Divorce; Meeting with Opposing Party, Client and Attorney Leavitt re: Opposing Party reviewed, approved, and signed Disclaimer and Acknowledgement of Self Representation and Decree of Divorce and I notarized same and Client signed Decree of Divorce and I notarized same  |      |
| 09/26/16 | AT  | Meeting with Attorney Leavitt and Paralegal Stolz re: [REDACTED]<br>[REDACTED]  | 0.50 |
|          | AT3 | Conference with Attorney Abrams re: [REDACTED]<br>[REDACTED]  | 0.50 |
|          | PL  | Conference w/ Attorney Abrams and Attorney Leavitt re: Discuss settlement and other case related matters; Exchange communications w/ Client and Anthem Forensics re: Request to coordinate telephone conference; Exchange communications w/ Client and Anthem Forensics on September 27th re: Confirm telephone conference  | 0.50 |
|          | PL4 | Prepare Supplemental Exhibits to Motion for Sanctions for Attorney Abrams review and approval; Exchange multiple e-mails with Client re: Dates and locations of photos and date of text message exchange  | 0.80 |
| 09/27/16 | AT  | Telephone conference with Attorney Leavitt, Jenny from Anthem Forensics, and Client re: Findings of forensic analysis; Conference with Attorney Leavitt re: same  | 0.50 |
|          | AT3 | Conference with Anthem Forensics and client re: Forensic Accounting.  | 0.50 |
| 09/28/16 | AT  | Receive and review documents from Opposing Counsel re: Opposition and Countermotion; Conference with Attorney Leavitt re: same; Numerous communications with Client and telephone conference from Client and Opposing Party re: Opposing Counsel's allegations; Review, modify, and then approve Supplemental Exhibits; Conference with witness re: Declaration; Review court filings in preparation for hearing tomorrow | 2.60 |
|          | AT3 | Review and analyze Anthem Forensics' Accounting Report.   | 0.50 |
|          | PL  | Conferences with Attorney Abrams and Attorney Leavitt re: Discuss tomorrow's hearing and related matters; Draft Declaration of Leslie Lamb, for Attorney Abrams' review; Email to Court re: Attached report from Anthem Forensics;  | 1.00 |

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September 30, 2016

Statement # 24792

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|  |       |     |   |         |          |         |                    |             |  |
|--|-------|-----|---|---------|----------|---------|--------------------|-------------|--|
|  |       |     | Prepare Client's file for tomorrow's hearing; Assist Attorney Abrams and Attorney Leavitt today and on September 29th with preparation for tomorrow's hearing   |         |          |         |                    |             |  |
|  |       | PL4 | Update Supplemental Exhibits; Instructions to Legal Secretary to file and serve same  |         |          | 0.20    |                    |             |  |
| 09/29/16   |       | AT  | Review numerous court filings and reports; Create outline for hearing; Represent Client at Court Hearing re: Judge Elliott (reluctantly) agreed that terms of settlement are fair and equitable; Instructions to staff re: Order After Hearing and other case related matters |         |          | 5.30    |                    |             |  |
|  |       | AT3 | Review file and Court's record in preparation for hearing; Travel to and from Court re: Motion for Sanctions.   |         |          | 6.00    |                    |             |  |
| 09/30/16   |       | PL4 | Transcribe hearing video  |         |          | 4.80    |                    |             |  |
| Total of   | 8.90  | AT  | Attorney Abrams'  | Hours @ | \$500.00 | =       | \$4,450.00         |             |  |
| Total of   | 12.50 | AT3 | Attorney Leavitt's  | Hours @ | \$375.00 | =       | \$4,687.50         |             |  |
| Total of   | 2.90  | PL  | Paralegal Stolz's   | Hours @ | \$175.00 | =       | \$507.50           |             |  |
| Total of   | 6.00  | PL4 | Paralegal J. Schoen's   | Hours @ | \$175.00 | =       | \$1,050.00         |             |  |
|  |       |     |   |         |          |         | Total for Services | \$10,695.00 |  |
| Case Costs   |       |     |   |         |          |         |                    |             |  |
|  |       |     | Courier Service   |         |          | \$15.00 |                    |             |  |
|  |       |     | E-Filing Fee  |         |          | \$3.50  |                    |             |  |
|  |       |     | E-Filing Fee  |         |          | \$3.50  |                    |             |  |
|  |       |     | E-Filing Fee  |         |          | \$3.50  |                    |             |  |
|  |       |     | E-Filing Fee  |         |          | \$3.50  |                    |             |  |
|  |       |     |   |         |          |         | Total for Costs    | \$29.00     |  |
| Balance from Last Statement Before any Payments            |       |     |   |         |          |         |                    | \$36,569.50 |  |
| Payments From Trust Account On and/or Since Last Statement |       |     |   |         |          |         | -                  | \$2,500.00  |  |
| Total Fees and Costs on This Statement                     |       |     |   |         |          |         |                    | \$10,724.00 |  |

