

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

1 WRTG
2 DAVID S. LEE, ESQ.
3 Nevada Bar No. 6033
4 John R. Hawley
5 Nevada Bar No. 001545
6 LEE, HERNANDEZ, LANDRUM,
7 GAROFALO & BLAKE
8 7575 Vegas Drive, Suite 150
9 Las Vegas, Nevada 89128
10 (702) 880-9750
11 Fax; (702) 314-1210
12 dlee@lee-lawfirm.com
13 jhawley@leelawfirm.com

14 Attorneys for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

15 FAR WEST INDUSTRIES, a California
16 corporation,

17 Plaintiff,

18 vs.

19 RIO VISTA NEVADA, LLC, a Nevada
20 limited liability company; WORLD
21 DEVELOPMENT, INC., a California
22 corporation; BRUCE MAIZE, and individual;
23 MICHAEL J. MONA, JR., an individual;
24 DOES I through 100, inclusive,

25 Defendants.

CASE NO.: A-12-670352-F
DEPT: XXVI

This WRIT must be answered,
signed and returned
to: Constable Las Vegas Township
302 E. Carson Ave., 5th Floor
Las Vegas, NV 89155

WRIT OF GARNISHMENT

THE STATE OF NEVADA TO:

Cannavest Corp., Garnishee

You are hereby notified that you are attached as garnishee in the above entitled action and
you are commanded not to pay any debt from yourself to RIO VISTA NEVADA, LLC, a Nevada
limited liability company; WORLD DEVELOPMENT, INC., a California corporation;
MICHAEL J. MONA, JR., an individual; MICHAEL J. MONA, JR., as Trustee of the Mona

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
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LAS VEGAS, NV 89128
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1 Family Trust dated February 21, 2002, Defendant(s), and that you retain possession and control of
2 all personal property, money, credits, debts effects and choses in action of said Defendant(s) in
3 order that the same may be dealt with according to law. Where such property consists of wages,
4 salaries, commissions or bonuses the amount you shall retain shall be in accordance with 15 U.S.
5 Code 1673 and Nevada Revised Statutes 31.295. FAR WEST INDUSTRIES, a California
6 Corporation, believes that you have property, money, credits, debts, effects and choses in action
7 in your hands and under your custody and control belonging to said Defendant(s) described as:
8 wages of Michael J. Mona, Jr., SSN 530-50-1249 employed at Cannavest Corp., located at
9 2688 S. Rainbow Blvd., Las Vegas, NV 89146.
10

11 YOU ARE REQUIRED within 20 days from the date of service of this Writ of
12 Garnishment to answer the interrogatories set forth herein and to return your answers to the office
13 of the Sheriff or Constable which issued the Writ of Garnishment. In case of your failure to
14 answer the interrogatories within 20 days, a Judgment by Default in the amount due to may be
15 entered against you.
16

17 IF YOUR ANSWERS TO the interrogatories indicate that you are the employer of the
18 Defendant(s), this Writ of Garnishment shall be deemed to CONTINUE FOR 120 DAYS or until
19 the amount demanded in the attached Writ of Execution is satisfied.
20

21 YOU ARE FURTHER DIRECTED to forward all funds due to the Defendant(s) each
22 payday in the future, UP TO 120 DAYS, less any amount which is exempt and less \$3.00 per pay
23 period not to exceed \$12.00 per month which you may retain as a fee for compliance. The \$3.00
24 fee does not apply to the first pay period covered by this Writ. . . .

25 YOU ARE FURTHER REQUIRED to serve a copy of your answers to the Writ of

26 ///

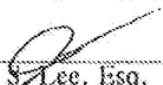
LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

1 Garnishment on Plaintiff's attorney whose address appears below.

2 Sheriff/Constable - Clark County

3 **R. WYANT P#9261** 12/11/13
4 Title Date

5 Issued at direction of:

6 
7 David S. Lee, Esq.
8 Nevada Bar No. 6033
9 John R. Hawley, Esq.
10 Nevada Bar No. 1545
11 LEE HERNANDEZ LANDRUM
12 GAROFALO & BLAKE
13 7575 Vegas Drive, Suite 150
14 Las Vegas, Nevada 89128

13)
14 STATE OF)

15) ss:
16 COUNTY OF)

17 The undersigned, being duly sworn, states that I received the within WRIT OF
18 GARNISHMENT on the _____ day of _____, 20____ and personally served the same on the
19 _____ day of _____, 20____ by showing the original WRIT OF GARNISHMENT, informing of
20 the contents and delivering and leaving a copy, along with the statutory fee of \$5.00, with _____
21 at _____, County of Clark, State of Nevada.

22 By: _____
23 Title

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

INTERROGATORIES TO BE ANSWERED BY THE GARNISHEE UNDER OATH

1. Are you in any manner indebted to the Defendant RIO VISTA NEVADA, LLC, a Nevada limited liability company; WORLD DEVELOPMENT, INC., a California corporation; BRUCE MAIZE, and individual; MICHAEL J. MONA, JR., an individual; either in property or money, and is the debt now due? If not due, when is the debt to become due? State fully all particulars:

ANSWER: YES

2. Are you an employee of one of the Defendant RIO VISTA NEVADA, LLC, a Nevada limited liability company; WORLD DEVELOPMENT, INC., a California corporation; BRUCE MAIZE, and individual; MICHAEL J. MONA, JR., an individual? If so, state the length of your pay period and the amount each Defendant presently earns during a pay period.

ANSWER: NO

3. Did you have in your possession, in your charge or under your control, on the date the WRIT OF GARNISHMENT was served upon you any money, property, effects, goods, chattels, rights, credits or choses in the action of the Defendant RIO VISTA NEVADA, LLC, a Nevada limited liability company; WORLD DEVELOPMENT, INC., a California corporation; BRUCE MAIZE, and individual; MICHAEL J. MONA, JR., an individual; or either of them, or in which Defendant RIO VISTA NEVADA, LLC, a Nevada limited liability company; WORLD DEVELOPMENT, INC., a California corporation; BRUCE MAIZE, and individual; MICHAEL J. MONA, JR., an individual; is interested? If so, state its value and state fully all particulars.

ANSWER: YES UNPAID WAGES

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

4. Do you know of any debts owing to the Defendant RIO VISTA NEVADA, LLC, a Nevada limited liability company; WORLD DEVELOPMENT, INC., a California corporation; BRUCE MAIZE, and individual; MICHAEL J. MONA, JR., an individual; whether due or not due, or any money, property, effects, goods, chattels, rights, credits or choses in action, belonging to the Defendant RIO VISTA NEVADA, LLC, a Nevada limited liability company; WORLD DEVELOPMENT, INC., a California corporation; BRUCE MAIZE, and individual; MICHAEL J. MONA, JR., an individual; or either of them, or in which Defendant RIO VISTA NEVADA, LLC, a Nevada limited liability company; WORLD DEVELOPMENT, INC., a California corporation; BRUCE MAIZE, and individual; MICHAEL J. MONA, JR., an individual; is/are interested, and now in possession or under the control of others? If so, state particulars.

ANSWER: Yes, recurring wages

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

ANSWER: _____

John Muye
1320 So Casino Center Blvd
LV NV 89104

6. NOTE: If an employer, without legal justification, refuses to withhold the earnings of a Defendant demanded in a WRIT OF GARNISHMENT or knowingly misrepresents the earnings of the Defendant(s), the Court shall order the employer to pay the Plaintiff the amount of arrearages caused by the employer's refusal to withhold or his misrepresentation of the Defendant's earnings. In addition, the Court may order the employer to pay the Plaintiff punitive damages in an amount not to exceed \$1,000 for each pay period in which the employer has, without legal justification, refused to withhold the Defendant's earnings or has misrepresented the earnings.

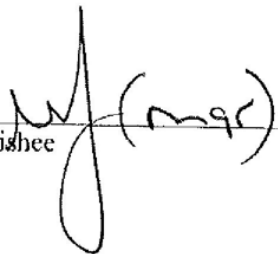
Garnishee

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GAROFALO & BLAKE
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LAS VEGAS, NV 89128
(702) 880-9750

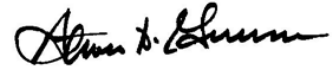
1 STATE OF)
2 COUNTY OF) ss:

3 I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true
4 and correct.

5 EXECUTED this 23 day of December, 2013.

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Garnishee

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CLERK OF THE COURT

1 NOTC

2 JOHN W. MUIJE & ASSOCIATES

3 JOHN W. MUIJE, ESQ.

4 Nevada Bar No. 2419

5 1320 S. Casino Center Blvd.

6 Las Vegas, Nevada 89104

7 Telephone: 702-386-7002

8 Facsimile: 702-386-9135

9 E-Mail: jmuije@muijeandvarricchio.com

10 Attorneys **SPECIALLY APPEARING**

11 **FOR JUDGMENT DEBTORS MICHAEL J. MONA, JR.,**

12 **AND MICHAEL J. MONA, JR., as trustee of the**

13 **MONA FAMILY TRUST DATED FEBRUARY 21, 2002**

14 DISTRICT COURT

15 CLARK COUNTY, NEVADA

16 FAR WEST INDUSTRIES, a California
17 corporation,

18 Plaintiff,

19 vs

20 RIO VISTA NEVADA, LLC, a Nevada limited
21 liability company; WORLD DEVELOPMENT,
22 INC., a California corporation; BRUCE MAIZE,
23 an individual; MICHAEL J. MONA, JR., an
24 individual; DOES I through 100, inclusive,

25 Defendants

Case No. : A-12-670352-F

Dept. No.: XXVI

HEARING DATE: November 25, 2013

HEARING TIME: 10:00 A.M.

26 **NOTICE OF CHANGES TO TRANSCRIPT OF**

27 **JUDGMENT DEBTOR EXAMINATION OF MICHAEL J. MONA, JR.**

28 **TO:** FAR WEST INDUSTRIES, a California corporation, Plaintiff; and

TO: John R. Hawley, Esq., and the law firm of Lee, Hernandez, Landrum, Garofalo & Blake.
their attorneys..

LAW OFFICES
JOHN W. MUIJE & ASSOCIATES
1320 S. CASINO CENTER BOULEVARD
LAS VEGAS, NEVADA 89104
Phone: (702) 386-7002 Fax: (702) 386-9135

1 Attached hereto and incorporated herein by this reference are the changes the transcript
2 regarding the judgment debtor examination of Michael J. Mona, Jr., taken on November 25, 2013.

3 DATED this 6th day of January, 2014.
4

5 JOHN W. MUIJE & ASSOCIATES

6
7 By: 

8 JOHN W. MUIJE, ESQ.

9 Nevada Bar No. 2419

10 1320 S. Casino Center Blvd

11 Las Vegas, NV 89104

12 Phone: 702-386-7002

13 Facsimile: 702-386-9135

14 Email: jmuje@mujeandvarricchio.com

15 Attorney **SPECIALLY APPEARING**

16 **FOR JUDGMENT DEBTORS MICHAEL J.**
17 **MONA, JR., and MICHAEL J. MONA, JR., as**
18 **trustee of the MONA FAMILY TRUST DATED**
19 **FEBRUARY 21, 2002**
20
21
22
23
24
25
26
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28

43695

MICHAEL J. MONA, JR. - 11/25/2013

CASE NO. A-12-670352-F (MONA)

Page 116

CERTIFICATE OF DEPONENT

PAGE	LINE	CHANGE	REASON
14	20	"700" to Numerous	
18	3	"11--" to 1101	
27	7	"BANK of AMERICA" Bank of NEVADA	
31	4	"AMERICA" to NEVADA	
103	2	"BANK of AMERICA" to BANK of NEVADA	

* * * * *

I, MICHAEL J. MONA, JR., deponent herein, do hereby certify and declare the within and foregoing transcription to be my judgment debtor examination in said action; under penalty of perjury; that I have read, corrected and do hereby affix my signature to said judgment debtor examination.

MICHAEL J. MONA, JR., Deponent

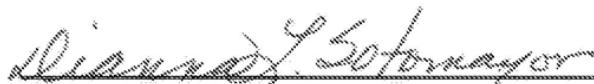
CERTIFICATE OF SERVICE

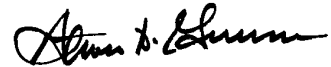
I certify that I am an employee of John W. Muje & Associates, and that on the 6th day of January, 2014, I caused the foregoing document, entitled NOTICE OF CHANGES TO TRANSCRIPT OF JUDGMENT DEBTOR EXAMINATION OF MICHAEL J. MONA, JR.

to be served as follows:

- ☒ by placing a copy of the same for mailing in the United States mail, with first class postage prepaid addressed as follows; and/or
- ☐ via facsimile at the number listed below; and/or
- ☐ via e-mail at the e-mail address listed below:

John R. Hawley
Lee, Hernandez, Landrum, Garofalo & Blake
7575 Vegas Drive, Suite 150
Las Vegas, Nevada 89128
Facsimile: 702-314-1210
e-mail: jhawley@lee-lawfirm.com


An Employee of John W. Muje & Associates



CLERK OF THE COURT

Marquis Aurbach Coffing
Terry A. Coffing, Esq.
Nevada Bar No. 4949
Tye S. Hanseen, Esq.
Nevada Bar No. 10365
10001 Park Run Drive
Las Vegas, Nevada 89145
Telephone: (702) 382-0711
Facsimile: (702) 382-5816
tcoffing@maclaw.com
thanseen@maclaw.com
Attorneys for Michael J. Mona, Jr.

DISTRICT COURT

CLARK COUNTY, NEVADA

FAR WEST INDUSTRIES, a California
corporation,

Plaintiff,

vs.

RIO VISTA NEVADA, LLC, a Nevada limited
liability company; WORLD DEVELOPMENT,
INC., a California corporation; BRUCE MAIZE,
and individual; MICHAEL J. MONA, JR., an
individual; DOES I through 100, inclusive,

Defendants.

Case No.: A-12-670352-F
Dept. No.: XXVI

DISCOVERY COMMISSIONER'S REPORT AND RECOMMENDATIONS

Hearing Date: April 14, 2014

Appearances:

Plaintiff: John R. Hawley, Esq., of LEE, HERNANDEZ, LANDRUM, GAROFALO &
BLAKE.

Defendant Michael J. Mona, Jr.: Terry A. Coffing, Esq., of MARQUIS AURBACH
COFFING.

I. FINDINGS

1. Plaintiff subpoenaed documents and testimony from a non-party that the
accountant-client privilege protects.

2. Plaintiff failed to establish that any exception to the accountant-client privilege applies.

3. Plaintiff failed to comply with NRCP 45's service requirements.

4. Plaintiff has not presented any evidence that the accountant it subpoenaed was involved in the transaction which Plaintiff asserts voids the privilege.

5. Plaintiff's subpoena seeks to obtain potentially privileged, private, and confidential information for four entities/individuals that are not parties to this case and did not receive proper notice of the proceedings.

II. RECOMMENDATIONS

1. Plaintiff's Motion to Compel Discovery on Order Shortening Time is DENIED.

DATED: April 22, 2014


DISCOVERY COMMISSIONER

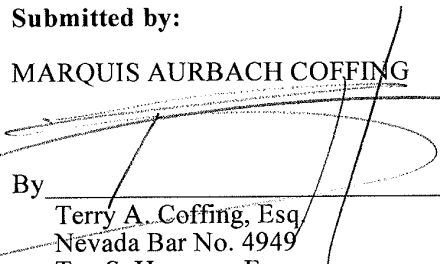
Submitted by:

MARQUIS AURBACH COFFING

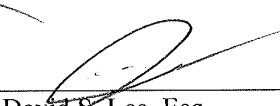
Approved as to form and Content:

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE

By


Terry A. Coffing, Esq.
Nevada Bar No. 4949
Tye S. Hanseen, Esq.
Nevada Bar No. 10365
10001 Park Run Drive
Las Vegas, Nevada 89145
Attorneys for Defendant
Michael J. Mona, Jr.

By


David S. Lee, Esq.
Nevada Bar No. 6033
John R. Hawley, Esq.
Nevada Bar No. 1545
7575 Vegas Drive, Suite 150
Las Vegas, Nevada 89128
Attorneys for Plaintiff

MARQUIS AURBACH COFFING

10001 Park Run Drive
Las Vegas, Nevada 89145
(702) 382-0711 FAX: (702) 382-5816

A-12-670352-F

NOTICE

Pursuant to N.R.C.P. 16.1(d)(2), you are hereby notified that you have five (5) days from the date you receive this document within which to file written objections.

[Pursuant to E.D.C.R. 2.34(f) an objection must be filed and served no more than five (5) days after receipt of the Discovery Commissioner's Report. The Commissioner's Report is deemed received when signed and dated by a party, his attorney or his attorney's employee, or three (3) days after mailing to a party or his attorney, or three (3) days after the clerk of the court deposits a copy of the Report in a folder of a party's lawyer in the Clerk's office. See E.D.C.R. 2.34(f)]

A copy of the foregoing Discovery Commissioner's Report was:

☒ Placed in the folder of Plaintiff's and Defendants' counsel in the Clerk's office

on the 28 day of April, 2014; and/or

☐ Mailed to the Plaintiff/Defendant at the following addresses on the _____ day of _____, 2014.

STEVEN D. GRIERSON

By: _____

Deputy Clerk

MARQUIS AURBACH COFFING

10001 Park Run Drive
Las Vegas, Nevada 89145
(702) 382-0711 FAX: (702) 382-5816

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1 CASE NAME: FAR WEST INDUSTRIES v. RIO VISTA NEVADA, LLC, et al.

2 CASE NUMBER: A-12-670352-F

3 ORDER

4
5 The Court, having reviewed the above report and recommendations prepared by the
6 Discovery Commissioner, and,

7 _____ The parties having waived the right to object thereto,

8 ✓ 8/5 No timely objection having been received in the office of the Discovery Commissioner
pursuant to E.D.C.R. 23.4(f),

9 _____ Having received the objections thereto and the written arguments in support of said
10 objections, and good cause appearing,

11 * * *

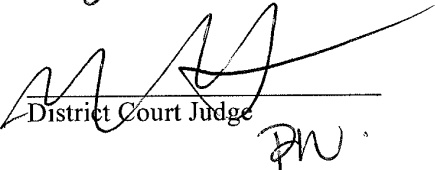
12
13 AND

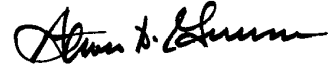
14 X IT IS HEREBY ORDERED the Discovery Commissioner's Report and
15 Recommendations are affirmed and adopted.

16 _____ IT IS HEREBY ORDERED the Discovery Commissioner's Report and
17 Recommendations are affirmed and adopted as modified in the following manner.
(attached hereto).

18 _____ IT IS HEREBY ORDERED that a hearing on the Discovery Commissioner's Report is
set for _____, 201__ at ____: _____.m.

19 DATED this 12 day of May, 2014.

20
21 
22 District Court Judge
23
24
25
26
27
28



CLERK OF THE COURT

Marquis Aurbach Coffing
Terry A. Coffing, Esq.
Nevada Bar No. 4949
Tye S. Hanseen, Esq.
Nevada Bar No. 10365
10001 Park Run Drive
Las Vegas, Nevada 89145
Telephone: (702) 382-0711
Facsimile: (702) 382-5816
tcoffing@maclaw.com
thanseen@maclaw.com
Attorneys for Michael J. Mona, Jr.

DISTRICT COURT

CLARK COUNTY, NEVADA

FAR WEST INDUSTRIES, a California
corporation,

Plaintiff,

vs.

RIO VISTA NEVADA, LLC, a Nevada limited
liability company; WORLD DEVELOPMENT,
INC., a California corporation; BRUCE MAIZE,
and individual; MICHAEL J. MONA, JR., an
individual; DOES 1 through 100, inclusive,

Defendants.

Case No.: A-12-670352-F
Dept. No.: XXVI

**NOTICE OF ENTRY OF ORDER
REGARDING THE DISCOVERY
COMMISSIONER'S REPORT AND
RECOMMENDATIONS**

Please take notice that an Order regarding the Discovery Commissioner's Report and
Recommendations was entered in the above-captioned matter on the 15th day of May, 2014, a
copy of which is attached hereto.

Dated this 5 day of May, 2014.

MARQUIS AURBACH COFFING

By

Terry A. Coffing, Esq.
Nevada Bar No. 4949
Tye S. Hanseen, Esq.
Nevada Bar No. 10365
10001 Park Run Drive
Las Vegas, Nevada 89145
Attorneys for Defendant
Michael J. Mona, Jr.

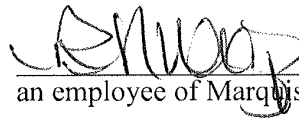
CERTIFICATE OF SERVICE

I hereby certify that the foregoing **NOTICE OF ENTRY OF ORDER REGARDING THE DISCOVERY COMMISSIONER'S REPORT AND RECOMMENDATIONS** was submitted electronically for filing and/or service with the Eighth Judicial District Court on the 15th day of May, 2014. Electronic service of the foregoing document shall be made in accordance with the E-Service List as follows:¹

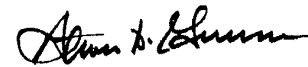
David S. Lee, Esq.
John R. Hawley, Esq.
LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 Vegas Drive, Suite 150
Las Vegas, Nevada 89128
Attorneys for Plaintiff

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage prepaid, addressed to:

N/A


an employee of Marquis Aurbach Coffing

¹ Pursuant to EDCR 8.05(a), each party who submits an E-Filed document through the E-Filing System consents to electronic service in accordance with NRCP 5(b)(2)(D).



CLERK OF THE COURT

1 **Marquis Aurbach Coffing**
2 Terry A. Coffing, Esq.
3 Nevada Bar No. 4949
4 Tye S. Hanseen, Esq.
5 Nevada Bar No. 10365
6 10001 Park Run Drive
7 Las Vegas, Nevada 89145
8 Telephone: (702) 382-0711
9 Facsimile: (702) 382-5816
10 tcoffing@maclaw.com
11 thanseen@maclaw.com
12 Attorneys for Michael J. Mona, Jr.

8 **DISTRICT COURT**

9 **CLARK COUNTY, NEVADA**

10 FAR WEST INDUSTRIES, a California
11 corporation,

12 Plaintiff,

13 vs.

14 RIO VISTA NEVADA, LLC, a Nevada limited
15 liability company; WORLD DEVELOPMENT,
16 INC., a California corporation; BRUCE MAIZE,
17 and individual; MICHAEL J. MONA, JR., an
18 individual; DOES I through 100, inclusive,

19 Defendants.

Case No.: A-12-670352-F
Dept. No.: XXVI

20 **DISCOVERY COMMISSIONER'S REPORT AND RECOMMENDATIONS**

21 Hearing Date: April 14, 2014

22 **Appearances:**

23 Plaintiff: John R. Hawley, Esq., of LEE, HERNANDEZ, LANDRUM, GAROFALO &
24 BLAKE.

25 Defendant Michael J. Mona, Jr.: Terry A. Coffing, Esq., of MARQUIS AURBACH
26 COFFING.

27 **I. FINDINGS**

28 1. Plaintiff subpoenaed documents and testimony from a non-party that the
accountant-client privilege protects.

MARQUIS AURBACH COFFING
10001 Park Run Drive
Las Vegas, Nevada 89145
(702) 382-0711 FAX: (702) 382-5816

A-12-670352-F

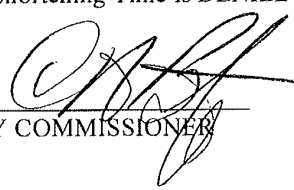
MARQUIS AURBACH COFFING
10001 Park Run Drive
Las Vegas, Nevada 89145
(702) 382-0711 FAX: (702) 382-5816

- 1 2. Plaintiff failed to establish that any exception to the accountant-client privilege
2 applies.
3 3. Plaintiff failed to comply with NRCP 45's service requirements.
4 4. Plaintiff has not presented any evidence that the accountant it subpoenaed was
5 involved in the transaction which Plaintiff asserts voids the privilege.
6 5. Plaintiff's subpoena seeks to obtain potentially privileged, private, and
7 confidential information for four entities/individuals that are not parties to this case and did not
8 receive proper notice of the proceedings.

9 **II. RECOMMENDATIONS**

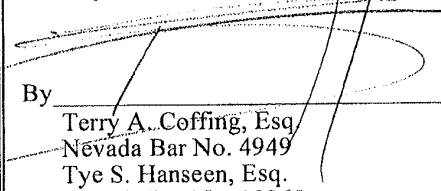
- 10 1. Plaintiff's Motion to Compel Discovery on Order Shortening Time is DENIED.

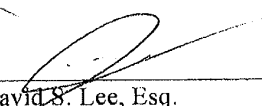
11 DATED: April 22, 2014


DISCOVERY COMMISSIONER

14 **Submitted by:**
15 MARQUIS AURBACH COFFING

Approved as to form and Content:
LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE

17 By 
18 Terry A. Coffing, Esq.
19 Nevada Bar No. 4949
20 Tye S. Hanseen, Esq.
21 Nevada Bar No. 10365
22 10001 Park Run Drive
23 Las Vegas, Nevada 89145
24 Attorneys for Defendant
25 Michael J. Mona, Jr.

By 
David S. Lee, Esq.
Nevada Bar No. 6033
John R. Hawley, Esq.
Nevada Bar No. 1545
7575 Vegas Drive, Suite 150
Las Vegas, Nevada 89128
Attorneys for Plaintiff

A-12-670352-F

MARQUIS AURBACH COFFING
10001 Park Run Drive
Las Vegas, Nevada 89145
(702) 382-0711 FAX: (702) 382-5816

NOTICE

Pursuant to N.R.C.P. 16.1(d)(2), you are hereby notified that you have five (5) days from the date you receive this document within which to file written objections.

[Pursuant to E.D.C.R. 2.34(f) an objection must be filed and served no more than five (5) days after receipt of the Discovery Commissioner's Report. The Commissioner's Report is deemed received when signed and dated by a party, his attorney or his attorney's employee, or three (3) days after mailing to a party or his attorney, or three (3) days after the clerk of the court deposits a copy of the Report in a folder of a party's lawyer in the Clerk's office. See E.D.C.R. 2.34(f)]

A copy of the foregoing Discovery Commissioner's Report was:

☒ Placed in the folder of Plaintiff's and Defendants' counsel in the Clerk's office

on the 28 day of Apr. 1, 2014; and/or

_____ Mailed to the Plaintiff/Defendant at the following addresses on the _____ day of

_____, 2014.

STEVEN D. GRIERSON

By: _____

Deputy Clerk

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MARQUIS AURBACH COFFING
10001 Park Run Drive
Las Vegas, Nevada 89145
(702) 382-0711 FAX: (702) 382-5816

1 CASE NAME: FAR WEST INDUSTRIES v. RIO VISTA NEVADA, LLC, et al.

2 CASE NUMBER: A-12-670352-F

3 ORDER

4
5 The Court, having reviewed the above report and recommendations prepared by the
6 Discovery Commissioner, and,

7 The parties having waived the right to object thereto,

8 ☒ No timely objection having been received in the office of the Discovery Commissioner
pursuant to E.D.C.R. 23.4(f),

9 Having received the objections thereto and the written arguments in support of said
10 objections, and good cause appearing,

11 * * *


12
13 AND

14 ☒ IT IS HEREBY ORDERED the Discovery Commissioner's Report and
15 Recommendations are affirmed and adopted.

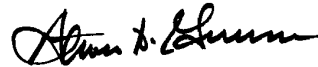
16 IT IS HEREBY ORDERED the Discovery Commissioner's Report and
17 Recommendations are affirmed and adopted as modified in the following manner.
(attached hereto).

18 IT IS HEREBY ORDERED that a hearing on the Discovery Commissioner's Report is
set for _____, 201__ at ____:____.m.

19 DATED this 12 day of May, 2014.

20
21 
22 District Court Judge
23 

EAJD
F. THOMAS EDWARDS, ESQ.
Nevada Bar No. 9549
E-mail: tedwards@nevadafirm.com
HOLLEY DRIGGS WALCH
FINE WRAY PUZEY & THOMPSON
400 South Fourth Street, Third Floor
Las Vegas, Nevada 89101
Telephone: 702/791-0308
Facsimile: 702/791-1912



CLERK OF THE COURT

Attorneys for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

FAR WEST INDUSTRIES, a California
corporation,

Plaintiff,

v.

RIO VISTA NEVADA, LLC, a Nevada limited
liability company; WORLD DEVELOPMENT,
INC., a California corporation; BRUCE MAIZE,
an individual, MICHAEL J. MONA, JR., an
individual; DOES 1 through 100, inclusive,

Defendants.

CASE NO.: A-12-670352-F
Dept. No.: XV

**EX PARTE MOTION FOR ORDER
ALLOWING JUDGMENT DEBTOR
EXAMINATION OF MICHAEL J. MONA,
JR., INDIVIDUALLY, AND AS TRUSTEE
OF THE MONA FAMILY TRUST DATED
FEBRUARY 12, 2002, AND RHONDA
MONA AS TRUSTEE OF THE MONA
FAMILY TRUST DATED FEBRUARY 12,
2002**

Plaintiff FAR WEST INDUSTRIES ("Plaintiff"), by and through its attorney F. THOMAS EDWARDS, ESQ. of the law firm of HOLLEY DRIGGS WALCH FINE WRAY PUZEY & THOMPSON, files this *Ex Parte* Motion for Order Allowing a Judgment Debtor Examination of Michael J. Mona, Jr., Individually, and as Trustee of the Mona Family Trust Dated February 12, 2002, and Rhonda Mona as Trustee of the Mona Family Trust Dated February 12, 2002 ("Motion").

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1 This Motion is based upon the Points and Authorities attached hereto, and the pleadings
2 and papers on file herein.

3 Dated this 8th day of May, 2015.

4 **HOLLEY DRIGGS WALCH**
5 **FINE WRAY PUZEY & THOMPSON**
6 

7 F. THOMAS EDWARDS, ESQ.
8 Nevada Bar No. 9549
9 400 South Fourth Street, Third Floor
10 Las Vegas, Nevada 89101
11 *Attorneys for Plaintiff*

12 **MEMORANDUM OF POINTS AND AUTHORITIES**

13 **1. STATEMENT OF FACTS**

14 **JUDGMENT OF MORE THAN \$17 MILLION ENTERED AGAINST MICHAEL J. MONA, JR.**

15 1. On February 23, 2012, the Superior Court of the State of California, County of
16 Riverside, Riverside Court (the "California Court"), entered Findings of Fact and Conclusions of
17 Law in the case of Far West Industries v. Rio Vista Nevada, LLC, et. al., Case No. RIC495966
18 (the "California Action").

19 2. Among other things, the Findings of Fact and Conclusions of Law stated that
20 Defendant Michael J. Mona, Jr. ("Mona"), among others, intentionally misrepresented material
21 facts and concealed other material facts from Plaintiff on behalf of Rio Vista Nevada, LLC, with
22 intent to defraud Plaintiff and that Plaintiff justifiably relied on those misrepresentations and
23 omissions, which caused Plaintiff damages.

24 3. The Findings of Fact and Conclusions also stated that Mona was the alter ego of
25 the Mona Family Trust, dated February 21, 2002 (the "Mona Family Trust"), such that he and
26 the Mona Family Trust are both liable for any and all damages awarded against Rio Vista
27 Nevada, LLC.

28 4. On April 27, 2012, the California Court entered Judgment in the amount of
\$17,777,562.18, plus costs of \$25,562.56 and attorney's fees of \$327,548.84, in favor of Plaintiff

1 and against the following parties, jointly and severally: Mona, Mona as Trustee of the Mona
2 Family Trust, Rio Vista Nevada, LLC, and World Development, Inc. (the "Judgment").

3 5. On May 4, 2012, Plaintiff provided notice of entry of the Judgment.

4 6. There has been no stay issued or appeal taken as to the Judgment.

5 7. On October 18, 2012, Plaintiff filed its Application of Foreign Judgment in the
6 instant case before this Court entitled Far West Industries v. Rio Vista Nevada, et. al., Case No.
7 A-12-670352-F (the "Domesticated Judgment Action").

8 8. On November 27, 2013, Plaintiff conducted a judgment debtor examination of
9 Mona for the Domesticated Judgment Action. During the judgment debtor examination, Mona
10 stated that his wife, Rhonda Mona ("Mrs. Mona"), is a co-trustee of the Mona Family Trust,
11 which is jointly liable on the Judgment.

12 9. On February 7, 2014, Plaintiff filed a Complaint in the case entitled Far West
13 Industries v. Cannavest Corp., et. al., Case No. A-14-695786-C (the "Fraudulent Transfer
14 Action"), alleging among other things, that Mona fraudulently transferred assets to avoid paying
15 Plaintiff for the Judgment.

16 10. On November 17, 2014, Plaintiff deposed Mona for the Fraudulent Transfer
17 Action.

18 11. Despite Plaintiff's collection efforts, Mona has failed to pay any significant
19 amount towards the Judgment and continues to ignore his obligation to satisfy the outstanding
20 Judgment despite reportedly earning more than \$8 million in 2014.¹

21 12. Plaintiff seeks to examine Mona, individually, and as Trustee of the Mona Family
22 Trust, and Mrs. Mona, as Trustee of the Mona Family Trust, to satisfy the Judgment.

23 2. LEGAL ANALYSIS

24 NRS 21.270 provides in pertinent part:

25 1. A judgment creditor, at any time after the judgment is entered, is entitled to an
26 order from the judge of the court requiring the judgment debtor to appear and
answer upon oath or affirmation concerning his property, before:

27 ¹ To date, Plaintiff has garnished less than \$13,000 from Mona's assets in satisfaction of the
28 Judgment.

1 (a) The judge or a master appointed by him; or

2 (b) An attorney representing the judgment creditor,

3 at a time and place specified in the order. No judgment debtor may be
4 required to appear outside the county in which he resides.

5

6 3. A judgment debtor who is regularly served with an order issued pursuant to
7 this section, and who fails to appear at the time and place specified in the order,
8 may be punished for contempt by the judge issuing the order.

9 Plaintiff is informed and believes that Mona, individually, or as Trustee of the Mona
10 Family Trust, and/or Mrs. Mona, as Trustee of the Mona Family Trust, are in possession of
11 property or other non-exempt assets with which the Judgment may be satisfied. Therefore,
12 Plaintiff is entitled to an Order requiring Mona, individually, and as Trustee of the Mona Family
13 Trust, and Mrs. Mona, as Trustee of the Mona Family Trust to appear to answer questions under
14 oath concerning Mona and the Mona Family Trust's property and other assets. With respect to
15 Mrs. Mona, Plaintiff seeks to conduct her examination on **June 11, 2015, at 10:00 a.m.**, and
16 with respect to Mona, Plaintiff seeks to conduct his examination on **June 12, 2015, at 10:00**
17 **a.m.**, with examination continuing from day to day until completed, at the offices of Plaintiff's
18 counsel, Holley Driggs Walch Fine Wray Puzey & Thompson, 400 South Fourth Street, Third
19 Floor, Las Vegas, Nevada 89101. Plaintiff also requests an Order requiring Mona, individually,
20 or as Trustee of the Mona Family Trust, and Mrs. Mona, as Trustee of the Mona Family Trust to
21 produce at least one week prior to the examination the documents listed on **Exhibit "1"** attached
22 hereto.

23 Dated this 8th day of May, 2015.

24 **HOLLEY DRIGGS WALCH**
25 **FINE WRAY PUZEY & THOMPSON**


26 
27 F. THOMAS EDWARDS, ESQ.
28 Nevada Bar No. 9549
400 South Fourth Street, Third Floor
Las Vegas, Nevada 89101
Attorneys for Plaintiff

EXHIBIT 1

1 **EXHIBIT "1"**

2

3 **DEFINITIONS**

4 The following definitions are to be used with respect to these documents:

5 A. "Document" is defined to be synonymous in meaning and equal in scope to the
6 usage of this term in Nevada Rules of Civil Procedure 34(a), and shall mean any and all
7 information in tangible or other form, whether printed, typed, recorded, computerized, filmed,
8 reproduced by any process, or written or produced by hand, and whether an original, draft,
9 master, duplicate or copy, or notated version thereof, that is in Your possession, custody, or
10 control. A draft or non-identical copy is a separate document within the meaning of this term.

11 B. Document shall also include, but not be limited to, electronic files, other data
12 generated by and/or stored on or through any of Your computer systems and storage media (e.g.,
13 internal or external hard drives, CD-ROM's, floppy disks, backup tapes, thumb drives, internet-
14 based posting boards, or any other data storage media or mechanisms), or any other electronic
15 data. This includes, but is not limited to: email and other electronic communications (e.g.,
16 postings to internet forums, ICQ or any other instant messenger messages, and/or text messages);
17 voicemails; word processing documents; spreadsheets; databases; calendars; telephone logs;
18 contact manager information; Internet usage files; offline storage or information stored on
19 removable media; information contained on laptops or other portable devices; and network
20 access information. Further, this includes data in any format for storing electronic data.

21 C. "Relating or referring" are used in their broadest sense and shall mean and
22 include, but shall not be limited to, advert, allude, comprise, concern, constitute, describe,
23 discuss, mention, note, pertain, quote, recite, recount, reflect, report or state.

24 D. The singular shall include the plural, and the plural shall include the singular. The
25 conjunctive "and" shall include the disjunctive "or" and the disjunctive "or" shall include the
26 conjunctive "and."

27 E. "Judgment Debtor" shall mean and refer to (1) Michael J. Mona, Jr., Individually,
28 and as Trustee of the Mona Family Trust Dated February 12, 2002, and (2) the Mona Family
Trust Dated February 12, 2002, in the Judgment entered on April 27, 2012 by the Superior Court
of the State of California, County of Riverside, Riverside Court in the case of Far West
Industries v. Rio Vista Nevada, LLC, et. al., Case No. RIC495966.

29 F. "You" or "Your" shall mean and refer to (1) Michael J. Mona, Jr., Individually,
30 and as Trustee of the Mona Family Trust Dated February 12, 2002, and (2) Rhonda Mona, as
Trustee of the Mona Family Trust Dated February 12, 2002.

31 G. Each Document produced pursuant to this Exhibit shall be produced as it is kept
32 in the usual course of business (*i.e.*, in the file folder or binder in which such Document(s) were
33 located when the request was served) or shall be organized and labeled to correspond to the
34 categories of Document(s) requested.

35 H. You are instructed to produce any and all Documents which are in your
36 possession, custody or control. Possession, custody or control includes constructive possession
37 whereby you have a right to compel the production of a matter from a third party (including an
38 agency, authority or representative.)

1 I. To the extent the location of any Document called for by this Exhibit is unknown
2 to you, so state. If any estimate can reasonably be made as to the location of an unknown
3 Document, describe the Document with sufficient particularity so that it can be identified, set
4 forth your best estimate of the Document's location, and describe the basis upon which the
5 estimate is made.

6 J. If any Document request is deemed to call for disclosure of proprietary data,
7 counsel for movant is prepared to receive such data pursuant to an appropriate confidentiality
8 order.

9 K. To the extent the production of any Document is objected to on the basis of
10 privilege, provide the following information about each such document: (1) describe the nature
11 of the privilege claimed (e.g., attorney-client, work product, etc.); (2) state the factual and legal
12 basis for the claim of such privilege (e.g., communication between attorney for corporation and
13 outside counsel relating to acquisition of legal services); (3) identify each person who was
14 present when the document was prepared and who has seen the Document; and (4) identify every
15 other Document which refers to or describes the contents of such Document.

16 L. If any document has been lost or destroyed, the Document so lost or destroyed
17 shall be identified by author, date, subject matter, date of loss or destruction, identity of person
18 responsible for loss or destruction and, if destroyed, the reason for such destruction.

13 ITEMS TO BE PRODUCED

14
15 1. For the period beginning April 2012 through the present date, financial documents of
16 Judgment Debtor, including, but not limited to, but not limited to, statements for
17 checking, savings or other financial accounts, securities brokerage accounts, certificates
18 of deposit, shares in banks, savings and loan, thrift, building loan, credit unions, or
19 brokerage houses or cooperative, and records of income, profits from companies, cash on
20 hand, safe deposit boxes, deposits of money with any other institution or person, cash
21 value of insurance policies, federal and state income tax refunds due or expected, any
22 debt payable to or held by or for Judgment Debtor, checks, drafts, notes, bonds, interest
23 bearing instruments, accounts receivable, liquidated and unliquidated claims of any
24 nature, or any and all other assets.

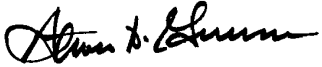
25 2. For the period beginning April 2012 through the present date, Documents relating to
26 closed financial accounts, including, but not limited to checking, savings or other
27 financial accounts, securities brokerage accounts, certificates of deposit, shares in banks,
28 savings and loan, thrift, building loan, credit unions, or brokerage houses or cooperative.

- 1 3. Tax returns and all related tax records of Judgment Debtor for tax years 2011, 2012,
2 2013, and 2014.
- 3 4. Tax returns and all related tax records of Rhonda Mona for tax years 2011, 2012, 2013,
4 and 2014.
- 5 5. For the period beginning April 2012 through the present date, Documents relating to tax
6 deficiencies of Judgment Debtor.
- 7 6. For the period beginning April 2012 through the present date, Documents relating to
8 earnings and/or income, including, but not limited to, compensation paid or payable for
9 services performed by Judgment Debtor, wages, tips, salaries, commissions, bonuses,
10 sales or transfers of assets, and interest earned on financial accounts.
- 11 7. For the period beginning April 2012 through the present date, Documents relating to
12 proof of Judgment Debtor's employment, including, but not limited to, any and all
13 paystubs, retirement slips, contracts for employment, and consulting agreements.
- 14 8. For the period beginning April 2012 through the present date, Documents relating to
15 income, passive income, investment distributions, or other monetary disbursements or
16 distributions Judgment Debtor has received.
- 17 9. For the period beginning April 2012 through the present date, Documents relating to
18 Judgment Debtor's ownership or lease of automobiles, trucks, trailers, and other vehicles,
19 including, but not limited to, Documents relating to vehicle registration, insurance, sales,
20 purchases, or leases.
- 21 10. For the period beginning April 2012 through the present date, Documents relating to
22 stock and interests in any and all corporations or other business entities, whether privately
23 held or publically traded, held by Judgment Debtor, including, but not limited to any and
24 all certificates of stock in CannaVEST Corp.
- 25 11. For the period beginning April 2012 through the present date, Documents relating to
26 interests in any and all partnerships, sole proprietorships, joint ventures, corporations,
27 holding companies and limited liability companies held by Judgment Debtor.
- 28

- 1 12. Documents relating to any and all real property in which Judgment Debtor holds an
2 interest or which Judgment Debtor owns, directly or indirectly, including, but not limited
3 to, mortgages, deeds, leases, assignments, subordination agreements, and finance
4 statements.
- 5 13. Documents relating to any and all tangible or intangible property, including, but not
6 limited to, furnishings, furniture, musical instruments, fixtures, hardware, home
7 accessories, electronics, computers, audio-visual devices, appliances, equipment, jewelry,
8 artwork, antiques, and collections, in which Judgment Debtor holds an interest or which
9 Judgment Debtor owns, directly or indirectly, including, but not limited to, bills of sale,
10 sale receipts, purchase agreements, insurance policies, or promissory notes.
- 11 14. For the period beginning April 2012 through the present date, Documents relating to all
12 commercial and consumer loans which Judgment Debtor applied for, or which Judgment
13 Debtor guaranteed, that were submitted to any individual, bank, lender, financial
14 institution, finance company, other private entity, public agency or governmental
15 administration.
- 16 15. For the period beginning April 2012 through the present date, Documents relating to all
17 monies loaned to Judgment Debtor or financed on Judgment Debtor's behalf, including,
18 but not limited to, any home loan, personal property loan, equity loan, or line of credit.
- 19 16. For the period beginning April 2012 through the present date, Documents relating to any
20 guaranty or assurance of performance made by Judgment Debtor for any contract,
21 agreements, commercial transactions, loans, financing arrangements, notes, mortgages,
22 third party lender agreements, assignments, and subordination agreements of any kind.
- 23 17. For the period beginning April 2012 through the present date, policies of insurance issued
24 in the name of Judgment Debtor and/or under which Judgment Debtor is a beneficiary,
25 including, but not limited to, policies for life insurance, disability insurance, homeowners
26 insurance, automobile insurance, health insurance, flood insurance, umbrella policies,
27 liability insurance, personal property protection, and corporate director and/or officer
28 insurance.

