

IN THE SUPREME COURT OF THE STATE OF NEVADA

INDICATE FULL CAPTION:

IN THE MATTER OF THE W. N. CONNELL AND
MARJORIE T. CONNELL LIVING TRUST DATED
MAY 18, 1972 INTER VIVOS IRREVOCABLE
TRUST

ELEANOR CONNELL HARTMAN AHERN

Appellant

Vs

FRDERICK P. WAID, COURT APPOINTED
TRUSTEE Temporary Trustee


Respondent

No. 74517

DOCKETING STATEMENT
CIVIL APPEALS

FILED

DEC 14 2017

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY /  /
DEPUTY CLERK

GENERAL INFORMATION

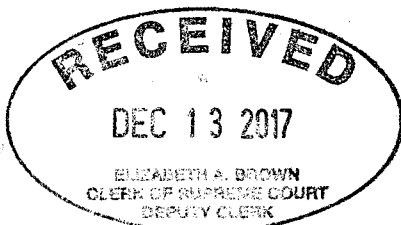
Appellants must complete this docketing statement in compliance with NRAP 14(a). The purpose of the docketing statement is to assist the Supreme Court in screening jurisdiction, identifying issues on appeal, assessing presumptive assignment to the Court of Appeals under NRAP 17, scheduling cases for oral argument and settlement conferences, classifying cases for expedited treatment and assignment to the Court of Appeals, and compiling statistical information.

WARNING

This statement must be completed fully, accurately and on time. NRAP 14(c). The Supreme Court may impose sanctions on counsel or appellant if it appears that the information provided is incomplete or inaccurate. *Id.* Failure to fill out the statement completely or to file it in a timely manner constitutes grounds for the imposition of sanctions, including a fine and/or dismissal of the appeal.

A complete list of the documents that must be attached appears as Question 27 on this docketing statement. Failure to attach all required documents will result in the delay of your appeal and may result in the imposition of sanctions.

This court has noted that when attorneys do not take seriously their obligations under NRAP 14 to complete the docketing statement properly and conscientiously, they waste the valuable judicial resources of this court, making the imposition of sanctions appropriate. See KDI Sylvan Pools v. Workman, 107 Nev. 340, 344, 810 P.2d 1217, 1220 (1991). Please use tab dividers to separate any attached documents.



Revised December 2015

17-43093

1. Judicial District 8 Department 26
County Clark Judge Gloria Sturman
District Ct. Case No. P066425

2. Attorney filing this docketing statement:

Attorney Eleanor Ahern Pro se Telephone 702 345 3035 Fx 702 346 7909

Firm NA

Address
355 West Mesquite Boulevard D30 #176
Mesquite, Nevada 89027
Ph 702 345 3035 Fx 702 346 7909

Client(s) _____

If this is a joint statement by multiple appellants, add the names and addresses of other counsel and the names of their clients on an additional sheet accompanied by a certification that they concur in the filing of this statement.

3. Attorney(s) representing respondents(s):

Attorney Joseph Powell J. D. Telephone 702 255 4552

Firm The Rushforth Firm

Address
1707 Village Center #150
Las Vegas, Nevada 89134

Client(s) Jacqueline M Montoya and Kathryn A. Bouvier

Attorney _____ Telephone _____

Firm _____

Address _____

Client(s) _____

(List additional counsel on separate sheet if necessary)

4. Nature of disposition below (check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Judgment after bench trial | <input type="checkbox"/> Dismissal: |
| <input type="checkbox"/> Judgment after jury verdict | <input type="checkbox"/> Lack of jurisdiction |
| <input type="checkbox"/> Summary judgment | <input type="checkbox"/> Failure to state a claim |
| <input type="checkbox"/> Default judgment | <input type="checkbox"/> Failure to prosecute |
| <input type="checkbox"/> Grant/Denial of NRCP 60(b) relief | <input type="checkbox"/> Other (specify): _____ |
| <input type="checkbox"/> Grant/Denial of injunction | <input type="checkbox"/> Divorce Decree: |
| <input type="checkbox"/> Grant/Denial of declaratory relief | <input type="checkbox"/> Original <input type="checkbox"/> Modification |
| <input type="checkbox"/> Review of agency determination | <input type="checkbox"/> Other disposition (specify): _____ |