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September 30, 2016

Statement # 24792

Page # 4

Unpaid Accounts Receivable Balance as of This Statement **\$44,793.50**

Your required minimum Trust Account Balance at this time is **\$3,750.00**

Therefore, please include the following amount in your next payment **\$3,750.00**

**TOTAL BALANCE DUE NOW** **\$48,543.50**

| Recent Activity in Trust Account                     | Balance Forward |            |
|--|-----------------|------------|
| 09/30/16 Payment by Credit Card on File - Thank You. | \$2,500.00      |            |
| Payment on A/R Balance - Thank You.                  |                 | \$2,500.00 |
| Your remaining Trust Account Balance is              | \$0.00          |            |





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**ABRAMS & MAYO**

**Law Firm**

Mr. Brandon Saiter  
Henderson, Nevada

**Jennifer V. Abrams, Esq.**

**Vincent Mayo, Esq.**

**Brandon K. Leavitt, Esq.**

6252 South Rainbow Blvd.  
Suite 100

Las Vegas, Nevada 89118

Telephone (702) 222-4021

Facsimile (702) 248-9750

**October 15, 2016**

**Statement # 24861**

**Due Upon Receipt**

**RE: Brandon P. Saiter v. Tina M. Saiter**

**Statement of Account**

| Date     | AT/PL/LS | Activity   | Hours |
|----------|----------|--|-------|
| 10/03/16 | AT2      | Conference w/ Attorney Abrams re: [REDACTED]   | 0.20  |
|          | PL4      | Begin preparing Order After Hearing of September 29, 2016  | 0.50  |
| 10/04/16 | AT       | Draft additional cross examination questions for Opposing Party (Actual time 0.6)  | 0.20  |
|          | PL       | Conferences w/ Attorney Abrams and Attorney Leavitt re: Discuss case related matters; Email to Opposing Counsel re: Attached Decree of Divorce, which was signed by Attorney Leavitt and both parties; Prepare Client's file for tomorrow's hearing; Exchange communications w/ Client re: Discuss case related matters; Email to Experts re: No need to appear at tomorrow's hearing, per Attorney Leavitt's instructions | 0.60  |
|          | PL4      | Finish preparing Order for Attorney Leavitt and Attorney Abrams review and signature; Add all video citations  | 2.60  |
| 10/05/16 | AT       | Prepare for and represent Client at Trial re: Matter resolved, attorney fees to be taken under advisement after filing of memo of fees and costs; Conference with Client and Attorney Leavitt re: same and other case related matters  | 5.00  |
|          | AT3      | Review case file in preparation for Trial; Travel to and from Court; Appearance at Trial.  | 6.50  |
|          | PL       | Conferences w/ Attorney Abrams and Attorney Leavitt re: Discuss today's hearing and other case related matters; Draft Petition to Seal Records and Order to Seal Records, for Attorney Leavitt's review; Instructions to Legal Secretary re: same  | 0.40  |
| 10/06/16 | AT       | Numerous communications with Court and Opposing Counsel, as well as Client and staff re: Obtaining Order for the removal of the Client's divorce video from the Internet (Actual time 3+ hours)  | 0.60  |
|          | AT2      | Conference w/ Attorney Abrams re: Sealing of the case  | 0.20  |