- 1 18. For the period beginning April 2012 through the present date, Documents relating to any
2 indebtedness that was owed to Judgment Debtor or which is still owed to Judgment
3 Debtor by any person or entity, including, but not limited to, agreements, contracts,
4 leases, promissory notes, mortgages, bills of sale, personal guaranties, or judgments.
- 5 19. For the period beginning April 2012 through the present date, Documents relating to any
6 indebtedness that was owed by Judgment Debtor or which is still owed by Judgment
7 Debtor to any person or entity, including, but not limited to, agreements, contracts,
8 leases, promissory notes, mortgages, bills of sale, personal guaranties, or judgments.
- 9 20. For the period beginning April 2012 through the present date, all audited and unaudited
10 financial statements prepared by or on behalf of Judgment Debtor.
- 11 21. For the period beginning April 2012 through the present date, financial affidavits that
12 Judgment Debtor executed at any time for any purpose or reason, including, but not
13 limited to, submissions in court proceedings or other legal matters, governmental
14 compliance, proceedings, or investigation, or applications for loans or other financing.
- 15 22. For the period beginning April 2012 through the present date, Documents relating to total
16 attorney's fees charged to and/or paid by Judgment Debtor.
- 17 23. For the period beginning April 2012 through the present date, Documents relating to
18 monies, gifts, bequests, dispositions, or transfers paid or given to Judgment Debtor
- 19 24. For the period beginning April 2012 through the present date, Documents relating to all
20 residential real property lease or mortgage payments, utility bills, including, but not
21 limited to, cable, telephone, cellular phone, internet, club memberships, credit card
22 statements, and automobile loan or lease payments that were billed to and/or owed by
23 Judgment Debtor
- 24 25. For the period beginning April 2012 through the present date, Documents relating to
25 retirement accounts, pension plans, SEP accounts, profit sharing plans and retirement
26 plans in which Judgment Debtor currently holds an interest
27
28

- 1 26. For the period beginning April 2012 through the present date, Documents relating to all
2 tangible or intangible property or other assets sold, assigned, transferred, or conveyed by
3 Judgment Debtor to any person or entity.
- 4 27. Documents relating to any and all trusts of which Judgment Debtor currently is, or has
5 been for the period beginning April 2012 through the present date, or will be in the
6 future, a beneficiary, future beneficiary, settlor, or trustee.
- 7 28. Documents relating to any and all wills of which Judgment Debtor currently is, or has
8 been for the period beginning April 2012 through the present date, or will be a
9 beneficiary.
- 10 29. Documents evidencing any and all other intangible personal, tangible, and/or real
11 property of Judgment Debtor not already identified in the items set forth above.
- 12 30. Documents relating to the current value of any and all property identified in the items set
13 forth above, including, but not limited to, appraisals and tax assessments
- 14 31. A written inventory of any and all property identified in the items set forth above,
15 including, but not limited to, intangible, personal, tangible, and real property, with each
16 specific item of property listed with a description, location, and current fair market value.
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CLERK OF THE COURT

ORDR

F. THOMAS EDWARDS, ESQ.
Nevada Bar No. 9549
E-mail: tedwards@nevadafirm.com
ANDREA M. GANDARA, ESQ.
Nevada Bar No. 12580
E-mail: agandara@nevadafirm.com
HOLLEY DRIGGS WALCH
FINE WRAY PUZEY & THOMPSON
400 South Fourth Street, Third Floor
Las Vegas, Nevada 89101
Telephone: 702/791-0308
Facsimile: 702/791-1912

Attorneys for Plaintiff Far West Industries

DISTRICT COURT

CLARK COUNTY, NEVADA

FAR WEST INDUSTRIES, a California
corporation,

Plaintiff,

v.

RIO VISTA NEVADA, LLC, a Nevada limited
liability company; WORLD DEVELOPMENT,
INC., a California corporation; BRUCE MAIZE,
an individual, MICHAEL J. MONA, JR., an
individual; DOES 1 through 100, inclusive,

Defendants.

Case No.: A-12-670352-F
Dept. No.: XV

Hearing Date: June 10, 2015
Time of Hearing: 9:00 a.m.

**ORDER REGARDING MOTION FOR
PROTECTIVE ORDER ON ORDER SHORTENING TIME**

The Motion for Protective Order on Order Shortening Time (the "Motion") filed by Defendant Michael J. Mona, Jr. ("Defendant" or alternatively, the "Judgment Debtor"), and the Opposition to Motion for Protective Order on Order Shortening Time (the "Opposition") filed Far West Industries ("Plaintiff" or alternatively, the "Judgment Creditor"), came on for hearing on June 10, 2015, at 9:00 a.m. F. Thomas Edwards, Esq. and Andrea M. Gandara, Esq. of the law firm of Holley, Driggs, Walch, Fine, Wray, Puzey & Thompson, appeared on behalf of Plaintiff. Tye S. Hanseen, Esq., of the law firm of Marquis Aurbach Coffing, appeared on behalf of Defendant.

1 With no other appearances having been made, and the Court having heard the argument
2 of counsel and having reviewed and examined the papers, pleadings and records on file in the
3 above-entitled matter, the Court finds as follows:

4 Defendant has had sufficient one-month notice of his judgment debtor examination
5 scheduled on June 12, 2015 by the Order for Examination of Judgment Debtor Michael J. Mona,
6 Jr., Individually, and as Trustee of the Mona Family Trust Dated February 12, 2002 (the
7 "Order"). He has also had sufficient notice of the June 4, 2015 deadline to produce documents to
8 Plaintiff in advance of the judgment debtor examination as set in the Order. Although Defendant
9 argued that his travel schedule made him unable to appear for examination or timely produce
10 documents, neither Plaintiff's counsel nor the Court were provided details regarding Defendant's
11 travel schedule until it was announced by Defendant's counsel in open court during the June 10,
12 2015, hearing. The Court does not have comfort that Defendant is taking this proceeding
13 seriously based on the history of this case.

14 Based on the foregoing, and good cause appearing:

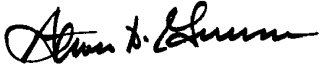
15 **IT IS HEREBY ORDERED** that the deadline for Defendant to produce documents in
16 response to each of the 31 items identified in Exhibit "1" attached to the Order is continued from
17 June 4, 2015 to June 19, 2015, at 5:00 p.m.;

18 **IT IS HEREBY FURTHER ORDERED** that Defendant must produce documents in
19 response to each of the 31 items identified in Exhibit "1" attached to the Order, to counsel for
20 Plaintiff, by email or hand delivery, on or before June 19, 2015, at 5:00 p.m.;

21 **IT IS HEREBY FURTHER ORDERED** that the Defendant's judgment debtor
22 examination is continued from June 12, 2015 to a date agreed upon by the parties between and
23 including June 23, 2015 through June 30, 2015;

24 **IT IS HEREBY FURTHER ORDERED** that Defendant must appear for a judgment
25 debtor examination at the law offices of Holley, Driggs, Walch, Fine, Wray, Puzey & Thompson,
26 400 South Fourth Street, Third Floor, Las Vegas, Nevada 89101, on a date agreed upon by the
27 parties between and including June 23, 2015 and June 30, 2015;

28 ///



CLERK OF THE COURT

1 **NEOJ**
2 F. THOMAS EDWARDS, ESQ.
3 Nevada Bar No. 9549
4 E-mail: tedwards@nevadafirm.com
5 ANDREA M. GANDARA, ESQ.
6 Nevada Bar No. 12580
7 E-mail: agandara@nevadafirm.com
8 HOLLEY, DRIGGS, WALCH,
9 FINE, WRAY, PUZEY & THOMPSON
10 400 South Fourth Street, Third Floor
11 Las Vegas, Nevada 89101
12 Telephone: 702/791-0308
13 Facsimile: 702/791-1912

14 *Attorneys for Plaintiff Far West Industries*

15 **DISTRICT COURT**

16 **CLARK COUNTY, NEVADA**

17 FAR WEST INDUSTRIES, a California
18 corporation,

19 Plaintiff,

20 v.

21 RIO VISTA NEVADA, LLC, a Nevada limited
22 liability company; WORLD DEVELOPMENT,
23 INC., a California corporation; BRUCE MAIZE,
24 an individual, MICHAEL J. MONA, JR., an
25 individual; DOES 1 through 100, inclusive,

26 Defendants.

Case No.: A-12-670352-F
Dept. No.: XV

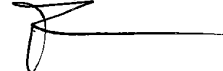
**NOTICE OF ENTRY OF ORDER
REGARDING MOTION FOR
PROTECTIE ORDER ON ORDER
SHORTENING TIME**

**Date: June 10, 2015
Time: 9:00 a.m.**

27 YOU, and each of you, will please take notice that an Order Regarding Motion for
28 Protective Order on Order Shortening Time, in the above-entitled matter was filed and entered
by the Clerk of the above-entitled Court on the 17th day of June, 2015, a copy of which is
attached hereto.

Dated this 17th day of June, 2015.

**HOLLEY, DRIGGS, WALCH,
FINE, WRAY, PUZEY & THOMPSON**



F. THOMAS EDWARDS, ESQ.
ANDREA M. GANDARA, ESQ.

Attorneys for Plaintiff Far West Industries

CERTIFICATE OF SERVICE

I certify that I am an employee of Holley, Driggs, Walch, Fine, Wray, Puzey & Thompson, and that on the 17th day of June, 2015 2015, I served via electronic service in accordance with Administrative Order 14.2, to all interested parties, through the Court's Odyssey E-File & Serve, a true copy of the foregoing NOTICE OF ENTRY OF ORDER REGARDING MOTION FOR PROTECTIVE ORDER ON ORDER SHORTENING TIME the above matter, addressed as follows:

MARQUIS AURBACH COFFING
Tye Hanseen, Esq.
thanseen@maclaw.com

HOLLEY, DRIGGS, WALCH, FINE, WRAY,
PUZEY & THOMPSON

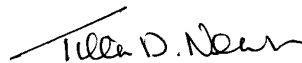
F. Thomas Edwards, Esq.
tedwards@nevadafirm.com
Andrea Gandara, Esq.
agandara@nevadafirm.com

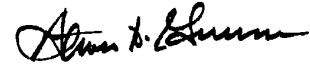
tnealon@nevadafirm.com
nmoseley@nevadafirm.com
epastor@nevadafirm.com

LEE HERNANDEZ, LANDRUM &
GARAFALO
Aurora M. Maskall, Esq.
amaskall@lee-lawfirm.com
lee-lawfirm@live.com

GARMAN TURNER GORDON

Erika Pike Turner, Esq.
Eturner@gtg.legal


An employee of Holley, Driggs, Walch,
Fine, Wray, Puzey & Thompson



CLERK OF THE COURT

ORDR

F. THOMAS EDWARDS, ESQ.
Nevada Bar No. 9549
E-mail: tedwards@nevadafirm.com
ANDREA M. GANDARA, ESQ.
Nevada Bar No. 12580
E-mail: agandara@nevadafirm.com
HOLLEY DRIGGS WALCH
FINE WRAY PUZEY & THOMPSON
400 South Fourth Street, Third Floor
Las Vegas, Nevada 89101
Telephone: 702/791-0308
Facsimile: 702/791-1912

Attorneys for Plaintiff Far West Industries

DISTRICT COURT

CLARK COUNTY, NEVADA

FAR WEST INDUSTRIES, a California
corporation,

Plaintiff,

v.

RIO VISTA NEVADA, LLC, a Nevada limited
liability company; WORLD DEVELOPMENT,
INC., a California corporation; BRUCE MAIZE,
an individual, MICHAEL J. MONA, JR., an
individual; DOES 1 through 100, inclusive,

Defendants.

Case No.: A-12-670352-F
Dept. No.: XV

Hearing Date: June 10, 2015
Time of Hearing: 9:00 a.m.

**ORDER REGARDING MOTION FOR
PROTECTIVE ORDER ON ORDER SHORTENING TIME**

The Motion for Protective Order on Order Shortening Time (the "Motion") filed by Defendant Michael J. Mona, Jr. ("Defendant" or alternatively, the "Judgment Debtor"), and the Opposition to Motion for Protective Order on Order Shortening Time (the "Opposition") filed Far West Industries ("Plaintiff" or alternatively, the "Judgment Creditor"), came on for hearing on June 10, 2015, at 9:00 a.m. F. Thomas Edwards, Esq. and Andrea M. Gandara, Esq. of the law firm of Holley, Driggs, Walch, Fine, Wray, Puzey & Thompson, appeared on behalf of Plaintiff. Tye S. Hanseen, Esq., of the law firm of Marquis Aurbach Coffing, appeared on behalf of Defendant.

10594-01/1520993

JUN 12 2015

1 With no other appearances having been made, and the Court having heard the argument
2 of counsel and having reviewed and examined the papers, pleadings and records on file in the
3 above-entitled matter, the Court finds as follows:

4 Defendant has had sufficient one-month notice of his judgment debtor examination
5 scheduled on June 12, 2015 by the Order for Examination of Judgment Debtor Michael J. Mona,
6 Jr., Individually, and as Trustee of the Mona Family Trust Dated February 12, 2002 (the
7 "Order"). He has also had sufficient notice of the June 4, 2015 deadline to produce documents to
8 Plaintiff in advance of the judgment debtor examination as set in the Order. Although Defendant
9 argued that his travel schedule made him unable to appear for examination or timely produce
10 documents, neither Plaintiff's counsel nor the Court were provided details regarding Defendant's
11 travel schedule until it was announced by Defendant's counsel in open court during the June 10,
12 2015, hearing. The Court does not have comfort that Defendant is taking this proceeding
13 seriously based on the history of this case.

14 Based on the foregoing, and good cause appearing:

15 **IT IS HEREBY ORDERED** that the deadline for Defendant to produce documents in
16 response to each of the 31 items identified in Exhibit "1" attached to the Order is continued from
17 June 4, 2015 to June 19, 2015, at 5:00 p.m.;

18 **IT IS HEREBY FURTHER ORDERED** that Defendant must produce documents in
19 response to each of the 31 items identified in Exhibit "1" attached to the Order, to counsel for
20 Plaintiff, by email or hand delivery, on or before June 19, 2015, at 5:00 p.m.;

21 **IT IS HEREBY FURTHER ORDERED** that the Defendant's judgment debtor
22 examination is continued from June 12, 2015 to a date agreed upon by the parties between and
23 including June 23, 2015 through June 30, 2015;

24 **IT IS HEREBY FURTHER ORDERED** that Defendant must appear for a judgment
25 debtor examination at the law offices of Holley, Driggs, Walch, Fine, Wray, Puzey & Thompson,
26 400 South Fourth Street, Third Floor, Las Vegas, Nevada 89101, on a date agreed upon by the
27 parties between and including June 23, 2015 and June 30, 2015;

28 ///

IT IS HEREBY FURTHER ORDERED that Defendant has been and continues to be forbidden from effectuating any transfer(s) or otherwise disposing of any assets not exempt from execution.

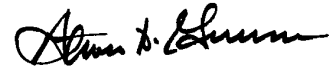
Dated this 16th day of June, 2015.

MB

**HOLLEY, DRIGGS, WALCH,
FINE, WRAY, PUZEY & THOMPSON**

Approved as to Form and Content by:

/s/ Terry A. Coffing
TERRY A. COFFING, ESQ.
Nevada Bar No. 4949
TYE S. HANSEEN, ESQ.
Nevada Bar No. 10365
10001 Park Run Drive
Las Vegas, Nevada 89145
Attorneys for Defendant Michael J. Mona, Jr.



CLERK OF THE COURT

EPAO

F. THOMAS EDWARDS, ESQ.

Nevada Bar No. 9549

E-mail: tedwards@nevadafirm.com

ANDREA M. GANDARA, ESQ.

Nevada Bar No. 12580

E-mail: agandara@nevadafirm.com

HOLLEY DRIGGS WALCH

FINE WRAY PUZEY & THOMPSON

400 South Fourth Street, Third Floor

Las Vegas, Nevada 89101

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Attorneys for Plaintiff Far West Industries

DISTRICT COURT

CLARK COUNTY, NEVADA

FAR WEST INDUSTRIES, a California
corporation,

Plaintiff,

v.

RIO VISTA NEVADA, LLC, a Nevada limited
liability company; WORLD DEVELOPMENT,
INC., a California corporation; BRUCE MAIZE,
an individual, MICHAEL J. MONA, JR., an
individual; DOES 1 through 100, inclusive,

Defendants.

Case No.: A-12-670352-F

Dept. No.: XV

**EX PARTE APPLICATION FOR ORDER TO SHOW CAUSE WHY
ACCOUNTS OF RHONDA MONA SHOULD NOT BE SUBJECT TO EXECUTION
AND WHY THE COURT SHOULD NOT FIND THE MONAS IN CONTEMPT**

Plaintiff FAR WEST INDUSTRIES (“Plaintiff” or alternatively, the “Judgment
Creditor”), by and through its attorneys, F. THOMAS EDWARDS, ESQ. and ANDREA M.
GANDARA, ESQ. of the law firm of HOLLEY, DRIGGS, WALCH, FINE, WRAY, PUZEY &
THOMPSON, hereby respectfully requests that this Court issue an order to show cause: (1) why
the bank accounts in the name of Rhonda Mona, wife of Judgment Debtor Michael Mona, Jr.,
should not be subject to execution to satisfy Plaintiff’s judgment; and (2) why the Court should
not sanction the Monas and find Mr. Mona in contempt of Court for failure to comply with Court
orders demanding production of documents and for lying during the previous judgment debtor

1 examination.

2 During the judgment debtor examination of Mrs. Mona on July 26, 2015, Plaintiff learned
3 some startling information about the Monas' extensive efforts to conceal assets. First, Plaintiff
4 learned that the Monas have been actively concealing community property money, which is
5 clearly subject to execution to satisfy Plaintiff's Judgment, by simply depositing the money into
6 a bank account in the name of Mrs. Mona. The Monas have never disclosed the bank records
7 related to this account, despite Court orders requiring them to do so.

8 Second, when the Mona family found itself with approximately \$6.8MM in cash after
9 liquidating securities in 2013, the Monas undertook a series of transactions to hide and dispose of
10 the cash with the intent to hinder, delay and defraud their creditors, including, but not limited to,
11 Plaintiff. Specifically, the Monas executed a "Post-Marital Property Settlement Agreement"
12 purporting to equally split the \$6.8MM between Mr. and Mrs. Mona as their separate property,
13 with the hope of at least protecting half of the money from Mr. Mona's creditors. Mrs. Mona
14 then made a few investments and the remainder of the cash is sitting in a different bank account
15 in Mrs. Mona's name only. Mr. Mona failed to disclose these documents in advance of his prior
16 judgment debtor examination and, in fact, lied about the transaction when asked at his prior
17 judgment debtor examination. Likewise, the Monas have failed to disclose the associated bank
18 records, despite Court orders requiring them to do so.

19 For these reasons, Plaintiff respectfully requests that this Court issue an order to show
20 cause: (1) why the bank accounts in the name of Mrs. Mona should not be subject to execution to
21 satisfy Plaintiff's judgment; and (2) why the Court should not sanction the Monas and find Mr.
22 Mona in contempt of Court for failure to comply with Court orders demanding production of
23 documents and for lying during the previous judgment debtor examination. This Motion is based

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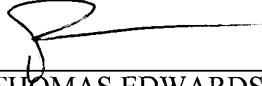
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1 upon the following Memorandum of Points and Authorities and the pleadings and papers on file
2 herein.

3 Dated this 29th day of June, 2015.

4 **HOLLEY, DRIGGS, WALCH,**
5 **FINE, WRAY, PUZEY & THOMPSON**

6 
7 F. THOMAS EDWARDS, ESQ.
8 Nevada Bar No. 9549
9 ANDREA M. GANDARA, ESQ.
10 Nevada Bar No. 12580
11 400 South Fourth Street, Third Floor
12 Las Vegas, Nevada 89101

13 *Attorneys for Plaintiff Far West Industries*

14 **MEMORANDUM OF POINTS AND AUTHORITIES**

15 **I.**

16 **BACKGROUND**

17 As previously noted by the Court, this case has a tortured history and it does not appear
18 that Mr. Mona is taking this proceeding seriously. See Order Regarding Motion for Protective
19 Order on Shortening Time, entered 6/17/15. The information we learned at the judgment debtor
20 examination of Mr. Mona's wife on June 26, 2015, only confirms this Court's concerns that Mr.
21 Mona and his family are not taking this proceeding seriously. Although we certainly had
22 suspicions, we now know that the Monas have been concealing assets, failed to disclose
23 documents required by Court order and failed to testify completely and accurately at the prior
24 judgment debtor examination. Plaintiff simply requests that this Court put an end to the Monas'
25 games and fraudulent attempts to avoid Plaintiff's judgment.

26 **A. Initial Judgment Debtor Examination Proceedings**

27 On January 30, 2013, the Court entered its original order for the judgment debtor
28 examination of Mr. Mona. The order set forth a list of documents that Mr. Mona was required to
produce, including:

1 8. Documents reflecting all assets (real, personal or mixed),
2 whether owned by you individually, in any partnership or
3 corporation form or in joint tenancy or in tenancy in common for
4 the past five (5) years.

5 11. A copy of all statements, and a copy of each check
6 register for each account, for each and every financial
7 institution (including but not limited to all banks, savings and
8 loans, credit unions, and brokerage houses) where you have an
9 account, where you have signature authority on an account, or in
10 which you have held or now hold an interest from January 2005
11 through to the present.

12 12. A copy of all bank statements, deposit slips, and canceled
13 checks for all bank, money market accounts which you own or in
14 which you owned any interest whatsoever, or on which you were
15 authorized to draw checks, whether said documents were in your
16 name alone, in the name of another person/entity, or in the
17 name of another and yourself as joint tenants, for the period of
18 three (3) years prior to the date hereof.

19 13. All savings account passbooks, bank statements and
20 certificates of deposit for any and all accounts, in which you
21 owned any interest whatsoever, or from which you were
22 authorized to make withdrawals, whether said accounts were in
23 your name alone, in the name of any other person, or in your name
24 and another as joint tenants, for the period of five (5) years prior to
25 the date hereof.

26 39. Copies of any and all contracts to which you are a party
27 entered into within the last five (5) years.

28 See Ex. A to Order entered 1/30/13 (emphasis added).

After months of delays by Mr. Mona, including failing to appear for duly scheduled judgment debtor examinations, the Court entered another order on October 7, 2013 setting forth deadlines for the completion of the document production by Mr. Mona and for the scheduling of the judgment debtor examination for no later than November of 2013. Specifically, the Court ordered that Mr. Mona complete his production of the documents by September 25, 2013:

IT IS HEREBY ORDERED AND ADJUGED AND DECREED that said Defendants shall complete their production, constituting approximately two additional boxes of documents and represented by said Defendant's counsel, to counsel for Plaintiff, no later than 5:00 p.m. (PDT) on Wednesday, September 25, 2013.

See Order entered 10/7/13, 2:9-13. Mr. Mona purportedly complied with Court's orders by producing approximately 30,000 pages of documents, which can only be characterized as a "document dump."

1 Unbeknownst to Plaintiff, despite the substantial production, Mr. Mona failed to produce
2 his Post-Marital Property Settlement Agreement, attached hereto as **Exhibit 1**. In the Post-
3 Marital Property Settlement Agreement, Mr. and Mrs. Mona explain that they have sold their
4 community property shares of Medical Marijuana, Inc., for \$6,813,202.20. Id. The Agreement
5 then purports to divide the proceeds equally between themselves as their separate property, with
6 each receiving \$3,406,601.20. Id.

7 Notably, the Post-Marital Property Settlement Agreement was executed by the Monas on
8 September 13, 2013. This date is significant for two primary reasons. First, the Agreement was
9 in existence prior to the Court ordered deadline for Mr. Mona to supplement his document
10 production on September 25, 2013. As the Post-Marital Property Settlement Agreement was a
11 contract to which Mr. Mona was a party, Mr. Mona had an obligation to produce the Agreement
12 pursuant to the Court order scheduling the examination and the subsequent order re-setting the
13 deadline to supplement the production. See Court orders dated 1/30/13 and 10/7/13. Mr.
14 Mona's failure to produce the Agreement was a blatant violation of the Court's orders and shows
15 that he was attempting to conceal the purported transfer to his wife.

16 Second, the proximity in time between the September 13, 2013, Post-Marital Property
17 Settlement Agreement and the upcoming judgment debtor examination on November 25, 2013,
18 shows that the intent of the Agreement was to hinder, delay and defraud Plaintiff in its efforts to
19 execute upon the Judgment. Moreover, as further evidence that the Post-Marital Property
20 Settlement Agreement was intended hinder, delay and defraud Plaintiff in its efforts to execute
21 upon the Judgment, when asked at his judgment debtor examination what he did with the more
22 than \$6MM in stock sale proceeds, Mr. Mona lied and failed to disclose the transfer of \$3.4MM
23 to his wife. Specifically, at the judgment debtor examination on November 25, 2013, Mr. Mona
24 testified as follows:

25 **Q. When you got out of Alpine Securities, how much was the**
26 **stock worth?**

27 **A.** About \$0.12 a share.

28 **Q. And translate that into an aggregate.**

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A. About \$6 million.

Q. Did you cash out?

A. Yes.

Q. What did you do with that \$6 million?

A. Paid bills.

Q. What bills?

A. Paid off some debts that I had.

Q. What bills?

A. Just personal bills. Gave 2.6 – loaned \$2.6 million to Roen Ventures.

See Transcript of 11/25/13 Judgment Debtor Examination of Mr. Mona, 9:8-21, attached hereto as **Exhibit 2**. While Mr. Mona confessed to a “loan” to Roen Ventures of \$2.6MM, which is now the subject of a fraudulent transfer action pending before Judge Gonzalez, Mr. Mona failed to disclose the purported transfer of \$3.4MM to his wife just a few weeks before the judgment debtor examination. Mr. Mona first failed to produce the Post-Marital Property Settlement Agreement in violation of the Court’s orders and then lied about the transaction at his judgment debtor examination. Not only is Mr. Mona failing to take this proceeding seriously, he is flouting the authority of the Court.

B. Current Judgment Debtor Examination Proceedings

On May 13, 2015, the Court entered orders scheduling the judgment examinations of Mr. and Mrs. Mona. The order set forth a list of documents that Mr. and Mrs. Mona were required to produce, including:

1. For the period beginning April 2012 through the present date, **financial documents of Judgment Debtor, including, but not limited to, but not limited to, statements for checking, savings or other financial accounts**, securities brokerage accounts, certificates of deposit, shares in banks, savings and loan, thrift, building loan, credit unions, or brokerage houses or cooperative, and records of income, profits from companies, cash on hand, safe deposit boxes, deposits of money with any other institution or person, cash value of insurance policies, federal and state income tax refunds due or expected, any debt payable to or held by or for Judgment Debtor, checks, drafts, notes, bonds, interest bearing instruments, accounts receivable, liquidated and

1 unliquidated claims of any nature, or any and all other assets.

2 23. For the period beginning April 2012 through the present
3 date, Documents relating to monies, gifts, bequests, **dispositions,**
4 **or transfers paid or given to Judgment Debtor.**

5 26. For the period beginning April 2012 through the present
6 date, Documents relating to all tangible or intangible property or
7 **other assets sold, assigned, transferred, or conveyed by**
8 **Judgment Debtor to any person** or entity.

9 29. Documents evidencing any and all other intangible
10 personal, tangible, and/or real property of Judgment Debtor not
11 already identified in the items set forth above.

12 See Orders entered 5/13/15.

13 Just as with the initial judgment debtor examination proceedings, Mr. Mona attempted to
14 delay the production of documents and the examination by seeking a protective order. Finding
15 that Mr. Mona was not taking these proceedings seriously and that he had sufficient notice of the
16 production and examination, the Court reiterated Mr. Mona's obligation to produce documents
17 and appear for the judgment debtor examination. See Order entered 6/17/15. The Monas
18 purported to comply with their production obligations by producing approximately 1,000
19 documents.

20 Among the documents recently produced was the Post-Marital Property Settlement
21 Agreement that the Monas should have produced almost 2 years ago. However, as Plaintiff only
22 learned at the judgment debtor examination of Mrs. Mona, the Monas are still withholding bank
23 records on the basis that a number of bank accounts are in the name of Mrs. Mona only, despite
24 the fact that the accounts hold community property.

25 Mrs. Mona begrudgingly testified at her judgment debtor examination that she has three
26 (3) different bank accounts in her name. The first account is a checking account at Bank of
27 George, which contains earnings from design projects performed by Mrs. Mona during the
28 marriage, such that the funds are community property. The second account is a money market
 account at the Bank of George, which contains the remainder on the \$6.8MM purportedly split
 between Mr. and Mrs. Mona. As shown below, the attempt to split the \$6.8MM was a fraudulent
 transfer, such that the remaining funds are also community property. The third account is a

1 checking account from Bank of Nevada, which is purportedly funded through the money market
2 account at Bank of George, and thus also contains community property. The Monas failed to
3 produce any records related to these three (3) accounts. Despite the Monas' substantial efforts to
4 conceal these funds, they are community property subject to execution to satisfy Plaintiff's
5 judgment.

6 II.

7 ANALYSIS

8 Mr. and Mrs. Mona have been married for 32 years. See Rough Transcript of 6/26/15
9 Judgment Debtor Examination of Mrs. Mona, 31:7-9, attached hereto as **Exhibit 3**. All assets
10 earned and liabilities incurred during that time are presumptively community property. As
11 shown in the underlying Judgment and Findings of Fact and Conclusions of Law, attached hereto
12 as **Exhibit 4**, Mr. Mona incurred his liability to Plaintiff during the marriage, such that the debt
13 is a community debt. The Monas cannot avoid this community debt by making fraudulent
14 transfers.

15 Nevada is a community property state. Mullikin v. Jones, 278 P.2d 876, 880 (Nev.
16 1955). Property acquired during a marriage presumptively is community property. See id.; NRS
17 123.220; Fick v. Fick, 851 P.2d 445, 448 (Nev. 1993). Spouses have "present, existing and equal
18 interests" in community property during the marriage. NRS 123.225(1).

19 A debt incurred during marriage presumptively is a community debt. Norwest Fin. v.
20 Lawver, 849 P.2d 324, 326 (Nev. 1993). A creditor owed a community debt thus can collect
21 from the entirety of the community. United States v. ITT Consumer Fin. Corp., 816 F.2d 487,
22 491 n. 12 (9th Cir.1987) (interpreting NRS 123.050). A tort committed during the marriage by
23 one spouse is considered a community debt, and the entirety of the community property is
24 subject to a judgment against the tortfeasor spouse, even if the other spouse was not a named
25 party to the suit. Randono v. Turk, 466 P.2d 218, 223-24 (Nev. 1970); see also F.T.C. v.
26 Neiswonger, 580 F.3d 769, 776 (8th Cir.2009) (analyzing Nevada law). Married couples cannot
27 avoid community debts by making fraudulent transfers. Henry v. Rizzolo, 2012 WL 1376967,
28 *3 (D. Nev. April 19, 2012).

1 **A. The Checking Account at Bank of George is Community Property Upon**
2 **Which Plaintiff Can Execute**

3 During her judgment debtor examination, Mrs. Mona reluctantly testified that she has a
4 checking account at Bank of George in which she holds approximately \$190,000.00 that she
5 earned from design work performed during the marriage. As Mrs. Mona earned the income
6 during the marriage, it is community property subject to execution by Plaintiff.

7 **Q Do you have any other accounts that are solely in your**
8 **name?**

9 A Yes.

10 **Q Where are those accounts?**

11 A Bank of George.

12 **Q Okay. Multiple accounts at Bank of George?**

13 A The other one is a checking account that I actually write my
 bills out of.

14 See Ex. 3, 26:6-14.

15 **Q I see. Okay. Then what is the amount in the Bank of**
16 **George checking account?**

17 A That's just my mine. It's been mine for forever. Nothing to
 do with my husband install, never has anything to do with him.

18 **Q Okay. And so what balance is in that account?**

19 A Do I have to answer?

20 MR. COFFING: Well, this is an account that predated the
21 judgment, and so ...

22 THE WITNESS: No, it's got nothing to do with him.

23 MR. COFFING: It has nothing to do with -- with anything
 related to the judgment, it predates it, so this is kind of --

24 THE WITNESS: It's money that I had -- I got paid for
25 working, so it's money -- it's my own money.

26 **BY MR. EDWARDS: Okay. And I appreciate that, but I**
 need to know the answer.

27 MR. COFFING: To the best of your knowledge, what's the --

28 THE WITNESS: About 190,000.

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BY MR. EDWARDS: In the Bank of George checking account?

A Uh-huh.

Q Okay. So that's money you owned – you earned from working?

A Uh-huh.

Q What do you do for work?

A Designer.

Q And when did you do this designer work to earn that 190,000 -- I guess it was probably multiple jobs?

A No, I actually got one lump sum for 200,000.

Q Okay. When did you get that lump sum?

A Approximately eight years ago, maybe. Seven, six, I don't know.

Q So you got about approximately \$200,000 lump sum, and you've only spent about 10,000 of it so far?

A No, it goes up and down, you know. Yeah. Yeah, for the most part, that's what my balance has been, yeah.

Q I see. And it goes up when you do [other] work and you put money in there?

A When I put money in there, but just by a few thousand dollars, that's it.

See Ex. 3, 27:19-29:19.

Mrs. Mona confirmed that the money held in the Bank of George checking account was earned during the marriage. As such, it is presumptively community property. As the debt owed to Plaintiff was incurred during the marriage, it is a community debt and entirety of the community property is subject to Plaintiff's judgment. Accordingly, Plaintiff respectfully requests that this Court enter an order to show cause why this account should not be subject to execution to satisfy Plaintiff's judgment.

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1 **B. The Money Market Account at Bank of George is Community Property**
2 **Upon Which Plaintiff Can Execute**

3 The Post-Marital Property Settlement Agreement was unquestionably a fraudulent
4 transfer intended to hinder, delay and defraud Plaintiff in its efforts to execute upon the
5 Judgment. Married couples cannot avoid community debts by making fraudulent transfers.
6 Henry v. Rizzolo, 2012 WL 1376967, *3 (D. Nev. April 19, 2012). Therefore, Plaintiff is
7 entitled to execute on the money purportedly transferred to Mrs. Mona in the Post-Marital
8 Property Settlement Agreement, the remainder of which is purportedly sitting in a money market
9 account at Bank of George in Mrs. Mona's name.

10 A fraudulent transfer is one intended to "hinder, delay or defraud any creditor of the
11 debtor." NRS 112.180(1)(a). In determining intent, the Court considers certain badges of fraud,
12 including whether:

- 13 1) The transfer or obligation was to an insider;
- 14 2) The debtor retained possession or control of the property transferred after the transfer;
- 15 3) The transfer or obligation was disclosed or concealed;
- 16 4) Before the transfer was made or obligation was incurred, the debtor had been sued or
17 threatened with suit;
- 18 5) The transfer was of substantially all the debtor's assets;
- 19 6) The debtor removed or concealed assets;
- 20 7) The debtor was insolvent or became insolvent shortly after the transfer was made or
21 the obligation was incurred; and
- 22 8) The transfer occurred shortly before or shortly after a substantial debt was incurred.

23 See NRS 112.180(2).

24 As shown below, each of these factors supports a finding that the Monas' attempt to
25 divide the \$6.8MM proceeds was a fraudulent transfer. As such, the proceeds remain
26 community property, subject to execution by Plaintiff.

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28 ///

1 **1) The transfer was to an insider.**

2 An “insider” is a relative of the debtor. NRS 112.150)7(a)(1). Mrs. Mona, as Mr.
3 Mona’s wife, is clearly an insider. Thus, this factor weighs in favor of finding intent to engage
4 in a fraudulent transfer.

5 **2) The debtor retained possession or control of the property transferred after the**
6 **transfer.**

7 Although Mrs. Mona was purportedly entitled to receive \$3.4MM pursuant to the Post-
8 Marital Property Settlement Agreement, she testified that she believes she only received
9 approximately \$2MM. See Ex. 3, 21:18-23. Accordingly, Mr. Mona retained possession and
10 control of at least \$1.4MM of the \$3.4MM that should have otherwise been transferred to Mrs.
11 Mona. Thus, this factor weighs in favor of finding intent to engage in a fraudulent transfer.

12 **3) The transfer was concealed.**

13 As explained above, Mr. Mona failed to disclose the Post-Marital Property Settlement
14 Agreement as required by the orders associated with the initial judgment debtor proceedings in
15 2013. When asked what he did with the \$6.8MM proceeds at his judgment debtor examination
16 in 2013, Mr. Mona concealed that he purportedly transferred half of the money to his wife just a
17 few weeks before the judgment debtor examination. Even now, the Monas continue to conceal
18 the bank records to reflect where the proceeds are deposited. Thus, this factor weighs in favor of
19 finding intent to engage in a fraudulent transfer.

20 **4) Before the transfer was made, the debtor had been sued.**

21 Before the Monas finalized the transfer pursuant to the Post-Marital Property Settlement
22 Agreement on September 13, 2013, Plaintiff had sued and recovered judgment against Mr. Mona
23 and his trust. See Ex. 4. Thus, this factor weighs in favor of finding intent to engage in a
24 fraudulent transfer.

25 **5) The transfer was of substantially all of the debtor’s assets.**

26 The purported transfer of the \$6.8MM from the community estate to Mr. and Mrs. Mona,
27 separately, constituted substantially all of the community estate’s assets. Thus, this factor
28 weighs in favor of finding intent to engage in a fraudulent transfer.

1 **6) The debtor removed or concealed assets.**

2 Mr. Mona's purported transfer of the \$3.4MM to his wife was clearly an attempt to
3 conceal assets, as confirmed by his concealment of the Post-Marital Property Settlement
4 Agreement in 2013 and his concealment of the transaction at his 2013 judgment debtor
5 examination. Thus, this factor weighs in favor of finding intent to engage in a fraudulent
6 transfer.

7 **7) The debtor was insolvent or became insolvent shortly after the transfer was**
8 **made.**

9 Ever since Plaintiff obtained judgment against Mr. Mona in April of 2012, Mr. Mona has
10 been insolvent, either by his lack of assets necessary to satisfy the judgment or his failure to pay
11 the debt to Plaintiff as it became due. NRS 112.160. When the purported transfer occurred on
12 September 13, 2013 pursuant to the Post-Marital Property Settlement Agreement, Mr. Mona was
13 insolvent. Thus, this factor weighs in favor of finding intent to engage in a fraudulent transfer.

14 **8) The transfer occurred shortly before or shortly after a substantial debt was**
15 **incurred.**

16 The proximity in time between the September 13, 2013, Post-Marital Property Settlement
17 Agreement and the upcoming judgment debtor examination on November 25, 2013, shows that
18 the intent of the Agreement was to hinder, delay and defraud Plaintiff in its efforts to execute
19 upon the Judgment. Thus, this factor weighs in favor of finding intent to engage in a fraudulent
20 transfer.

21 As each of these badges of fraud indicates that the purported transfer pursuant to the
22 Post-Marital Property Settlement Agreement was to hinder, delay and defraud Plaintiff in its
23 efforts to execute upon the Judgment, the purported transfer was fraudulent. Married couples
24 cannot avoid community debts by making fraudulent transfers. Henry v. Rizzolo, 2012 WL
25 1376967, *3 (D. Nev. April 19, 2012). The money purportedly transferred to Mrs. Mona, the
26 remainder of which is currently deposited in a money market account with Bank of George, does
27 not alter the presumptive nature of the money as community property. Accordingly, Plaintiff
28 respectfully requests that this Court enter an order to show cause why this account should not be

1 subject to execution to satisfy Plaintiff's judgment.

2 **C. The Checking Account at Bank of Nevada is Community Property Upon**
3 **Which Plaintiff Can Execute**

4 Mrs. Mona testified that her third, and previously undisclosed account, at Bank of
5 Nevada is funded from the Bank of George money market account.

6 **Q And when you need to pay your monthly bills, do I**
7 **understand you take the money from the Bank of George**
8 **money market account and put it into the Bank of Nevada**
9 **account?**

10 **A Correct.**

11 **Q Okay. Are there other sources of money for the Bank of**
12 **George money market account?**

13 **A No.**

14 See Ex. 3, 32:7-14. Therefore, for the same reasons that Plaintiff can execute upon the Bank of
15 George money market account, Plaintiff can execute upon the Bank of Nevada account.
16 Accordingly, Plaintiff respectfully requests that this Court enter an order to show cause why this
17 account should not be subject to execution to satisfy Plaintiff's judgment.

18 **D. The Monas Must be Sanctioned and Held in Contempt for Their Failures to**
19 **Produce Records and for Lying Under Oath**

20 As set forth above, the Monas are not taking this proceeding seriously. Mr. Mona failed
21 to produce the Post-Marital Property Settlement Agreement in violation of both the January 30,
22 2013 order initially setting the judgment debtor examination and the subsequent order dated
23 October 7, 2013, which required that Mr. Mona supplement his production no later than
24 September 25, 2013. Then, at the November 25, 2013, when asked what he did with the
25 \$6.8MM, Mr. Mona lied under oath and said that he just paid bills – concealing the purported
26 transfer of \$3.4MM to his wife just a few weeks earlier. Even now, after the Court has already
27 articulated that it is concerned that Mr. Mona is not taking this proceeding seriously, the Monas
28 continue to conceal bank account records under the ruse that the accounts are in the name of Mrs.
Mona only. Repeated violations of Court orders and lying under oath are very serious offenses,
warranting serious consequences.

1 The Court has wide latitude in determining the appropriate sanctions for violation of
2 court orders. NRCP 37 provides that:

3 [I]f a party fails to obey an order to provide or permit discovery . . .
4 the court in which the action is pending may make such orders in
regard to the failure as are just, and among others the following:

5 (A) An order that the matters regarding which the order was
6 made or any other designated facts shall be taken to be established
for the purposes of the action in accordance with the claim of the
7 party obtaining the order;

8 (B) An order refusing to allow the disobedient party to support
or oppose designated claims or defenses, or prohibiting that party
9 from introducing designated matters in evidence;

10 (C) An order striking out pleadings or parts thereof, or staying
further proceedings until the order is obeyed, or dismissing the
11 action or proceeding or any part thereof, or rendering a judgment
by default against the disobedient party;

12 (D) In lieu of any of the foregoing orders or in addition thereto,
13 an order treating as a contempt of court the failure to obey any
orders except an order to submit to a physical or mental
14 examination;

15 NRCP 37(b)(2). In addition to these sanction, “the court **shall** require the party failing to obey
16 the order or the attorney advising that party or both to pay the reasonable expenses, including
17 attorney fees, caused by the failure, unless the court finds that the failure was substantially
18 justified or that other circumstances make an award of expenses unjust.” Id. (emphasis added).

19 Nevada statute also outlines what sanctions may be available for finding a party in
20 contempt, including:

21 (1) A fine of \$500;

22 (2) Imprisonment for up to 25 days or until the person performs the act required by
the Court, whichever is longer; and

23 (3) Reasonable expense, including, without limitation, attorney’s fees incurred by the
24 party as a result of the contempt.

25 See NRS 22.100 and 22.110.

26 Considering the Court’s broad authority and the serious and repeated nature of Monas’
27 wrongful conduct, Plaintiff proposes the following sanctions:
28

1. An order that the purported transfer pursuant to the Post-Marital Property Settlement Agreement is a fraudulent transfer, and the facts proving the fraudulent transfer, including the badges of fraud outlined above, are deemed established;

2. An order that the facts entitling Plaintiff to execute upon the bank accounts in the name of Mrs. Mona are deemed established;

3. An order that the Monas are prohibited from claiming that any money purportedly transferred pursuant to the Post-Marital Property Settlement Agreement and any money in the bank accounts in the name of Mrs. Mona are exempt from execution;

4. A finding that Mr. Mona is in contempt of Court;

5. A fine of \$500;

6. An order that the Monas immediately produce any previously undisclosed bank records for the past 5 years, regardless of whose name is on the account.

7. An award of Plaintiff's reasonable expenses, including, without limitation, attorney's fees and costs incurred as a result of the failure to comply with the Court's orders and the contempt (within 5 days after entry of the order allowing Plaintiff's reasonable expenses, Plaintiff will submit a bill of fees and costs); and

8. An order that Mr. Mona is imprisoned until he: (a) pays the \$500 fine; (b) provides any previously undisclosed bank records for the past 5 years, regardless of whose name is on the account; and (3) pays Plaintiff's reasonable expenses as allowed by the Court.

The Monas' repeated violations of Court orders and lying under oath are very serious offenses that justify these serious sanctions.

