



COMP

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Attorney for Plaintiff, Tae-Si Kim and Jin-Sung Hong

**EIGHT JUDICIAL DISTRICT COURT
COUNTY OF CLARK, STATE OF NEVADA**

TAE-SI KIM, an Individual, and JIN-SUNG
HONG, an Individual.

Plaintiffs,

v.

GIBSON LOWRY BURRIS, LLP, (now
known as GIBSON LOWRY, LLP), a
Nevada limited liability partnership;
DICKINSON WRIGHT, PLLC, a Nevada
Professional limited liability company;
STEVE A. GIBSON, ESQ., an Individual;
JODI DONETTA LOWRY, ESQ. an
Individual; JONATHAN M.A. SALLS,
ESQ., an Individual; ERIC DOBBERSTEIN,
ESQ., an Individual; and MICHAEL G.
VARTANIAN, ESQ., an Individual; and
DOES I through X, inclusive, and ROE
BUSINESS ENTITIES XI through XX,
inclusive,

Defendants.

CASE NO. A-17-756785-C

DEPT. NO.

Department 24

COMPLAINT

COMES NOW, Plaintiffs, TAE-SI KIM and JIN-SUNG HONG, by and through their attorney, BRANDON L. PHILLIPS, ESQ., of the law firm of BRANDON L. PHILLIPS, ATTORNEY AT LAW, PLLC and hereby claims malpractice and negligent representation, along other causes of action as set forth herein against GIBSON LOWRY BURRIS, LLP, (now known as GIBSON LOWRY, LLP), a Nevada limited liability partnership; DICKINSON WRIGHT, PLLC, a Nevada Professional limited liability company; STEVE A. GIBSON, ESQ., an Individual;

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2 JODI DONETTA LOWRY, ESQ. an Individual; JONATHAN M.A. SALLS, ESQ., an Individual;
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4 ERIC DOBBERSTEIN, ESQ., an Individual; and MICHAEL G. VARTANIAN, ESQ., an
5 Individual, DOES I through X, and ROE CORPORATIONS I through X (collectively referred to
6 here as “Defendants”), as follows:

7
8 **I. PARTIES**

9 1. This lawsuit involves representation originally brought by the firm GIBSON
10 LOWRY BURRIS LLP and then combined with the law firm DICKINSON WRIGHT, PLLC to
11 bring claims on behalf of the Plaintiff in an action filed in the United States District Court, District
12 of Nevada, Case No. 2:09-CV-02008-PMP-PAL.

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14 2. Plaintiffs, TAE-SI KIM and JIN-SUNG HONG, (hereinafter individually as “KIM”
15 or “HONG” or collectively as “Plaintiffs”) is, and at all times pertinent hereto were and are
16 residents of Clark County, Nevada.

17
18 3. Upon information and belief the firm GIBSON LOWRY BURRIS LLP, now
19 known as GIBSON LOWRY LLP, (hereinafter in as “GLB” or collectively with the other named
20 parties as “DEFENDANTS”) is and was a Nevada limited liability partnership, engaged in the
21 practice of law in the State of Nevada.

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23 4. Upon information and belief the firm DICKINSON WRIGHT PLLC, (hereinafter
24 as “DWP” or collectively with the other named parties as “DEFENDANTS”) is and was a Nevada
25 professional limited liability company, engaged in the practice of law in the State of Nevada.

26
27 5. Upon information and belief Defendant Steve A. Gibson, Esq., (hereinafter
28 “GIBSON” or collectively with the other named parties as “DEFENDANTS”) is and was a Nevada
attorney retained to represent the Plaintiffs.

6. Upon information and belief Defendant Jodi Donetta Lowry, Esq., (hereinafter

1
2
3 “LOWRY” or collectively with the other named parties as “DEFENDANTS”) is and was a Nevada
4 attorney retained to represent the Plaintiffs.

5 7. Upon information and belief Defendant Jonathan M. A. Salls, Esq., (hereinafter
6 “SALLS” or collectively with the other named parties as “DEFENDANTS”) is and was a Nevada
7 attorney retained to represent the Plaintiffs.

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9 8. Upon information and belief Defendant Eric Dobberstein, Esq., (hereinafter
10 “DOBBERSTEIN” or collectively with the other named parties as “DEFENDANTS”) is and was
11 a Nevada attorney retained to represent the Plaintiffs.

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13 9. Upon information and belief Defendant Michael G. Vartanian, Esq., (hereinafter
14 “VARTANIAN” or collectively with the other named parties as “DEFENDANTS”) is and was a
15 Nevada attorney retained to represent the Plaintiffs.

16 **II. VENUE**

17
18 10. Pursuant to the Legal Services Agreement dated August 20, 2009 and the Amended
19 Restated Legal Services Agreement dated May 31, 2012, Section 16 and 17, respectively, any and
20 all disputes that arise out the representation must be decided by binding fee dispute arbitration in
21 accordance with the rules of the State Bar of Nevada.

22 **III. GENERAL ALLEGATIONS**

23
24 11. On August 20, 2009, Plaintiffs retained the legal services of Defendant, GLB,
25 memorialized through a written agreement.