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October 15, 2016  
 Statement # 24861  
 Page # 2

|          |     |  |      |
|----------|-----|--|------|
|          | PL  | Conference w/ Attorney Abrams re: Discuss case related matters; Exchange communications w/ Anthem Forensics re: Confirm they had no direct communications with the Court; Conference w/ Attorney Abrams re: same   | 0.20 |
| 10/07/16 | AT3 | Review and sign notice of entry of Order to Seal.  | 0.20 |
|          | PL4 | Prepare Notice of Association of Counsel (0.2 at no charge)  | 0.00 |
| 10/08/16 | AT  | Begin draft of Memorandum of Fees and Costs; Instructions to staff re: same  | 1.20 |
|          | PL  | Conference w/ Attorney Abrams yesterday re: Proceeding with serving Veterans in Politics with Order Prohibiting Dissemination of Case Material; Exchange several communications w/ Process Server today re: Coordinate service of Order and receive confirmation once the Order was served; Conferences w/ Attorney Abrams re: same (Actual time 0.5)  | 0.20 |
| 10/10/16 | PL3 | Conference w/ Attorney Abrams and Paralegal J. Schoen re: Memorandum of Attorney's Fees and Costs; Review Attorney Abrams' narrative on sanction issues and recent events, transcript of relevant portions of September 29th hearing; Begin drafting Memorandum of Attorney's Fees and Costs with information from same, waiting on video from October 6th hearing to add relevant citations and testimony in support of request | 0.90 |
|          | PL4 | Order the October 5, 2016 hearing; Instructions to Courier service to return when complete   | 0.20 |
| 10/11/16 | AT3 | Review and Sign Order After Hearing; Telephone call from client re: status of Decree of Divorce; Review and analyze Decree of Divorce.   | 1.00 |
|          | PL  | Conferences with Attorney Leavitt and Attorney Abrams re: Receive instructions to modify the Decree of Divorce; Conference w/ Attorney Abrams re: Discuss case related matters; Telephone Conference to Court re: Discuss case related matters; Conference w/ Attorney Abrams re: same; Modify Decree of Divorce, for Attorney Leavitt's review; Email to Client re: Attached Decree, for review and approval                    | 1.10 |
|          | PL4 | Review a small portion of the video to get an exact video citation for the Order after hearing of September 29, 2016;  | 0.70 |

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October 15, 2016  
 Statement # 24861  
 Page # 3

Print Order for Attorney Leavitt to finalize; Prepare 5 day letter to send along with Order After Hearing for Attorney Schneider's signature; Receive response e-mail from Attorney Schneider; Conference with Attorney Abrams re: same

10/12/16 PL4 Prepare letter to Court re: Submission of Order after Hearing without Schneider's signature; Instructions to courier service 0.30

|          |      |     |                       |         |          |   |            |
|----------|------|-----|-----------------------|---------|----------|---|------------|
| Total of | 7.00 | AT  | Attorney Abrams'      | Hours @ | \$500.00 | = | \$3,500.00 |
| Total of | 0.40 | AT2 | Attorney Mayo's       | Hours @ | \$450.00 | = | \$180.00   |
| Total of | 7.70 | AT3 | Attorney Leavitt's    | Hours @ | \$375.00 | = | \$2,887.50 |
| Total of | 2.50 | PL  | Paralegal Stolz's     | Hours @ | \$175.00 | = | \$437.50   |
| Total of | 0.90 | PL3 | Paralegal D. Schoen's | Hours @ | \$175.00 | = | \$157.50   |
| Total of | 4.30 | PL4 | Paralegal J. Schoen's | Hours @ | \$175.00 | = | \$752.50   |

**Total for Services \$7,915.00**

**Case Costs**

|                 |         |
|-----------------|---------|
| E-Filing Fee    | \$3.50  |
| E-Filing Fee    | \$3.50  |
| Courier Service | \$15.00 |
| E-Filing Fee    | \$3.50  |
| E-Filing Fee    | \$3.50  |

**Total for Costs \$29.00**

**Balance from Last Statement Before any Payments \$44,793.50**

**Total Fees and Costs on This Statement \$7,944.00**

**Unpaid Accounts Receivable Balance as of This Statement \$52,737.50**

**Your required minimum Trust Account Balance at this time is \$3,750.00**

**Therefore, please include the following amount in your next payment \$3,750.00**

The  
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Law Firm

October 15, 2016  
Statement # 24861  
Page # 4

TOTAL BALANCE DUE NOW      \$56,487.50

**Recent Activity in Trust Account**

Your remaining Trust Account Balance is

**Balance Forward**

\$0.00



The

**ABRAMS & MAYO**

**Law Firm**

Mr. Brandon Saiter  
Henderson, Nevada

Jennifer V. Abrams, Esq.

Vincent Mayo, Esq.

Brandon K. Leavitt, Esq.