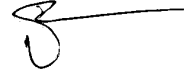
CONCLUSION

For these reasons, Plaintiff respectfully requests that this Court issue an order to show cause: (1) why the bank accounts in the name of Rhonda Mona, wife of Judgment Debtor Michael Mona, Jr., should not be subject to execution to satisfy Plaintiff's judgment; and (2) why the Court should not sanction the Monas and find Mr. Mona in contempt of Court for failure to comply with Court orders demanding production of documents and for lying during the previous judgment debtor examination. Further, to prevent any additional fraudulent transfers, Plaintiff

1 requests that the Court order that Mr. and Mrs. Mona be prohibited from effectuating any
2 transfers or otherwise disposing of or encumbering any property not exempt from execution until
3 further order of this Court.

4 Dated this 29th day of June, 2015.

5 **HOLLEY DRIGGS WALCH**
6 **FINE WRAY PUZEY & THOMPSON**

7 

8 F. THOMAS EDWARDS, ESQ.
9 Nevada Bar No. 9549
10 ANDREA M. GANDARA, ESQ.
11 Nevada Bar No. 12580
12 400 South Fourth Street, Third Floor
13 Las Vegas, Nevada 89101

14 *Attorneys for Plaintiff Far West Industries*

EXHIBIT 1

EXHIBIT 1

POST-MARITAL PROPERTY SETTLEMENT AGREEMENT

THIS POST-MARITAL PROPERTY SETTLEMENT AGREEMENT ("Agreement") is made and entered into on the 13 day of Sept 2013, by and between RHONDA HELENE MONA ("RHONDA"), a resident of the County of Clark, State of Nevada, and MICHAEL JOSEPH MONA ("MIKE"), a resident of the County of Clark, State of Nevada. MIKE and RHONDA sometimes will be collectively referred to in this Agreement as the "parties", and individually may be referred to as a "party."

WITNESSETH:

WHEREAS, the parties to this Agreement were married on October 17, 1982, in Las Vegas, Nevada, and ever since such date have been and now are married to each other;

WHEREAS, during the entirety of their 30 years of marriage, the parties have been, and currently are, residents of the State of Nevada;

WHEREAS, Nevada being a community property state, all the property acquired during the parties marriage has been acquired as community property;

WHEREAS, by way of this Agreement, and pursuant to Nevada law, the parties intend to equally divide between themselves that certain specific community property referenced below in this Agreement, and thereby making such property the sole and separate property of each party;

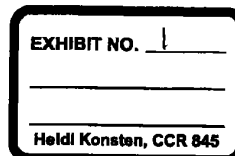
WHEREAS, on or about December 3, 2012, the parties acquired, as their community property, 30,000,000 shares of the corporate stock of Medical Marijuana, Inc, an Oregon corporation ("MMI");

WHEREAS, on or about January 15, 2013, the parties acquired, as their community property, and additional 7,337,500 shares of the MMI corporate stock;

WHEREAS, between the months of March through August 2013, the parties sold all of their 37,337,500 shares of the MMI corporate stock for \$6,813,202.20;


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MONA 2nd JDE - 00263

WHEREAS, it is the parties' intent to acknowledge, confirm, and document their equal division between themselves of the said \$6,813,202.20 they received from the sale of their MMI corporate stock, with RHONDA receiving \$3,406,601.10 of such monies as her sole and separate property, and MIKE receiving the remaining \$3,406,601.10 as his sole and separate property;

WHEREAS, the parties enter into this Agreement pursuant to the provisions of NRS 123.080, and the parties expressly acknowledge and understand that NRS 123.080 provides as follows:

1. A husband and wife cannot by any contract with each other alter their legal relations except as to property, and except that they may agree to an immediate separation and may make provision for the support of either of them and of their children during such separation.

2. The mutual consent of the parties is a sufficient consideration for such an agreement as is mentioned in subsection 1.

3. In the event that a suit for divorce is pending or immediately contemplated by one of the spouses against the other, the validity of such agreement shall not be affected by a provision therein that the agreement is made for the purpose of removing the subject matter thereof from the field of litigation, and that in the event of a divorce being granted to either party, the agreement shall become effective and not otherwise.

4. If a contract executed by a husband and wife, or a copy thereof, be introduced in evidence as an exhibit in any divorce action, and the court shall by decree or judgment ratify or adopt or approve the contract by reference thereto, the decree or judgment shall have the same force and effect and legal consequences as though the contract were copied into the decree, or attached thereto.

WHEREAS, the parties expressly acknowledge, understand, and agree that they specifically are entering into this Agreement pursuant to the provisions of NRS 123.080(1), which allow a husband and wife to enter into a contract, such as this Agreement, for the purpose of altering their legal relations with respect to their property, and with respect to each party's property rights; and the parties acknowledge and understand that their mutual consent to the terms of this Agreement, as evidenced by each party's signature endorsed at page 11 of this Agreement, is sufficient consideration for this Agreement to be a valid, legal, and enforceable agreement, legally binding upon each party;

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WHEREAS, it is the mutual wish and desire of the parties that a full and final adjustment and settlement of their property rights, and only their property rights, be had, settled, and determined at the present time by this Agreement with respect to the aforementioned \$6,813,202.20 they received from the sale of their MMI corporate stock;

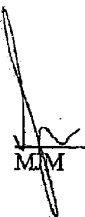
WHEREAS, the parties further acknowledge and agree that this Agreement is not intended to alter their legal relations and obligations owed to each other as a married couple, other than as expressly set forth above with respect to their equal division of the \$6,813,202.20 they received from the sale of their MMI corporate stock, and this Agreement specifically and expressly is not intended to affect either party's legal obligation to support the other party as his or her spouse;

WHEREAS, MIKE and RHONDA wish to make clear their respective desires that each of them shall retain to himself or herself, as his or her respective sole and separate property, the \$3,406,601.10 he or she has received from their equal division of the \$6,813,202.20 they received from the sale of their MMI corporate stock;

WHEREAS, the \$3,406,601.10 received by RHONDA from the parties' sale of their MMI corporate stock is and shall forever be and remain RHONDA's sole and separate property, free from any and all claims of MIKE, and RHONDA shall continue to have the sole ownership, care, and control of her said \$3,406,601.10;

WHEREAS, the \$3,406,601.10 received by MIKE from the parties' sale of their MMI corporate stock is and shall forever be and remain MIKE's sole and separate property, free from any and all claims of RHONDA, and MIKE shall continue to have the sole ownership, care, and control of his said \$3,406,601.10;


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WHEREAS, by execution of this Agreement, each party expresses his or her intention not to claim any interest whatsoever in the said \$3,406,601.10 of separate property owned by the other party, or in any of the income, rents, issues, profits, or appreciation derived therefrom;

WHEREAS, the parties do not intend to immediately separate, and, in fact, the parties acknowledge that they remain happily married to each other and have no intent to separate or divorce at any time in the immediate or foreseeable future; notwithstanding, however, the parties do intend for this Agreement to be a valid, enforceable, and binding agreement to be ratified, adopted, and approved by any and all courts of competent jurisdiction should the parties ever separate or divorce;

NOW, THEREFORE, in consideration of the foregoing facts and the mutual agreements and covenants contained in this Agreement, it is covenanted, agreed and promised by each party hereto as follows:

I.

ACKNOWLEDGMENT OF RECITALS:
ADDITIONAL CONSIDERATION

A. MIKE and RHONDA acknowledge, warrant, represent, and agree that the recitals set forth above on pages one through four of this Agreement, are true and correct, and the same are incorporated in this Section I as though the same are repeated in this Section in full.

B. As noted in the recitals set forth above in this Agreement, the parties acknowledge and agree that their mutual consent to the terms of this Agreement is sufficient consideration, and the only consideration necessary, for this Agreement to be a valid, legal, and enforceable agreement, legally binding upon each party.


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II.

DIVISION OF PROPERTY

A. RHONDA shall have confirmed to her, as her sole and separate property, free of any and all claims of MIKE, all right, title and interest, and the sole ownership in and to, the \$3,406,601.10 she received from the parties' sale of the parties' MMI corporate stock, as well as all additional property owned or acquired by RHONDA at any time with her said separate property, and all property described in this Agreement as being RHONDA's sole and separate property, including any of the income, rents, issues, profits, or appreciation derived therefrom.

B. MIKE shall have confirmed to him, as his sole and separate property, free of any and all claims by RHONDA, all right, title and interest, and the sole ownership in and to, the \$3,406,601.10 he received from the parties' sale of the parties' MMI corporate stock, as well as all additional property owned or acquired by MIKE at any time with his said separate property, and all property described in this Agreement as being MIKE's sole and separate property, including any of the income, rents, issues, profits, or appreciation derived therefrom.

III.

INTENT OF THE PARTIES AND STATUS OF PROPERTY

A. **Property Rights.** The parties intend, desire and agree that the aforementioned \$3,406,601.10 each party respectively received from the sale of the their MMI corporate stock shall be and forever remain each such party's respective sole and separate property, and all appreciation, increments, addition, improvements, income, and fruits therefrom also shall be and forever remain each such party's respective sole and separate property. The parties further intend that all such property forever remain each party's respective sole and separate property regardless of any interest either party might have acquired in such separate property of the other by reason of their continued marriage to each other, counsel, advice, energy, and efforts heretofore or hereafter, and regardless of the source of any monies invested in or contributed to any such property at any time during the parties' marriage or after the termination of the parties marriage, should the parties marriage ever

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be terminated by divorce or otherwise.

B. No Transmutation of Separate Property. The parties agree that at no time in the future shall there be any transmutation of any of their respective separate property interests into jointly owned or community property except by an express written agreement signed by both parties and executed with the same formality as this Agreement. Unless otherwise expressly provided in this Agreement, the following events shall, under no circumstance, be evidence of any intention by either party, or of an agreement between the parties, to transmute their separate property interests into jointly owned or community property:

1. The taking of title to property, whether real or personal, in joint tenancy or in any other joint or common form;
2. The designation of one party by the other as a beneficiary of his or her estate;
3. The commingling by one party of his or her separate funds or property with jointly owned funds or property, or with the separate funds or property of the other party;
4. The filing of a joint income tax return by the parties, whether it be for federal income tax purposes or for the purpose of any state income tax, and/or the payment of any such income taxes from jointly held funds, or the use of one party's separate property to pay the income taxes owed by the other party;
5. Any oral statements by either party;
6. Any written statement by either party other than an express written agreement of transmutation;
7. The payment from jointly held funds of any separate obligation, including, but not limited to, the payment of any mortgage/home loan, interest, or real property taxes on a separately owned residence or other real property; and
8. The joint occupation of a separately owned residence or any other such property.


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IV.

RIGHT TO DISPOSE OF PROPERTY BY WILL

Each of the parties shall have an immediate right to dispose of or bequeath by Will, living trust, or other estate planning vehicle, his or her respective interests in and to any and all separate property belonging to him or her from and after the date of this Agreement, and such right shall extend to all future acquisitions of separate property as well as to all separate property set over to either party under this Agreement.

V.

WAIVER OF INHERITANCE RIGHTS

Except as may be otherwise provided by Will, Codicil, or other such testamentary instrument voluntarily executed by either party, whether before or after the date of this Agreement, the parties each hereby waive any and all right to the separate estate of the other left at his or her death and forever quitclaim any and all right to share in the separate estate of the other by the laws of succession; and the parties hereby release one to the other all rights to inherit from the other any portion of the other party's separate estate.

VI.


MUTUAL RELEASE OF PROPERTY RIGHTS


It is hereby mutually understood and agreed by and between the parties hereto that this Agreement is deemed to be a final and conclusive agreement between the parties relative to their respective property rights set forth in this Agreement.

VII.

EXECUTION OF NECESSARY DOCUMENTS

A. MIKE and RHONDA agree to execute quitclaim deeds, stock transfers, and any and all other instruments that may be required in order to effectuate the transfer of any and all interest either may have in and to the separate property hereby conveyed to the other as specified in this Agreement, or as otherwise provided by the terms of this Agreement. Should either party fail to


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execute any such documents, this Agreement shall constitute a full and complete transfer of the interest of one to the other as provided in this Agreement, or to otherwise effectuate any provision of this Agreement. Upon failure of either party to execute and deliver any such deed, conveyance, title, certificate or other document or instrument to the other party, or as otherwise provided in this Agreement, this Agreement shall constitute and operate as such properly executed document, and the County Auditor and County Recorder and any and all other public and private officials are hereby authorized and directed to accept this Agreement or a properly certified copy thereof in lieu of the document regularly required for such conveyance or transfer.

B. MIKE and RHONDA each agree that should either party sell any of his or her separate property in which the other has no right, title, or interest by virtue of this Agreement, that such other party will and shall sign any deed, contract, or other instrument necessary to perfect title to any such property so conveyed.

VIII.

DISCLOSURE

Each party hereto acknowledges that he or she has read the foregoing Agreement, fully understands the contents of this Agreement, and accepts the same as fair, just and equitable. Each party further acknowledges that there has been no promise, agreement or understanding of either of the parties made to the other, except as expressly set forth in this Agreement, which has been relied upon by either as a matter of inducement to enter into this Agreement. Furthermore, each party hereto has had the opportunity to be independently advised by his or her attorney as to the legal effect of the terms and the execution of this Agreement.

IX.

EFFECT OF PARTIAL INVALIDITY

If any term, provision, promise, or condition of this Agreement is determined by a court of competent jurisdiction to be invalid, void, or unenforceable, in whole or in part, the remainder of this Agreement shall remain in full force and effect, and shall in no way be affected, impaired or


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invalidated.

X.

ENFORCEMENT OF AGREEMENT

A. If either party institutes any action or proceeding to enforce, or for the breach of any of the terms of this Agreement, or if either party contests the validity of this Agreement or challenges or claims that this Agreement is not enforceable, then the prevailing party shall be entitled to recover his or her attorneys' fees and costs from the other party. In any such action or proceeding, the prevailing party shall be entitled to recover all attorneys' fees and costs incurred by that party, regardless of whether the action or proceeding is prosecuted to judgment. This shall include attorneys' fees and costs incurred by a party defending a claim or suit necessitated by the other party's failure to indemnify as required in this Agreement.

B. In addition to the provisions of subparagraph A immediately above, each party to this Agreement shall be indemnified for and against all loss, damages, costs, and expenses incurred as a result of or arising from any demand, claim, or suit by or on behalf of the other party contesting or attempting to modify, change, set aside, nullify, or cancel this Agreement or any part or provision of this Agreement for any reason whatsoever. The indemnity provisions of this Agreement shall specifically apply to costs, expenses, and attorneys' fees incurred by a party successfully seeking enforcement of this Agreement or any provision of this Agreement.

XI.

NO PARTY DEEMED DRAFTER

The parties agree that neither party shall be deemed to be the drafter of this Agreement and, in the event this Agreement is ever construed by a court of law or equity, such court shall not construe this Agreement or any provision hereof against either party as the drafter of the Agreement. MIKE and RHONDA hereby acknowledge that both parties have contributed substantially and materially to the preparation of this Agreement.


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XII.

GOVERNING LAW

The laws of the State of Nevada shall govern the validity, construction, performance, and effect of this Agreement. This Agreement and the rights of the parties hereto shall be governed and interpreted in all respects by the law applied to contracts made wholly to be performed within the State of Nevada.

XIII.

CUMULATIVE EFFECT

The parties' rights and remedies hereunder shall be cumulative, and the exercise of one or more shall not preclude the exercise of any other(s).

XIV.

COUNTERPARTS

This Agreement may be executed in any number of counterparts, each of which shall be deemed an executed original, but all of which together shall be deemed one and the same document.


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XV.

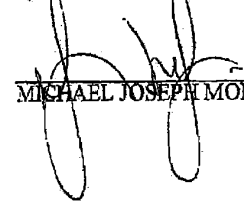
VERIFICATION


A. MIKE and RHONDA each agrees that he or she has read this Agreement in its entirety prior to his or her execution of this Agreement, and fully understands the same.


D. MIKE and RHONDA each further acknowledges and agrees that he or she fully understands that this Agreement is a full and final settlement of rights and obligations pertaining to the matters addressed in and resolved by this Agreement.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands to this Agreement the year and date above written.


RHONDA HELENE MONA


MICHAEL JOSEPH MONA


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ACKNOWLEDGMENTS

STATE OF CALIFORNIA }
COUNTY OF } ss.

On this 13th day of September, 2013, personally appeared before me, a Notary Public in and for said County and State, RHONDA HELENE MONA, personally known (or proved) to me to be the person whose name is subscribed to the above instrument, and who acknowledged that she executed the instrument.



Lisa M. McGowan
Notary Public

STATE OF CALIFORNIA }
COUNTY OF } ss.

On this 13th day of September, 2013, personally appeared before me, a Notary Public in and for said County and State, MICHAEL JOSEPH MONA, personally known (or proved) to me to be the person whose name is subscribed to the above instrument, and who acknowledged that he executed the instrument.



Lisa M. McGowan
Notary Public

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EXHIBIT 2

EXHIBIT 2

DISTRICT COURT
CLARK COUNTY, NEVADA

FAR WEST INDUSTRIES, a California)
corporation,)
)
Plaintiff,)
)
vs.) CASE NO.: A-12-670352-F
) DEPT. NO.: 26
RIO VISTA NEVADA, LLC, a Nevada)
limited liability company; WORLD)
DEVELOPMENT, INC., a California)
corporation; BRUCE MAIZE, an)
individual; MICHAEL J. MONA, JR.,)
an individual; DOES I-100,)
inclusive,)
)
Defendants.)
)

JUDGMENT DEBTOR EXAMINATION
MICHAEL J. MONA, JR.
LAS VEGAS, NEVADA
MONDAY, NOVEMBER 25, 2013

REPORTED BY: JACKIE JENNELLE, RPR, CCR #809
JOB NO.: 194436

1 JUDGMENT DEBTOR EXAMINATION OF MICHAEL J.
2 MONA, JR., taken at 3770 Howard Hughes Parkway, Las
3 Vegas, Nevada on MONDAY, NOVEMBER 25, 2013 at 10:00
4 a.m., before Jackie Jennelle, Certified Court
5 Reporter, in and for the State of Nevada.
6
7

8 APPEARANCES:

9 For the Plaintiff:

10 LEE HERNANDEZ LANDRUM GAROFALO & BLAKE
11 BY: JOHN R. HAWLEY, ESQ.
12 7575 Vegas Drive, No. 150
13 Las Vegas, Nevada 89128
14 (702) 880-9750

15 For the Defendant, MICHAEL J. MONA, JR.:

16 JOHN W. MUIJE & ASSOCIATES
17 BY: JOHN W. MUIJE, ESQ.
18 1320 South Casino Center Boulevard
19 Las Vegas, Nevada 89104
20 (702) 386-7002

21 Also Present:

22 IRA GLASKY
23
24
25

I N D E X

WITNESS: MICHAEL J. MONA, JR.

EXAMINATION

PAGE

BY MR. HAWLEY

4

EXHIBITS MARKED

EXHIBIT

PAGE

Exhibit A Application of Foreign
Judgement

5

Exhibit B Order

5

1 **the Alpine Securities account?**

2 A. I'd say four months ago, five months ago.

3 **Q. So \$5 million dollars roughly?**

4 A. Five and a half, maybe six. Like today, I
5 have no idea what the stock is today. It was \$0.11
6 yesterday. It was \$0.38 a month ago or three weeks
7 ago, something like that.

8 **Q. When you got out of Alpine Securities, how**
9 **much was the stock worth?**

10 A. About \$0.12 a share.

11 **Q. And translate that into an aggregate.**

12 A. About \$6 million.

13 **Q. Did you cash out?**

14 A. Yes.

15 **Q. What did you do with that \$6 million?**

16 A. Paid bills.

17 **Q. What bills?**

18 A. Paid off some debts that I had.

19 **Q. What bills?**

20 A. Just personal bills. Gave 2.6 -- loaned
21 \$2.6 million to Roen Ventures.

22 **Q. And Roen then loaned that to --**

23 A. CannaVest.

24 **Q. -- CannaVest?**

25 A. Um-hmm.

CERTIFICATE OF REPORTER

STATE OF NEVADA)
) SS:
COUNTY OF CLARK)

I, Jackie Jennelle, a Certified Court Reporter, in and for the State of Nevada, do hereby certify: That I reported the judgment debtor examination of MICHAEL J. MONA, JR., commencing on MONDAY, NOVEMBER 25, 2013, at 10:00 a.m.

That prior to being deposed, the witness was Duly sworn by me to testify to the truth. That I thereafter transcribed my said shorthand notes into typewriting and that the typewritten transcript is a complete, true and accurate transcription of my said shorthand notes.

I further certify that I am not a relative or employee of counsel, of any of the parties, nor a relative or employee of the parties involved in said action, nor a person financially interested in the action.

IN WITNESS WHEREOF, I have set my hand in my office in the County of Clark, State of Nevada, this 5th day of December, 2013.

JACKIE JENNELLE, RPR, CCR #809

EXHIBIT 3

EXHIBIT 3

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ROUGH DRAFT TRANSCRIPT

DEPOSITION OF

RHONDA H. MONA

June 26, 2015
10:32 a.m.

* * * * *

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Heidi K. Konsten, RPR, CCR # 845

1 sort of a prenuptial agreement?

2 A No. Post.

3 Q Post nuptial agreement?

4 A Uh-huh.

5 Q Okay. If you turn to the second page of
6 Exhibit 1, look at the first line, could you read
7 that for me?

8 A Whereas it is the party's intent to
9 acknowledge confirm, and document their equal --

10 Q And the whole sentence, if you would.

11 A Oh, their equal division between
12 themselves of said \$6,813,220.20 they received
13 from the sale of their MMI corporate stock, with
14 Rhonda receiving 3,406,6101.00 of such moneys as
15 her sole and separate property, and Mike receiving
16 the remaining, blah, blah, blah, as the sole and
17 separate property.

18 Q Did you receive your \$3.4 million as set
19 forth in this agreement?

20 A Yes.

21 Q All of it?

22 A I thought I only got two and something,
23 but ...

24 Q So you think there may still be about
25 1.4 million that you haven't received yet?

1 George account?

2 A Just me.

3 Q Was your husband ever a signatory on

4 that account?

5 A Never.

6 Q Do you have any other accounts that are

7 solely in your name?

8 A Yes.

9 Q Where are those accounts?

10 A Bank of George.

11 Q Okay. Multiple accounts at Bank of

12 George?

13 A The other one is a checking account that

14 I actually write my bills out of.

15 Q Okay. How much do you estimate is in

16 the checking account at Bank of George?

17 A I just put enough in to write my bills.

18 Q Okay. Do you have any other accounts?

19 A No.

20 Q Personally?

21 A No.

22 Q I guess individually is the proper term.

23 A No.

24 Oh, yes, I'm sorry, I have a -- my

25 own -- my own checking account, too. And I'm

1 sorry, the other account is in Bank of Nevada, not
2 Bank of George. I'm sorry. My household account
3 is in Bank of Nevada.

4 Q Okay. So is there still a checking
5 account associated with Bank of George?

6 A Yes, my own.

7 Q Your personal?

8 A Uh-huh.

9 Q Okay. And then use household account is
10 Bank of Nevada?

11 A Right, so --

12 Q And that's just you as the signatory on
13 that account?

14 A Yes.

15 Q Okay. Can you estimate how much money
16 is in the Bank of Nevada account?

17 A That's the one that's just enough to pay
18 my bills.

19 Q I see. Okay.

20 Then what is the amount in the Bank of
21 George checking account?

22 A That's just my mine. It's been mine for
23 forever. Nothing to do with my husband install,
24 never has anything to do with him.

25 Q Okay. And so what balance is in that

1 account?

2 A Do I have to answer?

3 MR. COFFING: Well, this is an account
4 that predated the judgment, and so ...

5 THE WITNESS: No, it's got nothing to
6 do with him.

7 MR. COFFING: It has nothing to do
8 with -- with anything related to the judgment, it
9 predates it, so this is kind of --

10 THE WITNESS: It's money that I had --
11 I got paid for working, so it's money -- it's my
12 own money.

13 BY MR. EDWARDS:

14 Q Okay. And I appreciate that, but I need
15 to know the answer.

16 MR. COFFING: To the best of your
17 knowledge, what's the --

18 THE WITNESS: About 190,000.

19 BY MR. EDWARDS:

20 Q In the Bank of George checking account?

21 A Uh-huh.

22 Q Okay. So that's money you owned -- you
23 earned from working?

24 A Uh-huh.

25 Q What do you do for work?

1 A Designer.

2 Q And when did you do this designer work
3 to earn that 190,000 -- I guess it was probably
4 multiple jobs?

5 A No, I actually got one lump sum for
6 200,000.

7 Q Okay. When did you get that lump sum?

8 A Approximately eight years ago, maybe.
9 Seven, six, I don't know.

10 Q So you got about approximately \$200,000
11 lump sum, and you've only spent about 10,000 of it
12 so far?

13 A No, it goes up and down, you know.
14 Yeah. Yeah, for the most part, that's what my
15 balance has been, yeah.

16 Q I see. And it goes up when you do
17 overwork and you put money in there?

18 A When I put money in there, but just by a
19 few thousand dollars, that's it.

20 Q Sure. Sure. Understood.
21 Was that one big job you did?

22 A Uh-huh.

23 Q Back six or seven years ago? What was
24 that job?

25 A It was for someone's residence.

1 Q Okay. Here in town?
2 A Yes.
3 Q Who is that?
4 A Mike sure stick.
5 Q Did he pay you everything you were
6 supposed to receive for that job?
7 A Uh-huh, yes.
8 Q He doesn't owe you any more money?
9 A No.
10 Q And to this day, you're still doing
11 various design jobs?
12 A Not really, no. Just for my husband,
13 actually.
14 Q Okay. And how does that work?
15 A I don't get paid.
16 Q Okay. So your husband --
17 A I work for free.
18 Q I'm sorry. Go ahead.
19 A I work for free.
20 Q Okay. So, for example, if your husband
21 has a piece of property and he asks you to do some
22 design work for him?
23 A Just his offices.
24 Q His offices. Okay.
25 I guess at what point in time did you

1 stop doing work?
2 A A few years ago.
3 Q About eight years ago?
4 A No, about -- yeah. No about five years
5 ago.
6 Q About five years ago. Okay.
7 And how long have you been married to
8 Mr. Mona?
9 A 32 years.
10 Q Congratulations. That's a long time.
11 A Thank you.
12 Q Do you know the bank account number for
13 either Bank of George account?
14 A No.
15 Q Do you have a card with you that would
16 allow you access to that money -- to that money?
17 A Do I have a card?
18 Q You know, for example, a Visa card, a
19 debit card?
20 A No.
21 Q How do you access that money?
22 A I go to the bank. I'm old school.
23 Q So you don't have a debit card or a
24 credit card?
25 A No.

1 Q Associated with either of the accounts
2 at Bank of George?

3 A No.

4 Q Do you have a credit card or a debit
5 card associated with the Bank of Nevada account?

6 A No.

7 Q And when you need to pay your monthly
8 bills, do I understand you take the money from the
9 Bank of George money market account and put it
10 into the Bank of Nevada account?

11 A Correct.

12 Q Okay. Are there other sources of money
13 for the Bank of George money market account?

14 A No.

15 Q Are there other sources of money, other
16 than your design work, for the checking account at
17 Bank of George?

18 A No.

19 Q And the only source of money for the
20 money in the checking account in Bank of Nevada is
21 the Bank of George money market account?

22 A Correct.

23 Q Okay. Are there any other accounts you
24 can think of where you are the sole signatory?

25 A No.

CERTIFICATE OF SERVICE

I certify that I am an employee of John W. Muje & Associates, and that on the 30th day of May, 2013, I caused the foregoing document, entitled SPECIAL APPEARANCE AND OBJECTION TO FURTHER PROCEEDINGS ON ORDER TO SHOW CAUSE PREDICATED UPON LACK OF PERSONAL JURISDICTION, to be served as follows:

☒ by placing a copy of the same for mailing in the United States mail, with first class postage prepaid addressed as follows; and/or

☐ via facsimile at the number listed below; and/or

☒ via e-mail at the e-mail address listed below:

John R. Hawley
Lee, Hernandez, Landrum, Garofalo & Blake
7575 Vegas Drive, Suite 150
Las Vegas, Nevada 89128
Facsimile: 702-314-1210
email: jhawley@lee-lawfirm.com


An Employee of John W. Muje & Associates

R:\J Files\Mona, Michael (JJ695)\Pleadings\5-29-2013 Special Appearance and Objection to OSC on Lack of Jurisdiction.wpd

1 **SUPPL**

2 JOHN W. MUIJE & ASSOCIATES

3 JOHN W. MUIJE, ESQ.

4 Nevada Bar No. 2419

5 1320 S. Casino Center Blvd.

6 Las Vegas, Nevada 89104

7 Telephone: 702-386-7002

8 Facsimile: 702-386-9135

9 E-Mail: jmuije@muijeandvarricchio.com

10 *Attorneys SPECIALLY APPEARING*

11 *FOR JUDGMENT DEBTORS MICHAEL J. MONA, JR.,*

12 *AND MICHAEL J. MONA, JR., as trustee of the*

13 *MONA FAMILY TRUST DATED FEBRUARY 21, 2002*

14 **DISTRICT COURT**

15 **CLARK COUNTY, NEVADA**

16 FAR WEST INDUSTRIES, a California
17 corporation,

18 Plaintiff,

19 vs

20 RIO VISTA NEVADA, LLC, a Nevada limited
21 liability company; WORLD DEVELOPMENT,
22 INC., a California corporation; BRUCE MAIZE,
23 an individual; MICHAEL J. MONA, JR., an
24 individual; DOES I through 100, inclusive,

25 Defendants

Case No. : A-12-670352-F

Dept. No.: XXVI

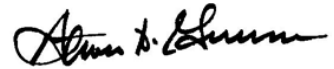
HEARING DATE: JULY 3, 2013

HEARING TIME: 9:00 a.m.

26 **SUPPLEMENTAL POINTS AND AUTHORITIES REGARDING A LACK OF**
27 **PERSONAL JURISDICTION**

28 COMES NOW specially appearing counsel for Judgment-Debtors, MICHAEL J. MONA,
JR., and Michael J. Mona, Jr., as trustee of the Mona Family Trust Dated February 21, 2002,
(hereinafter collectively referred to as "MONA"), and in accordance with the directive of the Court,
provides these supplemental points and authorities in support of MONA's position that the Court
presently lacks personal jurisdiction to proceed against them. The supplemental points and

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CLERK OF THE COURT

1 authorities that follow are intended to provided additional bases and information regarding
2 applicable Nevada law, in conjunction with the documents on pleadings on file herein and the
3 arguments to be adduced at the hearing hereon, so that the Court may accurately and appropriately
4 determine wether or not it has jurisdiction over MONA.
5

6 DATED this 18th day of June, 2013.

7
8 JOHN W. MUIJE & ASSOCIATES

9
10
11 By: 

12 JOHN W. MUIJE, ESQ.

13 Nevada Bar No. 2419

14 1320 S. Casino Center Blvd

15 Las Vegas, NV 89104

16 Phone: 702-386-7002

17 Facsimile: 702-386-9135

18 Email: jmuje@mujeandvarricchio.com

19 Attorney *SPECIALLY APPEARING*

20 *FOR JUDGMENT DEBTORS MICHAEL J. MONA,*
21 *JR., AND MICHAEL J. MONA, JR., as trustee of*
22 *the MONA FAMILY TRUST DATED FEBRUARY*
23 *21, 2002*

24 **I.**

25 **POINTS AND AUTHORITIES**

26 As was noted by judgment-creditor Far West Industries, a California corporation (hereinafter
27 referred to as "FAR WEST"), it registered its California judgment with the Eighth Judicial District
28 Court on or about October 18, 2012. The affidavits of service in question document that the notice
required under NRS 17.360 (3) for perfecting the registration of a foreign judgment were apparently
sent by certified mail, return receipt requested, to MONA at 2793 Red Arrow Drive, Las Vegas,

1 Nevada 89135. As noted by MONA in his original objection, however, the mechanics for properly
2 registering a foreign judgment are separate and distinct from those mechanisms required under
3 Nevada law to obtain personal jurisdiction over a party.

4
5 Indeed, the very statute under which FAR WEST proceeds specifies that for an order of
6 examination is only valid and effective, when the judgment-debtor "is regularly served with an
7 order issued pursuant to this section" . . . See NRS 21.270(3). It was also noted in MONA's original
8 objection that the specific language "regularly served" is a term of legal art, utilized literally in
9 dozens of Nevada Supreme Court decisions. All of those decisions, in turn, analyze that language
10 in terms of service of process, which is governed by NRS Chapter 14, as well as NRCP (4)(d)(6).

11
12 It is also undisputed that other than the utilization of the United States Postal service to
13 deliver copies of various documents in theses proceedings, including the various examination orders,
14 no affirmative service of process has ever occurred in the Nevada proceeding. MONA previously
15 pointed the Court to a modern decision examining the extent of the Court's power and exercise of
16 personal jurisdiction, and concluding that personal jurisdiction does not exist, absent valid and
17 effective service of process. *C.H.A. Venture vs. Wallace* 106 Nev.381, 383,384, 794 P.2d 707 (1990).
18 As was specifically noted by the Court in *C.H.A. Ventures*:

19
20
21 A District Court is empowered to render a judgment either for or
22 against a person or entity only if it has jurisdiction over the parties and the
23 subject matter. See *Young vs. Nevada Title Co.*, 103 Nev.436, 434,442, 744
P.2d.902, 905 (1987). As noted hereafter the District Court never had
jurisdiction over F and P.

24 (Emphasis Supplied) *C.H.A. Ventures vs. Wallace, Supra*, 106 Nev. at 383
25
26
27
28

1 As also previously noted in MONA's objection:

2 "Notice is not a substitute for service of process. Personal service or
3 a legally provided substitute must still occur in order to obtain jurisdiction
4 over a party" *C.H.A. Venture vs. Wallace, Supra* at 384.

5 So that the Court will be more fully informed, it is appropriate that a reasonable review be
6 made regarding the various precedents and case law surrounding service of process, and the acquisition
7 of personal jurisdiction over a party, as discussed more fully hereinafter.

8
9 The Court will no doubt recall the longstanding Nevada distinction between special
10 appearances and general appearances, which has only effectively been abrogated during the last
11 approximate decade, or slightly longer. Under traditional common law principles, if one did anything
12 other than challenge jurisdiction or move to quash service of process, via a special appearance, the
13 efforts proved ineffectual because seeking additional relief essentially constituted consent to the
14 jurisdiction of the court, and brought the party before the court for all purposes. As the Court will
15 likely see in reviewing some of the older cases as discussed, hereinafter, the ultimate result in those
16 cases often turned on whether or not the Court deemed a litigant to have only made a special
17 appearance, or to have made an overall general appearance. Nonetheless, several of the older cases
18 make important points regarding the scope of the personal jurisdiction of the Court, and whether or not
19 effective service of process occurred sufficient to invoke personal jurisdiction.
20
21

22 In the oldest relevant case identified by the undersigned, ironically, despite the Court finding
23 that a general appearance had occurred, the Nevada Supreme Court further held that due to the
24 fundamental defect in service of process, the underlying Court never obtained any jurisdiction to
25 assert! *Ex Rel Martin vs. Justice Court of Elko Township*, 44 Nev.140, 190 Pac. 977 (1920) as noted
26 by the Nevada Supreme Court:
27
28

1 Statutory provisions prescribing the method by which a resident
2 defendant shall be notified that an action has been commenced against him in
3 a Justice Court, to the end that jurisdiction of this person may be obtained, are
4 mandatory, and must strictly pursued, and failure to observe them in any
5 material manner will prevent the Court issuing Summons from obtaining
6 jurisdiction of the person of the defendant.

7 (Emphases Supplied) *Ex Rel Martin vs. Justice Court of Elko Township, Supra*, 44 Nev. at 145

8 In a case following relatively soon thereafter, the Nevada Supreme Court again ruled that
9 defective service of process was fatal to the jurisdiction of the Court rendering a default judgment,
10 despite an alternative request for relief by the moving party. *Ex Rel Thatcher vs. Justice Court of Reno*
11 *Township*, 46 Nev.133, 207 Pac. 1105 (1922) as noted by the Nevada Supreme Court in *Thatcher*:

12 “It is conceded that the copy of the complaint served personally upon
13 relator was not certified by the Justice or the Attorney for Plaintiff to be a true
14 and correct copy of the complaint on file in the Justice Court. The reviewing
15 Court, upon the authority upon *Martin vs. Justice Court of Elko Township*,
16 44 Nev.140, 190 Pac. 977, held this to be a jurisdictional requirement, and
17 that the Justice was without jurisdiction. power, or authority to render
18 judgment”.

19 (Emphasis Supplied) *Thatcher vs. Justice Court of Reno Township, Supra*, 46 Nev. at 138.

20 In relatively quick succession, two years later, the Nevada Supreme Court decided yet another
21 case predicated upon improper service this time on a foreign corporation. *Ex Rel Pacific States*
22 *Security Company vs. District Court*, 48 Nev.53, 226 Pac.1106 (1924). In granting a writ and holding
23 that the District Court should have granted a motion to quash, the Nevada Supreme Court cited to the
24 famous U.S. Supreme Court case of *Pennoyer vs. Neff*, 94 U.S.714, as subsequently cited in another
25 U.S. Supreme Court decision, *Saint Clair vs. Cox*, 106 U.S. 350:

26 “The doctrine of that case supplies, in all its force, to personal
27 judgments of State courts against foreign corporations. The Courts
28 rendering them must have acquired jurisdiction over the party by personal
 service or voluntary appearance, whether the party be a corporation or
 natural person.”. . . *Pacific State Security Company vs. District Court*,
 Supra, 48 Nev. 58-59.

1 The decision in *Pacific States Security* was predicated upon the fact that the applicable statute
2 regarding the service of foreign corporations prescribed that the only way to serve a foreign
3 corporation which had neglected to appoint a registered agent is by service upon the secretary of state.
4
5 *Pacific States Security Company vs. District Court, Supra*, 48 Nev. 60. Since the Plaintiff had served
6 the foreign corporation by serving an officer at its out of state offices, the Court specifically held the
7 Plaintiff had failed to comply with the applicable Nevada Statute, so service was invalid. Just as
8 importantly, however, the Nevada Supreme Court noted:

9
10 “But it is equally true that the Court, not having a acquired
11 jurisdiction over the Defendant by service of process of appearance,
12 could acquire none by making an erroneous ruling upon a motion to
13 dismiss, made upon special appearance”. *Pacific State Security*
Company vs. District Court, Supra, at 59.

14 Hence the trilogy of cases cited, all decided almost 100 years ago, firmly established under
15 Nevada law that proper and effective service of process must occur before the Court acquires personal
16 jurisdiction over a party. Indeed, in *Pacific States Security, Supra*, the Nevada Supreme Court noted,
17 as *dicta*, that if the underlying proceeding was “*in rem*”, the service would have been sufficient, but
18 since the subject law suit sought relief “*in personam*”, seeking both monetary damages and the
19 cancellation of a contract, the Court did not acquire jurisdiction over the person of the Defendant
20 corporation. *Pacific States Security Company vs. District Court, Supra*, 48 Nev. at 58-59.

21
22 Turning now to the evolution of these principles into modern times, ultimately leading to the
23 Nevada Supreme Court’s pronouncement *C.H.A Ventures*, a major decision addressing the interplay
24 between jurisdiction and effective and proper personal service of process is to be found at *Doyle vs.*
25 *Jorgensen*, 82 Nev 196, 414 P.2d 707 (1966). *Doyle vs. Jorgensen*, ironically, was a matter were the
26 Court did specifically hold that seeking additional relief other than quashing invalid service could
27 subject a defendant to the jurisdiction of the court. Nevertheless, in *dicta* the Nevada Supreme Court
28 noted as follows:

1 Service upon Michael, however, still was ineffective in that two
2 defendants were involved but only one copy of a summons was delivered.
3 Each Defendant must be served a copy of the Summons, even though both
4 may share the same place of abode and may even be members of the same
5 family. . . (Citations Omitted) Without proper service, the judgment against
6 Michael was void. *Thatcher vs. Justice Court*, 46 Nev. 133, 207 Pac. 1102
7 (1922) *Martin vs. Justice Court*, 44 Nev. 140, 190 Pac. 977 (1920).

8 (Emphasis Supplied) *Doyle vs. Jorgensen, Supra*, 82 Nev. at 200-201.

9 Finally, in perhaps one of the more famous Nevada Supreme Court decisions testing the
10 validity of Nevada's long-arm statute, the Nevada Supreme Court specifically held that strict
11 compliance with the requirements of service was necessary to confer personal jurisdiction against a
12 defendant. *Certain-Teed Products Corp. vs. Second Judicial District Court*, 87 Nev. 18 479 P.2nd 781
13 (1971). The facts and *Certain-Teed* were that personal service against a corporation was effectuated
14 upon "Mr. DeLong, Chief Legal Counselor". Having reviewed the proof of service, the Nevada
15 Supreme Court then noted that the applicable statute required delivery of a copy of the summons and
16 complaint in the foreign jurisdiction, pursuant to NRS 14.065, "to the president or other head of the
17 corporation, secretary, cashier, managing agent, or resident agent thereof". Since the chief legal
18 counselor was not one of the persons authorized by statute to be served, the Nevada Supreme Court
19 specifically held that District Court erred in refusing to quash service of process. *Certain-Teed*
20 *Products Corp. vs. Second Judicial District Court, Supra*, 87 Nev. at 22. The Nevada Supreme Court
21 then went on to consider whether the activities of *Certain-Teed* products in the state of Nevada would
22 be sufficient to invoke long-arm jurisdiction. Despite extensive discussion of the same, the Court
23 concluded as follows:

24 "A writ of prohibition shall issue solely upon the ground that neither
25 the return of service or other competent proof shows that service of process
26 was made upon the either the president of other head of *Certain-Teed*, its
27 secretary, cashier, managing agent, or resident agent". *Certain-Teed Products*
28 *vs. Second Judicial District Court, Supra* at 24.

(Emphasis Supplied)

1 The history of these cases, spanning 70 years between the first decision in 1920 and the *C.H.A.*
2 *Ventures* decision in 1990, patently establish that in order for the court to exercise or maintain personal
3 jurisdiction, valid and proper service of process must occur.

4
5 As noted in MONA's original objection, despite NRS 21.270 requiring proper service, there
6 is no evidence in the record that Mr. Mona has ever been properly or "regularly served" with anything
7 in this case, let alone an Order for Examination.

8
9 Until proper process of service occurs, respectfully, the Court does not have jurisdiction to
10 proceed. Accordingly, FAR WEST INDUSTRY'S motion for order to show cause can and should be
11 denied, since the Court is without jurisdiction regarding the same.

12
13 DATED this 18th day of June, 2013.

14 JOHN W. MUIJE & ASSOCIATES

15
16 By: 

17 JOHN W. MUIJE, ESQ.
18 Nevada Bar No. 2419

19 1320 S. Casino Center Blvd
20 Las Vegas, NV 89104
21 Phone: 702-386-7002
22 Facsimile: 702-386-9135

23 Email: jmuje@muijeandvarricchio.com
24 Attorney *SPECIALLY APPEARING*

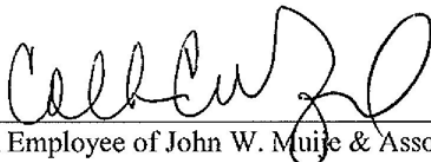
25 *FOR JUDGMENT DEBTORS MICHAEL J. MONA,*
26 *JR., AND MICHAEL J. MONA, JR., as trustee of the*
27 *MONA FAMILY TRUST DATED FEBRUARY 21,*
28 *2002*

CERTIFICATE OF SERVICE

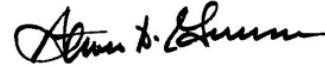
I certify that I am an employee of John W. Muje & Associates, and that on the 18th
day of June, 2013, I caused the foregoing document, entitled **SUPPLEMENTAL**
POINTS AND AUTHORITIES REGARDING A LACK OF PERSONAL JURISDICTION,
to be served as follows:

- ☒ by placing a copy of the same for mailing in the United States mail, with
first class postage prepaid addressed as follows; and/or
☐ via facsimile at the number listed below; and/or
☒ via e-mail at the e-mail address listed below:

John R. Hawley
Lee, Hernandez, Landrum, Garofalo & Blake
7575 Vegas Drive, Suite 150
Las Vegas, Nevada 89128
Facsimile: 702-314-1210
email: jhawley@lee-lawfirm.com


An Employee of John W. Muje & Associates

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John R. Hawley
Nevada Bar No. 001545
LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 Vegas Drive, Suite 150
Las Vegas, Nevada 89128
(702) 880-9750
Fax; (702) 314-1210
jhawley@leelawfirm.com

Attorneys for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

FAR WEST INDUSTRIES, a California
corporation,

Plaintiff,

vs.