5. Does this appeal raise issues concerning any of the following? No

- ☐ Child Custody
☐ Venue
☐ Termination of parental rights

6. Pending and prior proceedings in this court. List the case name and docket number of all appeals or original proceedings presently or previously pending before this court which are related to this appeal:

No 66231 Jacqueline M. Montoya & Kathryn A. Bouvier Filed May 22, 2017 consolidated with No 67782 & No 68046
No 72877 Marquis Aurbach Coffing
No 67782 Jacqueline M. Montoya and Kathryn A. Bouvier Filed Nov. 20, 2015
Consolidated with No. 68046 Brownstein Hyatt Farbaer Schreck, LLP
No 712897 Marquis Aurbach Coffing Filed June 09, 2017
No. 71577 W. N. Connell Trust
No 72897 Brownstein Hyatt Farbaer Schreck LLP Filed Aug 16, 2017
No 73837 Jacqueline M. Montoya & Kathryn A. Bouvier Filed Sept 09 2017

Please note that in all these appeals Judge Sturman Denied a continuance in the Hearings in District Court and Judge Sturman Denied me to use my \$900,000 in my trust account to pay for attorney fees. I still need Attorney Larry Espenza to be my attorney. I do not have adequate education to defend myself in the Nevada Supreme Court

7. Pending and prior proceedings in other courts. List the case name, number and court of all pending and prior proceedings in other courts which are related to this appeal (e.g., bankruptcy, consolidated or bifurcated proceedings) and their dates of disposition:

8. Nature of the action. Briefly describe the nature of the action and the result below:

It is not correct or ethical to go after anyone who assisted me or did as I asked them to do when I was the sole trustee and sole beneficiary of the W. N. Connell and Marjorie T. Connell Living Trust dated May 18 1972 in 2011 - 2015. When I realized my daughter Jacqueline closed and reopened my bank accounts with her name on my account for my ECA Trust account and ONLY she could change the account + more, I chose to stop giving my daughters the 65% I had given my adopted mother. Because of a vow Marjorie and I made to my father we would never hurt each other. I gave her 65% until her death May 1, 2009 and continued giving to my daughters until 2012. I was adopted at 38 because my father insisted Marjorie adopt me. I am the only child of my father from a former marriage. I was made Residual Beneficiary during my lifetime of the 1972 Trust and The 2009 Reconstruction of the 1972 confirmed it. Fred is trying to replace \$1,200,000 I handed into Luaine W. at Marquis Aurbach Coffing.

9. Issues on appeal. State concisely the principal issue(s) in this appeal (attach separate sheets as necessary): Judge Sturman Ordered me to be fined 3 X \$1,200,000 = \$3,600,000 damages against me. This large check was immediately given to Luaine Wakahama my attorney who said Fred Waid lies. It would be safer if you give the check to me. I will get his signature before he gets this large check.

The Petition and Order signed by Judge Ritchie states neither daughters were to be in any flow of oil money until I died. I am very much alive and well. I consulted many attorneys and CPAs on my being the sole beneficiary and sole Trustee. All agreed the two documents state I could spend the oil money freely. Which I did. Jacqueline was doing the book-keeping for my mother and I let her continue until I found problems with her accounting and. I took back the book-keeping for my trust. I hired an International Forensic Handwriting Specialist. who found over 400 forged signatures of my mother and myself. That is when I stopped giving my daughters any more money and they sued me. Fred Waid Temporary Trustee should be going after Attorney David Mann who was turned into the Nevada Bar by my attorney for unethically charging me \$125,000 plus \$10,000 I gave Fred to pay Burrs Bill and to pay for DVDs of Court Hearings, He kept it for himself.

10. Pending proceedings in this court raising the same or similar issues. If you are aware of any proceedings presently pending before this court which raises the same or similar issues raised in this appeal, list the case name and docket numbers and identify the same or similar issue raised:

11. Constitutional issues. If this appeal challenges the constitutionality of a statute, and the state, any state agency, or any officer or employee thereof is not a party to this appeal, have you notified the clerk of this court and the attorney general in accordance with NRAP 44 and NRS 30.130?