6252 South Rainbow Blvd.  
Suite 100

Las Vegas, Nevada 89118

Telephone (702) 222-4021

Facsimile (702) 248-9750

October 31, 2016

Statement # 24951

Due Upon Receipt

RE: Brandon P. Saiter v. Tina M. Saiter

**Statement of Account**

| Date     | AT/PL/LS | Activity  | Hours |
|----------|----------|---|-------|
| 10/18/16 | PL       | Receive, review, and reply to email from Client re: Status (0.2 at no charge)   | 0.00  |
| 10/19/16 | PL       | Draft Subpoena Duces Tecum and Certificate of Service for the Clerk of Court (requesting information as to who downloaded the September 29th hearing video), for Attorney Abrams' review; Instructions to Legal Secretary re: same  | 0.50  |
| 10/20/16 | PL4      | Begin Transcribing October 5, 2016 hearing  | 4.50  |
| 10/21/16 | PL4      | Continue Transcribing October 5, 2016 hearing   | 0.80  |
| 10/25/16 | PL       | Receive voice mail from Client re: Request status of Order; Telephone Conference to Court re: same - Order is still under review; Email to Client re: same and Conference w/ Attorney Abrams and Attorney Leavitt re: same  | 0.20  |
|          | PL4      | Continue Transcribing October 5, 2016 hearing   | 2.00  |
| 10/26/16 | PL       | Obtain a file-stamped copy of Opposing Counsel's Ex Parte Motion to Quash Subpoena; Email to Client re: same and Conference w/ Attorney Abrams and Attorney Leavitt re: same  | 0.20  |
| 10/27/16 | PL       | Conference w/ Attorney Abrams and Attorney Leavitt re: Opposing Counsel's time to respond to the proposed Decree of Divorce is up and receive instructions to follow up with him regarding same; Exchange emails w/ Opposing Counsel re: Request and receive one requested change to the Decree; Exchange emails w/ Client re: same and Conference w/ Attorney Abrams and Attorney Leavitt re: same | 0.20  |
| 10/31/16 | PL       | Make requested change to the Decree of Divorce, for Attorney Leavitt's review; Email to Client re: Attached revised Decree of Divorce, for review and approval; Receive email from Client re: Approval; Email to Opposing Counsel re: Attached revised Decree of Divorce and request for same   | 0.30  |

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Law Firm

October 31, 2016  
Statement # 24951  
Page # 2

to be signed and returned by November 3, 2016; Exchange  
communications w/ Client re: Status

|     |  |      |
|-----|--|------|
| PL4 | Transcribe part 2 of the October 5, 2016 hearing video   | 2.80 |
| PL4 | Transcribe 4th part of the October 5, 2016 hearing video | 2.00 |

|          |      |    |                   |         |          |   |          |
|----------|------|----|-------------------|---------|----------|---|----------|
| Total of | 1.40 | PL | Paralegal Stolz's | Hours @ | \$175.00 | = | \$245.00 |
|----------|------|----|-------------------|---------|----------|---|----------|

|          |       |     |                       |         |          |   |            |
|----------|-------|-----|-----------------------|---------|----------|---|------------|
| Total of | 12.10 | PL4 | Paralegal J. Schoen's | Hours @ | \$175.00 | = | \$2,117.50 |
|----------|-------|-----|-----------------------|---------|----------|---|------------|

|                    |            |
|--------------------|------------|
| Total for Services | \$2,362.50 |
|--------------------|------------|

**Case Costs**

|  |          |
|--|----------|
| Special Process Service - Invoice Copy<br>Attached | \$100.00 |
|--|----------|

|                              |         |
|------------------------------|---------|
| Witness Fee - Clerk of Court | \$26.00 |
|------------------------------|---------|

|  |         |
|--|---------|
| Special Process Service - Invoice Copy<br>Attached | \$40.00 |
|--|---------|

|              |        |
|--------------|--------|
| E-Filing Fee | \$3.50 |
|--------------|--------|

|                 |          |
|-----------------|----------|
| Total for Costs | \$169.50 |
|-----------------|----------|

|   |             |
|---|-------------|
| Balance from Last Statement Before any Payments | \$52,737.50 |
|---|-------------|

|  |            |
|--|------------|
| Total Fees and Costs on This Statement | \$2,532.00 |
|--|------------|

|   |             |
|---|-------------|
| Unpaid Accounts Receivable Balance as of This Statement | \$55,269.50 |
|---|-------------|