RIO VISTA NEVADA, LLC, a Nevada
limited liability company; WORLD
DEVELOPMENT, INC., a California
corporation; BRUCE MAIZE, and individual;
MICHAEL J. MONA, JR., an individual;
DOES I through 100, inclusive,

Defendants.

**CASE NO.: A-12-670352-F
DEPT: XXVI**

REPLY IN SUPPORT OF MOTION TO ORDER TO SHOW CAUSE

RE CONTEMPT

COMES NOW, Plaintiff, FAR WEST INDUSTRIES, a California corporation, (FAR WEST) by and through their attorneys of record LEE, HERNANDEZ, LANDRUM, GAROFALO & BLAKE and John R. Hawley Esq. and hereby submits its Reply in Support of Motion to Order to Show Cause Re Contempt.

//

//

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

ARGUMENT

In his opposition, MONA quotes from a series of very old Nevada cases which all stand for the simple proposition that Nevada courts cannot exercise jurisdiction over a defendant unless the summons and complaint were properly served on that defendant. Service of a summons and complaint is governed by NRCP 4, which requires personal service of the summons and complaint on the defendant, except in certain specified instances.

Unfortunately for MONA, he was already served with a copy of a summons and complaint in the California action. He did not contest the personal jurisdiction of the California court, went to trial, and had a judgment entered against him. That judgment was later domesticated in Nevada pursuant to NRS 17.330, *et seq.* MONA has not contested the procedure used to domesticate the California judgment; indeed, his opposition indicated that he believes that the correct procedure was followed. Importantly, MONA was given notice of the domestication of the judgment pursuant to NRS 17.360(2). After the 30 day curing period specified in NRS 17.360(3), Far West noticed the examination of MONA as judgment debtor pursuant to NRS 21.270.

The procedure for serving court documents other than the summons and complaint is specified in NRCP 5, which specifically allows service of court papers by mail. See NRCP 5(b)(2)(B). MONA's argument that the Nevada courts cannot exercise jurisdiction over him in order to enforce the California judgment simply fall flat in the face of the applicable statutes and rules. Put simply, MONA was properly served in the California action; which acquired jurisdiction over him and entered the instant judgment against him.

CONCLUSION

The Notice of Examination of Judgment Debtor was properly served pursuant to NRCP 5. Under these circumstances, MONA should be compelled to appear and sit for an examination inquiring into his assets and liabilities for the purpose of determining whether he can satisfy the

//

//

//

1 instant judgment.

2 DATED this 28th day of June, 2013.

3
4 LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE, APC

6 By:

7 
DAVID S. LEE, ESQ.

8 Nevada Bar No. 6033

9 JOHN R. HAWLEY, ESQ.

Nevada Bar No. 1545

7575 Vegas Drive, Suite 150

Las Vegas, Nevada 89128

11 Attorneys for FAR WEST INDUSTRIES

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750


CERTIFICATE OF MAILING

Far West Industries vs. Rio Vista Nevada, LLC

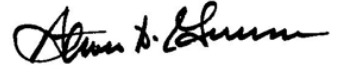
I HEREBY CERTIFY that on the 28th day of June, 2013, I hereby certify that I served a copy of the above and foregoing Reply in Support of Motion to Show Cause Re Contempt via facsimile and U.S. mail, in a sealed envelope, postage prepaid to the following counsel:

Howard Golds
BEST, BEST & KRIEGER LLP
3750 University Avenue # 400
Riverside, CA 92502

John W. Muije, Esq.
JOHN W. MUIJE & ASSOCIATES
1320 S. Casino Center Blvd.
Las Vegas, Nevada 89104
(702) 386-7002
Fax: (702) 386-9135
Email: jmuije@muijeandvarricchio.com
Specially Appearing for Michael J. Mona, Jr.


An employee of LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE, APC

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750



CLERK OF THE COURT

ORDR

John R. Hawley
Nevada Bar No. 001545
LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 Vegas Drive, Suite 150
Las Vegas, Nevada 89128
(702) 880-9750
Fax; (702) 314-1210
jhawley@leelawfirm.com

Attorneys for Plaintiff

**DISTRICT COURT
CLARK COUNTY, NEVADA**

FAR WEST INDUSTRIES, a California
corporation,

Plaintiff,

vs.

RIO VISTA NEVADA, LLC, a Nevada
limited liability company; WORLD
DEVELOPMENT, INC., a California
corporation; BRUCE MAIZE, and individual;
MICHAEL J. MONA, JR., an individual;
DOES I through 100, inclusive,

Defendants.

**CASE NO.: A-12-670352-F
DEPT: XXVI**

DEPARTMENT XXVI
NOTICE OF HEARING
DATE 8/21/13 TIME 9:00 a.m.
APPROVED BY [Signature]

ORDER TO SHOW CAUSE

This matter having come on for hearing on Plaintiff's Motion for an Order to Show Cause
Re: contempt, and plaintiff represented by John R. Hawley, Esq. of LEE HERNANDEZ
LANDRUM GAROFALO & BLAKE, and defendant being represented by John Muije, Esq. and
the court having considered the papers and pleadings on file herein, along with the arguments on
counsel hereby finds and concludes as follows:

//

//

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

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FINDINGS OF FACT

1. Plaintiff properly domesticated its judgment against defendant pursuant to NRS 17.330 *et seq*;
2. On April 29, 2013, this court issued an amended order requiring defendant to appear for examination of judgment debtor pursuant to NRS 21.270.
3. The date of the scheduled examination of judgment debtor was the product of a negotiation between plaintiff's counsel and the attorney then representing defendant.
4. Defendant failed to appear at the examination of judgment debtor as previously ordered by this court.

CONCLUSIONS OF LAW

1. Defendant's failure to appear for the examination of judgment debtor as ordered by this court constitutes a contempt pursuant to NRS 21.270(3).
2. Defendant was properly served with the Notice of Examination Judgment Debtor pursuant to NRCP 5, by service upon his attorney.
3. Plaintiff's Motion for an Order to Show Cause is hereby **GRANTED**; defendant is directed to appear in this court on August ^{21, 2013 @ 9:00 a.m.} ~~20, 2013, at 10:00 a.m.~~ to show cause why he should not be held in contempt for his failure to appear at the previously scheduled examination of judgment debtor.

IT IS SO ORDERED.

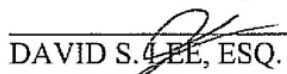
DATED this 9th day of July, 2013.


DISTRICT COURT JUDGE 

Submitted by:

**LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE, APC**

By:


DAVID S. LEE, ESQ.
Nevada Bar No. 6033
JOHN R. HAWLEY, ESQ.
Nevada Bar No. 1545
7575 Vegas Drive, Suite 150
Las Vegas, Nevada 89128
Attorneys for FAR WEST INDUSTRIES

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

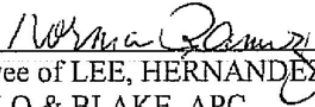
LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

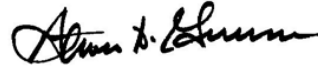
CERTIFICATE OF MAILING
Far West Industries vs. Rio Vista Nevada, LLC

I HEREBY CERTIFY that on the 10th day of July, 2013, I hereby certify that I served a copy of the above and foregoing Order to Show Cause via U.S. mail, in a sealed envelope, postage prepaid to the following counsel:

Howard Golds
BEST, BEST & KRIEGER LLP
3750 University Avenue # 400
Riverside, CA 92502

John W. Muije, Esq.
JOHN W. MUIJE & ASSOCIATES
1320 S. Casino Center Blvd.
Las Vegas, Nevada 89104
(702) 386-7002
Fax: (702) 386-9135
Email: jmuije@muijeandvarricchio.com
Specially Appearing for Michael J. Mona, Jr.


An employee of LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE, APC



CLERK OF THE COURT

1 **SAO**
2 **JOHN W. MUIJE & ASSOCIATES**
3 **JOHN W. MUIJE, ESQ.,**
4 **Nevada Bar No. 2419**
5 **1320 S. Casino Center Blvd.**
6 **Las Vegas, Nevada 89104**
7 **Telephone: 702-386-7002**
8 **Facsimile: 702-386-9135**
9 **Email: jmuije@muijelawoffice.com**
10 ***Attorneys for Judgment Debtors Michael J. Mona Jr.,***
11 ***and Michael J. Mona Jr., as trustee of the***
12 ***Monad Family Trust Dated February 21, 2002***

13 **DISTRICT COURT**

14 **CLARK COUNTY, NEVADA**

15 **FAR WEST INDUSTRIES, a California**
16 **corporation**

17 **Plaintiff,**

18 **vs.**

19 **RIO VISTA NEVADA, LLC, Nevada**
20 **limited liability company; WORLD**
21 **DEVELOPMENT, INC., a California**
22 **corporation; BRUCE MAIZE, and**
23 **individual; MICHAEL J. MONA, JR., an**
24 **individual; DOES I through III, and ROE**
25 **CORPORATIONS I through III, inclusive,**

26 **Defendants.**

Case No. : A-12-670352-F

Dept. No.: XXVI

HEARING DATE: AUGUST 21, 2013
HEARING TIME: 9:00 A.M.

CONTINUED

HEARING DATE: SEPTEMBER 18, 2013
HEARING TIME: 9:00 A.M.

27 **STIPULATION AND ORDER**

28 WHEREAS this Court entered an order to show cause as regards judgment debtor Michael
J. Mona, Jr., and the Mona Family Trust (hereinafter collectively "MONA"); based on Mona's
failure to appear at a previously scheduled debtor examination, set to occur on August 21, 2013;

LAW OFFICES
JOHN W. MUIJE & ASSOCIATES
1320 S. CASINO CENTER BOULEVARD
LAS VEGAS, NEVADA 89104
Phone: (702) 386-7002 Fax: (702) 386-9135

1 WHEREAS the parties have entered into negotiations regarding procedural aspects of this
2 case and the timing of said debtor examination;

3 WHEREAS those efforts have led to mutual agreements which will simplify this case and
4 conserve judicial economy, as well as attorneys fees and costs for both sides,

5 NOW THEREFORE it is hereby stipulated by and between counsel for the parties as follows:

6 1. The sworn debtor examination which the parties had tentatively agreed would commence
7 on August 20, 2013 at the hour of 10:00 a.m., shall be continued to and until September 12, 2013,
8 commencing at the hour of 10:00 a.m.;

9 2. Judgment debtors Michael J. Mona and the Mona Family Trust shall produce the
10 documents previously ordered by the Court for inspection to the offices of plaintiff's counsel on or
11 before September 5, 2013;

12 3. Without acknowledging any contempt, or the propriety of original Nevada service of
13 process as to the Nevada domesticated foreign judgment, Mona hereby waives said arguments in this
14 case, acknowledges that he is now properly served and aware of these proceedings, and consents to
15 the jurisdiction of the Nevada court for all purposes;

16 4. Mona further expressly agrees not to seek a writ of prohibition or appeal as to the issue
17 of service of process as to the registered Nevada action, nor the jurisdiction of this court to proceed
18 with regard to the same.
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1 IT IS FURTHER STIPULATED and agreed that the show cause hearing currently scheduled
2 for August 21, 2013 at the hour of 9:00 a.m. be continued, and instead be set as a status check to
3 occur on September 18, 2013, at the hour of 9:00 a.m. to ascertain whether or not Mona has properly
4 complied with this Courts' prior orders and the agreements set forth herein.

5 JOHN W. MUIJE & ASSOCIATES

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE

6
7
8 By: 

JOHN W. MUIJE, ESQ.,
Nevada Bar No: 2419
1320 S. Casino Center Blvd.
Las Vegas, NV 89104
Telephone: 702-386-7002
Facsimile: 702-386-9135
Email: jmuje@mujelawoffice.com
Attorneys for Judgment Debtors
Michael J. Mona Jr., and Michael J.
Mona Jr., as trustee of the
Monad Family Trust Dated February 21, 2002

By: 

JOHN R. HAWLEY, ESQ.,
Nevada Bar No: 1545
7575 Vegas Drive #150
Las Vegas, NV 89128
Telephone: 702-880-9750
Facsimile: 702-314-1210
Email: jhawley@lee-lawfirm.com
Attorneys for Plaintiff,


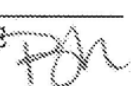
16 **ORDER**

17 Based upon the above and foregoing and good cause appearing;

18 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the parties' above
19 stipulation be and the same hereby is ratified and approved.
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1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the show cause hearing
2 currently scheduled for August 21, 2013 at the hour of 9:00 a.m. **BE CONTINUED**, and instead be
3 set as a "Status Check" to occur on September 18, 2013, at the hour of 9:00 a.m. to ascertain whether
4 or not Mona has properly complied with this Courts' prior orders and the agreements set forth herein.

5 Dated this 25 day of July, 2013.

6
7
8 
DISTRICT COURT JUDGE 

9 Respectfully Submitted

10 JOHN W MUJJE & ASSOCIATES

11
12 By: 

13 JOHN W. MUJJE, ESQ.,

14 Nevada Bar No. 2419

15 1320 S. Casino Center Blvd.

16 Las Vegas, Nevada 89104

17 Telephone: 702-386-7002

18 Facsimile: 702-386-9135

19 Email: jnmujje@mujjelawoffice.com

20 *Attorneys for Judgment Debtors Michael J. Mona Jr.,*

21 *and Michael J. Mona Jr., as trustee of the*

22 *Monad Family Trust Dated February 21, 2002*

23 R:\J Files\Mona, Michael (J3695)\Pleadings\2013-07-13, stip & order.wpd
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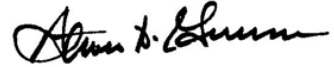
LAW OFFICES

JOHN W. MUJJE & ASSOCIATES

1320 S. CASINO CENTER BOULEVARD

LAS VEGAS, NEVADA 89104

Phone: (702) 386-7002 Fax: (702) 386-9135



CLERK OF THE COURT

1 **NOTC**
2 DAVID S. LEE, ESQ.
3 Nevada Bar No. 6033
4 John R. Hawley
5 Nevada Bar No. 1545
6 LEE, HERNANDEZ, LANDRUM,
7 GAROFALO & BLAKE
8 7575 Vegas Drive, Suite 150
9 Las Vegas, Nevada 89128
10 (702) 880-9750
11 Fax; (702) 314-1210
12 dlee@lee-lawfirm.com
13 jhawley@lee-lawfirm.com

14 Attorneys for Plaintiff

15 **DISTRICT COURT**
16 **CLARK COUNTY, NEVADA**

17 FAR WEST INDUSTRIES, a California
18 corporation,

19 Plaintiff,

20 vs.

21 RIO VISTA NEVADA, LLC, a Nevada
22 limited liability company; WORLD
23 DEVELOPMENT, INC., a California
24 corporation; BRUCE MAIZE, and individual;
25 MICHAEL J. MONA, JR., an individual;
26 DOES I through 100, inclusive,

27 Defendants.

28 **CASE NO.: A-12-670352-F**
DEPT: XXVI

**NOTICE TO VACATE EXAMINATION
OF JUDGMENT DEBTORS**

HEARING DATE: September 12, 2013
HEARING TIME: 10:00 A.M.

NOTICE TO VACATE EXAMINATION OF JUDGMENT DEBTORS

COMES NOW, Plaintiff, FAR WEST INDUSTRIES, a California corporation, by and through their attorneys of record LEE, HERNANDEZ, LANDRUM, GAROFALO & BLAKE and John R. Hawley Esq. and hereby gives notice of vacating the Examination of Judgment Debtors scheduled for September 12, 2013, at the hour of 10:00 a.m. at Litigation Services, 3770

///

///

1 Howard Hughes Parkway, Suite 300 Las Vegas, Nevada.

2 DATED this 16 day of September, 2013.

3 LEE, HERNANDEZ, LANDRUM,
4 GAROFALO & BLAKE, APC

5
6 By: 

DAVID S. LEE, ESQ.

Nevada Bar No.: 6033

JOHN R. HAWLEY, ESQ.

Nevada Bar No. 1545

7575 Vegas Drive, Suite 150

Las Vegas, Nevada 89128

Attorney for Plaintiff

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

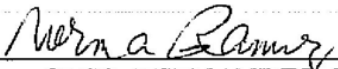
CERTIFICATE OF MAILING

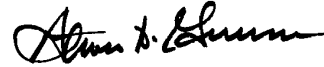
Far West Industries vs. Rio Vista Nevada, LLC

I HEREBY CERTIFY that on the 10th day of September 2013, I hereby certify that I served a copy of the above and foregoing Notice to Vacate Examination of Judgment Debtors, via facsimile to the following counsel:

John W. Muije, Esq.
JOHN W. MUIJE & ASSOCIATES
1320 S. Casino Center Blvd.
Las Vegas, Nevada 89104
(702) 386-7002
Fax: (702) 386-9135
Email: jmuije@muijeandvarricchio.com
Attorney for Judgment Debtor Michael J. Mona, Jr.
and Michael J. Mona, Jr. as trustee of the
Mona Family Trust Date February 21, 2002

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750


An employee of LEE, HERNANDEZ & LANDRUM,
GAROFALO & BLAKE, APC



CLERK OF THE COURT

1 ORDR
2 JOHN W. MUIJE & ASSOCIATES
3 JOHN W. MUIJE, ESQ.,
4 Nevada Bar No. 2419
5 1320 S. Casino Center Blvd.
6 Las Vegas, Nevada 89104
7 PH: 702-386-7002
8 Fax No: 702-386-9135
9 Email: Jmuije@muijelawoffice.com
10 *Attorneys for Judgment debtors Michael J. Mona Jr.,*
11 *and Michael J. Mona Jr., as trustee of the*
12 *Monad Family Trust Dated February 21, 2002*

DISTRICT COURT

CLARK COUNTY, NEVADA

11 FAR WEST INDUSTRIES, a California
12 corporation,

13 Plaintiff,

14 vs.

15 RIO VISTA NEVADA, LLC, Nevada
16 limited liability company; WORLD
17 DEVELOPMENT, INC., a California
18 corporation; BRUCE MAIZE, and
19 individual; MICHAEL J. MONA, JR., an
20 individual; DOES I through III, and ROE
21 CORPORATIONS I through III, inclusive,

22 Defendants.

Case No. : A-12-670352-F

Dept. No.: XXVI

HEARING DATE: SEPTEMBER 18, 2013
HEARING TIME: 9:00 A.M.

ORDER

23 This matter came on for hearing on a status check regarding the Court Ordered Examination
24 of Judgment Debtors MICHAEL J. MONA, JR., and MICHEL J. MONA JR., as Trustee of the
25 MONA FAMILY TRUST DATED FEBRUARY 21, 2002, Plaintiff represented by JOHN R.
26 HAWLEY OF the law firm of LEE, HERNANDEZ, LANDRUM, GAROFALO & BLAKE, the
27
28

LAW OFFICES
JOHN W. MUIJE & ASSOCIATES
1320 S. CASINO CENTER BOULEVARD
LAS VEGAS, NEVADA 89104
Phone: (702) 386-7002 Fax: (702) 386-9135

1 appearing defendants represented by JOHN W. MUIJE, ESQ., of the law firm of JOHN W. MUIJE
2 & ASSOCIATES, the Court and Counsel having engaged in discussion regarding the status of said
3 defendants' compliance with the Court's Examination Order and good cause appearing,

4 **IT IS HEREBY ORDERED AND ADJUDGED AND DECREED** that Plaintiff shall
5 return to the offices of counsel for said Defendants the eighteen boxes of documents produced by
6 said Defendants in compliance with this Court's Order on or about September 5, 2013, no later than
7 5:00 p.m. (PDT) on Wednesday, September 25, 2013.

8
9 **IT IS HEREBY ORDERED AND ADJUDGED AND DECREED** that said Defendants
10 shall complete their production, constituting approximately two additional boxes of documents as
11 represented by said Defendant's counsel, to counsel for Plaintiff, no later than 5:00 p.m.(PDT) on
12 Wednesday, September 25, 2013.

13 **IT IS HEREBY ORDERED AND ADJUDGED AND DECREED** that Plaintiff shall have
14 one week from the delivery of those additional documents, i.e. thru and including 5:00 p.m.
15 Wednesday October 2, 2013, to complete its review and inspection of said two additional boxes of
16 documents, and return the same to the offices of said Defendants counsel.

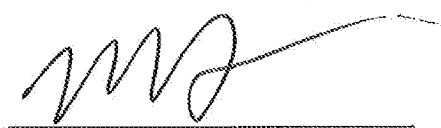
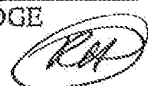
17
18 **IT IS HEREBY ORDERED AND ADJUDGED AND DECREED** that the Court also
19 entertained discussion regarding the scope and reasonableness of a sworn debtor examination, and
20 has concluded that said examination shall be conducted over two 8-hour working days, (with suitable
21 and appropriate breaks during said days), on dates mutually agreeable to the parties and counsel, to
22 occur subsequent to October 2, 2013, but no later than November 20, 2013.
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LAW OFFICES
JOHN W. MUIJE & ASSOCIATES
1320 S. CASINO CENTER BOULEVARD
LAS VEGAS, NEVADA 89104
Phone: (702) 386-7002 Fax: (702) 386-9135

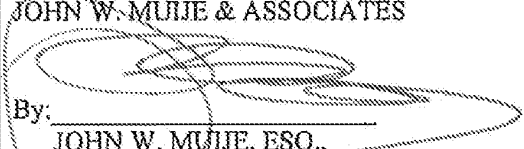
1 IT IS FURTHER ORDERED AND ADJUDGED AND DECREED that the court will

2 continue this matter for further status check to occur before the court on December 4, 2013 at the
3 hour of 9:00 a.m., which status check may be unilaterally vacated by the parties to the extent that the
4 document production and examination goes smoothly, and have been completed prior to that date.

5 Dated this 2nd October
6 day of September, 2013.


7 
DISTRICT COURT JUDGE 

8 Respectfully submitted,
9 JOHN W. MUIJE & ASSOCIATES

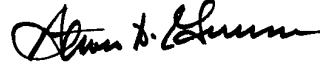
10 By: 
11 JOHN W. MUIJE, ESQ.,
12 Nevada Bar No: 2419
13 1320 S. Casino Center Blvd.
14 Las Vegas, NV 89104
15 Telephone: 702-386-7002
16 Facsimile: 702-386-9135
17 Email: jmuije@muijelawoffice.com
18 Attorneys for Judgment debtors Michael J. Mona Jr.,
19 and Michael J. Mona Jr., as trustee of the
20 Monad Family Trust Dated February 21, 2002

21 APPROVED AS TO FORM AND CONTENT

22 LEE, HERNANDEZ, LANDRUM,
23 GAROFALO & BLAKE

24 By: 
25 JOHN R. HAWLEY, ESQ.,
26 Nevada Bar No: 001545
27 7575 Vegas Drive #150
28 Las Vegas, NV 89128
Telephone: 702-880-8910
Facsimile: 702-382-6675
Email: jhawley@lee-lawfirm.com
Attorneys for FAR WEST INDUSTRIES

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CLERK OF THE COURT

1 **NOTC**
2 DAVID S. LEE, ESQ.
3 Nevada Bar No. 6033
4 John R. Hawley
5 Nevada Bar No. 1545
6 LEE, HERNANDEZ, LANDRUM,
7 GAROFALO & BLAKE
8 7575 Vegas Drive, Suite 150
9 Las Vegas, Nevada 89128
10 (702) 880-9750
11 Fax; (702) 314-1210
12 dlee@lee-lawfirm.com
13 jhawley@lee-lawfirm.com

14 Attorneys for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

12 FAR WEST INDUSTRIES, a California
13 corporation,

14 Plaintiff,

15 vs.

16 RIO VISTA NEVADA, LLC, a Nevada
17 limited liability company; WORLD
18 DEVELOPMENT, INC., a California
19 corporation; BRUCE MAIZE, and individual;
20 MICHAEL J. MONA, JR., an individual;
21 DOES 1 through 100, inclusive,

22 Defendants.

CASE NO.: A-12-670352-F
DEPT: XXVI

NOTICE OF EXAMINATION OF
JUDGMENT DEBTOR

HEARING DATE: November 25, 2013
November 26, 2013
HEARING TIME: 10:00 A.M.

22 **NOTICE OF EXAMINATION OF JUDGMENT DEBTOR**

23 COMES NOW, Plaintiff, FAR WEST INDUSTRIES, a California corporation, by and
24 through their attorneys of record LEE, HERNANDEZ, LANDRUM, GAROFALO & BLAKE
25 and John R. Hawley Esq. and hereby gives notice of Examination of Judgment Debtor Michael
26 Mona scheduled for November 25 and 26, 2013, at the hour of 10:00 a.m. at Litigation Services,

27 ///

28 ///


LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

1 3770 Howard Hughes Parkway, Suite 300 Las Vegas, Nevada.

2 DATED this 31 day of October, 2013.

3
4 LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE, APC

5
6 By: 
7 DAVID S. LEE, ESQ.
8 Nevada Bar No.: 6033
9 JOHN R. HAWLEY, ESQ.
10 Nevada Bar No. 1545
11 7575 Vegas Drive, Suite 150
12 Las Vegas, Nevada 89128
13 Attorney for Plaintiff
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CERTIFICATE OF MAILING

Far West Industries vs. Rio Vista Nevada, LLC

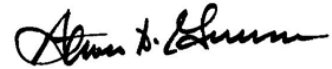
I HEREBY CERTIFY that on the 31st day of October 2013, I hereby certify that I served a copy of the above and foregoing Notice of Examination of Judgment Debtors, via facsimile to the following counsel:

John W. Muije, Esq.
JOHN W. MUIJE & ASSOCIATES
1320 S. Casino Center Blvd.
Las Vegas, Nevada 89104
(702) 386-7002
Fax: (702) 386-9135
Email: jmuije@muijeandvarricchio.com
Attorney for Judgment Debtor Michael J. Mona, Jr.
and Michael J. Mona, Jr. as trustee of the
Mona Family Trust Date February 21, 2002

Litigation Services
3770 Howard Hughes Parkway, Suite 300
Las Vegas, Nevada 89169
(702) 314-7200
Fax: (702) 631-7351


An employee of LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE, APC

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750



CLERK OF THE COURT

1 **RET**

2 **JOHN W. MUIJE & ASSOCIATES**

3 **JOHN W. MUIJE, ESQ.,**

4 **Nevada Bar No. 2419**

5 **1320 S. Casino Center Blvd.**

6 **Las Vegas, Nevada 89104**

7 **Telephone: 702-386-7002**

8 **Faximile: 702-386-9135**

9 **Email: Jmuije@muijelawoffice.com**

10 *Attorneys for Judgment debtors Michael J. Mona Jr.,*

11 *and Michael J. Mona Jr., as trustee of the*

12 *Monad Family Trust Dated February 21, 2002*

13 **DISTRICT COURT**

14 **CLARK COUNTY, NEVADA**

15 **FAR WEST INDUSTRIES, a California**
16 **corporation,**

17 **Plaintiff, Case No. : A-12-670352-F**

18 **vs.**

19 **Dept. No.: XXVI**

20 **RIO VISTA NEVADA, LLC, Nevada limited**
21 **liability company; WORLD DEVELOPMENT,**
22 **INC., a California corporation; BRUCE MAIZE,**
23 **and individual; MICHAEL J. MONA, JR., an**
24 **individual; DOES I through III, and ROE**
25 **CORPORATIONS I through III, inclusive,**

26 **Defendants.**

27 **RETURN AND ANSWER TO WRIT OF GARNISHMENT**
28 **AS TO CANNAVEST CORP.**

Attached hereto and incorporated herein as Exhibit "1" is Cannavest Corp's Answer to Writ

LAW OFFICES
JOHN W. MUIJE & ASSOCIATES
1320 S. CASINO CENTER BOULEVARD
LAS VEGAS, NEVADA 89104
Phone: (702) 386-7002 Fax: (702) 386-9135

1 of Garnishment.

2 DATED this 24th day of December, 2013.

3 JOHN W. MUIJE & ASSOCIATES

6 By: 

JOHN W. MUIJE, ESQ.

Nevada Bar No. 2419

1320 S. Casino Center Blvd

Las Vegas, NV 89104

Phone: 702-386-7002

Facsimile: 702-386-9135

Email: jmuje@mujeandvarricchio.com

Attorney **SPECIALLY APPEARING**

FOR JUDGMENT DEBTORS MICHAEL J.

MONA, JR., AND MICHAEL J. MONA, JR., as

trustee of the MONA FAMILY TRUST DATED

FEBRUARY 21, 2002

LAW OFFICES
JOHN W. MUIJE & ASSOCIATES
1320 S. CASINO CENTER BOULEVARD
LAS VEGAS, NEVADA 89104
Phone: (702) 386-7002 Fax: (702) 386-9135

RAJ Files\Mona, Michael (J3695)\Pleadings\2013---J2-24 Return and Answer to Writ of Garnishment.wpd

EXHIBIT “1”

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

1 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Motion filed on
2 behalf of FWI is hereby GRANTED.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that MICHAEL J.
4 MONA, JR, individually, and MICHAEL J. MONA, JR., as Trustee of the Mona Family Trust
5 dated February 21, 2002, appear at Litigation Services, 3770 Howard Hughes Parkway, Suite 300
6 Las Vegas, Nevada, on the 18th day of February, 2013, at the hour of 10:00 a.m., with regard to
7 the Judgment entered against MICHAEL J. MONA, JR, individually, and MICHAEL J. MONA,
8 JR., as Trustee of the Mona Family Trust dated February 21, 2002, in favor of FWI on January
9 12, 2010, then and there to answer questions under oath concerning the assets of MICHAEL J.
10 MONA, JR, individually, and MICHAEL J. MONA, JR., as Trustee of the Mona Family Trust
11 dated February 21, 2002.

12 MICHAEL J. MONA, JR, individually, and MICHAEL J. MONA, JR., as Trustee of
13 the Mona Family Trust dated February 21, 2002, ARE COMMANDED TO BRING copies
14 of any and all documents outlined in Exhibit "A" attached hereto.

15 MICHAEL J. MONA, JR, individually, and MICHAEL J. MONA, JR., as Trustee of
16 the Mona Family Trust FAILURE TO APPEAR AT THE TIME SET FORTH ABOVE
17 COULD RESULT IN AN ORDER TO SHOW CAUSE TO BE ISSUED TO EXPLAIN ITS
18 FAILURE TO APPEAR AND TO DISCLOSE ITS ASSETS.

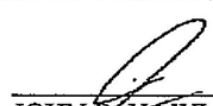
19 DATED this 29 day of January, 2013.

20 
21 DISTRICT COURT JUDGE

22 Respectfully submitted by:

23 LEE, HERNANDEZ, LANDRUM,
24 GAROFALO & BLAKE, APC

25 By:

26 
27 JOHN R. HAWLEY, ESQ.
28 Nevada Bar No. 001545
7575 Vegas Drive, Suite 150
Las Vegas, Nevada 89128

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

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EXHIBIT "A"

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

EXHIBIT "A"

Judgment Debtor Exam of MICHAEL J. MONA, JR, individually, and MICHAEL J. MONA, JR., as Trustee of the Mona Family Trust dated February 21, 2002

LIST OF DOCUMENTS AND THINGS TO BE PRODUCED BY

MICHAEL J. MONA, JR, individually, and MICHAEL J. MONA, JR., as Trustee of the Mona Family Trust dated February 21, 2002, AT DEBTOR'S EXAMINATION. ("You" and "Your" refers herein to MICHAEL J. MONA, JR, individually, and MICHAEL J. MONA, JR., as Trustee of the Mona Family Trust dated February 21, 2002).

1. Any and all Federal Employer Identification Numbers, Sales Tax Numbers, State Tax Numbers and City Tax Numbers.
2. Copies of any and all documents establishing and/or governing the Mona Family Trust dated February 21, 2002, and any amendments thereto.
3. A copy of each document showing your monthly income for the last 6 months.
4. A copy of each of your federal income tax returns with all schedules and any quarterly estimates of income taxes from 2005 through to the present.
5. A copy of each of your state income tax returns with all schedules and any quarterly income taxes from 2005 through to the present.
6. All "1099" forms reflecting income received by you for the last five (5) years.
7. Records of any and all monies received by you whether in the nature of bonuses, reimbursement of expenses, wages or reimbursement of loans for the past five (5) years.
8. Documents reflecting all assets (real, personal or mixed), whether owned by you individually, in any partnership or corporation form or in joint tenancy or in tenancy in common for the past five (5) years.
9. A copy of all documents related to any real assets (land, buildings, and any other commercial or residential real estate) in which you have any interest, as well as any appraisals prepared on such assets. The requested documents specifically include but not limited to all Deeds, Deeds of Trust, Mortgage Applications, Closing Statements, coupon books, statements of account, credit reports, title

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

- insurance policies, and all other information in any way reflecting your involvement with, your ownership of, or your transactions as regards real estate or other property owned by you.
10. A copy of any and all lease(s) which you have signed, including, but not limited to, residential, commercial, and automotive. These leases do not need to be owned by you but can be regarding real estate or other property not owned by you but for which regular monthly lease payments are made.
 11. A copy of all statements, and a copy of each check register for each account, for each and every financial institution (including but not limited to all banks, savings and loans, credit unions, and brokerage houses) where you have an account, where you have signature authority on an account, or in which you have held or now hold an interest from January 2005 through to the present.
 12. A copy of all bank statements, deposit slips, and canceled checks for all bank, money market accounts which you own or in which you owned any interest whatsoever, or on which you were authorized to draw checks, whether said documents were in your name alone, in the name of another person/entity, or in the name of another and yourself as joint tenants, for the period of three (3) years prior to the date hereof.
 13. All savings account passbooks, bank statements and certificates of deposit for any and all accounts, in which you owned any interest whatsoever, or from which you were authorized to make withdrawals, whether said accounts were in your name alone, in the name of any other person, or in your name and another as joint tenants, for the period of five (5) years prior to the date hereof.
 14. All records regarding safe deposit boxes and any certificates of stocks and bonds belonging to you or in which you have had any interest direct, indirect, contingent, beneficial, or otherwise, whatsoever either alone or jointly with any other person for five (5) years preceding the date of this Order.
 15. All stocks, bonds, debentures or other securities, which you personally own or claim any interest to or had any interest in whether such interest was direct, indirect, contingent, beneficial, or otherwise, either alone or jointly with any other person for five (5) years preceding the date of this Order.
 16. All life insurance policies naming you as beneficiary whether direct, indirect, contingent, beneficial, or otherwise, therein.
 17. A copy of all certificates of title or any other documents evidencing your ownership with respect to any automobiles, motorcycles, trucks, RVs, ATVs, jet skis, boats, trailers, airplanes, or any other type of vehicle, which you now own, claim any interest in, or regularly derive.

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7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

18. All evidence of any and all notes, contracts, negotiable instruments, receivable or accounts receivable whether due or not due belonging to you or in which you have or have had any interest whosoever either alone or jointly with any other person or persons for five (5) years preceding the date of this Order.
19. A list of real property owned by you and, if occupied by Tenants, please state the following:
 - a. Tenants' names;
 - b. Tenants' address;
 - c. amount of monthly rent.
20. Documents relating to evidence of each and every credit card in your name or jointly with another person/entity, together with copies of all statements submitted by said credit companies for the last five (5) years.
21. All fire, burglary, and extended coverage insurance policies now in force upon any real estate or personal property (including copies of insurance inventories) owned by you or in which you have or have had any interest whatsoever either alone or jointly with any other person(s)/entity(ies) for five (5) years preceding the date of this Order.
22. All titles, bills of sale, or contracts of sale upon personal property, including but not limited to, stocks, bonds, memberships, or partnership interests, automobiles, boats, airplanes, household goods, miscellaneous furniture and fixtures belonging to you or in which you have or have had any interest (direct or indirect, beneficial or otherwise), whatsoever either alone or jointly with any other person or persons for five (5) years preceding the date of this Order.
23. A complete inventory of all items of personal property owned by you, of any nature whatsoever, including automobiles, boats, airplanes, household fixtures, furnishings, and appliances, whether paid for or not. If the personal property is not in your possession and in the possession of another person, designate the name and address of the person having possession of the property.
24. Copies of all financial statements given by you, either individually or jointly with another person or as a corporation, to any third party at any point during the past five (5) years preceding the date of this Order.
25. A statement listing all of your debts and obligations.
26. All automobile or personal property casualty or collision or all risk insurance policies presently owned by you.
27. A copy of all records pertaining to the acquisition, transfer and sale of all securities, in which you have had an interest from at least five (5) years prior to the date hereof to the present.

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7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

- 1 28. A copy of all evidence of mining claims, patents or development work owned by
- 2 you or in which you have or have had any interest whatsoever either along or
- 3 jointly with any other person or persons for at least five (5) years immediately
- 4 preceding the date of this Order.
- 5 29. A copy of all documents which evidence any trademark, trade name, copyright, or
- 6 patent in which you have or have had an interest.
- 7 30. A copy of all general ledgers, accounting journals, financial statements or other
- 8 financial records prepared or maintained as regards your finances during the last
- 9 five (5) years.
- 10 31. A copy of any/all lawsuits, judgments, etc., which you may be a party to.
- 11 32. A copy of all loan applications used for any purpose whatsoever in the last five (5)
- 12 years.
- 13 33. A copy of your current plan and your most recent plan statement or summary plan
- 14 description for any deferred compensation in which you are a participant.
- 15 34. A copy of any and all agreements, of whatever kind, for the use of a safe deposit
- 16 box, safe or vault or other place of safekeeping.
- 17 35. A copy of each and every life insurance or annuity policy in which you hold a
- 18 beneficial interest.
- 19 36. Copies of all your corporate records, including Minutes (for the past 5 years),
- 20 Stock Transfer Ledgers and other "corporation" records.
- 21 37. Copies of any partnership or joint venture agreements and all correspondence
- 22 related thereto.
- 23 38. Copies of all of your business licenses.
- 24 39. Copies of any and all contracts to which you are a party entered into within the last
- 25 five (5) years.
- 26 40. All records, which evidence charitable donations of \$100 or more up to personal
- 27 "gifts" with a value of more than \$100 made by you or on your behalf within the
- 28 last five (5) years.
41. Copies of any and all documents whereby you acquired or disposed of an interest
- in any business(es) within the last five (5) years.
42. Copies of any employment or consulting contracts to which you are a party.
43. Any notes owed to you.

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

- 1 44. Copy of all accounts receivable documents, both current and for five (5) years
- 2 prior to the date of this Order.
- 3 45. All of your general ledgers, accounting journals, financial statements or other
- 4 financial records prepared or maintained during the last five (5) years.
- 5 46. A copy of each and every document evidencing each and every business in which
- 6 you have, or had, an interest from 2005 through to the present.
- 7 47. A copy of each and every profit and loss statement for each business in which you
- 8 have, or had, an interest from 2005 through to the present.
- 9 48. A copy of each financial statement or credit application prepared by you or on
- 10 behalf of you and/or any business in which you have, or had, any interest, whether
- 11 legal or equitable, in the past five (5) years.
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EXHIBIT “C”

Unfortunately, March 14, 21, and 22 do not work. Also, we have conflicts all day on March 28 and 29. So, we are back to April 4 or 5 and it needs to be a Thursday or a Friday. Let us know. Thanks.



MARQUIS AURBACH
COFFING

Tye S. Hanseen, Esq.

10001 Park Run Drive

Las Vegas, NV 89145

t | 702.207.6080

f | 702.856.8949

thanseen@maclaw.com | [vcard](#)

maclaw.com



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From: John Hawley [<mailto:jhawley@lee-lawfirm.com>]

Sent: Monday, February 25, 2013 12:54 PM

To: Tye S. Hanseen

Subject: Re: Far West Industries v. Mona, et al.--judgment debtor examination [IWOV-iManage.FID806603]

Checking with client. What about March 14?

John R. Hawley, Esq.

Lee, Hernandez, Landrum, Garofalo & Blake

7575 Vegas Drive, Ste. 150

Las Vegas, NV 89128

Ph. (702) 880-9750

Fax. (702) 314-1210

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From: Tye S. Hanseen [<mailto:thanseen@maclaw.com>]

Sent: Monday, February 25, 2013 12:49 PM

5/14/2013

0091

To: John Hawley; David Lee; Norma Ramirez

Subject: RE: Far West Industries v. Mona, et al.--judgment debtor examination [IWOV-iManage.FID806603]

John, are you able and willing to go April 4 or 5 instead? April 4 appears to be wide open and April 5 after morning hearings should work as well.

From: Tye S. Hanseen

Sent: Monday, February 25, 2013 12:05 PM

To: Tye S. Hanseen; 'David Lee'; 'Norma Ramirez'

Subject: RE: Far West Industries v. Mona, et al.--judgment debtor examination [IWOV-iManage.FID806603]

John, I am sorry. There may be a conflict with March 27. I am working to find out.



MARQUIS AURBACH
COFFING

Tye S. Hanseen, Esq.

10001 Park Run Drive

Las Vegas, NV 89145

t | 702.207.6080

f | 702.856.8949

thanseen@maclaw.com | [vcard](#)

maclaw.com



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From: Tye S. Hanseen

Sent: Monday, February 25, 2013 11:13 AM

To: 'John Hawley'; David Lee; Norma Ramirez

Cc: Terry Coffing

Subject: RE: Far West Industries v. Mona, et al.--judgment debtor examination [IWOV-iManage.FID806603]

Morning John. March 27 is available, but we would need to be done (or at least have an agreement to stop and continue it to a later date) by mid afternoon. Does that work for you? As for the documents, I don't yet have any idea as to what even exists and/or what is available. I should have a better idea in the coming days.

From: John Hawley [<mailto:jhawley@lee-lawfirm.com>]

Sent: Friday, February 22, 2013 11:47 AM

To: Tye S. Hanseen; David Lee; Norma Ramirez

Cc: Terry Coffing

Subject: RE: Far West Industries v. Mona, et al.--judgment debtor examination [IWOV-iManage.FID806603]

Nice to have you on board, Tye. I left a message on you phone on Wednesday; I would like to obtain some mutually agreeable dates for Mr.. Mona's debtor's exam. Please contact my assistant, Norma Ramirez, with dates that you and your client are available in March. If I do not hear from you by the close of business on Monday, I will have no choice but to set the debtor's examination unilaterally. Thanks.

5/14/2013

0092

John R. Hawley, Esq.
Lee, Hernandez, Landrum, Garofalo & Blake
7575 Vegas Drive, Suite 150
Las Vegas, Nevada 89128
(702) 880-9750
(702) 314-1210 fax
jhawley@lee-lawfirm.com

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From: Tye S. Hanseen [<mailto:thanseen@maclaw.com>]
Sent: Tuesday, February 19, 2013 4:54 PM
To: David Lee; John Hawley
Cc: Terry Coffing
Subject: Far West Industries v. Mona, et al.--judgment debtor examination [IWOV-iManage.FID806603]

Afternoon John. Hope you are well.

We wanted to let you and David know that Mike Mona will not be appearing at the judgment debtor exam in the morning. Although we have some concerns regarding the timing and service of the notice and related documents, we will be more than happy to work with your office in scheduling a mutually convenient time for the exam.

I attempted to give you and David a call, but your office indicated you were both unavailable and I ended up leaving a voice message for you.



MARQUIS AURBACH
COFFING

Tye S. Hanseen, Esq.
10001 Park Run Drive
Las Vegas, NV 89145
t | 702.207.6080
f | 702.856.8949
thanseen@maclaw.com | [vcard](#)
maclaw.com



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5/14/2013

0093

speak to the sender of the communication. Also please e-mail the sender and notify the sender immediately that you have received the communication in error.
Thank you. Marquis Aurbach Coffing - Attorneys at Law

5/14/2013

0094

EXHIBIT “D”

John Hawley

From: Tye S. Hanseen [thanseen@maclaw.com]
Sent: Wednesday, March 27, 2013 3:14 PM
To: John Hawley
Cc: Norma Ramirez
Subject: RE: Far West Industries v. Mona, et al.--judgment debtor examination [IWOV-iManage.FID806603]

Afternoon John. Hope all is well.