26
27 12. In accordance with the terms of the Legal Services Agreement, Plaintiffs were and
28 did tender \$30,000.00 with payments to be paid in six (6) equal monthly payments.

13. In accordance with the Agreement the Defendants were to represent the clients in

1
2 litigation against the defendants named in the action.
3

4 14. In accordance with the Agreement "Litigation" was defined as an action in a court
5 in Nevada against the Relevant Persons that the Client and the Firm has a good faith belief have
6 perpetrated civil wrongs against the Client(s) in connection with the Investment and/or breached
7 contractual obligation(s) with respect to Client in connection with the Investment.
8

9 15. In accordance with the Agreement "Relevant Persons" was defined as any Person
10 who solicited (or participated in the solicitation of) the Investment and/or any Person who engaged
11 in effecting the Investment (whether directly or indirectly) during the time period that the Client
12 engaged in activities aimed at securing ownership of the Investment.
13

14 16. In accordance with the Agreement "Defendants" was defined as the Relevant
15 Persons that were named as "defendants" in the Litigation.

16 17. On October 15, 2009, GLB filed a Complaint in the United States District Court,
17 District of Nevada under case No. 2:09-cv-02008-RFB-GWF.
18

19 18. On March 2, 2010, GLB filed an Amended Complaint in which additional
20 Defendants were named and additional claims were brought. Specifically, claims against Charles
21 M. Damus, Esq. for legal malpractice and negligent undertaking to perform services.

22 19. On December 17, 2008, Plaintiffs had originally retained the services of Charles
23 M. Damus, Esq., to litigate and dispute certain real estate and other related claims regarding real
24 property.
25

26 20. On September of 2009, Plaintiffs terminated Damus due to the fact that no
27 complaint had been filed.
28

21. In the Amended Complaint it was alleged that Damus committed legal malpractice

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2 and negligent undertaking to perform services.
3

4 22. On October 5, 2010, Damus filed a Motion to Dismiss for Lack of Subject Matter
5 Jurisdiction.

6 23. On October 22, 2010, the firm Dickinson Wright, PLLC filed Plaintiffs' Response
7 to Defendant Charles M. Damus, Esq.'s Motion to Dismiss for Lack of Subject Matter Jurisdiction.
8

9 24. On November 1, 2010, Damus filed a Reply to the Opposition.

10 25. On December 6, 2010, the Court entered an Order Granting Damus' Motion to
11 Dismiss.
12

13 26. The Defendants never initiated a claim in the District Court against Damus.

14 27. Any claim against Damus for malpractice should have been brought on or before
15 the termination date two years later.
16

17 28. On May 31, 2012, Plaintiffs entered into an Amended and Restated Legal services
18 Agreement with Dickinson Wright PLLC, which combined practices with GLB.

19 28. Defendants continued to pursue claims against the remaining defendants in the
20 case.
21

22 29. On July 30, 2015, Plaintiffs received an email from Defendant Vartanian
23 acknowledging that no suit had been filed against Damus and that as of the date of that email
24 representation of the Plaintiffs had ended.
25

26 **FIRST CLAIM FOR RELIEF**

27 **(Legal Malpractice - Against All Defendants)**

28 30. Plaintiff repeats and realleges the allegations of the preceding paragraphs of the

complaint as though fully set forth herein and incorporate the same herein by reference.

31. At all times relevant hereto, Defendants owed a duty of care to Plaintiffs to represent them in legal advice, communications, billing, and guidance in accordance with relevant legal standards of care within the practice of law.

32. Defendants breached the relevant duty of care by failing to adequately represent Plaintiffs in providing competent legal advice, full and accurate communications, accurate billing, and legal advice in accordance with relevant legal standards within the practice of law, as detailed more fully below.

33. Specifically, Defendants were retained to file the appropriate complaints against certain Defendants as set forth in the Complaint and Amended Complaint.

34. Defendants were retained to file claims against defendant Damus, specifically for malpractice and negligent undertaking to perform services.

35. Defendants sued Damus in the United States District Court of Nevada, despite the Court failing to have subject matter jurisdiction over the claim.

36. Defendants failed to bring any claim against Damus in the Eighth Judicial District Court of Nevada, or any other State Court with jurisdiction.

37. A claim against defendant Damus had to brought, pursuant to statute, on or before September of 2011.

38. By failing to bring a claim against a named defendant, Damus, Defendants committed malpractice.

39. Defendants represented to Plaintiffs that a claim against Damus could be brought at the end of the United States District Court case.

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3 40. Such a statement was statutorily false.

4 41. Defendants failed to advise Plaintiffs that the representation did not include filing
5 a state claim against Damus.

6 42. Defendants failed to inform Plaintiffs of any statutory period by which a claim must
7 have been brought against Damus.

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9 43. By the time Defendants informed Plaintiffs of their obligation to file a claim against
10 Damus the statutory period had expired.

11 44. Due to Defendants actions, Plaintiffs have no recourse against Damus' malpractice
12 and/or negligence.

13
14 45. As a direct and proximate result of Defendants' unlawful act, Plaintiffs have been
15 damaged in a sum in excess of fifty thousand dollars (\$50,000.00).