Your required minimum Trust Account Balance at this time is \$3,750.00

|   |            |
|---|------------|
| Therefore, please include the following amount in your next payment | \$3,750.00 |
|---|------------|

|                                     |                           |
|-------------------------------------|---------------------------|
| <b><u>TOTAL BALANCE DUE NOW</u></b> | <b><u>\$59,019.50</u></b> |
|-------------------------------------|---------------------------|

**Recent Activity in Trust Account**

**Balance Forward**

Your remaining Trust Account Balance is

\$0.00



The

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**Law Firm**

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**Jennifer V. Abrams, Esq.**

**Vincent Mayo, Esq.**

**Brandon K. Leavitt, Esq.**

6252 South Rainbow Blvd.  
Suite 100

Las Vegas, Nevada 89118

Telephone (702) 222-4021

Facsimile (702) 248-9750

**November 15, 2016**

**Statement # 25045**

**Due Upon Receipt**

**RE: Brandon P. Saiter v. Tina M. Saiter**

**Statement of Account**

| Date     | AT/PL/LS | Activity   | Hours |
|----------|----------|--|-------|
| 11/01/16 | PL       | Obtain and review Court Minutes from September 29, 2016 hearing; Conference w/ Attorney Abrams and Attorney Leavitt re: Discuss Clerk's note   | 0.20  |
|          | PL4      | Finish transcribing the October 5, 2016 hearing video  | 1.80  |
| 11/02/16 | AT3      | Review, revise and Sign Letter to Court to correct the Court minutes.  | 0.30  |
|          | PL4      | Draft letter to Court re: correction minutes for Attorney Leavitt review and signature; Read report, and pleadings to cite to correct pages referencing royalty payments   | 0.80  |
| 11/03/16 | PL       | Email to Client re: Attached Child Support and Welfare Party Identification Sheet for Client to complete; Receive, review, and reply to email from Client re: same; Finalize form and instructions to legal secretary re: same   | 0.20  |
| 11/04/16 | AT3      | Review and sign letter to court; Review and sign Decree of Divorce.  | 0.50  |
|          | PL       | Draft Correspondence to Court re: Submission of Decree of Divorce without Opposing Counsel's signature, for Attorney Leavitt's review; Finalize Correspondence, along with Exhibits, and proposed Decree of Divorce; Instructions to Legal Secretary re: same; Email to Client re: Status; Receive email from Opposing Counsel re: Waiting on Opposing Party's signature on Decree; Email to Client re: same and Conference w/ Attorneys re: same; Email to Client re: Attached response to the Subpoena Duces Tecum issued upon the Court; Conference w/ Attorneys re: same | 0.50  |
| 11/09/16 | PL       | Obtain the Court Minutes from the October 5, 2016 hearing via Court's website; Update Client's file accordingly; Conference w/ Attorneys re: same  | 0.20  |
|          | PL3      | Conference w/ Attorney Abrams re: Decree of Divorce signed by Opposing Party and Opposing Counsel,   | 1.60  |

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November 15, 2016

Statement # 25045

Page # 2

instructions to wrap up Memorandum of Attorney's Fees and Costs; Review and transcribe portions of hearing video from December 15, 2015 hearing; Review transcription for October 5, 2016 hearing; Continue and finish initial draft of Memorandum of Attorney's Fees and Costs, pass to Attorney Abrams for review; Conference w/ Paralegal J. Schoen re: redacted billing statements and calculation of total fees

|          |     |  |      |
|----------|-----|--|------|
|          | PL4 | Redact 77 pages of billing statements for Memorandum of Fees and Costs   | 2.00 |
| 11/14/16 | PL  | Receive email from Opposing Counsel re: Request to modify Decree to reflect that Opposing Party is restoring her maiden name; Conference w/ Attorneys re: same; Modify Decree of Divorce accordingly; Email to Opposing Counsel re: Attached revised Decree of Divorce; Exchange emails w/ Client re: same | 0.20 |

|          |      |     |                       |         |          |   |          |
|----------|------|-----|-----------------------|---------|----------|---|----------|
| Total of | 0.80 | AT3 | Attorney Leavitt's    | Hours @ | \$375.00 | = | \$300.00 |
| Total of | 1.30 | PL  | Paralegal Stolz's     | Hours @ | \$175.00 | = | \$227.50 |
| Total of | 1.60 | PL3 | Paralegal D. Schoen's | Hours @ | \$175.00 | = | \$280.00 |
| Total of | 4.60 | PL4 | Paralegal J. Schoen's | Hours @ | \$175.00 | = | \$805.00 |