We provided April 4 and 5 as available dates back in February, but I don't think your client ever got back to you. Unfortunately, April 4-5 is out now and April 15-17 won't work for our side. We could do May 8, 9, 14, or 15. April 8 falls only a few weeks after April 17. Let me know.

From: John Hawley [mailto:jhawley@lee-lawfirm.com]
Sent: Monday, March 25, 2013 2:12 PM
To: Tye S. Hanseen
Cc: Norma Ramirez
Subject: RE: Far West Industries v. Mona, et al.--judgment debtor examination [IWOV-iManage.FID806603]

Hello, Tye:

My client contacted with dates that its representative is available for the Examination of Judgment Debtor. It appears that April 15, 16 and 17 are available. Please me know which of those dates best suits you and your client. Thanks.

John R. Hawley, Esq.
Lee, Hernandez, Landrum, Garofalo & Blake
7575 Vegas Drive, Suite 150
Las Vegas, Nevada 89128
(702) 880-9750
(702) 314-1210 fax
jhawley@lee-lawfirm.com

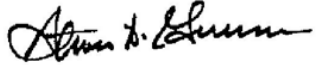
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From: Tye S. Hanseen [mailto:thanseen@maclaw.com]
Sent: Tuesday, February 26, 2013 10:11 AM
To: John Hawley
Subject: RE: Far West Industries v. Mona, et al.--judgment debtor examination [IWOV-iManage.FID806603]

5/14/2013

0096

EXHIBIT “E”



CLERK OF THE COURT

1 AMOR
John R. Hawley
2 Nevada Bar No. 001545
LEE, HERNANDEZ, LANDRUM,
3 GAROFALO & BLAKE
7575 Vegas Drive, Suite 150
4 Las Vegas, Nevada 89128
(702) 880-9750
5 Fax; (702) 314-1210
jhawley@leelawfirm.com
6

7 Attorneys for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

11 FAR WEST INDUSTRIES, a California
corporation,

12 Plaintiff,

13 vs.

14 RIO VISTA NEVADA, LLC, a Nevada
15 limited liability company; WORLD
DEVELOPMENT, INC., a California
16 corporation; BRUCE MAIZE, and individual;
MICHAEL J. MONA, JR., an individual;
17 DOES I through 100, inclusive,

18 Defendants.
19

CASE NO.: A-12-670352-F
DEPT: ~~24~~ 26

AMENDED ORDER FOR
EXAMINATION OF JUDGMENT
DEBTOR

21 AMENDED ORDER FOR EXAMINATION OF JUDGMENT DEBTOR

22 COMES NOW, Plaintiff, FAR WEST INDUSTRIES, a California corporation, by and
23 through their attorneys of record LEE, HERNANDEZ, LANDRUM, GAROFALO & BLAKE
24 and John R. Hawley Esq. and hereby provides an Amended Order for Examination of Judgment
25 Debtors.

26 Examination is scheduled for May 8th and 9th 2013 at the hour of 10:00 a.m. at Litigation
27 Services, 3770 Howard Hughes Parkway, Suite 300 Las Vegas, Nevada.
28

04-22-13A10:44 RCVD

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750


1 MICHAEL J. MONA, JR, individually, and MICHAEL J. MONA, JR., as Trustee of the
2 Mona Family Trust dated February 21, 2002 must produce responsive documents by May 3,
3 2013.

4 DATED this 24th day of April, 2013.

5
6 
7 DISTRICT COURT JUDGE 

8 Respectfully submitted by:

9 LEE, HERNANDEZ, LANDRUM,
10 GAROFALO & BLAKE, APC

11 By: 
12 JOHN R. HAWLEY, ESQ.
13 Nevada Bar No. 001545
14 7575 Vegas Drive, Suite 150
15 Las Vegas, Nevada 89128

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
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GAROFALO & BLAKE
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LAS VEGAS, NV 89128
(702) 880-9750

CERTIFICATE OF MAILING

Far West Industries vs. Rio Vista Nevada, LLC

I HEREBY CERTIFY that on the 29th day of April, 2013, I hereby certify that I served a copy of the above and foregoing Amended Order for Examination of Judgment Debtor via U.S. mail, in a sealed envelope, postage prepaid to the following counsel:

Tye S. Hanseen, Esq.
MARQUIS AURBACH COFFING
10001 Park Run Dr.
Las Vegas, NV 89145
702- 382-0711
Fax: 702-382-5816
Email: thanseen@maclaw.com
Attorney for Defendant

Howard Golds
BEST, BEST & KRIEGER LLP
3750 University Avenue # 400
Riverside, CA 92502

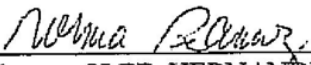

An employee of LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE, APC

EXHIBIT “F”

AFFIDAVIT OF JOHN R. HAWLEY, ESQ.
IN SUPPORT OF ORDER SHORTENING TIME

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

JOHN R. HAWLEY, being first duly sworn, testifies and states, as follows:

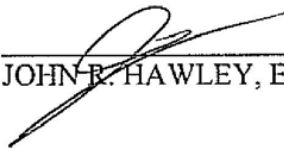
1. I am an attorney licensed to practice in the state of Nevada and I represent Far West Industries in this case.
2. I have personal knowledge of the facts contained in this affidavit except those matters which I state upon information in belief, and as to those matters I believe them to be true.
3. On Monday, May 6, 2013, I contacted Tye Hanseen, counsel for Michael J. Mona in this matter. Mr Hanseen informed me at that time that his firm had been terminated by Mr. Mona the previous week.
4. Mr. Hanseen also stated in that conversation that he did not know if Mr. Mona would appear at the examination of judgment debtor.
5. Undersigned counsel never received any documents from Mr. Mona as specified in this court's order of April 29, 2013.
6. Undersigned counsel appeared at the time and place set by this court of the examination of Mr. Mona as judgment debtor. Mr. Mona did not appear.
7. Mr. Mona did not contact my office at any time to state that he would not appear for the examination of judgment debtor as scheduled.
8. As a result of Mr. Mona's failure to appear, Far West Industries incurred attorneys fees in the amount of \$500 for my appearance at the examination of judgment debtor.
9. In addition, Far West Industries incurred costs in the amount of \$217

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GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

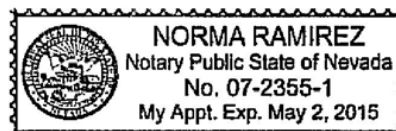
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GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

representing the per diem charge for the court reporter at the examination of
judgment debtor.

10. Further, this affiant sayeth naught.


JOHN R. HAWLEY, ESQ.

SWORN TO AND SIGNED BEFORE ME
THIS 15th DAY OF MAY, 2013.




NOTARY PUBLIC IN AND FOR SAID
COUNTY AND STATE

EXHIBIT “G”



MARQUIS AURBACH COFFING

DIRECT LINE: (702) 207-6080
DIRECT FAX: (702) 856-8949
EMAIL: THANSEEN@MACLAW.COM

ALBERT G. MARQUIS
PHILLIP S. AURBACH
AVECE M. HIGBEE
DALE A. HAYES
TERRY A. COFFING
JAY YOUNG
SCOTT A. MARQUIS
JACK CHEN MIN JUAN
FRANK M. FLANSBURG III
CRAIG R. ANDERSON
DAVID A. COLVIN
TERRY A. MOORE
GERALDINE TOMICH
NICHOLAS D. CROSBY
JASON M. GERBER
MICAH S. ECHOLS
SHANE W. CLAYTON
ERIK W. FOX
BRIAN R. HARDY

TYE S. HANSEEN
JOSHUA L. BENSON
LIANE K. WAKAYAMA
CANDICE E. RENKA
JAMIE A. FROST
BRIAN BLANKENSHIP
JACK F. DEGREE
CODY S. MOUNTEER
APRIL BECKER
CHAD F. CLEMENT
SHARA L. LARSON
TARA H. POPOVA
BENJAMIN T. AUTEN
KRISTIN L. GIFFORD
ERIC S. POWERS
CHRISTIAN T. BALDUCCI

JOHN M. SACCO
ZACHARIAH LARSON
OF COUNSEL

May 8, 2013

Via Email: jhawley@leelawfirm.com

John R. Hawley, Esq.
Lee, Hernandez, Landrum
Garofalo & Blake
7575 Vegas Drive, Suite 150
Las Vegas, Nevada 89128

Re: Mike Mona adv. Far West
Our File No. 4725-10

Dear Mr. Hawley:

This confirms our conversation on Monday that this law firm no longer represents Mr. Mona in this matter. Our understanding is that Mr. Mona is seeking new counsel.

Sincerely,

MARQUIS AURBACH COFFING

Tye S. Hanseen, Esq.

TSH:rw

MAC:04725-010 1975794_1

EXHIBIT “H”

NONAPPEARANCE OF MICHAEL J. MONA - 5/8/2013

DISTRICT COURT
CLARK COUNTY, NEVADA

FAR WEST INDUSTRIES, a California)	
corporation,)	
)	
Plaintiff,)	
)	
vs.)	CASE NO.: A-12-670352-F
)	DEPT. NO.: 26
RIO VISTA NEVADA, LLC, a Nevada)	
limited liability company; WORLD)	
DEVELOPMENT, INC., a California)	
corporation; BRUCE MAIZE, an)	
individual; MICHAEL J. MONA, JR.,)	
an individual; DOES I-100,)	
inclusive,)	
)	
Defendants.)	
)	

SCHEDULED DEPOSITION OF MICHAEL J. MONA
LAS VEGAS, NEVADA
WEDNESDAY, MAY 8, 2013

REPORTED BY: JACKIE JENNELLE, RPR, CCR #809
JOB NO. 181292

LITIGATION SERVICES & TECHNOLOGIES - (702) 648-2595

NONAPPEARANCE OF MICHAEL J. MONA - 5/8/2013

2 (Pages 2 to 5)

Page 2	Page 4
<p>1 SCHEDULED DEPOSITION OF MICHAEL J. MONA, 2 taken at 3770 Howard Hughes Parkway, Las Vegas, 3 Nevada on WEDNESDAY, MAY 8, 2013 at 10:00 a.m., 4 before Jackie Jennelle, Certified Court Reporter, in 5 and for the State of Nevada. 6 7 8 APPEARANCES: 9 For the Plaintiff: 10 LEE HERNANDEZ LANDRUM GAROFALO & BLAKE 11 BY: JOHN R. HAWLEY, ESQ. 12 7575 Vegas Drive, No. 150 13 Las Vegas, Nevada 89128 14 (702) 880-9750 15 16 Also Present: 17 Albert Lissoy 18 19 20 21 22 23 24 25</p>	<p>1 LAS VEGAS, NEVADA 2 WEDNESDAY, MAY 8, 2013; 10:00 a.m. 3 -o0o- 4 MR. HAWLEY: This is the time and place set 5 for the examination of judgement debtor of Michael 6 J. Mona, individually, and Michael J. Mona as 7 trustees of the Mona Family Trust. 8 The examination was set for 10:00 a.m., 9 today Wednesday, May 8, 2013. It's now 10:30 a.m. 10 Mr. Mona has not appeared. 11 For the record I will state that I have 12 been in contact with Mr. Mona's attorney, Tye 13 Hanseen. Mr. Hanseen informed me on Monday that 14 Mr. Mona had terminated his firm because he felt 15 they were being too accommodating. 16 Also, for the record, Exhibit A will be the 17 original order for the appearance of the judgement 18 debtor, Mr. Mona. 19 Exhibit B will be some E-correspondence 20 between myself and Mr. Hanseen regarding the date of 21 this particular examination. 22 And Exhibit C will be the amended order 23 entered by the Court on April 29, 2013 setting this 24 particular examination. 25 We will now be seeking sanctions and we'll</p>
Page 3	Page 5
<p>1 I N D E X 2 3 SCHEDULED WITNESS: MICHAEL J. MONA 4 5 EXHIBITS MARKED 6 EXHIBIT PAGE 7 Exhibit A Original Order For the 5 8 Appearance of the Judgement 9 Debtor 10 Exhibit B E-Correspondence Between 5 11 Mr. Hawley and Mr. Hanseen 12 Exhibit C Amended Order Entered By the 5 13 Court on April 29, 2013 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p>1 be seeking an order to show cause why Mr. Mona 2 should not be held in contempt. 3 One notable part of this order that was 4 entered on April 29, 2013 was that not only was 5 Mr. Mona required to appear today, but he was also 6 required to produce documents responsive to the 7 exhibit requesting documents in the original order 8 for Examination of Judgement Debtor. 9 He was supposed to produce those by last 10 Friday, May 3, 2013, and he did not do so. 11 So, therefore, like I said, we will be show 12 causing an order to show cause why Mr. Mona will not 13 be, and I believe this proceeding is closed. 14 (Exhibit A Original Order For the Appearance of the 15 Judgement Debtor marked.) 16 (Exhibit B E-Correspondence Between Mr. Hawley and 17 Mr. Hanseen marked.) 18 (Exhibit C Amended Order Entered By the Court on 19 April 29, 2013 marked.) 20 ----- 21 22 (Proceedings concluded.) 23 24 25</p>

Page 6

CERTIFICATE OF REPORTER

STATE OF NEVADA)

) SS:

COUNTY OF CLARK)

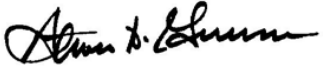
I, Jackie Jennelle, a duly commissioned
Notary Public, Clark County, State of Nevada, do
hereby certify: That I reported the scheduled
deposition of MICHAEL J. MONA, commencing on
WEDNESDAY, MAY 8, 2013, at 10:00 a.m.

That I thereafter transcribed my said
shorthand notes into typewriting and that the
typewritten transcript is a complete, true and
accurate transcription of my said shorthand notes.

I further certify that I am not a relative
or employee of counsel, of any of the parties, nor a
relative or employee of the parties involved in said
action, nor a person financially interested in the
action.

IN WITNESS WHEREOF, I have set my hand in my
office in the County of Clark, State of Nevada, this
8th day of May, 2013.

JACKIE JENNELLE, RPR, CCR #809



CLERK OF THE COURT

1 **OBJ**

2 JOHN W. MUIJE & ASSOCIATES

3 JOHN W. MUIJE, ESQ.

4 Nevada Bar No. 2419

5 1320 S. Casino Center Blvd.

6 Las Vegas, Nevada 89104

7 Telephone: 702-386-7002

8 Facsimile: 702-386-9135

9 E-Mail: jmuije@muijeandvarricchio.com

10 Attorneys **SPECIALLY APPEARING**

11 **FOR JUDGMENT DEBTORS MICHAEL J. MONA, JR.,**

12 **AND MICHAEL J. MONA, JR., as trustee of the**

13 **MONA FAMILY TRUST DATED FEBRUARY 21, 2002**

14 **DISTRICT COURT**

15 **CLARK COUNTY, NEVADA**

16 FAR WEST INDUSTRIES, a California
17 corporation,

18 Plaintiff,

19 vs

20 RIO VISTA NEVADA, LLC, a Nevada limited
21 liability company; WORLD DEVELOPMENT,
22 INC., a California corporation; BRUCE MAIZE,
23 an individual; MICHAEL J. MONA, JR., an
24 individual; DOES I through 100, inclusive,

25 Defendants

Case No. : A-12-670352-F

Dept. No.: XXVI

HEARING DATE: May 31, 2013

HEARING TIME: 9:00 a.m.

26 **SPECIAL APPEARANCE**

27 **AND**

28 **OBJECTION TO FURTHER PROCEEDINGS ON ORDER TO SHOW CAUSE**
PREDICATED UPON LACK OF PERSONAL JURISDICTION

COMES NOW Judgment-Debtors, MICHAEL J. MONA, JR., and Michael J. Mon,
Jr., as trustee of the Mona Family Trust Dated February 21, 2002, (hereinafter collectively referred
to as "MONA"), and by and through John W. Muije, Esq., of the law firm of John W. Muije &
Associates, who specially appears solely and strictly for the purposes of challenging the propriety

LAW OFFICES
JOHN W. MUIJE & ASSOCIATES
1320 S. CASINO CENTER BOULEVARD
LAS VEGAS, NEVADA 89104
Phone: (702) 386-7002 Fax: (702) 386-9135

1 of the trust proceedings, including but not limited to the Plaintiff's Motion For Order to Show Cause,
2 predicated upon this Court's lack of personal jurisdiction over Mona at this time

3 This Objection to Further Proceedings on Order to Show Cause Predicated upon Lack of
4 Personal Jurisdiction is made and based upon the Points and Authorities that follow, all of the
5 pleadings and documents on file herein, and the arguments to be adduced at the hearing hereon.
6

7 DATED this 30th day of May, 2013.

8 ~~JOHN W. MUIJE & ASSOCIATES~~

9 By: 

10 JOHN W. MUIJE, ESQ.

11 Nevada Bar No. 2419

12 1320 S. Casino Center Blvd

13 Las Vegas, NV 89104

14 Phone: 702-386-7002

15 Facsimile: 702-386-9135

16 Email: jmuje@muijeandvarricchio.com

17 Attorney **SPECIALY APPEARING**

18 **FOR JUDGMENT DEBTORS MICHAEL J.**

19 **MONA, JR., AND MICHAEL J. MONA, JR., as**

20 **trustee of the MONA FAMILY TRUST DATED**

21 **FEBRUARY 21, 2002**

22 **POINTS AND AUTHORITIES**

23 **I.**

24 **LACK OF JURISDICTION TO PROCEED**

25 Plaintiff Far West Industries, a California corporation, (hereinafter referred to as "Far
26 West"), has filed this matter with the Eighth Judicial District Court under the procedures
27 provided for registering a Foreign Judgment, NRS 17.330, *et seq.* Far West indicates the
28 registration history and correctly advises the Court that no challenge to the registration of said
Judgment has yet occurred. The undersigned counsel, specially appearing for the Judgment
Debtor Mona, does not at this time challenge those statements.

1 The problem with the current matter before the Court, however, is that the Court has not
2 yet acquired personal jurisdiction over Mona. In this regard it should be noted that NRS 17.330
3 as regards registering foreign judgment does not even require that a Judgment Debtor be a
4 resident of Nevada, or that the Judgment Debtor have any significant contacts with the State of
5 Nevada. It merely requires the filing of certain specified documentation, and mailing of notice to
6 the debtor's last known address, whether that address be in Nevada or Outer Mongolia.

8 The registration of a judgment merely allows efforts to enforce the judgment, as for
9 example, by Writ of Execution, commencing 30 days after the Notice of Filing. NRS 17.360(3).

10 A standard post-judgment remedy, utilized by many counsel representing Judgment-
11 Creditors, is to seek to invoke a sworn debtor examination under the provisions set forth at NRS
12 21.270 *et seq.* Indeed, Far West in its current moving papers specifically cites that statute, while
13 overlooking a fundamental requirement thereof. In this regard, NRS 21.270(3) provides:

15 A Judgment Debtor who is regularly served with an Order
16 issued pursuant to this section ...

17 (Emphasis Supplied).

18 The language "regularly served" is a term of the legal art, and has been specifically
19 referenced in a dozen or more Nevada Supreme Court decisions, all of which analyze that
20 specific language in terms of service of process. Service of process on an individual is governed
21 by NRCP 4(d)(6) which provides as follows:

23 (6) *Service upon individuals.* In all other cases the
24 defendant personally, or by leaving copies thereof at the
25 defendant's dwelling house or usual place of abode with some
26 person of suitable age and discretion then residing therein, or by
delivering a copy of the summons and complaint to an agent
authorized by appointment or by law to receive service of process.

27 (Emphasis Supplied).
28 . . .

1 The undersigned counsel for specially appearing Judgment Debtor Mona hereby verifies,
2 as an officer of the Court, that he has spoken with Mona on multiple occasions and that Mona
3 has affirmatively indicated that he has never been personally served in this matter, as required
4 under NRCP 4(d)(6). Indeed, even a cursory examination of the Court's docket, and the papers
5 filed herein, show no evidence whatsoever of personal service of process. The two documents
6 alluding to "service" were filed on November 7th and November 9th, 2012, merely suggests
7 attempted compliance with the requirements of NRS 17.360(2), i.e., that to complete registration
8 of a foreign judgment notice of the filing must be sent by certified mail to the last known address
9 of the judgment debtor. As noted hereinabove, the registration of a foreign judgment is separate,
10 distinct and different from original process. The registration has requirements in and of itself,
11 which requirements are different from those required for proper original service of process, under
12 NRCP 4(d)(6).

15 The Nevada Supreme Court has had occasion to examine the issue of lack of jurisdiction
16 in the context of failure to effectuate personal service. *C. H. A. Venture vs. G. C. Wallace*
17 *Consulting Engineers, Inc.*, 106 Nev. 381, 794 P. 2d 707 (1990). In that matter, the Supreme
18 Court not only held that failure to properly effectuate service of process deprived the Court of
19 personal jurisdiction, but further held that knowledge and notice regarding the pendency of the
20 litigation was not an adequate substitute for properly undertaken personal service. *C. H. A.*
21 *Venture vs. G. C. Wallace Consulting, supra*, 106 Nev., at 383-384. In this regard, the specific
22 pronouncements of the Nevada Supreme Court were:
23

25 "We reemphasize that F&P is a partnership consisting of two
26 California corporations. In order to obtain jurisdiction over the partnership
27 and bring it before the court, at least one of the partners had to be properly
28 served in its corporate capacity."

1 "Jurisdiction over foreign corporations may be accomplished under
2 Nevada law by complying with the procedures set forth in NRCP 4(d)(2) or
3 NRS 14.030. Because respondent failed to effectuate service under either
4 provision and contented itself with service upon Arciero's wife, jurisdiction
5 over F&P did not attach. The district court therefore was powerless to enter
6 any form of valid judgment imposing liability against F&P."

7 "Although lack of effective service on F&P is dispositive of this
8 appeal, we are not unmindful of Wallace's contention that because F&P had
9 actual notice of action through participation in the litigation by Arciero, an
10 effective substitute for service of process should be deemed to have
11 occurred. Unfortunately for Wallace, notice is not a substitute for service of
12 process. Personal service or a legally provided substitute must still occur in
13 order to obtain jurisdiction over a party. See *In Re Abrams*, 166 Cal. Rptr.
14 749 (Cal.App. 1980); *LaMotte vs. Constantine*, 416 N.E.2d 23 (Ill. App.
15 1980); *McMullen vs. Arnone*, 437 N.Y.S.2d 373 (N.Y.App.Div. 1981). F&P
16 is a legal entity separate from Arciero and must necessarily be treated as such.
17 Accordingly, service on Arciero as an individual could not bind F&P, the
18 general partnership, or its member corporations."

19 (Emphasis Supplied).

20 II.

21 CONCLUSION

22 Far West is attempting to put the cart before the horse. They are seeking the issuance of an
23 Order to Show Cause by the Court as to why Mona should not be held in contempt, without ever
24 having demonstrated that the Court's Order upon which they rely was properly or validly served
25 upon Mona.

26 . . .

27 . . .

28 . . .

. . .

. . .

. . .

. . .

LAW OFFICES
JOHN W. MUIJE & ASSOCIATES
1320 S. CASINO CENTER BOULEVARD
LAS VEGAS, NEVADA 89104
Phone: (702) 386-7002 Fax: (702) 386-8135

1 The Court in this matter has not and will not obtain personal jurisdiction over Mona until
2 such time as Mona is "regularly served". Since that has not occurred, the Court is without
3 jurisdiction to proceed in the manner requested, and the pending motion should be summarily
4 denied, with prejudice.

5 Dated this 30th day of May, 2013.

6
7 JOHN W. MUIJE & ASSOCIATES

8 By: 

9 JOHN W. MUIJE, ESQ.

10 Nevada Bar No. 2419

11 1320 S. Casino Center Blvd

12 Las Vegas, NV 89104

13 Phone: 702-386-7002

14 Facsimile: 702-386-9135

15 Email: jmuje@muijeandvarricchio.com

16 Attorney **SPECIALLY APPEARING**

17 **FOR JUDGMENT DEBTORS MICHAEL J.**

18 **MONA, JR., AND MICHAEL J. MONA, JR., as**

19 **trustee of the MONA FAMILY TRUST DATED**

20 **FEBRUARY 21, 2002**

EXHIBIT "A"

Judgment Debtor Exam of MICHAEL J. MONA, JR, individually, and MICHAEL J. MONA, JR., as Trustee of the Mona Family Trust dated February 21, 2002

LIST OF DOCUMENTS AND THINGS TO BE PRODUCED BY

MICHAEL J. MONA, JR, individually, and MICHAEL J. MONA, JR., as Trustee of the Mona Family Trust dated February 21, 2002, AT DEBTOR'S EXAMINATION. ("You" and "Your" refers herein to MICHAEL J. MONA, JR, individually, and MICHAEL J. MONA, JR., as Trustee of the Mona Family Trust dated February 21, 2002).

1. Any and all Federal Employer Identification Numbers, Sales Tax Numbers, State Tax Numbers and City Tax Numbers.
2. Copies of any and all documents establishing and/or governing the Mona Family Trust dated February 21, 2002, and any amendments thereto.
3. A copy of each document showing your monthly income for the last 6 months.
4. A copy of each of your federal income tax returns with all schedules and any quarterly estimates of income taxes from 2005 through to the present.
5. A copy of each of your state income tax returns with all schedules and any quarterly income taxes from 2005 through to the present.
6. All "1099" forms reflecting income received by you for the last five (5) years.
7. Records of any and all monies received by you whether in the nature of bonuses, reimbursement of expenses, wages or reimbursement of loans for the past five (5) years.
8. Documents reflecting all assets (real, personal or mixed), whether owned by you individually, in any partnership or corporation form or in joint tenancy or in tenancy in common for the past five (5) years.
9. A copy of all documents related to any real assets (land, buildings, and any other commercial or residential real estate) in which you have any interest, as well as any appraisals prepared on such assets. The requested documents specifically include but not limited to all Deeds, Deeds of Trust, Mortgage Applications, Closing Statements, coupon books, statements of account, credit reports, title

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LAS VEGAS, NV 89128
(702) 880-9750

- insurance policies, and all other information in any way reflecting your involvement with, your ownership of, or your transactions as regards real estate or other property owned by you.
10. A copy of any and all lease(s) which you have signed, including, but not limited to, residential, commercial, and automotive. These leases do not need to be owned by you but can be regarding real estate or other property not owned by you but for which regular monthly lease payments are made.
 11. A copy of all statements, and a copy of each check register for each account, for each and every financial institution (including but not limited to all banks, savings and loans, credit unions, and brokerage houses) where you have an account, where you have signature authority on an account, or in which you have held or now hold an interest from January 2005 through to the present.
 12. A copy of all bank statements, deposit slips, and canceled checks for all bank, money market accounts which you own or in which you owned any interest whatsoever, or on which you were authorized to draw checks, whether said documents were in your name alone, in the name of another person/entity, or in the name of another and yourself as joint tenants, for the period of three (3) years prior to the date hereof.
 13. All savings account passbooks, bank statements and certificates of deposit for any and all accounts, in which you owned any interest whatsoever, or from which you were authorized to make withdrawals, whether said accounts were in your name alone, in the name of any other person, or in your name and another as joint tenants, for the period of five (5) years prior to the date hereof.
 14. All records regarding safe deposit boxes and any certificates of stocks and bonds belonging to you or in which you have had any interest direct, indirect, contingent, beneficial, or otherwise, whatsoever either alone or jointly with any other person for five (5) years preceding the date of this Order.
 15. All stocks, bonds, debentures or other securities, which you personally own or claim any interest to or had any interest in whether such interest was direct, indirect, contingent, beneficial, or otherwise, either alone or jointly with any other person for five (5) years preceding the date of this Order.
 16. All life insurance policies naming you as beneficiary whether direct, indirect, contingent, beneficial, or otherwise, therein.
 17. A copy of all certificates of title or any other documents evidencing your ownership with respect to any automobiles, motorcycles, trucks, RVs, ATVs, jet skis, boats, trailers, airplanes, or any other type of vehicle, which you now own, claim any interest in, or regularly derive.

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GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

18. All evidence of any and all notes, contracts, negotiable instruments, receivable or accounts receivable whether due or not due belonging to you or in which you have or have had any interest whosoever either alone or jointly with any other person or persons for five (5) years preceding the date of this Order.
19. A list of real property owned by you and, if occupied by Tenants, please state the following:
 - a. Tenants' names;
 - b. Tenants' address;
 - c. amount of monthly rent.
20. Documents relating to evidence of each and every credit card in your name or jointly with another person/entity, together with copies of all statements submitted by said credit companies for the last five (5) years.
21. All fire, burglary, and extended coverage insurance policies now in force upon any real estate or personal property (including copies of insurance inventories) owned by you or in which you have or have had any interest whatsoever either alone or jointly with any other person(s)/entity(ies) for five (5) years preceding the date of this Order.
22. All titles, bills of sale, or contracts of sale upon personal property, including but not limited to, stocks, bonds, memberships, or partnership interests, automobiles, boats, airplanes, household goods, miscellaneous furniture and fixtures belonging to you or in which you have or have had any interest (direct or indirect, beneficial or otherwise), whatsoever either alone or jointly with any other person or persons for five (5) years preceding the date of this Order.
23. A complete inventory of all items of personal property owned by you, of any nature whatsoever, including automobiles, boats, airplanes, household fixtures, furnishings, and appliances, whether paid for or not. If the personal property is not in your possession and in the possession of another person, designate the name and address of the person having possession of the property.
24. Copies of all financial statements given by you, either individually or jointly with another person or as a corporation, to any third party at any point during the past five (5) years preceding the date of this Order.
25. A statement listing all of your debts and obligations.
26. All automobile or personal property casualty or collision or all risk insurance policies presently owned by you.
27. A copy of all records pertaining to the acquisition, transfer and sale of all securities, in which you have had an interest from at least five (5) years prior to the date hereof to the present.

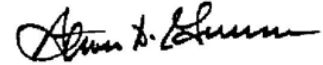
LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

- 1 28. A copy of all evidence of mining claims, patents or development work owned by
- 2 you or in which you have or have had any interest whatsoever either along or
- 3 jointly with any other person or persons for at least five (5) years immediately
- 4 preceding the date of this Order.
- 5 29. A copy of all documents which evidence any trademark, trade name, copyright, or
- 6 patent in which you have or have had an interest.
- 7 30. A copy of all general ledgers, accounting journals, financial statements or other
- 8 financial records prepared or maintained as regards your finances during the last
- 9 five (5) years.
- 10 31. A copy of any/all lawsuits, judgments, etc., which you may be a party to.
- 11 32. A copy of all loan applications used for any purpose whatsoever in the last five (5)
- 12 years.
- 13 33. A copy of your current plan and your most recent plan statement or summary plan
- 14 description for any deferred compensation in which you are a participant.
- 15 34. A copy of any and all agreements, of whatever kind, for the use of a safe deposit
- 16 box, safe or vault or other place of safekeeping.
- 17 35. A copy of each and every life insurance or annuity policy in which you hold a
- 18 beneficial interest.
- 19 36. Copies of all your corporate records, including Minutes (for the past 5 years),
- 20 Stock Transfer Ledgers and other "corporation" records.
- 21 37. Copies of any partnership or joint venture agreements and all correspondence
- 22 related thereto.
- 23 38. Copies of all of your business licenses.
- 24 39. Copies of any and all contracts to which you are a party entered into within the last
- 25 five (5) years.
- 26 40. All records, which evidence charitable donations of \$100 or more up to personal
- 27 "gifts" with a value of more than \$100 made by you or on your behalf within the
- 28 last five (5) years.
41. Copies of any and all documents whereby you acquired or disposed of an interest
- in any business(es) within the last five (5) years.
42. Copies of any employment or consulting contracts to which you are a party.
43. Any notes owed to you.

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

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- 44. Copy of all accounts receivable documents, both current and for five (5) years prior to the date of this Order.
 - 45. All of your general ledgers, accounting journals, financial statements or other financial records prepared or maintained during the last five (5) years.
 - 46. A copy of each and every document evidencing each and every business in which you have, or had, an interest from 2005 through to the present.
 - 47. A copy of each and every profit and loss statement for each business in which you have, or had, an interest from 2005 through to the present.
 - 48. A copy of each financial statement or credit application prepared by you or on behalf of you and/or any business in which you have, or had, any interest, whether legal or equitable, in the past five (5) years.

EXHIBIT “C”


CLERK OF THE COURT

1 AMOR
2 DAVID S. LEE, ESQ.
3 Nevada Bar No. 6033
4 John R. Hawley
5 Nevada Bar No. 001545
6 LEE, HERNANDEZ, LANDRUM,
7 GAROFALO & BLAKE
8 7575 Vegas Drive, Suite 150
9 Las Vegas, Nevada 89128
10 (702) 880-9750
11 Fax; (702) 314-1210
12 dlee@lee-lawfirm.com
13 jhawley@lee-lawfirm.com

14 Attorneys for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

12 FAR WEST INDUSTRIES, a California
13 corporation,

14 Plaintiff,

15 vs.

16 RIO VISTA NEVADA, LLC, a Nevada
17 limited liability company; WORLD
18 DEVELOPMENT, INC., a California
19 corporation; BRUCE MAIZE, and individual;
20 MICHAEL J. MONA, JR., an individual;
21 DOES I through 100, inclusive,

22 Defendants.

CASE NO.: A-12-670352-F
DEPT: XXVI


AMENDED ORDER FOR
APPEARANCE OF JUDGMENT
DEBTORS

AMENDED ORDER FOR APPEARANCE OF JUDGMENT DEBTORS

23 COME NOW, Plaintiff, FAR WEST INDUSTRIES, a California corporation, by and
24 through their attorneys of record LEE, HERNANDEZ, LANDRUM, GAROFALO & BLAKE
25 and John R. Hawley Esq. and hereby provides an Amended Order for Appearance of Judgment
26 Debtors.
27
28

1 Appearance date of February 18, 2013 (President's Day) will be rescheduled to February
2 20, 2013 at the hour of 10:00 a.m. at Litigation Services, 3770 Howard Hughes Parkway, Suite
3 300 Las Vegas, Nevada.

4 DATED this 6 day of February, 2013.

5
6 
DISTRICT COURT JUDGE

7 Respectfully submitted by:

8 LEE, HERNANDEZ, LANDRUM,
9 GAROFALO & BLAKE, APC

10 By: 

11 JOHN R. HAWLEY, ESQ.

12 Nevada Bar No. 001545

13 7575 Vegas Drive, Suite 150

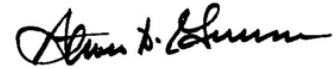
14 Las Vegas, Nevada 89128

A670352

Amnd 0

App. JD.

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750



CLERK OF THE COURT

1 **AMOR**
2 DAVID S. LEE, ESQ.
3 Nevada Bar No. 6033
4 John R. Hawley
5 Nevada Bar No. 001545
6 LEE, HERNANDEZ, LANDRUM,
7 GAROFALO & BLAKE
8 7575 Vegas Drive, Suite 150
9 Las Vegas, Nevada 89128
10 (702) 880-9750
11 Fax; (702) 314-1210
12 dlee@lee-lawfirm.com
13 jhawley@lee-lawfirm.com

14 Attorneys for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

12 FAR WEST INDUSTRIES, a California
13 corporation,

14 Plaintiff,

15 vs.

16 RIO VISTA NEVADA, LLC, a Nevada
17 limited liability company; WORLD
18 DEVELOPMENT, INC., a California
19 corporation; BRUCE MAIZE, and individual;
20 MICHAEL J. MONA, JR., an individual;
21 DOES I through 100, inclusive,

22 Defendants.

CASE NO.: A-12-670352-F
DEPT: XXVI

**SECOND AMENDED ORDER FOR
APPEARANCE OF JUDGMENT
DEBTORS**

23 **SECOND AMENDED ORDER FOR APPEARANCE OF JUDGMENT DEBTORS**

24 COME NOW, Plaintiff, FAR WEST INDUSTRIES, a California corporation, by and
25 through their attorneys of record LEE, HERNANDEZ, LANDRUM, GAROFALO & BLAKE
26 and John R. Hawley Esq. and hereby provides an Amended Order for Appearance of Judgment
27 Debtors.
28

1 Appearance date of February 20, 2013 will be rescheduled to March 14, 2013 at the hour
2 of 10:00 a.m. at Litigation Services, 3770 Howard Hughes Parkway, Suite 300 Las Vegas,
3 Nevada.

4 DATED this ____ day of February, 2013.

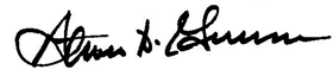
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6 
DISTRICT COURT JUDGE

7 Respectfully submitted by:

8 LEE, HERNANDEZ, LANDRUM,
9 GAROFALO & BLAKE, APC

10 By: /s/ John R. Hawley
11 JOHN R. HAWLEY, ESQ.
12 Nevada Bar No. 001545
13 7575 Vegas Drive, Suite 150
14 Las Vegas, Nevada 89128

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750



CLERK OF THE COURT

1 **AMOR**
John R. Hawley
2 Nevada Bar No. 001545
LEE, HERNANDEZ, LANDRUM,
3 GAROFALO & BLAKE
7575 Vegas Drive, Suite 150
4 Las Vegas, Nevada 89128
(702) 880-9750
5 Fax; (702) 314-1210
jrhawley@leelawfirm.com
6

7 Attorneys for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

11 FAR WEST INDUSTRIES, a California
corporation,

12 Plaintiff,

13 vs.

14 RIO VISTA NEVADA, LLC, a Nevada
15 limited liability company; WORLD
DEVELOPMENT, INC., a California
16 corporation; BRUCE MAIZE, and individual;
MICHAEL J. MONA, JR., an individual;
17 DOES I through 100, inclusive,

18 Defendants.
19

CASE NO.: A-12-670352-F
DEPT: ~~FF~~ 26

**AMENDED ORDER FOR
EXAMINATION OF JUDGMENT
DEBTOR**

AMENDED ORDER FOR EXAMINATION OF JUDGMENT DEBTOR

21 COMES NOW, Plaintiff, FAR WEST INDUSTRIES, a California corporation, by and
22 through their attorneys of record LEE, HERNANDEZ, LANDRUM, GAROFALO & BLAKE
23 and John R. Hawley Esq. and hereby provides an Amended Order for Examination of Judgment
24 Debtors.
25

26 Examination is scheduled for May 8th and 9th 2013 at the hour of 10:00 a.m. at Litigation
27 Services, 3770 Howard Hughes Parkway, Suite 300 Las Vegas, Nevada.
28

04-22-13A10:44 RCVD


1 MICHAEL J. MONA, JR, individually, and MICHAEL J. MONA, JR., as Trustee of the
2 Mona Family Trust dated February 21, 2002 must produce responsive documents by May 3,
3 2013.

4 DATED this 26th day of April, 2013.

5
6 
7 DISTRICT COURT JUDGE 

8 Respectfully submitted by:

9 LEE, HERNANDEZ, LANDRUM,
10 GAROFALO & BLAKE, APC

11 By: 
12 JOHN R. HAWLEY, ESQ.
13 Nevada Bar No. 001545
14 7575 Vegas Drive, Suite 150
15 Las Vegas, Nevada 89128
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LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

CERTIFICATE OF MAILING

Far West Industries vs. Rio Vista Nevada, LLC

I HEREBY CERTIFY that on the 29th day of April, 2013, I hereby certify that I served a copy of the above and foregoing Amended Order for Examination of Judgment Debtor via U.S. mail, in a sealed envelope, postage prepaid to the following counsel:

Tye S. Hanseen, Esq.
MARQUIS AURBACH COFFING
10001 Park Run Dr.
Las Vegas, NV 89145
702- 382-0711
Fax: 702-382-5816
Email: thanseen@maclaw.com
Attorney for Defendant

Howard Golds
BEST, BEST & KRIEGER LLP
3750 University Avenue # 400
Riverside, CA 92502

Norma Ramirez
An employee of LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE, APC

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

1 **MOSC**

2 John R. Hawley
3 Nevada Bar No. 001545
4 LEE, HERNANDEZ, LANDRUM,
5 GAROFALO & BLAKE
6 7575 Vegas Drive, Suite 150
7 Las Vegas, Nevada 89128
8 (702) 880-9750
9 Fax: (702) 314-1210
10 jhawley@lee-lawfirm.com

11 Attorneys for Plaintiff

12 **DISTRICT COURT**

13 **CLARK COUNTY, NEVADA**

14 FAR WEST INDUSTRIES, a California
15 corporation,

16 Plaintiff,

17 vs.

18 RIO VISTA NEVADA, LLC, a Nevada
19 limited liability company; WORLD
20 DEVELOPMENT, INC., a California
21 corporation; BRUCE MAIZE, and individual;
22 MICHAEL J. MONA, JR., an individual;
23 DOES I through 100, inclusive,

24 Defendants.

25 **CASE NO.: A-12-670352-F**
26 **DEPT: XXVI**

27 **MOTION FOR ORDER TO SHOW**
28 **CAUSE REGARDING CONTEMPT ON**
ORDER SHORTENING TIME

29 **MOTION FOR ORDER TO SHOW CAUSE REGARDING CONTEMPT**
30 **ON ORDER SHORTENING TIME**

31 COMES NOW, Plaintiff, FAR WEST INDUSTRIES, a California corporation, by and
32 through their attorneys of record LEE, HERNANDEZ, LANDRUM, GAROFALO & BLAKE
33 and John R. Hawley Esq. and hereby submit Motion for Order to Show Cause Regarding
34 Contempt on Order Shortening Time.

35 This motion is made and based upon the following Points and Authorities, all pleadings

36 //

Electronically Filed
05/21/2013 09:23:53 AM


CLERK OF THE COURT

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

1 and papers on file herein and any oral argument that may be heard at the time of hearing of this
2 matter .

3 DATED this 15th day of May, 2013.

4 LEE, HERNANDEZ, LANDRUM,
5 GAROFALO & BLAKE, APC

7 By:

8 DAVID S. LEE, ESQ.

9 Nevada Bar No. 6033

10 JOHN R. HAWLEY, ESQ.

11 Nevada Bar No. 1545

12 7575 Vegas Drive, Suite 150

13 Las Vegas, Nevada 89128

14 Attorneys for FAR WEST INDUSTRIES

15 **NOTICE OF HEARING**

16 TO: ALL PARTIES AND THEIR COUNSEL OF RECORD:

17 YOU AND EACH OF YOU WILL PLEASE TAKE NOTICE that the undersigned will
18 bring the above and foregoing **NOTICE OF HEARING**, on for hearing before the Court at the
19 courtroom of the above-entitled Court on the 31st day of May 2013, at 9:00 Am., of
20 said day in Department XXVI of said Court.

21 DATED this 15th day of May, 2013.

22 LEE, HERNANDEZ, LANDRUM,
23 GAROFALO & BLAKE, APC

24 By:

25 DAVID S. LEE, ESQ.

26 Nevada Bar No. 6033

27 JOHN R. HAWLEY, ESQ.

28 Nevada Bar No. 1545

7575 Vegas Drive, Suite 150

Las Vegas, Nevada 89128

Attorneys for FAR WEST INDUSTRIES

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

MOTION FOR ORDER SHORTENING TIME

COMES NOW Plaintiff, SECURED FIBRES, INC., a Nevada corporation (hereinafter
“SF”), by and through its attorneys, LEE, HERNANDEZ, LANDRUM, GAROFALO, &
BLAKE, APC, and moves this Honorable Court for an order shortening the time period for the
Court to hear SF’s Motion for Leave to Submit Additional Evidence, This Motion for an Order
Shortening Time is made pursuant to EDCR 2.26 and based upon the affidavit of counsel filed
concurrently herewith.

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LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

AFFIDAVIT OF JOHN R. HAWLEY, ESQ.
IN SUPPORT OF ORDER SHORTENING TIME

STATE OF NEVADA)
) ss:
COUNTY OF CLARK)

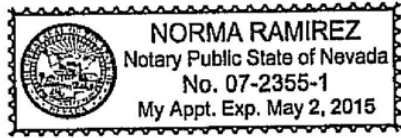
JOHN R. HAWLEY, being first duly sworn, testifies and states, as follows:

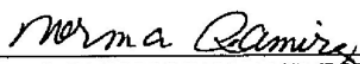
1. I am and all time relevant hereto have been an attorney licensed to practice in the State of Nevada, and qualified to practice in this district.
2. I was retained to represent the plaintiff in this matter.
3. Undersigned counsel respectfully requests that this court issue an Order Shortening Time so that the judgment debtor cannot use a delay in the proceedings to hide assets, or otherwise prejudice the execution proceedings.
4. Further, this affiant sayeth naught.



JOHN R. HAWLEY, ESQ.

