

IN THE SUPREME COURT OF THE STATE OF NEVADA

\* \* \*

In the Matter of:

Case No. 73837

THE W.N. CONNELL and MARJORIE  
T. CONNELL LIVING TRUST, dated  
May 18, 1972.

**FILED**

MAR 21 2019

APPEAL

from the Eighth Judicial District Court, Clark County  
The Honorable GLORIA STURMAN, District Court Judge  
District Court Case No. P-09-066425-T

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY *B. Richards*  
DEPUTY CLERK

**JOINT SUPPLEMENT**

JOSEPH J. POWELL, ESQ. (#8875)  
DANIEL P. KIEFER, ESQ. (#12419)  
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*Attorneys for Appellant*

19-12457

**VERIFICATION**

STATE OF NEVADA     )  
                                  ) ss:  
COUNTY OF CLARK    )

~~Under penalties of perjury, the undersigned declare that they are counsel for~~  
the parties in the foregoing Joint Supplement and know the contents thereof; that  
the pleading is true of their own knowledge, except as to those matters stated on  
information and belief, and that as to such matters they believe them to be true. This  
verification is made pursuant to NRS 15.010.

Dated this 20<sup>th</sup> day of March, 2019.

RUSHFORH LEE & KIEFER, LLP

*/s/ Joseph J. Powell*

By: \_\_\_\_\_

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*Attorneys for Appellant*

**JOINT SUPPLEMENT**

Pursuant to the request made by Justice Pickering during oral argument on March 15, 2019, the Parties hereby submit this Joint Supplement:

On November 6, 2016, Judge Sturman set the second evidentiary hearing for February 9 and 10, 2017, per Mr. Powell's request. (8 AAPP 942-943.) A true and correct copy of the district court's minutes are attached hereto for the Court's convenience.

Dated this 20<sup>th</sup> day of March, 2019.

RUSHFORH LEE & KIEFER, LLP

*/s/ Joseph J. Powell*

By: \_\_\_\_\_

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*Attorneys for Appellant*

**CERTIFICATE OF SERVICE**

Pursuant to NRAP 5(b), I hereby certify that I am an employee of the law firm of Solomon Dwiggin & Freer, Ltd., and that on March 19th, 2019, I filed a true and correct copy of the foregoing ~~JOINT SUPPLEMENT~~, with the Clerk of the Court through the Court's e-flex electronic filing system and notice will be sent electronically by the Court to the following:

TODD L. MOODY, ESQ.  
RUSSEL J. GEIST, ESQ.  
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Court-appointed Trustee*

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Kathryn A. Bouvier*

KRISTIN K. WOODS  
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*Guardian ad Litem for Eleanor Ahern*

DATED: March 20, 2019.

  
An employee of SOLOMON DWIGGIN & FREER, LTD.

P-09-066425-T

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Probate -  
Trust/Conservatorships**

**COURT MINUTES**

**November 09, 2016**

P-09-066425-T

In the Matter of the Trust of:

The W.N. Connell and Marjorie T. Connell Living Trust, dtd May 18, 1972

**November 09,  
2016**

**9:30 AM**

**Status Check: Settlement**

**HEARD BY:** Sturman, Gloria

**COURTROOM:** RJC Courtroom 03H

**COURT CLERK:** Melissa Murphy  
**RECORDER** Kerry Esparza

**PARTIES:**

David Mann, Other, not present  
Eleanor Ahern, Petitioner, not present  
Fredrick Waid, Trustee, present  
Jacqueline Montoya, Other, Personal  
Representative, not present  
Kathryn Bouvier, Other, not present  
Marquis Aurbach Coffing, Other, not present  
Parties Receiving Notice, Other, not present  
The W.N. Connell and Marjorie T. Connell  
Living Trust, dtd May 18, 1972, Trust, not  
present

Pro Se  
Kirk Lenhard, Attorney, present  
Russel Geist, Attorney, not present  
Joseph Powell, Attorney, present  
  
Joseph Powell, Attorney, present  
Dale Hayes, Attorney, not present  
Todd Moody, Attorney, present  
Terry Coffing, Attorney, present

**JOURNAL ENTRIES**

Mr. Lenhard noted about two weeks ago Mr. Waid came to him with a proposal for settlement. Upon discussion, he received acceptance wherein his clients deposition had to be taken and there was a meeting arranged to discuss concerns; however he received an e-mail yesterday from Ms. Ahern that she would not accept the settlement. Mr. Lenhard noted he advised his client he was going to move to withdraw immediately and did not want to be responsible for the deposition scheduled on

PRINT DATE:	11/15/2016	Page 1 of 2	Minutes Date:	November 09, 2016
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**AAPP 942**

P-09-066425-T

November 29th. Additionally noted there was a meeting scheduled today; however there was another doctor's appointment which interfered with the meeting.

Mr. Moody requested an order establishing Ms. Ahern must appear for the deposition in light of the events today. Mr. Moody further noted in the event the deposition does not occur, Mr. Waid plans to file his report and accounting without Ms. Ahern's cooperation. Mr. Lenhard noted he has not signed off on the order and requested not to.

Mr. Coffing requested to set his motion to adjudicate lien at the same time as the motion to withdraw. COURT ORDERED, Motion to Adjudicate Attorney's Lien RESET. Court suggested counsel send the motion to withdraw on order shortening time to have the matter heard by November 23, 2016.

At the request by Mr. Powell, COURT FURTHER ORDERED, Evidentiary Hearing SET.

11/23/16 9:30 AM - MARQUIS AURBACH COFFING'S MOTION TO ADJUDICATE ATTORNEY'S LIEN

02/09/17-02/10/17 - EVIDENTIARY HEARING

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**AAPP 943**