Total for Services \$1,612.50

Case Costs

|                                     |           |
|-------------------------------------|-----------|
| Witness Fee - Clerk of Court - Void | - \$26.00 |
| Total for Costs                     | - \$26.00 |

Balance from Last Statement Before any Payments \$55,269.50

Total Fees and Costs on This Statement \$1,586.50

Unpaid Accounts Receivable Balance as of This Statement \$56,856.00

Your required minimum Trust Account Balance at this time is \$3,750.00

Therefore, please include the following amount in your next payment \$3,750.00



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November 15, 2016  
Statement # 25045  
Page # 3

**TOTAL BALANCE DUE NOW**      **\$60,606.00**

**Recent Activity in Trust Account**

**Balance Forward**

Your remaining Trust Account Balance is

\$0.00



The

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Law Firm

Mr. Brandon Saiter  
Henderson, Nevada

Jennifer V. Abrams, Esq.

Vincent Mayo, Esq.

Brandon K. Leavitt, Esq.

6252 South Rainbow Blvd.  
Suite 100

Las Vegas, Nevada 89118

Telephone (702) 222-4021

Facsimile (702) 248-9750

November 30, 2016

Statement # 25137

Due Upon Receipt

RE: Brandon P. Saiter v. Tina M. Saiter

Statement of Account

| Date  | AT/PL/LS | Activity  | Hours                       |
|---|----------|---|-----------------------------|
| 11/16/16  | PL       | Receive emails from Client yesterday and telephone conference from Client today re: Status of Decree of Divorce, Order After Hearing of September 29, 2016 and other case related matters; Conference w/ Attorneys yesterday and today re: same                       | 0.30                        |
| 11/17/16  | PL       | Conference w/ Attorney Abrams and Attorney Leavitt re: Discuss plan for addressing Opposing Counsel not returning signed Decree of Divorce (0.2 at no charge)   | 0.00                        |
| 11/18/16  | AT3      | Review and sign letter to opposing counsel requesting Decree of Divorce.  | 0.20                        |
|   | PL       | Email to Client re: Status and plan moving forward; Draft Correspondence to Opposing Counsel re: Demand to return signed Decree of Divorce, or a Motion will be filed, for Attorney Leavitt's review; Email to Opposing Counsel re: same and Email to Client re: same | 0.40                        |
| 11/21/16  | PL       | Exchange emails w/ Opposing Counsel's office re: Opposing Counsel emailed signed Decree and confirm original is forthcoming; Exchange communications w/ Client re: same and Conference with Attorney Leavitt re: same   | 0.20                        |
| 11/23/16  | PL       | Email to Client re: Confirm receipt of signed Decree of Divorce and request for Client to come in and sign off on same; Exchange emails w/ Client on November 28th and 29th re: same  | 0.20                        |
| Total of  | 0.20     | AT3 Attorney Leavitt's  | Hours @ \$375.00 = \$75.00  |
| Total of  | 1.10     | PL Paralegal Stolz's  | Hours @ \$175.00 = \$192.50 |
| Total for Services                              |          |   | \$267.50                    |
| Balance from Last Statement Before any Payments |          |   | \$56,856.00                 |

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Law Firm

November 30, 2016

Statement # 25137

Page # 2

|  |          |
|--|----------|
| Total Fees and Costs on This Statement | \$267.50 |
|--|----------|

|   |             |
|---|-------------|
| Unpaid Accounts Receivable Balance as of This Statement | \$57,123.50 |
|---|-------------|

Your required minimum Trust Account Balance at this time is \$3,750.00

|   |            |
|---|------------|
| Therefore, please include the following amount in your next payment | \$3,750.00 |
|---|------------|

|                              |                    |
|------------------------------|--------------------|
| <u>TOTAL BALANCE DUE NOW</u> | <u>\$60,873.50</u> |
|------------------------------|--------------------|