SWORN TO AND SIGNED BEFORE ME
THIS 15th DAY OF MAY, 2013.





NOTARY PUBLIC IN AND FOR SAID
COUNTY AND STATE

1 **ORDER SHORTENING TIME**

2
3 TO: ALL PARTIES AND THEIR COUNSEL OF RECORD:

4 Having read and considered the foregoing Affidavit of JOHN R. HAWLEY, ESQ., in
5 support of an Order Shortening Time, and good cause appearing therefore,

6 IT IS HEREBY ORDERED that the time for hearing the above and foregoing **MOTION**
7 **FOR ORDER TO SHOW CAUSE REGARDING CONTEMPT ON ORDER**

8 **SHORTENING TIME** is hereby shortened to the 31st day of May, 2013 at
9 .m., of 9:00 a.m./p.m. before Department XXVI of said Court.

10
11 DATED this 17th day of May, 2013.

12
13 
14 **DISTRICT COURT JUDGE**
15 

16 Submitted by:

17 **LEE, HERNANDEZ, LANDRUM,**
GAROFALO & BLAKE

18 By: /s/ John R. Hawley, Esq.
19 DAVID S. LEE, ESQ.
20 Nevada Bar No. 6033
21 JOHN R. HAWLEY, ESQ.
22 Nevada Bar No. 1545
23 7575 Vegas Drive, Suite 150
24 Las Vegas, NV 89128

25 Attorneys for Plaintiff
26
27
28

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

1 **POINTS AND AUTHORITIES**

2 COMES NOW, Plaintiff, FAR WEST INDUSTRIES, a California corporation, by and
3 through their attorneys of record LEE, HERNANDEZ, LANDRUM, GAROFALO & BLAKE
4 and John R. Hawley Esq. and hereby submit Motion for Order to Show Cause Regarding
5 Contempt on Order Shortening Time.

6 **STATEMENT OF FACTS**

7
8 On October 18, 2012, FAR WEST INDUSTRIES (FAR WEST) domesticated a
9 California judgment in Clark County in the amount of approximately Ten Million Dollars against
10 defendants MICHAEL J. MONA, individually, and MICHAEL J. MONA as trustee of the
11 MONA FAMILY TRUST DATED February 21, 2002 (collectively referred to herein as
12 MONA). *See* Ex. A. MONA was properly served with the domesticated judgment, failed to
13 pursue any challenge to the domesticated judgment in this court.

14 On January 17, 2013, Far West obtained from this court an order requiring MONA to
15 appear at an Examination of Judgment Debtor. *See* Ex. B. MONA then retained counsel, and
16 dates for the examination were negotiated. *See* Ex. C. Ultimately, MONA proposed, through
17 counsel, May 8 & 9, 2013, as dates for the Examination of Judgment Debtor. *See* Ex. D. This
18 court subsequently ordered MONA to appear for the Examination of Judgment Debtor on May 8
19 & 9, 2013, and also required that MONA produce documents responsive to FAR WEST's earlier
20 requests no later than May 3, 2013. *See* Ex. E.

21
22 MONA failed to produce the required documents as ordered on May 3, 2013. *See* Ex. F.
23 On May 6, 2013, Moná's counsel was contacted by telephone, and asked if MONA was going to
24 produce the required documents. *Id.* MONA's counsel responded that MONA had terminated his
25 firm's representation, and that he did not know if MONA would be producing the documents, or
26 appearing at the Examination of Judgment Debtor. *Id.* MONA'S former counsel subsequently
27
28

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

1 sent a letter to undersigned counsel, confirming that his firm no longer represented MONA in this
2 matter. *See* Ex. G.

3 On May 8, 2013, undersigned counsel appeared for the scheduled Examination of
4 Judgment Debtor. *See* Ex. H. MONA failed to appear as previously ordered by this court. *Id.*
5 This motion follows.

6 ARGUMENT

7
8 It is well settled that this court is empowered to direct the course of execution on a
9 judgment. *See Eikelberger v. Lonergan Corporation*, 92 Nev. 284, 549 P.2d 748 (1976).
10 Moreover, NRS 21.270 authorizes examinations of judgment debtors, and provides:

11 1. A judgment creditor, at any time after the judgment is
12 entered, is entitled to an order from the judge of the court requiring
13 the judgment debtor to appear and answer upon oath or affirmation
concerning his or her property, before:

14 (a) The judge or a master appointed by the judge; or
15 (b) An attorney representing the judgment creditor,
at a time and place specified in the order. No judgment debtor may
16 be required to appear outside the county in which the judgment
debtor resides.

17 2. If the judgment debtor is required to appear before any person
other than a judge or master:

18 (a) The oath or affirmation of the judgment debtor must be
administered by a notary public; and

19 (b) The proceedings must be transcribed by a court reporter or
20 recorded electronically. The transcript or recording must be
preserved for 2 years.

21 3. **A judgment debtor who is regularly served with an order
issued pursuant to this section, and who fails to appear at the
time and place specified in the order, may be punished for
contempt by the judge issuing the order.**

22
23 (Emphasis added). *See also*, NRS 22.010(3) (defining contempt as "Disobedience or resistance to
24 any lawful writ, order, rule or process issued by the court or judge at chambers").

25 Finally, EDCR 7.60 provides, in pertinent part:

26 (b) The court may, after notice and an opportunity to be heard, impose upon
27 an attorney or a party any and all sanctions which may, under the facts of the
case, be reasonable, including the imposition of fines, costs or attorney's fees
28

when an attorney or a party without just cause:

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

In the present case, MONA never challenged the validity of the foreign judgment that was domesticated by this court, and never presented any reason to this court that would justify a stay of these execution proceedings. *See, e.g.*, NRS 17.370. Indeed, MONA instead elected to act through counsel and to appear to cooperate in the scheduling of the Examination of Judgment Debtor. As noted above the Examination of Judgment Debtor was scheduled for dates that were proposed by MONA. Importantly, MONA never notified undersigned counsel that he could not appear for as ordered for the Examination of Judgment Debtor.

To make a long story short, MONA was ordered to appear at the Examination of Judgment Debtor, and failed without excuse to appear as ordered. FAR WEST respectfully requests that this court issue an order requiring MONA to show cause why he should not be held in contempt of this court pursuant to NRS 21.270, *supra*. In addition, as set forth in Exhibit F, Far West incurred attorney's fees in the amount of \$500 for appearing at the aborted proceeding, and incurred costs in the amount of \$217 for the court reporter to appear at the proceeding. FAR WEST respectfully requests further that this court award its attorneys and costs as set forth above in the amount of \$717 pursuant to EDCR 7.60 as a sanction for MONA'S willful

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1 failure to appear in this matter.

2 DATED this 17 day of May, 2013.

3 LEE, HERNANDEZ, LANDRUM,
4 GAROFALO & BLAKE, APC

6 By: 

7 DAVID S. LEE, ESQ.

8 Nevada Bar No. 6033

9 JOHN R. HAWLEY, ESQ.

10 Nevada Bar No. 1545

11 7575 Vegas Drive, Suite 150

12 Las Vegas, Nevada 89128

13 Attorneys for FAR WEST INDUSTRIES

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

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CERTIFICATE OF MAILING

Far West Industries vs. Rio Vista Nevada, LLC

I HEREBY CERTIFY that on the 15th day of May, 2013, I hereby certify that I served a copy of the above and foregoing Motion for Order to Show Cause Regarding Contempt on Order Shortening Time via U.S. mail, in a sealed envelope, postage prepaid to the following counsel:

SEE ATTACHED SERVICE LIST

Norma Ramirez

An employee of LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE, APC

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

Far West Industries v. Rio Vista Nevada, LLC

Service List

Michael J. Mona, Jr.
2793 Red Arrow Drive
Las Vegas, Nevada 89135

Michael J. Mona, Jr., as trustee of the
Mona Family Trust
2793 Red Arrow Drive
Las Vegas, Nevada 89135

Howard Golds
BEST, BEST & KRIEGER LLP
3750 University Avenue # 400
Riverside, CA 92502

EXHIBIT “A”

CIVIL COVER SHEET A - 1 2 - 6 7 0 3 5 2 - F

Clark County, Nevada

I V

Case No. _____

(Assigned by Clerk's Office)

I. Party Information

Plaintiff(s) (name/address/phone):

Far West Industries

Attorney (name/address/phone):

David S. Lee, Esq.

Lee, Hernandez, Landrum, Garofalo & Blake, APC

7575 Vegas Drive, Suite 150

Las Vegas, Nevada 89128

(702) 880-9750

Defendant(s) (name/address/phone):

Rio Vista Nevada, LLC,

World Development, Inc.,

Bruce Maize,

Michael J. Mona, Jr.

Attorney (name/address/phone):

II. Nature of Controversy (Please check applicable bold category and applicable subcategory, if appropriate)

☐ Arbitration Requested

Civil Cases

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

Probate

Other Civil Filing Types

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

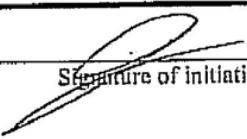
☐ NRS Chapters 78-88
☐ Commodities (NRS 90)
☐ Securities (NRS 90)

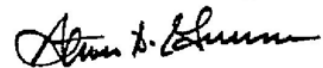
☐ Investments (NRS 104 Art. 8)
☐ Deceptive Trade Practices (NRS 598)
☐ Trademarks (NRS 600A)

☐ Enhanced Case Mgmt/Business
☐ Other Business Court Matters

October 18, 2012

Date


Signature of initiating party or representative



CLERK OF THE COURT

1 **FORJ**
John R. Hawley
2 Nevada Bar No. 001545
LEE, HERNANDEZ, LANDRUM,
3 GAROFALO & BLAKE
7575 Vegas Drive, Suite 150
4 Las Vegas, Nevada 89128
(702) 880-9750
5 Fax: (702) 314-1210
jhawley@leelawfirm.com

6
7 Attorneys for Plaintiff

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

10 FAR WEST INDUSTRIES, a California
11 corporation,

12 Plaintiff,

13 vs.

14 RIO VISTA NEVADA, LLC, a Nevada
limited liability company; WORLD
15 DEVELOPMENT, INC., a California
corporation; BRUCE MAIZE, and individual;
16 MICHAEL J. MONA, JR., an individual;
DOES I through 100, inclusive,

17
18 Defendants.

CASE NO.: A - 12 - 670352 - F

I V

APPLICAION OF FOREIGN
JUDGMENT

19 **AFFIDAVIT OF JOHN R. HAWLEY, ESQ.**

20
21 STATE OF NEVADA)
22 : ss.
23 COUNTY OF CLARK)

24 COMES NOW, JOHN R. HAWLEY, ESQ., being first duly sworn, and states as follows:

25 1. That Affiant is an attorney, duly licensed to practice in the State of Nevada and is a
26 member of the law firm of LEE, HERNANDEZ, LANDRUM, GAROFALO & BLAKE.
27
28

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

1 2. That Affiant is counsel of record for FAR WEST INDUSTRIES, a California
2 corporation in the instant matter.

3 3. That the name and last known address of the Judgment Debtors herein are as follows:

4 Michael J. Mona, Jr.
5 2793 Red Arrow Drive
6 Las Vegas, NV 89135

7 Michael J. Mona, Jr., as trustee of the Mona Family Trust dated February 21,
8 2002
9 2793 Red Arrow Drive
10 Las Vegas, NV 89135

11 4. That the name and address of the Judgment Creditor herein is as follows:


12 Far West Industries, a California corporation
13 2922 Daimler Street
14 Santa Ana, CA 89128

15 5. That the Judgment herein, a duly exemplified copy of which is attached hereto, is valid
16 and enforceable.


17 6. That no portion of the Judgment herein has been satisfied.

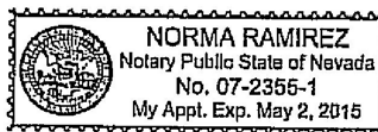
18 FURTHER Affiant sayeth naught.

19 DATED this 18th day of October, 2012,

20 
JOHN R. HAWLEY, ESQ.

21 SUBSCRIBED and SWORN to
22 before me this 18th day of
23 October, 2012.

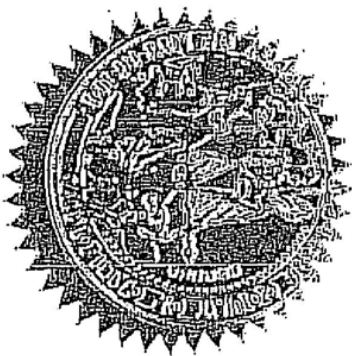
24
25
26 
27 NOTARY PUBLIC



28 (SEAL)

EXEMPLIFICATION CERTIFICATE

The documents to which this certificate is attached are full, true and correct copies of the originals on file and of record in my office. All of which we have caused by these presents to be exemplified, and the seal of our Superior Court of California, County of Riverside to be hereunto affixed.



IN WITNESS WHEREOF, I have hereto set my hand and affixed the Seal of the said Court,

This 7th day of June
Sherri R. Carter
Sherri R. Carter, Clerk
Superior Court of California, County of Riverside

I, Mac R. Fisher, Judge of the Superior Court of the State of California, in and for the County of Riverside, do hereby certify that SHERRI R. CARTER whose name is subscribed to the preceding exemplification, is the Clerk of the said Superior Court of the State of California, in and for the County of Riverside, and that full faith and credit are due to her official acts. I further certify, that the seal affixed to the exemplification is the seal of our said Superior Court and that the attestation thereof is in due form and according to the form of attestation used in this State.

Date June 7, 2012

Mac R. Fisher
Judge of the Superior Court of California
County of Riverside

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

APR 27 2012

MJV

APR 30 2012

JP

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF RIVERSIDE, RIVERSIDE COURT

FAR WEST INDUSTRIES, a California
corporation,

Plaintiff,

vs.

RIO VISTA NEVADA, LLC, a Nevada limited
liability company; WORLD DEVELOPMENT,
INC., a California corporation; BRUCE MAIZE,
an individual; MICHAEL J. MONA, JR., an
individual; and DOES 1 through 100, inclusive,

Defendants.

Case No. RIC495966

JUDGE: Hon. Jacqueline Jackson

~~PROPOSED~~ JUDGMENT ~~NUNC PRO~~
~~TUNC~~

Action Filed: March 24, 2008
Trial Date: September 23, 2011

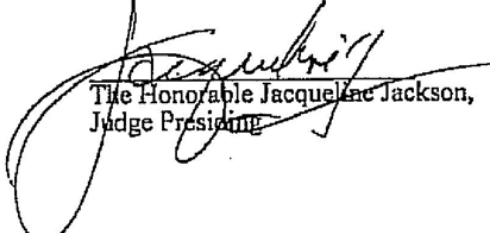
On February 23, 2012, the Honorable Jacqueline Jackson entered Finding of Fact and Conclusion of Law in the above-referenced matter. Based upon those Findings and Conclusion, Judgment is hereby entered in favor of Plaintiff Far West Industries, a California corporation and against the following Defendants, jointly and severally: (1) Michael J. Mona, Jr.; (2) Michael J. Mona, Jr., as Trustee of the Mona Family Trust dated February 21, 2002; (3) Rio Vista Nevada, LLC, a Nevada limited liability company; and (4) World Development, Inc., a California corporation in the amount of \$17,777,562.18. Recoverable court costs of \$25,562.56 and attorney's fees of \$327,548.84 are also awarded to Far West Industries, jointly and severally against all Defendants. The Clerk is hereby directed to enter those amounts on this Judgment following Far West Industries' post-Judgment petition for them. Finally, the Clerk is hereby

~~PROPOSED~~ JUDGMENT ~~NUNC PRO~~ ~~TUNC~~

GREEN & HALL
ATTORNEYS AT LAW
RIVERSIDE, CALIFORNIA

1 directed to release the \$32,846 that was interplead by Defendant Fidelity National Title Company
2 to Far West Industries upon entry of this Judgment.

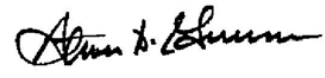
3 Dated: 4/27/12


The Honorable Jacqueline Jackson,
Judge Presiding

GREEN & HALL
ATTORNEYS AT LAW
4100 West 10th Street, Suite 100
Tulsa, Oklahoma 74107
Phone: (918) 438-1111
Fax: (918) 438-1112
www.greenandhall.com

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EXHIBIT “B”


CLERK OF THE COURT

1 OAJD
2 DAVID S. LEE, ESQ.
3 Nevada Bar No. 6033
4 John R. Hawley
5 Nevada Bar No. 001545
6 LEE, HERNANDEZ, LANDRUM,
7 GAROFALO & BLAKE
8 7575 Vegas Drive, Suite 150
9 Las Vegas, Nevada 89128
10 (702) 880-9750
11 Fax; (702) 314-1210
12 dlee@lee-lawfirm.com
13 jhawley@lee-lawfirm.com

14 Attorneys for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

12 FAR WEST INDUSTRIES, a California
13 corporation,

14 Plaintiff,

15 vs.

16 RIO VISTA NEVADA, LLC, a Nevada
17 limited liability company; WORLD
18 DEVELOPMENT, INC., a California
19 corporation; BRUCE MAIZE, and individual;
20 MICHAEL J. MONA, JR., an individual;
21 DOES I through 100, inclusive,

22 Defendants.

CASE NO.: A-12-670352-F

DEPT: ~~26~~ 26

ORDER FOR APPEARANCE OF
JUDGMENT DEBTORS

ORDER FOR APPEARANCE OF JUDGMENT DEBTORS

23 This matter, having come on regularly for hearing in Chambers before the Honorable
24 Judge Kerry Earley, upon FAR WEST INDUSTRIES' ("FWI") Ex Parte Motion for Order
25 Allowing Examination of Judgment Debtors ("Motion"). The Court having carefully examined
26 the pleadings and papers on file in this matter, and with good cause appearing, hereby enters its
27 Orders as follows:
28

IN THE SUPREME COURT OF THE STATE OF NEVADA

MICHAEL J. MONA, JR., an individual,

Appellant,

vs.

FAR WEST INDUSTRIES, a California
corporation,

Respondent.

Case No.: 73815 Electronically Filed
Jan 09 2018 04:04 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

Appeal from the Eighth Judicial District
Court, The Honorable Joe Hardy
Presiding.

APPELLANT'S APPENDIX
(Volume 1, Bates Nos. 1-233)

Marquis Aurbach Coffing

Terry A. Coffing, Esq.

Nevada Bar No. 4949

Tye S. Hanseen, Esq.

Nevada Bar No. 10365

Tom W. Stewart, Esq.

Nevada Bar No. 14280

10001 Park Run Drive

Las Vegas, Nevada 89145

Telephone: (702) 382-0711

Facsimile: (702) 382-5816

tcoffing@maclaw.com

thanseen@maclaw.com

tstewart@maclaw.com

Attorneys for Appellant

INDEX TO APPELLANT'S APPENDIX

DOCUMENT DESCRIPTION		LOCATION
Application of Foreign Judgment (filed 10/18/12)		Volume 1 Bates Nos. 1–7
Notice of Filing Application of Foreign Judgment & Affidavit (filed (10/23/12)		Volume 1 Bates Nos. 8–17
Far West Industries' Ex Parte Motion for Order Allowing Examination of Judgment Debtor (filed 01/17/13)		Volume 1 Bates Nos. 18–19
	Exhibit to Far West Industries' Ex Parte Motion for Order Allowing Examination of Judgment Debtor	
Exhibit	Document Description	
A	Affidavit of John R. Hawley, Esq. in Support of Ex Parte Motion for Examination of Judgment Debtor	Volume 1 Bates Nos. 20–22
Minute Order re: Recusal and Reassignment-no hearing held (filed 01/24/13)		Volume 1 Bates Nos. 23
Order for Appearance of Judgment Debtors (filed 01/30/13)		Volume 1 Bates Nos. 24–25
	Exhibit to Order for Appearance of Judgment Debtors	
Exhibit	Document Description	
A	List of Documents and Things to be Produced at Debtor's Examination	Volume 1 Bates Nos. 26–31
Amended Order for Appearance of Judgment Debtors (filed 02/06/13)		Volume 1 Bates Nos. 32–33
Notice of Examination of Judgment Debtor on an Order Shortening Time (filed 02/13/13)		Volume 1 Bates Nos. 34–38
	Exhibits to Notice of Examination of Judgment Debtor on an Order Shortening Time	
Exhibit	Document Description	
A	Application of Foreign Judgment (filed 10/18/12)	Volume 1 Bates Nos. 39–44
B	Order for Appearance of Judgment Debtors (filed 01/30/13)	Volume 1 Bates Nos. 45–53

DOCUMENT DESCRIPTION		LOCATION
	Exhibits to Notice of Examination of Judgment Debtor on an Order Shortening Time (cont.)	
C	Amended Order for Appearance of Judgment Debtors (filed 02/06/13)	Volume 1 Bates Nos. 54–56
	Second Amended Order for Appearance of Judgment Debtors (filed 02/20/13)	Volume 1 Bates Nos. 57–58
	Amended Order for Examination of Judgment Debtor (filed 04/29/13)	Volume 1 Bates Nos. 59–61
	Motion for Order to Show Cause Regarding Contempt on Order Shortening Time (filed 05/21/13)	Volume 1 Bates Nos. 62–72
	Exhibits to Motion for Order to Show Cause Regarding Contempt on Order Shortening Time	
Exhibit	Document Description	
A	Collective documents domesticating a California judgment	Volume 1 Bates Nos. 73–80
B	Order for Appearance of Judgment Debtors (filed 01/30/13)	Volume 1 Bates Nos. 81–90
C	Emails re dates for examination of judgment debtors	Volume 1 Bates Nos. 91–94
D	Emails re dates for examination of judgment debtors	Volume 1 Bates Nos. 95–96
E	Amended Order for Examination of Judgment Debtor (filed 04/29/13)	Volume 1 Bates Nos. 97–100
F	Affidavit of John Hawley, Esq. in Support of Order Shortening Time	Volume 1 Bates Nos. 101–103
G	Letter from Tye Hanseen re: no longer representing Mr. Mona	Volume 1 Bates Nos. 104–105
H	Transcript re nonappearance of Michael J. Mona for examination of judgment debtor.	Volume 1 Bates Nos. 106–109
	Special Appearance and Objection to Further Proceedings on Order to Show Cause Predicated Upon Lack of Personal Jurisdiction (filed 05/30/13)	Volume 1 Bates Nos. 110–116
	Supplemental Points and Authorities Regarding a Lack of Personal Jurisdiction (filed 06/18/13)	Volume 1 Bates Nos. 117–125

DOCUMENT DESCRIPTION		LOCATION
Reply in Support of Motion to Order to Show Cause Re Contempt (filed 06/28/13)		Volume 1 Bates Nos. 126–129
Order to Show Cause (filed 07/10/13)		Volume 1 Bates Nos. 130–132
Stipulation and Order (filed 07/26/13)		Volume 1 Bates Nos. 133–136
Notice to Vacate Examination of Judgment Debtors (filed 9/10/13)		Volume 1 Bates Nos. 137–139
Order (filed 10/07/13)		Volume 1 Bates Nos. 140–142
Notice of Examination of Judgment Debtor (filed 10/31/13)		Volume 1 Bates Nos. 143–145
Return and Answer to Writ of Garnishment as to Cannavest Corp. (filed 12/26/13)		Volume 1 Bates Nos. 146–147
	Exhibits to Return and Answer to Writ of Garnishment as to Cannavest Corp.	
Exhibit	Document Description	
I	Writ of Garnishment	Volume 1 Bates Nos. 148–154
Notice of Changes to Transcript of Judgment Debtor Examination of Michael J. Mona Jr. (filed 01/06/14)		Volume 1 Bates Nos. 155–158
Discovery Commissioners Report and Recommendations (filed 05/15/14)		Volume 1 Bates Nos. 159–162
Notice of Entry of Order Regarding the Discovery Commissioner's Report and Recommendation (filed 05/15/14)		Volume 1 Bates Nos. 163–168
Ex Parte Application for Examination of Judgment Debtor Examination of Michael J. Mona, Individually, and as Trustee of the Mona Family Trust Dated February 12, 2002, and Rhonda Mona as Trustee of the Mona Family trust Dated February 12, 2002 (filed 05/08/15)		Volume 1 Bates Nos. 169–172

	Exhibits to Ex Parte Application for Examination of Judgment Debtor Examination of Michael J. Mona, Individually, and as Trustee of the Mona Family Trust Dated February 12, 2002, and Rhonda Mona as Trustee of the Mona Family trust Dated February 12, 2002	
Exhibit	Document Description	
1	Definitions	Volume 1 Bates Nos. 173–179
	Order Regarding Motion for Protective Order on Order Shortening Time (filed 06/17/15)	Volume 1 Bates Nos. 180–182
	Notice of Entry of Order Regarding Motion for Protective Order on Order Shortening Time (filed 06/17/15)	Volume 1 Bates Nos. 183–187
	Ex Parte Application for Order to Show Cause why Accounts of Rhonda Mona Should not be Subject to Execution and Why the Court Should Not Find the Monas in Contempt (filed 06/29/15)	Volume 1 Bates Nos. 188–204
	Exhibits to Ex Parte Application for Order to Show Cause why Accounts of Rhonda Mona Should not be Subject to Execution and Why the Court Should Not Find the Monas in Contempt	
Exhibit	Document Description	
1	Post-Marital Property Settlement Agreement	Volume 1 Bates Nos. 205–217
2	Judgment Debtor Examination of Michael J. Mona	Volume 1 Bates Nos. 218–223
3	Rough Draft Transcript of Deposition of Rhonda H. Mona	Volume 1 Bates Nos. 224–233
4	Judgment and Findings of Fact and Conclusions of Law	Volume 2 Bates Nos. 234–254
	Order to Show Cause Why Accounts of Rhonda Mona should not be Subject to Execution and Why the Court Should Not Find the Monas in Contempt (filed 06/30/15)	Volume 2 Bates Nos. 255–257

Notice of Entry of Order to Show Cause Why Accounts of Rhonda Mona Should not be Subject to Execution and Why the Court Should Not Find the Monas in Contempt (filed 06/30/15)		Volume 2 Bates Nos. 258–263
Response to Order to Show Cause Why Accounts of Rhonda Mona should not be Subject to Execution and Why the Court Should Not Find the Monas in Contempt (filed 07/07/15)		Volume 2 Bates Nos. 264–278
	Exhibits to Response to Order to Show Cause Why Accounts of Rhonda Mona should not be Subject to Execution and Why the Court Should Not Find the Monas in Contempt	
Exhibit	Document Description	
A	Findings of Fact and Conclusions of law (filed 03/06/12 in Superior Court of California Riverside)	Volume 2 Bates Nos. 279–295
B	Post-Marital Property Settlement Agreement	Volume 2 Bates Nos. 296–308
C	Declaration of Mike Mona in Support of Response to Order to Show Cause	Volume 2 Bates Nos. 309–310
Supplement to Response to Order to Show Cause Why Accounts of Rhonda Mona should not be Subject to Execution and Why the Court Should Not Find the Monas in Contempt (filed 07/08/15)		Volume 2 Bates Nos. 311–316
Declaration in Support of Request for Contempt (filed 07/08/15)		Volume 2 Bates Nos. 317–324
Order Regarding Order to Show Cause Why Accounts of Rhonda Mona should not be Subject to Execution and Why the Court Should Not Find the Monas in Contempt (filed 07/15/15)		Volume 2 Bates Nos. 325–335
Notice of Entry of Order to Show Cause Why Accounts of Rhonda Mona should not be Subject to Execution and Why the Court Should Not Find the Monas in Contempt (filed 07/16/15)		Volume 2 Bates Nos. 336–349
Motion to Compel Application of Particular Assets Toward Satisfaction of Judgment (filed 07/16/15)		Volume 2 Bates Nos. 350–360

	Exhibits to Motion to Compel Application of Particular Assets Toward Satisfaction of Judgment	
Exhibit	Document Description	
1	Judgment Debtor Examination of Michael J. Mona, Jr.	Volume 2 Bates Nos. 361–370
2	Deposition of Rhonda Mona	Volume 2 Bates Nos. 371–376
Plaintiff's Memorandum of Fees and Costs Associated with Order to Show Cause Why Accounts of Rhonda Mona should Not be Subject to Execution and Why the Court Should Not Find Monas in Contempt (filed 07/20/15)		Volume 2 Bates Nos. 377–380
Motion on an Order Shortening Time for Bond Pending Appeal (filed 09/09/15)		Volume 2 Bates Nos. 381–391
	Exhibits to Motion on an Order Shortening Time for Bond Pending Appeal	
Exhibit	Document Description	
1	Order (filed 08-31-15)	Volume 2 Bates Nos. 392–395
2	Judgment (filed 04/27/12 in the Superior Court of California Riverside)	Volume 2 Bates Nos. 396–414
3	Deed of Trust	Volume 2 Bates Nos. 415–422
4	Deed of Trust with Assignment of Rents	Volume 2 Bates Nos. 423–430
Opposition to Motion on an Order Shortening Time for Bond Pending Appeal (filed 09/16/15)		Volume 2 Bates Nos. 431–439
	Exhibits to Opposition to Motion on an Order Shortening Time for Bond Pending Appeal	
Exhibit	Document Description	
A	Order (filed 08/31/15)	Volume 2 Bates Nos. 440–443
B	Transcript of Proceedings of July 9, 2015 Hearing (filed 07/14/15)	Volume 2 Bates Nos. 444–447
C	Third Amended Complaint (filed 07/15/14)	Volume 2 Bates Nos. 448–459

	Exhibits to Opposition to Motion on an Order Shortening Time for Bond Pending Appeal (cont.)	
D	Complaint (filed 09/11/15)	Volume 2 Bates Nos. 460–473
E	Far West’s Motion to Intervene, for a finding and Order that the Post-Marital Agreement is void Based on the Principles of Res Judicata and Issue Preclusion, and that the Plaintiff and Defendant are Jointly Liable for the Judgment Held by Intervenor (filed 09/04/15)	Volume 3 Bates Nos. 474–517
Second Motion to Compel Application of Particular Assets Towards Satisfaction of Judgment (filed 10/12/15)		Volume 3 Bates Nos. 518–524
	Exhibits to Second Motion to Compel Application of Particular Assets Towards Satisfaction of Judgment	
Exhibit	Document Description	
1	Judgment Debtor Examination of Michael J. Mona, Jr.	Volume 3 Bates Nos. 525–531
2	Order Granting Temporary Stay (filed 07/20/15)	Volume 3 Bates Nos. 532–534
3	Order (filed 08/31/15)	Volume 3 Bates Nos. 535–538
4	Decree of Divorce (filed 07/23/15)	Volume 3 Bates Nos. 539–545
Order Regarding Motion on an Order Shortening time for Bond Pending Appeal (filed 10/16/15)		Volume 3 Bates Nos. 546–553
Plaintiff Far West Industries’ Motion for Determination of Priority of Garnishment (filed 02/16/16)		Volume 3 Bates Nos. 554–563
	Exhibits to Plaintiff Far West Industries’ Motion for Determination of Priority of Garnishment	
Exhibit	Document Description	
1	Judgment (filed 04/27/12 in the Superior Court of the State of California, Riverside)	Volume 3 Bates Nos. 564–567

	Exhibits to Plaintiff Far West Industries' Motion for Determination of Priority of Garnishment (cont.)	
2	Case Summary	Volume 3 Bates Nos. 568–570
3	Writ of Execution	Volume 3 Bates Nos. 571–575
4	Instructions to the Sheriff/Constable-Clark County	Volume 3 Bates Nos. 576–589
5	Writ of Garnishment	Volume 3 Bates Nos. 590–598
6	Email Chain between Tom Edward and Tye Hanseen	Volume 3 Bates Nos. 599–602
7	Decree of Divorce (filed 07/23/2015)	Volume 3 Bates Nos. 603–609
Plaintiff Far West Industries' Motion: (1) For Default Judgment Against Roen Ventures, LLC for Untimely Answers to Writ of Garnishment and Interrogatories; and (2) to Compel Roen Ventures, LLC's Turnover of Payment Made to, on Behalf of, or for the Benefit of Michael J. Mona, Jr. (filed 02/16/16)		Volume 3 Bates Nos. 610–622
	Exhibits to Plaintiff Far West Industries' Motion: (1) For Default Judgment Against Roen Ventures, LLC for Untimely Answers to Writ of Garnishment and Interrogatories; and (2) to Compel Roen Ventures, LLC's Turnover of Payment Made to, on Behalf of, or for the Benefit of Michael J. Mona, Jr.	
Exhibit	Document Description	
1	Judgment (filed 04/27/12 in the Superior Court of the State of California, Riverside)	Volume 3 Bates Nos. 623–626
2	Management Agreement	Volume 3 Bates Nos. 627–630
3	Management Agreement	Volume 3 Bates Nos. 631–635
4	Writ of Execution	Volume 3 Bates Nos. 636–641
5	Instructions to the Sheriff/Constable-Clark County	Volume 3 Bates Nos. 642–656

	Exhibits to Plaintiff Far West Industries' Motion: (1) For Default Judgment Against Roen Ventures, LLC for Untimely Answers to Writ of Garnishment and Interrogatories; and (2) to Compel Roen Ventures, LLC's Turnover of Payment Made to, on Behalf of, or for the Benefit of Michael J. Mona, Jr. (cont.)	
6	Writ of Garnishment	Volume 3 Bates Nos. 657–676
Plaintiff Far West Industries' Motion to Reduce Sanctions Order to Judgment (filed 02/19/16)		Volume 3 Bates Nos. 677–679
Appendix of Exhibits to Plaintiff Far West Industries' Motion to Reduce Sanctions Order to Judgment (filed 02/19/16)		
	Exhibits to Appendix of Exhibits to Plaintiff Far West Industries' Motion to Reduce Sanctions Order to Judgment	
Exhibit	Document Description	
1	Order Regarding Order to Show Cause Why Accounts of Rhonda Mona Should Not Be Subject to Execution and Why the Court Should Not Find Monas in Contempt (filed 07/15/15) (cont. in Vol. 4)	Volume 3 Bates Nos. 680–691
2	Plaintiff's Memorandum of Fees and Costs Associated With Order to Show Cause Why Accounts of Rhonda Mona Should Not be Subject to Execution and Why the Court Should Not Find Monas in Contempt (filed 07/20/15)	Volume 3 Bates Nos. 692–696
3	Transcript of Show Cause Hearing: Why Accounts Of Rhonda Mona Should Not Be Subject To Execution And Why The Court Should Not Find Monas In Contempt (filed 07/14/15)	Volume 4 Bates Nos. 697–807
4	Petition for Writ of Mandamus or Prohibition (filed 07/17/15)	Volume 4 Bates Nos. 808–849
5	Order Granting Temporary Stay (filed 07/20/15)	Volume 4 Bates Nos. 850–852
6	Order (filed 10/16/15)	Volume 4 Bates Nos. 853–856

	Exhibits to Appendix of Exhibits to Plaintiff Far West Industries' Motion to Reduce Sanctions Order to Judgment (cont.)	
7	Order Denying Motion (filed 11/19/15)	Volume 4 Bates Nos. 857–860
8	Motion to Dismiss (filed December 4, 2015)	Volume 4 Bates Nos. 861–941 Volume 5 Bates Nos. 942–957
9	Defendant Michael J. Mona, Jr.'s Reply in Support of Motion to Dismiss (filed 01/26/16)	Volume 5 Bates Nos. 958–978
Amended Appendix of Exhibits to Plaintiff Far West Industries' Motion to Reduce Sanctions Order to Judgment (filed 02/22/16)		Volume 5 Bates Nos. 979–981
	Exhibits to Amended Appendix of Exhibits to Plaintiff Far West Industries' Motion to Reduce Sanctions Order to Judgment	
Exhibit	Document Description	
4	Petition for Writ of Mandamus or Prohibition (filed 07/17/15)	Volume 5 Bates Nos. 982–1023
Mona's Opposition to Far West's Motion for Determination of Priority of Garnishment and Countermotion to Discharge Garnishment and for Return of Proceeds (filed 03/04/16)		Volume 5 Bates Nos. 1024–1053
	Exhibits to Mona's Opposition to Far West's Motion for Determination of Priority of Garnishment and Countermotion to Discharge Garnishment and for Return of Proceeds	
Exhibit	Document Description	
A	Writ of Garnishment	Volume 5 Bates Nos. 1054–1060
Third Party Roen Ventures, LLCs' Opposition to Motion: (1) For Default Judgment Against Roen Ventures, LLC for Untimely Answers to Writ of Garnishment and Interrogatories; and (2) to Compel Roen Ventures, LLC's Turnover of Payment Made to, on Behalf of, or for the Benefit of Michael J. Mona, Jr.; and Countermotion for Attorney's Fees and Costs (filed 03/04/16)		Volume 5 Bates Nos. 1061–1080

	Exhibits to Third Party Roen Ventures, LLCs' Opposition to Motion: (1) For Default Judgment Against Roen Ventures, LLC for Untimely Answers to Writ of Garnishment and Interrogatories; and (2) to Compel Roen Ventures, LLC's Turnover of Payment Made to, on Behalf of, or for the Benefit of Michael J. Mona, Jr.; and Countermotion for Attorney's Fees and Costs	
Exhibit	Document Description	
1	Declaration of Bart Mackay in Support of Opposition to Plaintiff Far West Industries' Motion: (1) for Default Judgment Against Roen Ventures, etc.	Volume 5 Bates Nos. 1081–1090
2	Declaration of Dylan Ciciliano in Support of Opposition to Plaintiff Far West Industries' Motion: (1) for Default Judgment Against Roen Ventures, etc.	Volume 5 Bates Nos. 1091–1102
3	Complaint (filed 02/07/14)	Volume 5 Bates Nos. 1103–1110
4	Motion to Enforce Settlement Agreement (filed 11/10/15)	Volume 5 Bates Nos. 1111–1144
5	Notice of Entry of Order (01/29/16)	Volume 5 Bates Nos. 1145–1151
6	Motion to Dismiss the Roen Defendants with Prejudice (filed 03/03/16)	Volume 5 Bates Nos. 1152–1171
7	Writ of Garnishment	Volume 5 Bates Nos. 1172–1179
8	Management Agreement	Volume 5 Bates Nos. 1180–1184
Mike Mona's Opposition to Motion to Reduce Sanctions Order to Judgment (filed 03/07/16)		Volume 6 Bates Nos. 1185–1192
Non-Party Rhonda Mona's Opposition to Plaintiff Far West Industries' Motion to Reduce Sanctions Order to Judgment (filed 03/07/16)		Volume 6 Bates Nos. 1193–1200

	Exhibits to Non-Party Rhonda Mona's Opposition to Plaintiff Far West Industries' Motion to Reduce Sanctions Order to Judgment	
Exhibit	Document Description	
A	Defendant's Opposition to Countermotion for Summary Judgment (filed 01/19/16)	Volume 6 Bates Nos. 1201–1223
B	Order Regarding Plaintiff Far West Industries' Countermotion for Summary Judgment	Volume 6 Bates Nos. 1224–1227
C	Petition for Writ of Mandamus or Prohibition (filed 07/17/15)	Volume 6 Bates Nos. 1228–1269
Plaintiff Far West Industries' Reply to Mona's Opposition to Far West's Motion for Determination of Priority of Garnishment and Opposition to Countermotion to Discharge Garnishment and for Return of Proceeds (filed 03/14/16)		Volume 6 Bates Nos. 1270–1282
	Exhibits to Plaintiff Far West Industries' Reply to Mona's Opposition to Far West's Motion for Determination of Priority of Garnishment and Opposition to Countermotion to Discharge Garnishment and for Return of Proceeds	
Exhibit	Document Description	
8	Writ of Garnishment	Volume 6 Bates Nos. 1283–1289
9	Judgment Debtor Examination of Michael J. Mona, Jr.	Volume 6 Bates Nos. 1290–1294
10	Deposition of Rhonda Mona	Volume 6 Bates Nos. 1295–1298
11	Checks	Volume 6 Bates Nos. 1299–1302
Plaintiff Far West Industries' Reply in Support of Motion to Reduce Sanctions Order to Judgment (filed 03/14/16)		Volume 6 Bates Nos. 1303–1309
Appendix of Exhibits to Plaintiff Far West Industries' Reply in Support of Motion to Reduce Sanctions Order to Judgment (filed 03/14/16)		Volume 6 Bates Nos. 1310–1311

	Exhibits to Appendix of Exhibits to Plaintiff Far West Industries' Reply in Support of Motion to Reduce Sanctions Order to Judgment	
Exhibit	Document Description	
11	Supplemental Appendix to Real Party In Interest's Answering Brief	Volume 6 Bates Nos. 1312–1424 Volume 7 Bates Nos. 1425–1664 Volume 8 Bates Nos. 1665–1890 Volume 9 Bates Nos. 1891–2127 Volume 10 Bates Nos. 2128–2312
Plaintiff Far West Industries' Reply to Roen Venture LLC's Opposition to Motion: (1) For Default Judgment Against Roen Ventures, LLC for Untimely Answers to Writ of Garnishment and Interrogatories; and (2) to Compel Roen Ventures, LLC's Turnover of Payment Made to, on Behalf of, or for the Benefit of Michael J. Mona, Jr., and Opposition to Countermotion for Attorney's Fees and Costs (filed 03/14/16)		Volume 10 Bates Nos. 2313–2322
Amended Appendix of Exhibits to Plaintiff Far West Industries' Reply in Support of Motion to Reduce Sanctions Order to Judgment (filed 03/15/16)		Volume 10 Bates Nos. 2323–2325
	Exhibits to Amended Appendix of Exhibits to Plaintiff Far West Industries' Reply in Support of Motion to Reduce Sanctions Order to Judgment	
Exhibit	Document Description	
10	Real Party in Interest's Answering Brief	Volume 10 Bates Nos. 2326–2367 Volume 11 Bates Nos. 2368–2385

	Exhibits to Amended Appendix of Exhibits to Plaintiff Far West Industries' Reply in Support of Motion to Reduce Sanctions Order to Judgment (cont.)	
11	Supplemental Appendix to Real Party in Interest's Answering Brief	Volume 11 Bates Nos. 2386–2607 Volume 12 Bates Nos. 2608–2836 Volume 13 Bates Nos. 2837–3081 Volume 14 Bates Nos. 3082–3138
Mona's Reply in Support of Countermotion to Discharge Garnishment and for Return of Proceeds (filed 03/23/16)		Volume 14 Bates Nos. 3139–3154
Errata to Non-Party Rhonda Mona's Opposition to Plaintiff Far West Industries' Motion to Reduce Sanctions Order to Judgment (filed 03/29/16)		Volume 14 Bates Nos. 3155–3156
Non-Party Rhonda Mona's Supplemental Briefing Following Recent Oral Argument Concerning Plaintiff Far West Industries' Motion to Reduce Sanctions Order to Judgment (filed 04/22/16)		Volume 14 Bates Nos. 3157–3172
	Exhibits to Non-Party Rhonda Mona's Supplemental Briefing Following Recent Oral Argument Concerning Plaintiff Far West Industries' Motion to Reduce Sanctions Order to Judgment	
Exhibit	Document Description	
A	Defendant's Opposition to Countermotion for Summary Judgment (filed 01/19/16)	Volume 14 Bates Nos. 3173–3193
B	Defendants Rhonda Helen Mona, Michael Mona II, and Lundene Enterprises, LLC's Reply to Plaintiff's Opposition to Motion to Dismiss (filed 01/26/16)	Volume 14 Bates Nos. 3194–3210
C	Transcript of Proceedings: Plaintiff Far West Industries' Opposition to Defendants' Motion to Dismiss and Countermotion for Summary Judgment (filed 04/06/26)	Volume 14 Bates Nos. 3211–3279
D	Decree of Divorce (filed 07/23/15)	Volume 14 Bates Nos. 3280–3286