☐ N/A

☐ Yes

☒ No

If not, explain:

12. Other issues. Does this appeal involve any of the following issues?

☐ Reversal of well-settled Nevada precedent (identify the case(s))

☒ An issue arising under the United States and/or Nevada Constitutions

☐ A substantial issue of first impression

☒ An issue of public policy

☐ An issue where en banc consideration is necessary to maintain uniformity of this court's decisions

☐ A ballot question

If so, explain:

Before every Hearing from November 2016 through all of 2017, I requested a continuance to have time to obtain an attorney. Judge Gloria Sturman denied my request every time. During these same hearings I requested a attorney and each time Judge Gloria Sturman denied my request to have an Attorney. I was without representation, completely alone and my Due Process was denied and the issue of Public policy was withheld from me. The outcome was my Due Process and any protection of Public Policy was Denied me. I had no one to protect me from all the lies said against me by Fred Waid - Court Appointed Temporary Trustee and Judge Gloria Sturman who believed every hateful word that came out of Fred Waid's mouth. Fred Waid, Temporary Trustee who recently changed his title to Residual Beneficiary which is my Title under my father's Trust. I am the Residual Beneficiary during my lifetime. Fred Waid is not qualified to say I stole my money and demand clawbacks from my friends

13. Assignment to the Court of Appeals or retention in the Supreme Court. Briefly set forth whether the matter is presumptively retained by the Supreme Court or assigned to the Court of Appeals under NRAP 17, and cite the subparagraph(s) of the Rule under which the matter falls. If appellant believes that the Supreme Court should retain the case despite its presumptive assignment to the Court of Appeals, identify the specific issue(s) or circumstance(s) that warrant retaining the case, and include an explanation of their importance or significance:

I believe this matter needs to be retained by the Supreme Court and not assigned to the Court of Appeals. The specific issue is that I have been denied my Due Process and Denied me the right to have an attorney in all the District Courts Hearing from August 11 2016 all through 2017. The decisions that came down from the District Court were extremely damaging to me. If I had an attorney to defend me against all the lies said against me, the outcome would have been in my favor as I did nothing wrong while I was managing my trust with the assistance of Attorneys and CPAs. I was rolled over by Hutchison & Steffen, the attorneys hired with my money to represent Fred Waid, Temporary Trustee. Fred has given himself a new title of Residual Beneficiary. I am the Residual Beneficiary of my father's trust confirmed by the 2009 Reconstruction of the 1972 Trust and signed by me & both daughters confirmed I was Sole Trustee and Sole Beneficiary during my lifetime..

14. Trial. If this action proceeded to trial, how many days did the trial last? _____

Was it a bench or jury trial? No Trial

15. Judicial Disqualification. Do you intend to file a motion to disqualify or have a justice recuse him/herself from participation in this appeal? If so, which Justice?

TIMELINESS OF NOTICE OF APPEAL

16. Date of entry of written judgment or order appealed from October 19, 2017

If no written judgment or order was filed in the district court, explain the basis for seeking appellate review:

17. Date written notice of entry of judgment or order was served November 14, 2017

Was service by:

☐ Delivery

☒ Mail/electronic/fax

18. If the time for filing the notice of appeal was tolled by a post-judgment motion (NRCP 50(b), 52(b), or 59)

(a) Specify the type of motion, the date and method of service of the motion, and the date of filing.

☐ NRCP 50(b) Date of filing _____

☐ NRCP 52(b) Date of filing _____

☐ NRCP 59 Date of filing _____

NOTE: Motions made pursuant to NRCP 60 or motions for rehearing or reconsideration may toll the time for filing a notice of appeal. See AA Primo Builders v. Washington, 126 Nev. ___, 245 P.3d 1190 (2010).