Recent Activity in Trust Account

Balance Forward

Your remaining Trust Account Balance is

\$0.00



**The**  
**ABRAMS & MAYO**  
**Law Firm**

Mr. Brandon Saiter  
Henderson, Nevada

**Jennifer V. Abrams, Esq.**  
**Vincent Mayo, Esq.**  
**Brandon K. Leavitt, Esq.**

6252 South Rainbow Blvd.  
Suite 100  
Las Vegas, Nevada 89118  
Telephone (702) 222-4021  
Facsimile (702) 248-9750

**December 15, 2016**  
**Statement # 25229**  
**Due Upon Receipt**

**RE: Brandon P. Saiter v. Tina M. Saiter**

**Statement of Account**

| <b>Date</b>   | <b>AT/PL/LS</b> | <b>Activity</b>   | <b>Hours</b>                      |
|---|-----------------|---|-----------------------------------|
| 12/08/16  | AT3             | Review and sign Decree of Divorce.  | 0.20                              |
|   | PL              | Exchange emails w/ Client on December 5th and December 7th re: Coordinating meeting for Client to sign off on Decree of Divorce; Meeting with Client today re: Client reviewed, approved, and signed Decree of Divorce and I notarized same; Instructions to Legal Secretary re: Submit Decree to Court | 0.20                              |
| 12/15/16  | PL              | Instructions to Paralegal J. Schoen to follow up with the Court regarding the Decree of Divorce and Order After Hearing; Conference with Paralegal J. Schoen re: same; Exchange emails w/ Client re: same (0.2 at no charge)  | 0.00                              |
|   | PL4             | Telephone Conference with the Department re: Status of the Decree of Divorce and the Order after hearing of September 29, 2016; Conference with Paralegal Stolz re: Same  | 0.20                              |
| <b>Total of</b>   | <b>0.20</b>     | <b>AT3 Attorney Leavitt's</b>   | <b>Hours @ \$375.00 = \$75.00</b> |
| <b>Total of</b>   | <b>0.20</b>     | <b>PL Paralegal Stolz's</b>   | <b>Hours @ \$175.00 = \$35.00</b> |
| <b>Total of</b>   | <b>0.20</b>     | <b>PL4 Paralegal J. Schoen's</b>  | <b>Hours @ \$175.00 = \$35.00</b> |
| <b>Total for Services</b>   |                 |   | <b>\$145.00</b>                   |
| <b>Balance from Last Statement Before any Payments</b>            |                 |   | <b>\$57,123.50</b>                |
| <b>Payments From Trust Account On and/or Since Last Statement</b> |                 |   | <b>= \$2,000.00</b>               |
| <b>Total Fees and Costs on This Statement</b>                     |                 |   | <b>\$145.00</b>                   |
| <b>Unpaid Accounts Receivable Balance as of This Statement</b>    |                 |   | <b>\$55,268.50</b>                |

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December 15, 2016  
Statement # 25229  
Page # 2

Your required minimum Trust Account Balance at this time is \$3,750.00  
Therefore, please include the following amount in your next payment \$3,750.00

**TOTAL BALANCE DUE NOW** **\$59,018.50**

| Recent Activity in Trust Account                     | Balance Forward |            |
|--|-----------------|------------|
| 12/15/16 Payment by Credit Card on File - Thank You. | \$2,000.00      |            |
| Payment on A/R Balance - Thank You.                  |                 | \$2,000.00 |
| Your remaining Trust Account Balance is              | \$0.00          |            |



The

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**Law Firm**

Mr. Brandon Saiter  
Henderson, Nevada

Jennifer V. Abrams, Esq.

Vincent Mayo, Esq.

Brandon K. Leavitt, Esq.

6252 South Rainbow Blvd.  
Suite 100

Las Vegas, Nevada 89118

Telephone (702) 222-4021

Facsimile (702) 248-9750

December 31, 2016

Statement # 25325

Due Upon Receipt

RE: Brandon P. Saiter v. Tina M. Saiter

**Statement of Account**

| Date  | AT/PL/LS | Activity  | Hours                              |
|---|----------|---|------------------------------------|
| 12/21/16  | PL       | Telephone Conference to Court re: Request status of Decree and Order After Hearing - Still working on it; Exchange emails w/ Client yesterday and today re: same  | 0.20                               |
| 12/29/16  | AT3      | Review and Sign Notice of Entry of Decree of Divorce.   | 0.20                               |
|   | PL       | Obtain a file-stamped copy of Client's Decree of Divorce via Court's website; Email to Client re: Status update; Draft Notice of Entry of Decree of Divorce and Certificate of Service, for Attorney Leavitt's review; Instructions to Legal Secretary re: same | 0.30                               |
| Total of  | 0.20     | AT3 Attorney Leavitt's  | Hours @ \$375.00 = \$75.00         |
| Total of  | 0.50     | PL Paralegal Stolz's  | Hours @ \$175.00 = \$87.50         |
|   |          |   | <b>Total for Services \$162.50</b> |
| <b>Case Costs</b>   |          |   |                                    |
| Courier Service   |          |   | \$15.00                            |
| E-Filing Fee  |          |   | \$3.50                             |
|   |          |   | <b>Total for Costs \$18.50</b>     |
| <b>Balance from Last Statement Before any Payments</b>                        |          |   | <b>\$55,268.50</b>                 |
| <b>Total Fees and Costs on This Statement</b>                                 |          |   | <b>\$181.00</b>                    |
| <b>Unpaid Accounts Receivable Balance as of This Statement</b>                |          |   | <b>\$55,449.50</b>                 |
| <b>Your required minimum Trust Account Balance at this time is \$3,750.00</b> |          |   |                                    |
| <b>Therefore, please include the following amount in your next payment</b>    |          |   | <b>\$3,750.00</b>                  |