Plaintiff Far West Industries' Supplemental Brief Regarding Motion to Reduce Sanctions Order to Judgment (filed 04/22/16)		Volume 14 Bates Nos. 3287–3298
	Exhibits to Plaintiff Far West Industries' Supplemental Brief Regarding Motion to Reduce Sanctions Order to Judgment	
Exhibit	Document Description	
12	Writ of Garnishment-Bank of George	Volume 14 Bates Nos. 3299–3305
13	Writ of Garnishment-Bank of Nevada	Volume 14 Bates Nos. 3306–3313
14	Mona's Redacted Bank Records	Volume 14 Bates Nos. 3314–3327
Supplemental Brief Regarding Judicial Estoppel and Reducing the Sanction Order to Judgment (filed 04/23/16)		Volume 15 Bates Nos. 3328–3346
Order Regarding Plaintiff Far West Industries' Motion: (1) For Default Judgment Against Roen Ventures, LLC for Untimely Answers to Writ of Garnishment Interrogatories; and (2) to compel Roen Ventures, LLC's Turnover of Payments Made to, on Behalf of, or for the Benefit of Michael J. Mona, Jr. (filed 04/28/16)		Volume 15 Bates Nos. 3347–3350
Order Regarding Plaintiff Far West Industries' Motion for Determination of Priority of Garnishment and Defendant Michael J. Mona's Countermotion to Discharge Garnishment and for Return of Proceeds (filed 06/21/16)		Volume 15 Bates Nos. 3351–3356
Notice of Entry of Order Regarding Plaintiff Far West Industries' Motion for Determination of Priority of Garnishment and Defendant Michael J. Mona's Countermotion to Discharge Garnishment and for Return of Proceeds (filed 06/21/16)		Volume 15 Bates Nos. 3357–3365
Notice of Entry of Order Shortening Time and Notice of Hearing (filed 07/07/16)		Volume 15 Bates Nos. 3366–3372
Joint Case Appeal Statement (filed 07/14/16)		Volume 15 Bates Nos. 3373–3378

Joint Notice of Appeal (filed 07/15/16)		Volume 15 Bates Nos. 3379–3397
Claim of Exemption (filed 07/15/16)		Volume 15 Bates Nos. 3398–3400
Plaintiff's Far West Industries' Objection to Claim of Exception from Execution on an Order Shortening Time (filed 07/21/16)		Volume 15 Bates Nos. 3401–3411
	Exhibits to Plaintiff's Far West Industries' Objection to Claim of Exception from Execution on an Order Shortening Time	
Exhibit	Document Description	
1	Writ of Garnishment-Michael Mona	Volume 15 Bates Nos. 3412–3416
2	Writ of Execution	Volume 15 Bates Nos. 3417–3421
Memorandum of Points and Authorities in Support of Claim of Exemption and Discharge (filed 07/29/16)		Volume 15 Bates Nos. 3422–3452
	Exhibits to Memorandum of Points and Authorities in Support of Claim of Exemption and Discharge	
Exhibit	Document Description	
A	Legislative History related to 120 day expiration period	Volume 15 Bates Nos. 3453–3501
B	Notice of Entry of Decree of Divorce	Volume 15 Bates Nos. 3502–3510
C	Plaintiff's Opposition to Far West's Motion to Intervene for a Finding and Order that the Post-Marital Agreement is Void Based on the Principles of Res Judicata and Issue Preclusion, and that the Plaintiff and Defendant are Jointly Liable for the Judgment Held by Intervenor and Plaintiff's Countermotion for Far West to Pay Plaintiff's Attorneys Fees and Costs Incurred Pursuant to NRS 12.130(1)(d)	Volume 15 Bates Nos. 3511–3524

	Exhibits to Memorandum of Points and Authorities in Support of Claim of Exemption and Discharge (cont.)	
D	Defendant Michael Mona's Joinder to Plaintiff's Opposition to Far West's Motion to Intervene for a Finding and Order that the Post-Marital Agreement is Void Based on the Principles of Res Judicata and Issue Preclusion, and that the Plaintiff and Defendant are Jointly Liable for the Judgment Held by Intervenor and Plaintiff's Countermotion for Far West to Pay Plaintiff's Attorneys Fees and Costs Incurred Pursuant to NRS 12.130(1)(d) (filed 09/29/15)	Volume 15 Bates Nos. 3525–3528
E	Notice of Entry of Order (filed 12/01/15)	Volume 15 Bates Nos. 3529–3533
F	Writ of Garnishment-Michael Mona	Volume 15 Bates Nos. 3534–3535
G	Constable's return of Notice of Execution after Judgment and Writ of Execution to Michael Mona	Volume 15 Bates Nos. 3536–3545
H	Writ of Garnishment- Michael Mona	Volume 15 Bates Nos. 3546–3556
I	Claim of Exemption (filed 07/15/16)	Volume 15 Bates Nos. 3557–3560
J	Mona's Opposition to Far West's Motion for Determination of Priority of Garnishment and Countermotion to Discharge Garnishment and for Return of Proceeds (filed 03/04/16)	Volume 16 Bates Nos. 3561–3598
K	Mona's Reply in Support of Countermotion to Discharge Garnishment and for Return of Proceeds (filed 03/23/16)	Volume 16 Bates Nos. 3599–3614
L	NRS 21.112	Volume 16 Bates Nos. 3615–3616
M	Affidavit of Claiming Exempt Property form	Volume 16 Bates Nos. 3617–3618
Order Sustaining Plaintiff Far West Industries' Objection to Claim of Exemption from Execution (filed 08/09/16)		Volume 16 Bates Nos. 3619–3621
Memorandum of Points and authorizes in Support of Claim of Exemption and Motion to Discharge Garnishment (filed 11/10/16)		Volume 16 Bates Nos. 3622–3659

Appendix of Exhibits Attached to Memorandum of Points and Authorities in Support of Claim of Exemption and Motion for Discharge of Garnishment (filed 11/10/16)		Volume 16 Bates Nos. 3660–3662
	Exhibits to Appendix of Exhibits Attached to Memorandum of Points and Authorities in Support of Claim of Exemption and Motion for Discharge of Garnishment	
Exhibit	Document Description	
A	Nevada Assembly Bill 247, Chapter 338, Page 699 (1989)	Volume 16 Bates Nos. 3663–3711
B	Decree of Divorce dated July 23, 2015	Volume 16 Bates Nos. 3712–3718
C	Rhonda’s Opposition to Motion to Intervene dated September 28, 2015	Volume 16 Bates Nos. 3719–3731
D	Mona’s September 29, 2015 Joinder to Rhonda’s Opposition	Volume 16 Bates Nos. 3732–3735
E	November 25, 2015 Order Denying Intervention and awarding fees and costs	Volume 16 Bates Nos. 3736–3738
F	Writ of Garnishment expiring April 29, 2016	Volume 16 Bates Nos. 3739–3740
G	Writ of Garnishment served July 1, 2016	Volume 16 Bates Nos. 3741–3748
H	July 5, 2016 correspondence from Constable with Notice and Writ of Execution	Volume 16 Bates Nos. 3749–3758
I	Writ of Execution and Writ of Garnishment served October 31, 2016	Volume 16 Bates Nos. 3759–3769
J	Claim of Exemption forms from Clark County and the Self-Help Center	Volume 16 Bates Nos. 3770–3777
K	NRS 21.075	Volume 16 Bates Nos. 3778–3780
L	NRS 20.076	Volume 16 Bates Nos. 3781–3782
M	NRS 21.090	Volume 16 Bates Nos. 3783–3785
N	NRS 21.112	Volume 16 Bates Nos. 3786–3787
O	NRS 31.200	Volume 16 Bates Nos. 3788–3789
P	NRS 31.249	Volume 16 Bates Nos. 3790–3791

	Exhibits to Appendix of Exhibits Attached to Memorandum of Points and Authorities in Support of Claim of Exemption and Motion for Discharge of Garnishment (cont.)	
Q	NRS 31.260	Volume 16 Bates Nos. 3792–3793
R	NRS 31.270	Volume 16 Bates Nos. 3794–3795
S	NRS 31.295	Volume 16 Bates Nos. 3796–3797
T	NRS 31.296	Volume 16 Bates Nos. 3798–3799
U	EDCR 2.20	Volume 16 Bates Nos. 3800–3801
Claim of Exemption from Execution (filed 11/10/16)		Volume 17 Bates Nos. 3802–3985
Far West Industries’ Objection to Claim of Exemption from Execution on an Order shortening Time and Motion for Attorney Fees and Costs Pursuant to NRS 18.010(2)(b) (filed 11/21/16)		Volume 17 Bates Nos. 3986–4002
	Exhibits to Far West Industries’ Objection to Claim of Exemption from Execution on an Order shortening Time and Motion for Attorney Fees and Costs Pursuant to NRS 18.010(2)(b)	
Exhibit	Document Description	
1	Findings of Fact and Conclusions of Law (filed 03/06/12 Superior Court of California, County of Riverside)	Volume 17 Bates Nos. 4003–4019
2	Order Regarding Plaintiff Far West Industries’ Motion for Determination of Priority of Garnishment and Defendant Michael J. Mona’s Countermotion to Discharge Garnishment and for Return of Proceeds (filed 06/21/16)	Volume 17 Bates Nos. 4020–4026
3	Writ of Execution	Volume 17 Bates Nos. 4027–4035
4	Documents from the Office of the Ex–Officio Constable	Volume 17 Bates Nos. 4036–4039
Affidavit of Service upon CV Sciences, Inc. FKA Cannavest Corp. (filed 11/23/16)		Volume 17 Bates Nos. 4040–4041

Order Continuing Hearing re Far West's Objection to Claim of Exemption from Execution on an Order Shortening Time (filed 12/06/16)		Volume 17 Bates Nos. 4042–4043
Notice of Entry of Order Continuing Hearing on Objection to Claim of Exemption (filed 12/07/16)		Volume 18 Bates Nos. 4044–4048
Opposition to Plaintiff's Motion for Attorney Fees and Costs Pursuant to NRS 18.010(2)(b) (filed 12/08/16)		Volume 18 Bates Nos. 4049–4054
Declaration of Rosanna Wesp (filed 12/15/16)		Volume 18 Bates Nos. 4055–4056
Order Regarding Mona's Claim of Exemption, Motion to Discharge, Memorandum of Points and Authorities, and Far West's Objection to Claim or Exemption Regarding October 2016 Garnishment (filed 01/09/17)		Volume 18 Bates Nos. 4057–4058
Notice of Entry of Order (filed 01/10/17)		Volume 18 Bates Nos. 4059–4063
Application for Issuance of Order for Arrest of Defendant Michael J. Mona, Jr. (filed 01/20/17)		Volume 18 Bates Nos. 4064–4066
	Exhibits to Application for Issuance of Order for Arrest of Defendant Michael J. Mona, Jr.	
Exhibit	Document Description	
1	Subpoena Duces Tecum to Michael D. Sifen	Volume 18 Bates Nos. 4067–4076
Michael J. Mona's Opposition to Application for Issuance of Order for Arrest of Defendant Michael J. Mona, Jr. (filed 02/06/17)		Volume 18 Bates Nos. 4077–4089
	Exhibits to Michael J. Mona's Opposition to Application for Issuance of Order for Arrest of Defendant Michael J. Mona, Jr.	
Exhibit	Document Description	
1	Decree of Divorce (filed 07/23/15)	Volume 18 Bates Nos. 4090–4096
Reply to Opposition to Application for Issuance of Order for Arrest of Defendant Michael J. Mona, Jr. (filed 02/14/17)		Volume 18 Bates Nos. 4097–4107
	Exhibits to Reply to Opposition to Application for Issuance of Order for Arrest of Defendant Michael J. Mona, Jr.	
Exhibit	Document Description	
A	Decree of Divorce (filed 07/23/15)	Volume 18 Bates Nos. 4108–4114

	Exhibits to Reply to Opposition to Application for Issuance of Order for Arrest of Defendant Michael J. Mona, Jr. (cont.)	
B	Nevada Secretary of State Entity Details for CV Sciences, Inc.	Volume 18 Bates Nos. 4115–4118
C	Executive Employment Agreement	Volume 18 Bates Nos. 4119–4136
	Exhibits to Reply to Opposition to Application for Issuance of Order for Arrest of Defendant Michael J. Mona, Jr. (cont.)	
D	Judgment Debtor Examination of Michael Mona	Volume 18 Bates Nos. 4137–4148
E	Residential Lease/Rental Agreement	Volume 18 Bates Nos. 4149–4152
F	Management Agreement	Volume 18 Bates Nos. 4153–4157
Claim of Exemption from Execution (filed 03/24/17)		Volume 18 Bates Nos. 4158–4164
Appendix of Exhibits Attached to Memorandum of Points and Authorities in Support of Claim of Exemption and Motion to Discharge Garnishment (filed 03/24/17)		Volume 18 Bates Nos. 4165–4167
	Exhibits to Appendix of Exhibits Attached to Memorandum of Points and Authorities in Support of Claim of Exemption and Motion to Discharge Garnishment	
Exhibit	Document Description	
A	Nevada Assembly Bill 247, Chapter 338, Page 699 (1989)	Volume 18 Bates Nos. 4168–4216
B	Decree of Divorce dated July 23, 2015	Volume 18 Bates Nos. 4217–4223
C	Rhonda’s Opposition to Motion to Intervene dated September 28, 2015	Volume 18 Bates Nos. 4224–4236
D	Mona’s September 29, 2015 Joinder to Rhonda’s Opposition	Volume 18 Bates Nos. 4237–4240
E	November 25, 2015 Order Denying Intervention and awarding fees and costs	Volume 18 Bates Nos. 4241–4243
F	Writ of Garnishment expiring April 29, 2016	Volume 18 Bates Nos. 4244–4245

	Exhibits to Appendix of Exhibits Attached to Memorandum of Points and Authorities in Support of Claim of Exemption and Motion to Discharge Garnishment (cont.)	
G	Writ of Garnishment served July 1, 2016	Volume 18 Bates Nos. 4246–4253
H	July 5, 2016 correspondence from Constable with Notice and Writ of Execution	Volume 18 Bates Nos. 4254–4263
I	Writ of Execution and Writ of Garnishment served October 31, 2016	Volume 18 Bates Nos. 4264–4274
J	Claim of Exemption forms from Clark County and the Self-Help Center	Volume 18 Bates Nos. 4275–4282
K	NRS 21.075	Volume 19 Bates Nos. 4283–4285
L	NRS 20.076	Volume 19 Bates Nos. 4286–4287
M	NRS 21.090	Volume 19 Bates Nos. 4288–4290
N	NRS 21.112	Volume 19 Bates Nos. 4291–4292
O	NRS 31.200	Volume 19 Bates Nos. 4293–4294
P	NRS 31.249	Volume 19 Bates Nos. 4295–4296
Q	NRS 31.260	Volume 19 Bates Nos. 4297–4298
R	NRS 31.270	Volume 19 Bates Nos. 4299–4300
S	NRS 31.295	Volume 19 Bates Nos. 4301–4302
T	NRS 31.296	Volume 19 Bates Nos. 4303–4304
U	EDCR 2.20	Volume 19 Bates Nos. 4305–4306
V	Check to Mike Mona, Writ of Execution, and Writ of Garnishment	Volume 19 Bates Nos. 4307–4323

Memorandum of Points and Authorities in Support of Claim of Exemption and Motion to Discharge Garnishment (filed 03/30/17)		Volume 19 Bates Nos. 4324–4359
Appendix of Exhibits Attached to Memorandum of Points and Authorities in Support of Claim of Exemption and Motion to Discharge Garnishment (filed 03/30/17)		Volume 19 Bates Nos. 4360–4362
	Exhibits to Appendix of Exhibits Attached to Memorandum of Points and Authorities in Support of Claim of Exemption and Motion to Discharge Garnishment	
Exhibit	Document Description	
A	Nevada Assembly Bill 247, Chapter 338, Page 699 (1989)	Volume 19 Bates Nos. 4363–4411
B	Decree of Divorce dated July 23, 2015	Volume 19 Bates Nos. 4412–4418
C	Rhonda’s Opposition to Motion to Intervene dated September 28, 2015	Volume 19 Bates Nos. 4419–4431
D	Mona’s September 29, 2015 Joinder to Rhonda’s Opposition	Volume 19 Bates Nos. 4432–4435
E	November 25, 2015 Order Denying Intervention and awarding fees and costs	Volume 19 Bates Nos. 4436–4438
F	Writ of Garnishment expiring April 29, 2016	Volume 19 Bates Nos. 4439–4440
G	Writ of Garnishment served July 1, 2016	Volume 19 Bates Nos. 4441–4448
H	July 5, 2016 correspondence from Constable with Notice and Writ of Execution	Volume 19 Bates Nos. 4449–4458
I	Writ of Execution and Writ of Garnishment served October 31, 2016	Volume 19 Bates Nos. 4459–4469
J	Claim of Exemption forms from Clark County and the Self-Help Center	Volume 19 Bates Nos. 4470–4477
K	NRS 21.075	Volume 19 Bates Nos. 4478–4480
L	NRS 20.076	Volume 19 Bates Nos. 4481–4482
M	NRS 21.090	Volume 19 Bates Nos. 4483–4485
N	NRS 21.112	Volume 19 Bates Nos. 4486–4487

	Exhibits to Appendix of Exhibits Attached to Memorandum of Points and Authorities in Support of Claim of Exemption and Motion to Discharge Garnishment (cont.)	
O	NRS 31.200	Volume 19 Bates Nos. 4488–4489
P	NRS 31.249	Volume 19 Bates Nos. 4490–4491
Q	NRS 31.260	Volume 19 Bates Nos. 4492–4493
R	NRS 31.270	Volume 19 Bates Nos. 4494–4495
S	NRS 31.295	Volume 19 Bates Nos. 4496–4497
T	NRS 31.296	Volume 19 Bates Nos. 4498–4499
U	EDCR 2.20	Volume 19 Bates Nos. 4500–4501
V	Check to Mike Mona, Writ of Execution, and Writ of Garnishment	Volume 19 Bates Nos. 4502–4518
W	Check to CV Sciences, Writ of Execution, and Writ of Garnishment	Volume 20 Bates Nos. 4519–4535
X	Affidavit of Service regarding March 15, 2017 service of Writ of Execution, and Writ of Garnishment from Laughlin Township Constable’s Office	Volume 20 Bates Nos. 4536–4537
Claim of Exemption from Execution (filed 03/30/17)		Volume 20 Bates Nos. 4538–4544
Order Regarding Far West’s Application for Issuance of Order for Arrest of Defendant Michael J. Mona, Jr. (filed 03/31/17)		Volume 20 Bates Nos. 4545–4546
Notice of Entry of Order (filed 04/03/17)		Volume 20 Bates Nos. 4547–4550
Memorandum of Points and Authorities in Support of Claim of Exemption and Motion to Discharge Garnishment (filed 04/20/17)		Volume 20 Bates Nos. 4551–4585
Claim of Exemption from Execution (filed 04/20/17)		Volume 20 Bates Nos. 4586–4592

Appendix of Exhibits Attached to Memorandum of Points and Authorities in Support of Claim of Exemption and Motion to Discharge Garnishment (filed 04/20/17)		Volume 20 Bates Nos. 4593–4595
	Exhibits to Appendix of Exhibits Attached to Memorandum of Points and Authorities in Support of Claim of Exemption and Motion to Discharge Garnishment	
Exhibit	Document Description	
A	Nevada Assembly Bill 247, Chapter 338, Page 699 (1989)	Volume 20 Bates Nos. 4596–4644
B	Decree of Divorce dated July 23, 2015	Volume 20 Bates Nos. 4645–4651
C	Rhonda’s Opposition to Motion to Intervene dated September 28, 2015	Volume 20 Bates Nos. 4652–4664
D	Mona’s September 29, 2015 Joinder to Rhonda’s Opposition	Volume 20 Bates Nos. 4665–4668
E	November 25, 2015 Order Denying Intervention and awarding fees and costs	Volume 20 Bates Nos. 4669–4671
F	Writ of Garnishment expiring April 29, 2016	Volume 20 Bates Nos. 4672–4673
G	Writ of Garnishment served July 1, 2016	Volume 20 Bates Nos. 4674–4681
H	July 5, 2016 correspondence from Constable with Notice and Writ of Execution	Volume 20 Bates Nos. 4682–4691
I	Writ of Execution and Writ of Garnishment served October 31, 2016	Volume 20 Bates Nos. 4692–4702
J	Claim of Exemption forms from Clark County and the Self-Help Center	Volume 20 Bates Nos. 4703–4710
K	NRS 21.075	Volume 20 Bates Nos. 4711–4713
L	NRS 20.076	Volume 20 Bates Nos. 4714–4715
M	NRS 21.090	Volume 20 Bates Nos. 4716–4718
N	NRS 21.112	Volume 20 Bates Nos. 4719–4720
O	NRS 31.200	Volume 20 Bates Nos. 4721–4722
P	NRS 31.249	Volume 20 Bates Nos. 4723–4724

	Exhibits to Appendix of Exhibits Attached to Memorandum of Points and Authorities in Support of Claim of Exemption and Motion to Discharge Garnishment (cont.)	
Q	NRS 31.260	Volume 20 Bates Nos. 4725–4726
R	NRS 31.270	Volume 20 Bates Nos. 4727–4728
S	NRS 31.295	Volume 20 Bates Nos. 4729–4730
T	NRS 31.296	Volume 20 Bates Nos. 4731–4732
U	EDCR 2.20	Volume 20 Bates Nos. 4733–4734
V	Check to Mike Mona, Writ of Execution, and Writ of Garnishment	Volume 20 Bates Nos. 4735–4751
W	Check to CV Sciences, Writ of Execution, and Writ of Garnishment	Volume 20 Bates Nos. 4752–4768
X	Affidavit of Service regarding March 15, 2017 service of Writ of Execution, and Writ of Garnishment from Laughlin Township Constable’s Office	Volume 21 Bates Nos. 4769–4770
Y	Affidavit of Service regarding April 3, 2017 service of Writ of Execution, and Writ of Garnishment from Laughlin Township Constable’s Office	Volume 21 Bates Nos. 4771–4788
Stipulation and Order Regarding Amended Nunc Pro Tunc Order Regarding Plaintiff Far West Industries’ Motion to Reduce Sanctions Order to Judgment (filed 04/24/17)		Volume 21 Bates Nos. 4789–4791
Notice of Entry Stipulation and Order Regarding amended Nunc Pro Tunc Order regarding Plaintiff Far West Industries’ Motion to Reduce Sanctions Order to Judgment (filed 04/25/17)		Volume 21 Bates Nos. 4792–4797
Plaintiff Far West Industries Objection to Claim of Exemption from Execution on an Order Shortening Time and Motion for Attorney Fees and Costs Pursuant to NRS 18.010(2)(b) (filed 05/02/17)		Volume 21 Bates Nos. 4798–4817

	Exhibits to Plaintiff Far West Industries Objection to Claim of Exemption from Execution on an Order Shortening Time and Motion for Attorney Fees and Costs Pursuant to NRS 18.010(2)(b)	
Exhibit	Document Description	
1	Findings of Fact and Conclusions of law (filed 03/06/12 Superior Court of California Riverside)	Volume 21 Bates Nos. 4818–4834
2	Order Regarding Plaintiff Far West Industries’ Motion for Determination of Priority of Garnishment and Defendant Michael J. Mona’s Countermotion to Discharge Garnishment and for Return of Proceeds (filed 06/21/16)	Volume 21 Bates Nos. 4835–4841
3	Nevada Secretary of State Entity Details for CV Sciences, Inc.	Volume 21 Bates Nos. 4842–4845
4	Answers to Interrogatories	Volume 21 Bates Nos. 4846–4850
Stipulation and Order Regarding Writ of Garnishment Served 04/03/17 and Claim of Exemption , and Vacating Related Hearing without Prejudice (filed 05/15/17)		Volume 21 Bates Nos. 4851–4854
Notice of Entry of Stipulation and Order Regarding Writ of Garnishment Served 04/03/17 and Claim of Exemption , and Vacating Related Hearing without Prejudice (filed 05/16/17)		Volume 21 Bates Nos. 4855–4861
Claim of Exemption from Execution (filed 05/23/17)		Volume 21 Bates Nos. 4862–4868
Appendix of Exhibits Attached to Memorandum of Points and Authorities in Support of Claim of Exemption and Motion to Discharge Garnishment (filed 05/23/17)		Volume 21 Bates Nos. 4869–4871
	Exhibits to Appendix of Exhibits Attached to Memorandum of Points and Authorities in Support of Claim of Exemption and Motion to Discharge Garnishment	
Exhibit	Document Description	
A	Nevada Assembly Bill 247, Chapter 338, Page 699 (1989)	Volume 21 Bates Nos. 4872–4920
B	Decree of Divorce dated July 23, 2015	Volume 21 Bates Nos. 4921–4927
C	Rhonda’s Opposition to Motion to Intervene dated September 28, 2015	Volume 21 Bates Nos. 4928–4940

	Exhibits to Appendix of Exhibits Attached to Memorandum of Points and Authorities in Support of Claim of Exemption and Motion to Discharge Garnishment (cont.)	
D	Mona's September 29, 2015 Joinder to Rhonda's Opposition	Volume 21 Bates Nos. 4941–4944
E	November 25, 2015 Order Denying Intervention and awarding fees and costs	Volume 21 Bates Nos. 4945–4947
F	Writ of Garnishment expiring April 29, 2016	Volume 21 Bates Nos. 4948–4949
G	Writ of Garnishment served July 1, 2016	Volume 21 Bates Nos. 4950–4957
H	July 5, 2016 correspondence from Constable with Notice and Writ of Execution	Volume 21 Bates Nos. 4958–4967
I	Writ of Execution and Writ of Garnishment served October 31, 2016	Volume 21 Bates Nos. 4968–4978
J	Claim of Exemption forms from Clark County and the Self-Help Center	Volume 21 Bates Nos. 4979–4986
K	NRS 21.075	Volume 21 Bates Nos. 4987–4989
L	NRS 20.076	Volume 21 Bates Nos. 4990–4991
M	NRS 21.090	Volume 21 Bates Nos. 4992–4994
N	NRS 21.112	Volume 21 Bates Nos. 4995–4996
O	NRS 31.200	Volume 21 Bates Nos. 4997–4998
P	NRS 31.249	Volume 21 Bates Nos. 4999–5000
Q	NRS 31.260	Volume 21 Bates Nos. 5001–5002
R	NRS 31.270	Volume 21 Bates Nos. 5003–5004
S	NRS 31.295	Volume 21 Bates Nos. 5005–5006
T	NRS 31.296	Volume 21 Bates Nos. 5007–5008

	Exhibits to Appendix of Exhibits Attached to Memorandum of Points and Authorities in Support of Claim of Exemption and Motion to Discharge Garnishment (cont.)	
U	EDCR 2.20	Volume 21 Bates Nos. 5009–5010
V	Check to Mike Mona, Writ of Execution, and Writ of Garnishment	Volume 22 Bates Nos. 5011–5027
W	Check to CV Sciences, Writ of Execution, and Writ of Garnishment	Volume 22 Bates Nos. 5028–5044
X	Affidavit of Service regarding March 15, 2017 service of Writ of Execution, and Writ of Garnishment from Laughlin Township Constable’s Office	Volume 22 Bates Nos. 5045–5046
Y	Affidavit of Service regarding April 3, 2017 service of Writ of Execution, and Writ of Garnishment from Laughlin Township Constable’s Office	Volume 22 Bates Nos. 5047–5064
Z	Writ of Execution and Writ of Garnishment served May 9, 2017	Volume 22 Bates Nos. 5065–5078
Memorandum of Points and Authorities in Support of Claim of Exemption and Motion to Discharge Garnishment (filed 05/23/17)		Volume 22 Bates Nos. 5079–5114
Plaintiff Far West Industries Objection to Claim of Exemption from Execution on an Order Shortening Time and Motion for Attorney Fees and Costs Pursuant to NRS 18.010(2)(b) (filed 06/05/17)		Volume 22 Bates Nos. 5115–5131
	Exhibits to Plaintiff Far West Industries Objection to Claim of Exemption from Execution on an Order Shortening Time and Motion for Attorney Fees and Costs Pursuant to NRS 18.010(2)(b)	
Exhibit	Document Description	
1	Findings of Fact and Conclusions of law (filed 03/06/12 in Superior Court of California Riverside)	Volume 22 Bates Nos. 5132–5148
2	Order Regarding Plaintiff Far West Industries’ Motion for Determination of Priority of Garnishment and Defendant Michael J. Mona’s Countermotion to Discharge Garnishment and for Return of Proceeds (filed 06/21/16)	Volume 22 Bates Nos. 5149–5155

	Exhibits to Plaintiff Far West Industries Objection to Claim of Exemption from Execution on an Order Shortening Time and Motion for Attorney Fees and Costs Pursuant to NRS 18.010(2)(b) (cont.)	
3	Affidavit of Service by Laughlin Township Constable's Office	Volume 22 Bates Nos. 5156–5157
4	Affidavit of Service by Laughlin Township Constable's Office	Volume 22 Bates Nos. 5158–5159
Notice of Entry of Order Sustaining Plaintiff Far West Industries' Objection to Claim of Exemption from Execution (filed 07/19/17)		Volume 22 Bates Nos. 5160–5165
Ex Parte Motion for Order Allowing Judgment Debtor Examination of Michael J. Mona, Jr., Individually, and as Trustee of the Mona Family Trust Dated February 12, 2002 (filed 08/16/17)		Volume 22 Bates Nos. 5166–5179
Notice of Appeal (filed 08/18/17)		Volume 22 Bates Nos. 5180–5182
	Exhibits to Notice of Appeal	
Exhibit	Document Description	
1	Notice of Entry of Order Sustaining Plaintiff Far West Industries' Objection to Claim of Exemption from Execution (filed 07/19/17)	Volume 22 Bates Nos. 5183–5189
2	Notice of Entry of Order Regarding Plaintiff Far West Industries' Motion for Determination of Priority of Garnishment and Defendant Michael J. Mona's Countermotion to Discharge Garnishment and for Return of Proceeds (filed 06/21/16)	Volume 22 Bates Nos. 5190–5199
Order for Examination of Judgment Debtor Michael J. Mona, Jr., Individually, and as Trustee of the Mona Family Trust dated February 12, 2002 (filed 08/18/17)		Volume 22 Bates Nos. 5200–5211
Far West Industries' Reply to CV Sciences Inc.'s Answers to Writ of Garnishment Interrogatories and Ex parte Request for Order to Show Cause Why CV Sciences Inc. Should Not be Subjected to Garnishment Penalties (filed 11/20/17)		Volume 22 Bates Nos. 5212–5223

	Exhibits to Far West Industries' Reply to CV Sciences Inc.'s Answers to Writ of Garnishment Interrogatories and Ex parte Request for Order to Show Cause Why CV Sciences Inc. Should Not be Subjected to Garnishment Penalties	
Exhibit	Document Description	
1	Answers to Interrogatories to be Answered by Garnishee	Volume 22 Bates Nos. 5224–5229
2	United States Securities and Exchange Commission, Form 10-K	Volume 22 Bates Nos. 5230–5233
3	Judgment Debtor Examination of Michael J. Mona, Jr.	Volume 22 Bates Nos. 5234–5241
4	Excerpts of Car Lease Documents	Volume 22 Bates Nos. 5242–5244
5	Excerpts of Life Insurance Premium Documents	Volume 22 Bates Nos. 5245–5250
6	Excerpts of Car Insurance Documents	Volume 23 Bates Nos. 5251–5254
7	Laughlin Constable Affidavit of Service	Volume 23 Bates Nos. 5255–5256
8	Laughlin Constable Affidavit of Mailing	Volume 23 Bates Nos. 5257–5258
9	Answers to Writ of Garnishment Interrogatories	Volume 23 Bates Nos. 5259–5263
10	Email Exchange between Andrea Gandara an Tye Hanseen June 26, 2017 through August 26, 2017	Volume 23 Bates Nos. 5264–5267
11	Email Exchange between Andrea Gandara an Tye Hanseen, November 2017	Volume 23 Bates Nos. 5268–5275
Docket of Case No. A670352		Volume 23 Bates Nos. 5276–5284

CIVIL COVER SHEET A-12-670352-F

Clark County, Nevada

I V

Case No. _____

(Assigned by Clerk's Office)

I. Party Information

Plaintiff(s) (name/address/phone):

Far West Industries

Attorney (name/address/phone):

David S. Lee, Esq.

Lee, Hernandez, Landrum, Garofalo & Blake, APC

7575 Vegas Drive, Suite 150

Las Vegas, Nevada 89128

(702) 880-9750

Defendant(s) (name/address/phone):

Rio Vista Nevada, LLC,

World Development, Inc.,

Bruce Maize,

Michael J. Mona, Jr.

Attorney (name/address/phone):

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

Real Property	Torts	
<input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Title to Property <input type="checkbox"/> Foreclosure <input type="checkbox"/> Liens <input type="checkbox"/> Quiet Title <input type="checkbox"/> Specific Performance <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property <input type="checkbox"/> Partition <input type="checkbox"/> Planning/Zoning	<input type="checkbox"/> Negligence <input type="checkbox"/> Negligence – Auto <input type="checkbox"/> Negligence – Medical/Dental <input type="checkbox"/> Negligence – Premises Liability (Slip/Fall) <input type="checkbox"/> Negligence – Other	<input type="checkbox"/> Product Liability <input type="checkbox"/> Product Liability/Motor Vehicle <input type="checkbox"/> Other Torts/Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Torts/Defamation (Libel/Slander) <input type="checkbox"/> Interfere with Contract Rights <input type="checkbox"/> Employment Torts (Wrongful termination) <input type="checkbox"/> Other Torts <input type="checkbox"/> Anti-trust <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Insurance <input type="checkbox"/> Legal Tort <input type="checkbox"/> Unfair Competition
Probate	Other Civil Filing Types	
<input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside Estates <input type="checkbox"/> Trust/Conservatorships <input type="checkbox"/> Individual Trustee <input type="checkbox"/> Corporate Trustee <input type="checkbox"/> Other Probate	<input type="checkbox"/> Construction Defect <input type="checkbox"/> Chapter 40 <input type="checkbox"/> General <input type="checkbox"/> Breach of Contract <input type="checkbox"/> Building & Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Other Contracts/Acct/Judgment <input type="checkbox"/> Collection of Actions <input type="checkbox"/> Employment Contract <input type="checkbox"/> Guarantee <input type="checkbox"/> Sale Contract <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Civil Petition for Judicial Review <input type="checkbox"/> Other Administrative Law <input type="checkbox"/> Department of Motor Vehicles <input type="checkbox"/> Worker's Compensation Appeal	<input type="checkbox"/> Appeal from Lower Court (also check applicable civil case box) <input type="checkbox"/> Transfer from Justice Court <input type="checkbox"/> Justice Court Civil Appeal <input type="checkbox"/> Civil Writ <input type="checkbox"/> Other Special Proceeding <input checked="" type="checkbox"/> Other Civil Filing <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Conversion of Property <input type="checkbox"/> Damage to Property <input type="checkbox"/> Employment Security <input type="checkbox"/> Enforcement of Judgment <input checked="" type="checkbox"/> Foreign Judgment – Civil <input type="checkbox"/> Other Personal Property <input type="checkbox"/> Recovery of Property <input type="checkbox"/> Stockholder Suit <input type="checkbox"/> Other Civil Matters

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

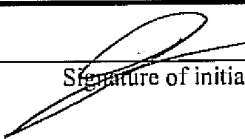
-
- ☐ NRS Chapters 78-88
 - ☐ Commodities (NRS 90)
 - ☐ Securities (NRS 90)

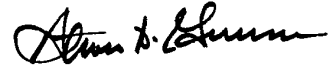
- ☐ Investments (NRS 104 Art. 8)
- ☐ Deceptive Trade Practices (NRS 598)
- ☐ Trademarks (NRS 600A)

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

October 18, 2012

Date


Signature of initiating party or representative



CLERK OF THE COURT

FORJ
John R. Hawley
Nevada Bar No. 001545
LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 Vegas Drive, Suite 150
Las Vegas, Nevada 89128
(702) 880-9750
Fax: (702) 314-1210
jhawley@leelawfirm.com

Attorneys for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

FAR WEST INDUSTRIES, a California
corporation,

Plaintiff,

vs.

RIO VISTA NEVADA, LLC, a Nevada
limited liability company; WORLD
DEVELOPMENT, INC., a California
corporation; BRUCE MAIZE, and individual;
MICHAEL J. MONA, JR., an individual;
DOES I through 100, inclusive,

Defendants.

CASE NO.: A - 1 2 - 6 7 0 3 5 2 - F

I V

**APPLICAION OF FOREIGN
JUDGMENT**

AFFIDAVIT OF JOHN R. HAWLEY, ESQ.

STATE OF NEVADA)
 : ss.
COUNTY OF CLARK)

COMES NOW, JOHN R. HAWLEY, ESQ., being first duly sworn, and states as follows:

1. That Affiant is an attorney, duly licensed to practice in the State of Nevada and is a
member of the law firm of LEE, HERNANDEZ, LANDRUM, GAROFALO & BLAKE.

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

2. That Affiant is counsel of record for FAR WEST INDUSTRIES, a California corporation in the instant matter.

3. That the name and last known address of the Judgment Debtors herein are as follows:

**Michael J. Mona, Jr.
2793 Red Arrow Drive
Las Vegas, NV 89135**

**Michael J. Mona, Jr., as trustee of the Mona Family Trust dated February 21, 2002
2793 Red Arrow Drive
Las Vegas, NV 89135**

4. That the name and address of the Judgment Creditor herein is as follows:

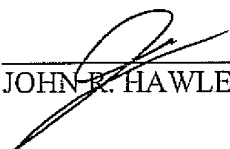
**Far West Industries, a California corporation
2922 Daimler Street
Santa Ana, CA 89128**

5. That the Judgment herein, a duly exemplified copy of which is attached hereto, is valid and enforceable.

6. That no portion of the Judgment herein has been satisfied.

FURTHER Affiant sayeth naught.

DATED this 18th day of October, 2012.

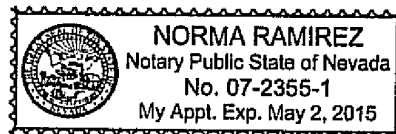

JOHN R. HAWLEY, ESQ.

SUBSCRIBED and SWORN to

before me this 18th day of

October, 2012.

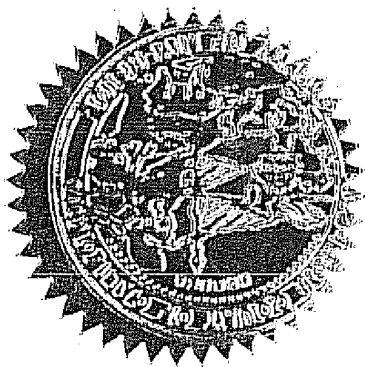

NOTARY PUBLIC



(SEAL)

EXEMPLIFICATION CERTIFICATE

The documents to which this certificate is attached are full, true and correct copies of the originals on file and of record in my office. All of which we have caused by these presents to be exemplified, and the seal of our Superior Court of California, County of Riverside to be hereunto affixed.



IN WITNESS WHEREOF, I have hereto set my hand
and affixed the Seal of the said Court,

This 7th day of June
Sherri R. Carter
Sherri R. Carter, Clerk
Superior Court of California, County of Riverside

I, Mac R. Fisher, Judge of the Superior
Court of the State of California, in and for the County of Riverside, do hereby certify that
SHERRI R. CARTER whose name is subscribed to the preceding exemplification, is the
Clerk of the said Superior Court of the State of California, in and for the County of
Riverside, and that full faith and credit are due to her official acts. I further certify, that the
seal affixed to the exemplification is the seal of our said Superior Court and that the
attestation thereof is in due form and according to the form of attestation used in this State.

Date June 7, 2012

Mac R. Fisher
Judge of the Superior Court of California
County of Riverside

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

APR 27 2012

MJV

APR 30 2012

JP

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF RIVERSIDE, RIVERSIDE COURT

FAR WEST INDUSTRIES, a California
corporation,

Plaintiff,

vs.

RIO VISTA NEVADA, LLC, a Nevada limited
liability company; WORLD DEVELOPMENT,
INC., a California corporation; BRUCE MAIZE,
an individual; MICHAEL J. MONA, JR., an
individual; and DOES 1 through 100, inclusive,

Defendants.

) Case No. RIC495966

) JUDGE: Hon. Jacqueline Jackson

) ~~[PROPOSED] JUDGMENT NUNC PRO TUNC~~

) Action Filed: March 24, 2008

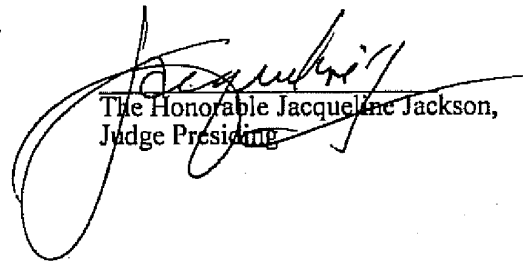
) Trial Date: September 23, 2011

On February 23, 2012, the Honorable Jacqueline Jackson entered Finding of Fact and Conclusion of Law in the above-referenced matter. Based upon those Findings and Conclusion, Judgment is hereby entered in favor of Plaintiff Far West Industries, a California corporation and against the following Defendants, jointly and severally: (1) Michael J. Mona, Jr.; (2) Michael J. Mona, Jr., as Trustee of the Mona Family Trust dated February 21, 2002; (3) Rio Vista Nevada, LLC, a Nevada limited liability company; and (4) World Development, Inc., a California corporation in the amount of \$17,777,562.18. Recoverable court costs of \$25,562.56 and attorney's fees of \$327,548.84 are also awarded to Far West Industries, jointly and severally against all Defendants. The Clerk is hereby directed to enter those amounts on this Judgment following Far West Industries' post-Judgment petition for them. Finally, the Clerk is hereby

~~[PROPOSED] JUDGMENT NUNC PRO TUNC~~

1 directed to release the \$32,846 that was interplead by Defendant Fidelity National Title Company
2 to Far West Industries upon entry of this Judgment.

3 Dated: 4/27/12


The Honorable Jacqueline Jackson,
Judge Presiding

GREEN & HALL
ATTORNEYS AT LAW
417 HENRY STREET, SUITE 200
MEMPHIS, TN 38102

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1 **NOFA**

John R. Hawley

2 Nevada Bar No. 001545

LEE, HERNANDEZ, LANDRUM,

3 GAROFALO & BLAKE

7575 Vegas Drive, Suite 150

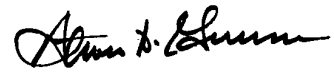
4 Las Vegas, Nevada 89128

(702) 880-9750

5 Fax; (702) 314-1210

jhawley@leelawfirm.com

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CLERK OF THE COURT

6
7 Attorneys for Plaintiff

DISTRICT COURT

CLARK COUNTY, NEVADA

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11 FAR WEST INDUSTRIES, a California
corporation,

12 Plaintiff,

13 vs.

14 RIO VISTA NEVADA, LLC, a Nevada
15 limited liability company; WORLD
16 DEVELOPMENT, INC., a California
17 corporation; BRUCE MAIZE, and individual;
MICHAEL J. MONA, JR., an individual;
DOES I through 100, inclusive,


18 Defendants.
19

CASE NO.: A-12-670352-F
DEPT: IV

**NOTICE OF FILING APPLICATION
OF FOREIGN JUDGMENT AND
AFFIDAVIT**

20 NOTICE IS HEREBY GIVEN that the attached judgment has been entered in the above
21 matter.

22 DATED this 19th day of October, 2012.

23
24 
25 JOHN R. HAWLEY, ESQ.
LEE, HERNANDEZ, LANDRUM,
26 GAROFALO & BLAKE
7575 Vegas Drive, Suite 150
Las Vegas, Nevada 89128
27
28

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

1
2 CERTIFICATE OF MAILING

3 Far West Industries v. Rio Vista Nevada, LLC

4
5 I hereby certify that on this 19th day of October, 2012, I served the foregoing NOTICE OF
6 FILING APPLICATION OF FOREIGN JUDGMENT and AFFIDAVIT OF FOREIGN
7 JUDGMENT by placing a true and correct copy thereof in the United States mail, postage prepaid
8 for certified mailing as item # 71969008904012653103 Michael J. Moná, Jr.,
9 71969008904012653318 Michael J. Moná, as trustee of the Moná Family Trust, and
10 71969008904012653400 Howard Golds.
11

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LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

Norma Ramirez
An Employee of LEE, HERNANDEZ,
LANDRUM, GAROFALO & BLAKE

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

Far West Industries v. Rio Vista Nevada, LLC
Service List

Michael J. Mona, Jr.
2793 Red Arrow Drive
Las Vegas, Nevada 89135

Michael J. Mona, Jr., as trustee of the
Mona Family Trust
2793 Red Arrow Drive
Las Vegas, Nevada 89135

Howard Golds
BEST, BEST & KRIEGER LLP
3750 University Avenue # 400
Riverside, CA 92502

CIVIL COVER SHEET A-12-670352-F

Clark County, Nevada

IV

Case No.

(Assigned by Clerk's Office)

I. Party Information

Plaintiff(s) (name/address/phone):

Far West Industries

Attorney (name/address/phone):

David S. Lee, Esq.