(b) Date of entry of written order resolving tolling motion _____

(c) Date written notice of entry of order resolving tolling motion was served _____

Was service by:

☐ Delivery

☐ Mail

19. Date notice of appeal filed _____

If more than one party has appealed from the judgment or order, list the date each notice of appeal was filed and identify by name the party filing the notice of appeal:

20. Specify statute or rule governing the time limit for filing the notice of appeal, e.g., NRAP 4(a) or other

SUBSTANTIVE APPEALABILITY

21. Specify the statute or other authority granting this court jurisdiction to review the judgment or order appealed from:

(a)

- | | |
|--|---------------------------------------|
| <input type="checkbox"/> NRAP 3A(b)(1) | <input type="checkbox"/> NRS 38.205 |
| <input type="checkbox"/> NRAP 3A(b)(2) | <input type="checkbox"/> NRS 233B.150 |
| <input type="checkbox"/> NRAP 3A(b)(3) | <input type="checkbox"/> NRS 703.376 |
| <input type="checkbox"/> Other (specify) _____ | |

(b) Explain how each authority provides a basis for appeal from the judgment or order:

22. List all parties involved in the action or consolidated actions in the district court:

(a) Parties: Jacqueline M. Montoya and Kathryn Ann Bouvier Eleanor Connell Haratman Ahern vs
Fred Waid

(b) If all parties in the district court are not parties to this appeal, explain in detail why those parties are not involved in this appeal, *e.g.*, formally dismissed, not served, or other:

23. Give a brief description (3 to 5 words) of each party's separate claims, counterclaims, cross-claims, or third-party claims and the date of formal disposition of each claim.

24. Did the judgment or order appealed from adjudicate ALL the claims alleged below and the rights and liabilities of ALL the parties to the action or consolidated actions below?

☐ Yes

☒ No

25. If you answered "No" to question 24, complete the following:

(a) Specify the claims remaining pending below:

Fred P. Waid Temporary Trustee, Not Residual Trustee, is clawing back money from innocent people whom I asked to help me while I was Sole Trustee and Sole Residual Beneficiary during my live time per the words of my father's trust and the words in the Attorney Mark Solomon Reconstructopm of the W. N. Connell Trust. The District and the Guardian at Litem (who has since August 8 I have tried several appointments and Ms Woods did not show up or contact me by letter because of my hearing problems. It seems the whole purpose of Ms Woods being my Guiardian at litem was to approve a Brief Attorney Kirk Lenhard worte full of lies and accusations against people who I paid while I was Sole Trustee and Sole Beneficiary from 2011 to including 2014. These people are innocent and should not be bothered or demanded to pay back the money I either paid them for services I asked them to do or I reimbutsed them for using their own money while I was traveling. It is unfair to attack my friends

(b) Specify the parties remaining below:

(c) Did the district court certify the judgment or order appealed from as a final judgment pursuant to NRCP 54(b)?

☒ Yes

☐ No

(d) Did the district court make an express determination, pursuant to NRCP 54(b), that there is no just reason for delay and an express direction for the entry of judgment?

☒ Yes

☐ No

26. If you answered "No" to any part of question 25, explain the basis for seeking appellate review (e.g., order is independently appealable under NRAP 3A(b)):

27. Attach file-stamped copies of the following documents:

- The latest-filed complaint, counterclaims, cross-claims, and third-party claims
- Any tolling motion(s) and order(s) resolving tolling motion(s)
- Orders of NRCP 41(a) dismissals formally resolving each claim, counterclaims, cross-claims and/or third-party claims asserted in the action or consolidated action below, even if not at issue on appeal
- Any other order challenged on appeal
- Notices of entry for each attached order

VERIFICATION

I declare under penalty of perjury that I have read this docketing statement, that the information provided in this docketing statement is true and complete to the best of my knowledge, information and belief, and that I have attached all required documents to this docketing statement.

Eleanor Connell Hartman Ahern Pro se
Name of appellant

No Counsel of Record
Name of counsel of record

December 5, 2017
Date

No Counsel of Record
Signature of counsel of record

Nevada and Clark County

State and county where signed

CERTIFICATE OF SERVICE

I certify that on the 9 day of December, 2017, I served a copy of this completed docketing statement upon all counsel of record:

☐ By personally serving it upon him/her; or

☒ By mailing it by first class mail with sufficient postage prepaid to the following address(es): (NOTE: If all names and addresses cannot fit below, please list names below and attach a separate sheet with the addresses.)

Joseph J. Powell J. D.
The Rushforth Firm
1707 Village Center #150
Las Vegas, Nevada 89134

Todd Moody, Esq
Hutchison & Steffen Law Firm
Peccole Professional Park
10080 West Alta Drive #200
Las Vegas, Nevada 89145

Dated this 9 day of December, 2017

Eleanor Ahern
Signature