The  
**ABRAMS & MAYO**  
Law Firm

---

December 31, 2016  
Statement # 25325  
Page # 2

**TOTAL BALANCE DUE NOW**      **\$59,199.50**

**Recent Activity in Trust Account**

**Balance Forward**

Your remaining Trust Account Balance is

\$0.00



The

**ABRAMS & MAYO**

**Law Firm**

Mr. Brandon Saiter  
Henderson, Nevada

Jennifer V. Abrams, Esq.  
Vincent Mayo, Esq.  
Brandon K. Leavitt, Esq.

6252 South Rainbow Blvd.  
Suite 100  
Las Vegas, Nevada 89118  
Telephone (702) 222-4021  
Facsimile (702) 248-9750

January 15, 2017  
Statement # 25420  
Due Upon Receipt

RE: Brandon P. Saiter v. Tina M. Saiter

**Statement of Account**

| Date     | AT/PL/LS | Activity   | Hours                                |
|----------|----------|--|--------------------------------------|
| 01/06/17 | PL       | Conference w/ Attorney Abrams re: Discuss case related matters (0.2 at no charge)  | 0.00                                 |
| 01/10/17 | AT       | Review, modify, and then approve Motion to Enter Order After Hearing of September 29, 2016; Conference w/ Paralegal D. Schoen re: same   | 0.50                                 |
|          | PL3      | Finalize, file and serve Motion to Enter Order After Hearing of September 29, 2016   | 0.20                                 |
|          | PL4      | Prepare Motion to enter Order and Order Shortening Time for Attorney Abrams review   | 0.60                                 |
| 01/11/17 | AT       | Review, modify, and then approve Ex Parte Motion for an Order Shortening Time and related documents; Conference with Paralegal J. Schoen re: same  | 0.20                                 |
| 01/13/17 | AT       | Finish Memorandum of Attorney Fees and Costs; Conference w/ Paralegal Stolz re: same   | 1.40                                 |
|          | PL       | Exchange communications w/ Client today and on January 14th re: Client requested and I provided documentation and information; Conference w/ Attorney Abrams re: same (0.3 at no charge) | 0.00                                 |
| Total of | 2.10     | AT Attorney Abrams'  | Hours @ \$500.00 = \$1,050.00        |
| Total of | 0.20     | PL3 Paralegal D. Schoen's  | Hours @ \$175.00 = \$35.00           |
| Total of | 0.60     | PL4 Paralegal J. Schoen's  | Hours @ \$175.00 = \$105.00          |
|          |          |  | <b>Total for Services \$1,190.00</b> |

**Case Costs**

Special Courier Service - Invoice Copy \$8.00  
Attached



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Law Firm

January 15, 2017  
Statement # 25420  
Page # 2

|   |            |                           |
|---|------------|---------------------------|
| E-Filing Fee  | \$3.50     |                           |
| Total for Costs   |            | \$11.50                   |
| Balance from Last Statement Before any Payments                     |            | \$55,449.50               |
| Total Fees and Costs on This Statement                              |            | \$1,201.50                |
| Unpaid Accounts Receivable Balance as of This Statement             |            | \$56,651.00               |
| Your required minimum Trust Account Balance at this time is         | \$3,750.00 |                           |
| Therefore, please include the following amount in your next payment |            | \$3,750.00                |
| <b><u>TOTAL BALANCE DUE NOW</u></b>                                 |            | <b><u>\$60,401.00</u></b> |

|   |                        |
|---|------------------------|
| <b>Recent Activity in Trust Account</b> | <b>Balance Forward</b> |
| Your remaining Trust Account Balance is | \$0.00                 |