Lee, Hernandez, Landrum, Garofalo & Blake, APC

7575 Vegas Drive, Suite 150

Las Vegas, Nevada 89128

(702) 880-9750

Defendant(s) (name/address/phone):

Rio Vista Nevada, LLC,

World Development, Inc.,

Bruce Maize,

Michael J. Mona, Jr.

Attorney (name/address/phone):

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

Real Property	Torts	
<input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Title to Property <input type="checkbox"/> Foreclosure <input type="checkbox"/> Easement <input type="checkbox"/> Quiet Title <input type="checkbox"/> Specific Performance <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property <input type="checkbox"/> Partition <input type="checkbox"/> Planning/Zoning	Negligence <input type="checkbox"/> Negligence - Auto <input type="checkbox"/> Negligence - Medical/Dental <input type="checkbox"/> Negligence - Premises Liability (Slip/Fall) <input type="checkbox"/> Negligence - Other	<input type="checkbox"/> Product Liability <input type="checkbox"/> Product Liability/Motor Vehicle <input type="checkbox"/> Other Torts/Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Torts/Defamation (Libel/Slander) <input type="checkbox"/> Interfere with Contract Rights <input type="checkbox"/> Employment Torts (Wrongful termination) <input type="checkbox"/> Other Torts <input type="checkbox"/> Anti-trust <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Insurance <input type="checkbox"/> Legal Tort <input type="checkbox"/> Unfair Competition
Probate	Other Civil Filing Types	
<input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside Estates <input type="checkbox"/> Trust/Conservatorships <input type="checkbox"/> Individual Trustee <input type="checkbox"/> Corporate Trustee <input type="checkbox"/> Other Probate	<input type="checkbox"/> Construction Defect <input type="checkbox"/> Chapter 40 <input type="checkbox"/> General <input type="checkbox"/> Breach of Contract <input type="checkbox"/> Building & Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Other Contracts/Agmt/Judgment <input type="checkbox"/> Collection of Actions <input type="checkbox"/> Employment Contract <input type="checkbox"/> Guarantee <input type="checkbox"/> Sale Contract <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Civil Petition for Judicial Review <input type="checkbox"/> Other Administrative Law <input type="checkbox"/> Department of Motor Vehicles <input type="checkbox"/> Worker's Compensation Appeal	<input type="checkbox"/> Appeal from Lower Court (also check applicable civil case box) <input type="checkbox"/> Transfer from Justice Court <input type="checkbox"/> Justice Court Civil Appeal <input type="checkbox"/> Civil Writ <input type="checkbox"/> Other Special Proceeding <input checked="" type="checkbox"/> Other Civil Filing <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Conversion of Property <input type="checkbox"/> Damage to Property <input type="checkbox"/> Employment Security <input type="checkbox"/> Enforcement of Judgment <input checked="" type="checkbox"/> Foreign Judgment - Civil <input type="checkbox"/> Other Personal Property <input type="checkbox"/> Recovery of Property <input type="checkbox"/> Stockholder Suit <input type="checkbox"/> Other Civil Matters

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

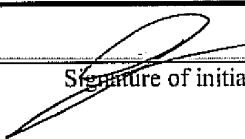
-
- ☐ NRS Chapters 78-88
 - ☐ Commodities (NRS 90)
 - ☐ Securities (NRS 90)

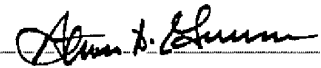
- ☐ Investments (NRS 104 Art. 8)
- ☐ Deceptive Trade Practices (NRS 598)
- ☐ Trademarks (NRS 600A)

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

October 18, 2012

Date


Signature of initiating party or representative



CLERK OF THE COURT

1 **FORJ**

2 John R. Hawley
3 Nevada Bar No. 001545
4 LEE, HERNANDEZ, LANDRUM,
5 GAROFALO & BLAKE
6 7575 Vegas Drive, Suite 150
7 Las Vegas, Nevada 89128
8 (702) 880-9750
9 Fax; (702) 314-1210
10 jhawley@leelawfirm.com

11 Attorneys for Plaintiff

12 **DISTRICT COURT**

13 **CLARK COUNTY, NEVADA**

14 FAR WEST INDUSTRIES, a California
15 corporation,

16 Plaintiff,

17 vs.

18 RIO VISTA NEVADA, LLC, a Nevada
19 limited liability company; WORLD
20 DEVELOPMENT, INC., a California
21 corporation; BRUCE MAIZE, and individual;
22 MICHAEL J. MONA, JR., an individual;
23 DOES I through 100, inclusive,

24 Defendants,

CASE NO.: A-12-670352-F

IV

APPLICAION OF FOREIGN
JUDGMENT

25 **AFFIDAVIT OF JOHN R. HAWLEY, ESQ.**

26 STATE OF NEVADA)

27 : ss.

28 COUNTY OF CLARK)

COMES NOW, JOHN R. HAWLEY, ESQ., being first duly sworn, and states as follows:

1. That Affiant is an attorney, duly licensed to practice in the State of Nevada and is a member of the law firm of LEE, HERNANDEZ, LANDRUM, GAROFALO & BLAKE.

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

1 2. That Affiant is counsel of record for FAR WEST INDUSTRIES, a California
2 corporation in the instant matter.

3 3. That the name and last known address of the Judgment Debtors herein are as follows:

4 Michael J. Mona, Jr.
5 2793 Red Arrow Drive
6 Las Vegas, NV 89135

7 Michael J. Mona, Jr., as trustee of the Mona Family Trust dated February 21,
8 2002
9 2793 Red Arrow Drive
10 Las Vegas, NV 89135

11 4. That the name and address of the Judgment Creditor herein is as follows:


12 Far West Industries, a California corporation
13 2922 Daimler Street
14 Santa Ana, CA 89128

15 5. That the Judgment herein, a duly exemplified copy of which is attached hereto, is valid
16 and enforceable.

17 6. That no portion of the Judgment herein has been satisfied.

18 FURTHER Affiant sayeth naught.


19 DATED this 18th day of October, 2012.

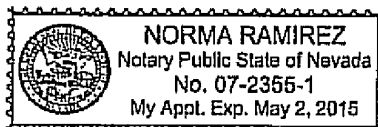
20 
JOHN R. HAWLEY, ESQ.

21 SUBSCRIBED and SWORN to

22 before me this 18th day of

23 October, 2012.

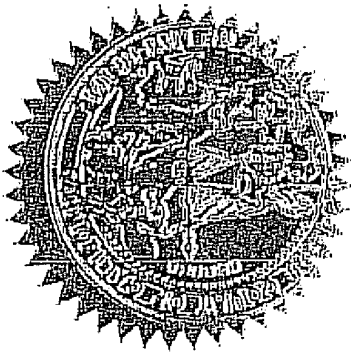
24
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26 
27 NOTARY PUBLIC



28 (SEAL)

EXEMPLIFICATION CERTIFICATE

The documents to which this certificate is attached are full, true and correct copies of the originals on file and of record in my office. All of which we have caused by these presents to be exemplified, and the seal of our Superior Court of California, County of Riverside to be hereunto affixed.



IN WITNESS WHEREOF, I have hereto set my hand and affixed the Seal of the said Court,

This 7th day of June
Sherri R. Carter
Sherri R. Carter, Clerk
Superior Court of California, County of Riverside

I, Mac R. Fisher, Judge of the Superior Court of the State of California, in and for the County of Riverside, do hereby certify that SHERRI R. CARTER whose name is subscribed to the preceding exemplification, is the Clerk of the said Superior Court of the State of California, in and for the County of Riverside, and that full faith and credit are due to her official acts. I further certify, that the seal affixed to the exemplification is the seal of our said Superior Court and that the attestation thereof is in due form and according to the form of attestation used in this State.

Date June 7, 2012

Mac R. Fisher
Judge of the Superior Court of California
County of Riverside

FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

APR 27 2012

HJV

APR 30 2012

js

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF RIVERSIDE, RIVERSIDE COURT

FAR WEST INDUSTRIES, a California
corporation,

Plaintiff,

vs.

RIO VISTA NEVADA, LLC, a Nevada limited
liability company; WORLD DEVELOPMENT,
INC., a California corporation; BRUCE MAIZE,
an individual; MICHAEL J. MONA, JR., an
individual; and DOES 1 through 100, inclusive,

Defendants.

Case No. RIC495966

JUDGE: Hon. Jacqueline Jackson

~~PROPOSED~~ JUDGMENT ~~NUNC PRO~~
~~TUNC~~

Action Filed: March 24, 2008

Trial Date: September 23, 2011

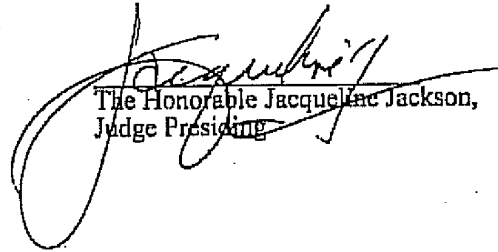
On February 23, 2012, the Honorable Jacqueline Jackson entered Finding of Fact and Conclusion of Law in the above-referenced matter. Based upon those Findings and Conclusion, Judgment is hereby entered in favor of Plaintiff Far West Industries, a California corporation and against the following Defendants, jointly and severally: (1) Michael J. Mona, Jr.; (2) Michael J. Mona, Jr., as Trustee of the Mona Family Trust dated February 21, 2002; (3) Rio Vista Nevada, LLC, a Nevada limited liability company; and (4) World Development, Inc., a California corporation in the amount of \$17,777,562.18. Recoverable court costs of \$25,562.56 and attorney's fees of \$327,548.84 are also awarded to Far West Industries, jointly and severally against all Defendants. The Clerk is hereby directed to enter those amounts on this Judgment following Far West Industries' post-Judgment petition for them. Finally, the Clerk is hereby

~~PROPOSED~~ JUDGMENT ~~NUNC PRO~~ ~~TUNC~~

GREEN & HALL
ATTORNEYS AT LAW
1100 CALIFORNIA STREET, SUITE 200
RIVERSIDE, CALIFORNIA 92501
(951) 511-1100

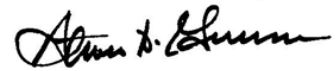
1 directed to release the \$32,846 that was interplead by Defendant Fidelity National Title Company
2 to Far West Industries upon entry of this Judgment.

3 Dated: 4/27/12


The Honorable Jacqueline Jackson,
Judge Presiding

GREEN & HALL
ATTORNEYS AT LAW
1110 PINE STREET, SUITE 100
DENVER, CO 80202
(303) 733-1111

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CLERK OF THE COURT

1 EXMT
2 DAVID S. LEE, ESQ.
3 Nevada Bar No. 6033
4 JOHN R. HAWLEY, ESQ.
5 Nevada Bar No. 001545
6 LEE, HERNANDEZ, LANDRUM,
7 GAROFALO & BLAKE
8 7575 Vegas Drive, Suite 150
9 Las Vegas, Nevada 89128
10 (702) 880-9750
11 Fax; (702) 314-1210
12 dlee@lee-lawfirm.com
13 jhawley@lee-lawfirm.com

14 Attorneys for Plaintiff

15 DISTRICT COURT
16 CLARK COUNTY, NEVADA

17 FAR WEST INDUSTRIES, a California
18 corporation,

19 Plaintiff,

20 vs.

21 RIO VISTA NEVADA, LLC, a Nevada
22 limited liability company; WORLD
23 DEVELOPMENT, INC., a California
24 corporation; BRUCE MAIZE, and individual;
25 MICHAEL J. MONA, JR., an individual;
26 DOES I through 100, inclusive,

27 Defendants.

CASE NO.: A-12-670352-F

DEPT: IV

FAR WEST INDUSTRIES' EX PARTE
MOTION FOR ORDER ALLOWING
EXAMINATION OF JUDGMENT
DEBTOR

28 **FAR WEST INDUSTRIES' EX PARTE MOTION FOR ORDER ALLOWING**
EXAMINATION OF JUDGMENT DEBTOR

29 COMES NOW Plaintiff, FAR WEST INDUSTRIES (hereinafter "FWI"), by and through
30 its attorneys, LEE, HERNANDEZ, LANDRUM, GAROFALO, & BLAKE, APC, and moves this
31 Honorable Court pursuant to NRS 21.270 for an Order requiring Defendant/Judgment Debtor,
32 MICHAEL J. MONA, JR., individually, and MICHAEL J. MONA, JR., as Trustee of the Mona
33 Family Trust dated February 21, 2002, to appear at Litigation Services, 3770 Howard Hughes

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

1 Parkway, Suite 300 Las Vegas, Nevada, and answer questions upon oath regarding Defendant's
2 property.

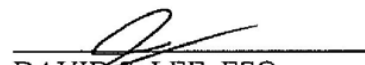
3 FWI further requests that this Court hold the judgment debtors in contempt of Court
4 should either of them fail to appear for examination as required by law and as ordered by this
5 Court.

6
7 This Motion is based upon the Affidavit of JOHN R. HAWLEY, ESQ. attached hereto as
8 Exhibit A, and any oral argument to be deduced at the time of the hearing hereon, if any.

9 DATED this 17th day of January, 2013.

10 **LEE, HERNANDEZ, LANDRUM,**
11 **GAROFALO & BLAKE, APC**

12 By


13 DAVID S. LEE, ESQ.
14 Nevada Bar No. 6033
15 JOHN R. HAWLEY, ESQ.
16 Nevada Bar No. 1545
17 7575 Vegas Drive, Suite 150
18 Las Vegas, Nevada 89128

19 Attorneys for Plaintiff
20 FAR WEST INDUSTRIES
21
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LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

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EXHIBIT "A"

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

AFFIDAVIT OF JOHN R. HAWLEY, ESQ. IN SUPPORT OF
EX PARTE MOTION FOR EXAMINATION OF JUDGMENT DEBTOR

JOHN R. HAWLEY, ESQ., being first duly sworn upon oath or declaration, deposes and states as follows:

1. I am a lawyer, duly licensed to practice law before this Honorable Court. I am an associate with the law firm of Lee Hernandez Landrum Garofalo & Blake, counsel of record for FWI. I have personal knowledge of the facts contained herein and am competent to testify to those facts.

2. A Judgment was entered against Defendants, MICHAEL J. MONA, JR. individually, and MICHAEL J. MONA, JR., as Trustee of the Mona Family Trust dated February 21, 2002, among others and in favor of FWI on April 27, 2012, by The Superior Court of the State of California, County of Riverside, which was subsequently domesticated in Nevada by this court, a copy of which is attached hereto as Exhibit "A" for the Court's convenience.

3. There is no pending appeal of the judgment described above, and no stay of the judgment is in place.

4. FWI, as the judgment creditor, is free to execute upon the judgment.

5. Judgment debtor, Michael J. Mona, Jr., and Michael J. Mona, Jr. as Trustee of the Mona Family Trust has failed and refused to pay any amount towards the judgment obtained against him and the judgment remains outstanding.

4. Despite diligent efforts to locate assets of Defendant, FWI has not been able to

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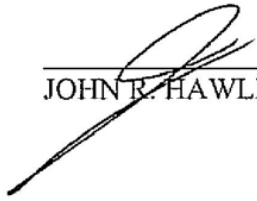
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LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

1 as certain the whereabouts of such assets.

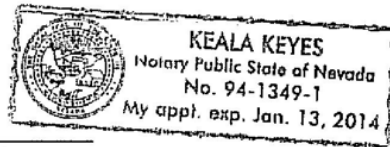
2 FURTHER AFFIANT SAYETH NAUGHT

3
4 
5 _____
6 JOHN R. HAWLEY, ESQ.

7 SWORN TO AND SIGNED BEFORE ME

8 THIS 17th DAY OF JANUARY, 2013.

9
10
11 
12 _____
13 NOTARY PUBLIC IN AND FOR SAID
14 COUNTY AND STATE



**DISTRICT COURT
CLARK COUNTY, NEVADA**

Foreign Judgment - Civil

COURT MINUTES

January 24, 2013

A-12-670352-F

Far West Industries, Plaintiff(s)
vs. Rio Vista Nevada, LLC , Defendant(s)

January 24, 2013

3:00 AM

Minute Order

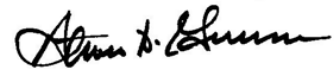
HEARD BY: Earley, Kerry

COURTROOM:

COURT CLERK: Kristin Duncan

JOURNAL ENTRIES

- As this Court is familiar with one of the parties, in accordance with Rule 2.11(a), and to avoid the appearance of impropriety and implied bias, this Court hereby disqualifies itself and ORDERS this case be REASSIGNED at random. Matters set on Department IV s December 13, 2012 Civil Motion Calendar are CONTINUED 30 days pending department reassignment.



CLERK OF THE COURT

1 **OAJD**
2 DAVID S. LEE, ESQ.
3 Nevada Bar No. 6033
4 John R. Hawley
5 Nevada Bar No. 001545
6 LEE, HERNANDEZ, LANDRUM,
7 GAROFALO & BLAKE
8 7575 Vegas Drive, Suite 150
9 Las Vegas, Nevada 89128
10 (702) 880-9750
11 Fax; (702) 314-1210
12 dlee@lee-lawfirm.com
13 jhawley@lee-lawfirm.com

14 Attorneys for Plaintiff

15 **DISTRICT COURT**
16 **CLARK COUNTY, NEVADA**

17 FAR WEST INDUSTRIES, a California
18 corporation,

19 Plaintiff,

20 vs.

21 RIO VISTA NEVADA, LLC, a Nevada
22 limited liability company; WORLD
23 DEVELOPMENT, INC., a California
24 corporation; BRUCE MAIZE, and individual;
25 MICHAEL J. MONA, JR., an individual;
26 DOES I through 100, inclusive,

27 Defendants.

CASE NO.: A-12-670352-F

DEPT: ~~26~~ 26

**ORDER FOR APPEARANCE OF
JUDGMENT DEBTORS**

ORDER FOR APPEARANCE OF JUDGMENT DEBTORS

23 This matter, having come on regularly for hearing in Chambers before the Honorable
24 Judge Kerry Earley, upon FAR WEST INDUSTRIES' ("FWI") Ex Parte Motion for Order
25 Allowing Examination of Judgment Debtors ("Motion"). The Court having carefully examined
26 the pleadings and papers on file in this matter, and with good cause appearing, hereby enters its
27 Orders as follows:

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

1 **IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that the Motion filed on
2 behalf of FWI is hereby **GRANTED**.

3 **IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** that MICHAEL J.
4 MONA, JR, individually, and MICHAEL J. MONA, JR., as Trustee of the Mona Family Trust
5 dated February 21, 2002, appear at Litigation Services, 3770 Howard Hughes Parkway, Suite 300
6 Las Vegas, Nevada, on the 18th day of February, 2013, at the hour of 10:00 a.m., with regard to
7 the Judgment entered against MICHAEL J. MONA, JR, individually, and MICHAEL J. MONA,
8 JR., as Trustee of the Mona Family Trust dated February 21, 2002, in favor of FWI on January
9 12, 2010, then and there to answer questions under oath concerning the assets of MICHAEL J.
10 MONA, JR, individually, and MICHAEL J. MONA, JR., as Trustee of the Mona Family Trust
11 dated February 21, 2002.

12 **MICHAEL J. MONA, JR, individually, and MICHAEL J. MONA, JR., as Trustee of**
13 **the Mona Family Trust dated February 21, 2002, ARE COMMANDED TO BRING** copies
14 of any and all documents outlined in Exhibit "A" attached hereto.

15 **MICHAEL J. MONA, JR, individually, and MICHAEL J. MONA, JR., as Trustee of**
16 **the Mona Family Trust FAILURE TO APPEAR AT THE TIME SET FORTH ABOVE**
17 **COULD RESULT IN AN ORDER TO SHOW CAUSE TO BE ISSUED TO EXPLAIN ITS**
18 **FAILURE TO APPEAR AND TO DISCLOSE ITS ASSETS.**


19 DATED this 29 day of January, 2013.

20
21 
DISTRICT COURT JUDGE

22 Respectfully submitted by:

23 LEE, HERNANDEZ, LANDRUM,
24 GAROFALO & BLAKE, APC

25 By:

26 
27 JOHN R. HAWLEY, ESQ.
28 Nevada Bar No. 001545
 7575 Vegas Drive, Suite 150
 Las Vegas, Nevada 89128

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

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EXHIBIT "A"

EXHIBIT "A"

Judgment Debtor Exam of MICHAEL J. MONA, JR, individually, and MICHAEL J. MONA, JR., as Trustee of the Mona Family Trust dated February 21, 2002

LIST OF DOCUMENTS AND THINGS TO BE PRODUCED BY

MICHAEL J. MONA, JR, individually, and MICHAEL J. MONA, JR., as Trustee of the Mona Family Trust dated February 21, 2002, AT DEBTOR'S EXAMINATION. ("You" and "Your" refers herein to MICHAEL J. MONA, JR, individually, and MICHAEL J. MONA, JR., as Trustee of the Mona Family Trust dated February 21, 2002).

1. Any and all Federal Employer Identification Numbers, Sales Tax Numbers, State Tax Numbers and City Tax Numbers.
2. Copies of any and all documents establishing and/or governing the Mona Family Trust dated February 21, 2002, and any amendments thereto.
3. A copy of each document showing your monthly income for the last 6 months.
4. A copy of each of your federal income tax returns with all schedules and any quarterly estimates of income taxes from 2005 through to the present.
5. A copy of each of your state income tax returns with all schedules and any quarterly income taxes from 2005 through to the present.
6. All "1099" forms reflecting income received by you for the last five (5) years.
7. Records of any and all monies received by you whether in the nature of bonuses, reimbursement of expenses, wages or reimbursement of loans for the past five (5) years.
8. Documents reflecting all assets (real, personal or mixed), whether owned by you individually, in any partnership or corporation form or in joint tenancy or in tenancy in common for the past five (5) years.
9. A copy of all documents related to any real assets (land, buildings, and any other commercial or residential real estate) in which you have any interest, as well as any appraisals prepared on such assets. The requested documents specifically include but not limited to all Deeds, Deeds of Trust, Mortgage Applications, Closing Statements, coupon books, statements of account, credit reports, title

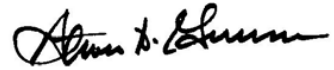
- insurance policies, and all other information in any way reflecting your involvement with, your ownership of, or your transactions as regards real estate or other property owned by you.
10. A copy of any and all lease(s) which you have signed, including, but not limited to, residential, commercial, and automotive. These leases do not need to be owned by you but can be regarding real estate or other property not owned by you but for which regular monthly lease payments are made.
 11. A copy of all statements, and a copy of each check register for each account, for each and every financial institution (including but not limited to all banks, savings and loans, credit unions, and brokerage houses) where you have an account, where you have signature authority on an account, or in which you have held or now hold an interest from January 2005 through to the present.
 12. A copy of all bank statements, deposit slips, and canceled checks for all bank, money market accounts which you own or in which you owned any interest whatsoever, or on which you were authorized to draw checks, whether said documents were in your name alone, in the name of another person/entity, or in the name of another and yourself as joint tenants, for the period of three (3) years prior to the date hereof.
 13. All savings account passbooks, bank statements and certificates of deposit for any and all accounts, in which you owned any interest whatsoever, or from which you were authorized to make withdrawals, whether said accounts were in your name alone, in the name of any other person, or in your name and another as joint tenants, for the period of five (5) years prior to the date hereof.
 14. All records regarding safe deposit boxes and any certificates of stocks and bonds belonging to you or in which you have had any interest direct, indirect, contingent, beneficial, or otherwise, whatsoever either alone or jointly with any other person for five (5) years preceding the date of this Order.
 15. All stocks, bonds, debentures or other securities, which you personally own or claim any interest to or had any interest in whether such interest was direct, indirect, contingent, beneficial, or otherwise, either alone or jointly with any other person for five (5) years preceding the date of this Order.
 16. All life insurance policies naming you as beneficiary whether direct, indirect, contingent, beneficial, or otherwise, therein.
 17. A copy of all certificates of title or any other documents evidencing your ownership with respect to any automobiles, motorcycles, trucks, RVs, ATVs, jet skis, boats, trailers, airplanes, or any other type of vehicle, which you now own, claim any interest in, or regularly derive.

18. All evidence of any and all notes, contracts, negotiable instruments, receivable or accounts receivable whether due or not due belonging to you or in which you have or have had any interest whosoever either alone or jointly with any other person or persons for five (5) years preceding the date of this Order.
19. A list of real property owned by you and, if occupied by Tenants, please state the following:
 - a. Tenants' names;
 - b. Tenants' address;
 - c. amount of monthly rent.
20. Documents relating to evidence of each and every credit card in your name or jointly with another person/entity, together with copies of all statements submitted by said credit companies for the last five (5) years.
21. All fire, burglary, and extended coverage insurance policies now in force upon any real estate or personal property (including copies of insurance inventories) owned by you or in which you have or have had any interest whatsoever either alone or jointly with any other person(s)/entity(ies) for five (5) years preceding the date of this Order.
22. All titles, bills of sale, or contracts of sale upon personal property, including but not limited to, stocks, bonds, memberships, or partnership interests, automobiles, boats, airplanes, household goods, miscellaneous furniture and fixtures belonging to you or in which you have or have had any interest (direct or indirect, beneficial or otherwise), whatsoever either alone or jointly with any other person or persons for five (5) years preceding the date of this Order.
23. A complete inventory of all items of personal property owned by you, of any nature whatsoever, including automobiles, boats, airplanes, household fixtures, furnishings, and appliances, whether paid for or not. If the personal property is not in your possession and in the possession of another person, designate the name and address of the person having possession of the property.
24. Copies of all financial statements given by you, either individually or jointly with another person or as a corporation, to any third party at any point during the past five (5) years preceding the date of this Order.
25. A statement listing all of your debts and obligations.
26. All automobile or personal property casualty or collision or all risk insurance policies presently owned by you.
27. A copy of all records pertaining to the acquisition, transfer and sale of all securities, in which you have had an interest from at least five (5) years prior to the date hereof to the present.

- 1 28. A copy of all evidence of mining claims, patents or development work owned by
- 2 you or in which you have or have had any interest whatsoever either along or
- 3 jointly with any other person or persons for at least five (5) years immediately
- 4 preceding the date of this Order.
- 5 29. A copy of all documents which evidence any trademark, trade name, copyright, or
- 6 patent in which you have or have had an interest.
- 7 30. A copy of all general ledgers, accounting journals, financial statements or other
- 8 financial records prepared or maintained as regards your finances during the last
- 9 five (5) years.
- 10 31. A copy of any/all lawsuits, judgments, etc., which you may be a party to.
- 11 32. A copy of all loan applications used for any purpose whatsoever in the last five (5)
- 12 years.
- 13 33. A copy of your current plan and your most recent plan statement or summary plan
- 14 description for any deferred compensation in which you are a participant.
- 15 34. A copy of any and all agreements, of whatever kind, for the use of a safe deposit
- 16 box, safe or vault or other place of safekeeping.
- 17 35. A copy of each and every life insurance or annuity policy in which you hold a
- 18 beneficial interest.
- 19 36. Copies of all your corporate records, including Minutes (for the past 5 years),
- 20 Stock Transfer Ledgers and other "corporation" records.
- 21 37. Copies of any partnership or joint venture agreements and all correspondence
- 22 related thereto.
- 23 38. Copies of all of your business licenses.
- 24 39. Copies of any and all contracts to which you are a party entered into within the last
- 25 five (5) years.
- 26 40. All records, which evidence charitable donations of \$100 or more up to personal
- 27 "gifts" with a value of more than \$100 made by you or on your behalf within the
- 28 last five (5) years.
41. Copies of any and all documents whereby you acquired or disposed of an interest
- in any business(es) within the last five (5) years.
42. Copies of any employment or consulting contracts to which you are a party.
43. Any notes owed to you.

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

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- 44. Copy of all accounts receivable documents, both current and for five (5) years prior to the date of this Order.
 - 45. All of your general ledgers, accounting journals, financial statements or other financial records prepared or maintained during the last five (5) years.
 - 46. A copy of each and every document evidencing each and every business in which you have, or had, an interest from 2005 through to the present.
 - 47. A copy of each and every profit and loss statement for each business in which you have, or had, an interest from 2005 through to the present.
 - 48. A copy of each financial statement or credit application prepared by you or on behalf of you and/or any business in which you have, or had, any interest, whether legal or equitable, in the past five (5) years.



CLERK OF THE COURT

1 **AMOR**
2 DAVID S. LEE, ESQ.
3 Nevada Bar No. 6033
4 John R. Hawley
5 Nevada Bar No. 001545
6 LEE, HERNANDEZ, LANDRUM,
7 GAROFALO & BLAKE
8 7575 Vegas Drive, Suite 150
9 Las Vegas, Nevada 89128
10 (702) 880-9750
11 Fax; (702) 314-1210
12 dlee@lee-lawfirm.com
13 jhawley@lee-lawfirm.com

Attorneys for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

12 FAR WEST INDUSTRIES, a California
13 corporation,

Plaintiff,

vs.

16 RIO VISTA NEVADA, LLC, a Nevada
17 limited liability company; WORLD
18 DEVELOPMENT, INC., a California
19 corporation; BRUCE MAIZE, and individual;
20 MICHAEL J. MONA, JR., an individual;
21 DOES I through 100, inclusive,

Defendants.

CASE NO.: A-12-670352-F
DEPT: XXVI

**AMENDED ORDER FOR
APPEARANCE OF JUDGMENT
DEBTORS**

AMENDED ORDER FOR APPEARANCE OF JUDGMENT DEBTORS

23 COME NOW, Plaintiff, FAR WEST INDUSTRIES, a California corporation, by and
24 through their attorneys of record LEE, HERNANDEZ, LANDRUM, GAROFALO & BLAKE
25 and John R. Hawley Esq. and hereby provides an Amended Order for Appearance of Judgment
26 Debtors.
27
28

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

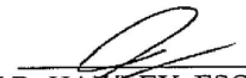
1 Appearance date of February 18, 2013 (President's Day) will be rescheduled to February
2 20, 2013 at the hour of 10:00 a.m. at Litigation Services, 3770 Howard Hughes Parkway, Suite
3 300 Las Vegas, Nevada.

4 DATED this 6 day of February, 2013.

5 
6 DISTRICT COURT JUDGE

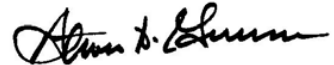
7 Respectfully submitted by:

8 LEE, HERNANDEZ, LANDRUM,
9 GAROFALO & BLAKE, APC

10 By: 
11 JOHN R. HAWLEY, ESQ.
12 Nevada Bar No. 001545
13 7575 Vegas Drive, Suite 150
14 Las Vegas, Nevada 89128

A670352
Amnd 0
App. JD.

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750



CLERK OF THE COURT

NJJ
John R. Hawley
Nevada Bar No. 001545
LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 Vegas Drive, Suite 150
Las Vegas, Nevada 89128
(702) 880-9750
Fax; (702) 314-1210
jhawley@leelawfirm.com

Attorneys for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

FAR WEST INDUSTRIES, a California
corporation,

Plaintiff,

vs.

RIO VISTA NEVADA, LLC, a Nevada
limited liability company; WORLD
DEVELOPMENT, INC., a California
corporation; BRUCE MAIZE, and individual;
MICHAEL J. MONA, JR., an individual;
DOES I through 100, inclusive,

Defendants.

CASE NO.: A-12-670352-F
DEPT: XXVI

**NOTICE OF EXAMINATION OF
JUDGMENT DEBTOR ON AN ORDER
SHORTENING TIME**

**NOTICE OF EXAMINATION OF JUDGMENT DEBTOR ON AN ORDER
SHORTENING TIME**

**TO: MICHAEL J. MONA, JR, individually, and MICHAEL J. MONA, JR., as
Trustee of the Mona Family Trust dated February 21, 2002, AND THEIR COUNSEL OF
RECORD**

PLEASE TAKE NOTICE that pursuant to the Order of the Court, issued after hearing on
Far West Industries' ("FWI") Ex Parte Motion for Order Allowing Examination of Judgment
Debtor, MICHAEL J. MONA, JR, individually, and MICHAEL J. MONA, JR., as Trustee of the

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

1 Mona Family Trust dated February 21, 2002 shall appear for the examination of judgment debtor
2 on **February 20, 2013, at 10:00 a.m., at Litigation Services, 3770 Howard Hughes Parkway,**
3 **Suite 300 Las Vegas, Nevada,** with regard to the Judgment entered against MICHAEL J.
4 MONA, JR, individually, and MICHAEL J. MONA, JR., as Trustee of the Mona Family Trust
5 dated February 21, 2002, in favor of FWI April 27, 2012, by The Superior Court of the State of
6 California, County of Riverside, which was subsequently domesticated in Nevada by this court, a
7 copy of which is attached hereto as Exhibit "A", then and there to answer questions under oath
8 concerning the assets of MICHAEL J. MONA, JR, individually, and MICHAEL J. MONA, JR.,
9 as Trustee of the Mona Family Trust dated February 21, 2002.
10

11 **MICHAEL J. MONA, JR, individually, and MICHAEL J. MONA, JR., as Trustee of**
12 **the Mona Family Trust dated February 21, 2002 IS COMMANDED TO BRING** copies of
13 any and all documents outlined in Exhibit "B" attached to the Order Requiring Appearance of
14 Judgment Debtor, copies of any and all documents outlined in Exhibit "C" Amended Order for
15 Appearance of Judgment Debtors a copy of which is attached hereto.
16

17 **THE FAILURE OF MICHAEL J. MONA, JR, individually, and MICHAEL J.**
18 **MONA, JR., as Trustee of the Mona Family Trust dated February 21, 2002 , TO APPEAR**
19 **AT THE TIME SET FORTH ABOVE COULD RESULT IN AN ORDER TO SHOW**
20

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1 CAUSE TO BE ISSUED TO EXPLAIN ITS FAILURE TO APPEAR AND TO DISCLOSE
2 ITS ASSETS.

3 DATED this 12th day of Febraury, 2013.
4

5 LEE, HERNANDEZ, LANDRUM,
6 GAROFALO & BLAKE, APC
7

8 By: 
9

10 DAVID S. LEE, ESQ.

Nevada Bar No. 6033

11 JOHN R. HAWLEY, ESQ.

Nevada Bar No. 1545

12 7575 Vegas Drive, Suite 150

Las Vegas, Nevada 89128

13 Attorneys for Judgment Creditor FAR
14 WEST INDUSTRIES
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LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

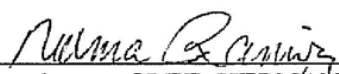
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CERTIFICATE OF MAILING

Far West Industries vs. Rio Vista Nevada, LLC

I HEREBY CERTIFY that on the 13th day of February, 2013, I hereby certify that I served a copy of the above and foregoing Notice of Examination of Judgment Debtor on an Order Shortening Time, via U.S. mail, in a sealed envelope, postage prepaid to the following counsel:

SEE ATTACHED SERVICE LIST


An employee of LEE, HERNANDEZ,
LANDRUM,
GAROFALO & BLAKE, APC

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

Far West Industries v. Rio Vista Nevada, LLC
Service List

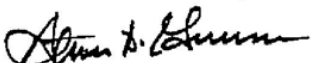
Michael J. Mona, Jr.
2793 Red Arrow Drive
Las Vegas, Nevada 89135

Michael J. Mona, Jr., as trustee of the
Mona Family Trust
2793 Red Arrow Drive
Las Vegas, Nevada 89135

Howard Golds
BEST, BEST & KRIEGER LLP
3750 University Avenue # 400
Riverside, CA 92502

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

EXHIBIT “A”



CLERK OF THE COURT

1 **FORJ**
John R. Hawley
2 Nevada Bar No. 001545
LEE, HERNANDEZ, LANDRUM,
3 GAROFALO & BLAKE
7575 Vegas Drive, Suite 150
4 Las Vegas, Nevada 89128
(702) 880-9750
5 Fax; (702) 314-1210
jhawley@leelawfirm.com

6
7 Attorneys for Plaintiff

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

10 **FAR WEST INDUSTRIES, a California**
11 **corporation,**

12 **Plaintiff,**

13 **vs.**

14 **RIO VISTA NEVADA, LLC, a Nevada**
limited liability company; **WORLD**
15 **DEVELOPMENT, INC., a California**
corporation; **BRUCE MAIZE, and individual;**
16 **MICHAEL J. MONA, JR., an individual;**
17 **DOES I through 100, inclusive,**

18 **Defendants.**

CASE NO.: A - 12 - 670352 - F

I V

APPLICAION OF FOREIGN
JUDGMENT

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

19 **AFFIDAVIT OF JOHN R. HAWLEY, ESQ.**

20
21 **STATE OF NEVADA)**

22 **: ss.**

23 **COUNTY OF CLARK)**

24 **COMES NOW, JOHN R. HAWLEY, ESQ., being first duly sworn, and states as follows:**

25 **1. That Affiant is an attorney, duly licensed to practice in the State of Nevada and is a**
26 **member of the law firm of LEE, HERNANDEZ, LANDRUM, GAROFALO & BLAKE.**

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

1 2. That Affiant is counsel of record for FAR WEST INDUSTRIES, a California
2 corporation in the instant matter.

3 3. That the name and last known address of the Judgment Debtors herein are as follows:

4 Michael J. Mona, Jr.
5 2793 Red Arrow Drive
6 Las Vegas, NV 89135

7 Michael J. Mona, Jr., as trustee of the Mona Family Trust dated February 21,
8 2002
9 2793 Red Arrow Drive
10 Las Vegas, NV 89135

11 4. That the name and address of the Judgment Creditor herein is as follows:

12 Far West Industries, a California corporation
13 2922 Daimler Street
14 Santa Ana, CA 9128

15 5. That the Judgment herein, a duly exemplified copy of which is attached hereto, is valid
16 and enforceable.

17 6. That no portion of the Judgment herein has been satisfied.

18 FURTHER Affiant sayeth naught.


19 DATED this 18th day of October, 2012.

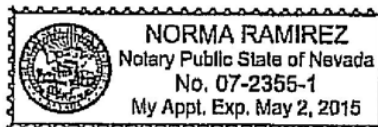
20 
JOHN R. HAWLEY, ESQ.

21 SUBSCRIBED and SWORN to

22 before me this 18th day of

23 October, 2012.

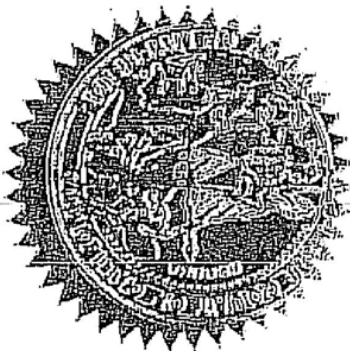
24
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26 
27 NOTARY PUBLIC



(SEAL)

EXEMPLIFICATION CERTIFICATE

The documents to which this certificate is attached are full, true and correct copies of the originals on file and of record in my office. All of which we have caused by these presents to be exemplified, and the seal of our Superior Court of California, County of Riverside to be hereunto affixed.



IN WITNESS WHEREOF, I have hereto set my hand and affixed the Seal of the said Court,

This 7th day of June
Sherri R. Carter
Sherri R. Carter, Clerk
Superior Court of California, County of Riverside

I, Mac R. Fisher, Judge of the Superior Court of the State of California, in and for the County of Riverside, do hereby certify that SHERRI R. CARTER whose name is subscribed to the preceding exemplification, is the Clerk of the said Superior Court of the State of California, in and for the County of Riverside, and that full faith and credit are due to her official acts. I further certify, that the seal affixed to the exemplification is the seal of our said Superior Court and that the attestation thereof is in due form and according to the form of attestation used in this State.

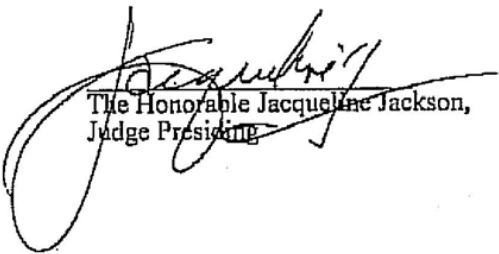
Date June 7, 2012

Mac R. Fisher
Judge of the Superior Court of California
County of Riverside

Id

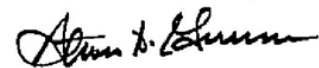
1 directed to release the \$32,846 that was interplead by Defendant Fidelity National Title Company
2 to Far West Industries upon entry of this Judgment.

3 Dated: 4/27/12


The Honorable Jacqueline Jackson,
Judge Presiding

GREEN & HALL
ATTORNEYS AT LAW
414 E. 10th Street, Suite 100
Oklahoma City, Oklahoma 73102
Phone: (405) 234-1111
Fax: (405) 234-1112
www.greenandhall.com

EXHIBIT “B”



CLERK OF THE COURT

1 OAJD
2 DAVID S. LEE, ESQ.
3 Nevada Bar No. 6033
4 John R. Hawley
5 Nevada Bar No. 001545
6 LEE, HERNANDEZ, LANDRUM,
7 GAROFALO & BLAKE
8 7575 Vegas Drive, Suite 150
9 Las Vegas, Nevada 89128
10 (702) 880-9750
11 Fax; (702) 314-1210
12 dlee@lee-lawfirm.com
13 jhawley@lee-lawfirm.com

Attorneys for Plaintiff

DISTRICT COURT
CLARK COUNTY, NEVADA

FAR WEST INDUSTRIES, a California
corporation,

Plaintiff,

vs.

RIO VISTA NEVADA, LLC, a Nevada
limited liability company; WORLD
DEVELOPMENT, INC., a California
corporation; BRUCE MAIZE, and individual;
MICHAEL J. MONA, JR., an individual;
DOES I through 100, inclusive,

Defendants.

CASE NO.: A-12-670352-F
DEPT: ~~26~~ 26

ORDER FOR APPEARANCE OF
JUDGMENT DEBTORS

ORDER FOR APPEARANCE OF JUDGMENT DEBTORS

This matter, having come on regularly for hearing in Chambers before the Honorable Judge Kerry Earley, upon FAR WEST INDUSTRIES' ("FWI") Ex Parte Motion for Order Allowing Examination of Judgment Debtors ("Motion"). The Court having carefully examined the pleadings and papers on file in this matter, and with good cause appearing, hereby enters its Orders as follows:

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
LAS VEGAS, NV 89128
(702) 880-9750

1 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Motion filed on
2 behalf of FWI is hereby GRANTED.

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that MICHAEL J.
4 MONA, JR, individually, and MICHAEL J. MONA, JR., as Trustee of the Mona Family Trust
5 dated February 21, 2002, appear at Litigation Services, 3770 Howard Hughes Parkway, Suite 300
6 Las Vegas, Nevada, on the 18th day of February, 2013, at the hour of 10:00 a.m., with regard to
7 the Judgment entered against MICHAEL J. MONA, JR, individually, and MICHAEL J. MONA,
8 JR., as Trustee of the Mona Family Trust dated February 21, 2002, in favor of FWI on January
9 12, 2010, then and there to answer questions under oath concerning the assets of MICHAEL J.
10 MONA, JR, individually, and MICHAEL J. MONA, JR., as Trustee of the Mona Family Trust
11 dated February 21, 2002.

12 MICHAEL J. MONA, JR, individually, and MICHAEL J. MONA, JR., as Trustee of
13 the Mona Family Trust dated February 21, 2002, ARE COMMANDED TO BRING copies
14 of any and all documents outlined in Exhibit "A" attached hereto.

15 MICHAEL J. MONA, JR, individually, and MICHAEL J. MONA, JR., as Trustee of
16 the Mona Family Trust FAILURE TO APPEAR AT THE TIME SET FORTH ABOVE
17 COULD RESULT IN AN ORDER TO SHOW CAUSE TO BE ISSUED TO EXPLAIN ITS
18 FAILURE TO APPEAR AND TO DISCLOSE ITS ASSETS.

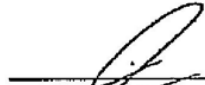
19 DATED this 29 day of January, 2013.

20
21 
22 DISTRICT COURT JUDGE

23 Respectfully submitted by:

24 LEE, HERNANDEZ, LANDRUM,
25 GAROFALO & BLAKE, APC

26 By:

27 
28 JOHN R. HAWLEY, ESQ.
Nevada Bar No. 001545
7575 Vegas Drive, Suite 150
Las Vegas, Nevada 89128

LEE, HERNANDEZ, LANDRUM,
GAROFALO & BLAKE
7575 VEGAS DRIVE, SUITE 150
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EXHIBIT "A"