16
17 46. As a direct and proximate result of Defendants' malpractice, Plaintiffs have been
18 required to retain the services of attorney Brandon L. Phillips, Esq., to prosecute this action, and
19 they have incurred legal fees and costs, which this Arbitrator should require Defendants to pay.

20
21 **SECOND CLAIM FOR RELIEF**

22 **(Intentional and Negligent Misrepresentation – Against all Defendants)**

23 47. Plaintiffs repeat and reallege the allegations of the preceding paragraphs of the
24 complaint as though fully set forth herein and incorporate the same herein by reference.

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26 48. The actions and representations described above were made intentionally,
27 recklessly, and negligently.

28 49. The actions and representations described above were material.

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3 50. The representations described above were reasonably relied on by Plaintiffs in that
4 they believed the named defendants in the litigation were being prosecuted properly and
5 adequately.

6 51. Said reliance by Plaintiffs actually and proximately caused Plaintiffs damages in an
7 amount to be proven at trial, but no less than the amount of money spent on Damus, Defendants,
8 and amounts unable to recover against the other named defendants in the litigation.

9
10 52. Damus was the only defendant that carried insurance coverage that allowed
11 Plaintiffs certain assurances of recovery.

12 53. In performing the acts and omissions described herein, Defendants acted with
13 oppression, fraud, or malice.

14
15 54. As a direct and proximate result of Defendants' unlawful act, Plaintiffs have been
16 damaged in a sum in excess of fifty thousand dollars (\$50,000.00).

17 55. As a direct and proximate result of Defendants' conduct, Plaintiffs have been
18 required to retain the services of attorney Brandon L. Phillips, Esq., to prosecute this action, and
19 they have incurred legal fees and costs, which this Arbitrator should require Defendants to pay.

20
21 **THIRD CLAIM FOR RELIEF**

22
23 **(Breach of Fiduciary Duties – Against all Defendants)**

24 56. Plaintiffs repeat and reallege the allegations of the preceding paragraphs of the
25 complaint as though fully set forth herein and incorporate the same herein by reference.

26 57. Defendants, as attorneys for Plaintiffs, owed Plaintiffs a fiduciary duty to preserve
27 and protect Plaintiffs' interests, rights, and opportunities.

28 58. Defendants by virtue of the actions and failures to act as described herein, breached

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3 said fiduciary duties.

4 59. As an actual and proximate result of Defendants' breach of fiduciary duties
5 described above, Plaintiffs have been injured in an amount to be proven at Arbitration.

6 60. In breaching said fiduciary duties, Defendants acted with oppression, fraud, or
7 malice.
8

9 61. As a direct and proximate result of Defendants' unlawful acts, Plaintiffs have been
10 damaged in a sum in excess of fifty thousand dollars (\$50,000.00).

11 55. As a direct and proximate result of Defendants' conduct, Plaintiffs have been
12 required to retain the services of attorney Brandon L. Phillips, Esq., to prosecute this action, and
13 they have incurred legal fees and costs, which this Arbitrator should require Defendants to pay.
14

15 **PRAYER FOR RELIEF**

16
17 WHEREFORE, Plaintiffs pray for judgment against Defendants, and each of them, as
18 follows:

- 19 1. For damages in excess of \$50,000.00, the exact amount to be proven at binding
20 arbitration.
21
22 2. For interest, attorneys' fees, and costs of suit incurred herein.
23
24 3. For punitive and exemplary damages in an amount to be proven at binding
25 arbitration.

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3 4. For such other and further relief as the Court may deem proper.

4 DATED this 18st day of May, 2017.

5 BRANDON L. PHILLIPS, ATTORNEY AT LAW, PLLC

6
7 /S/ Brandon L Phillips

8 BRANDON L. PHILLIPS, ESQ.

9 Nevada Bar No. 12264

10 1455 E. Tropicana Ave., Suite 750

11 Las Vegas, Nevada 89119

12 *Attorney for Plaintiffs, Kim and Hong*

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3 VERIFICATION

4 I, Tae-Si Kim, have reviewed the Complaint and verify under penalty of perjury that the
5 facts alleged in the foregoing Complaint are true and correct to the best of my information,
6 knowledge, and/or belief.
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8 Dated: May 1, 2017.

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10 _____
11 Mrs. Tae-Si Kim
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

TAE-SI KIM and JIN-SUNG HONG,
Plaintiffs,

v.
ADAM B. KEARNEY, *et al.*,
Defendants.

Case No. 2:09-cv-02008-RFB-GWF

ORDER DISMISSING CASE

I. INTRODUCTION

This case is before the Court on an Order to Show Cause, issued August 6, 2015. ECF No. 424. In its Order, the Court dismissed Plaintiffs Tae-Si Kim and Jin-Sung Hong's (collectively, "Plaintiffs") Motion for Order to Show Cause filed on September 10, 2014 for failure to obey the Court's earlier order requiring them to provide proof that they had served Defendant Adam Kearney with a copy of an earlier Order. The Court also instructed Plaintiffs to show cause in writing why this case should not be dismissed with prejudice, given that (1) a recent Stipulation filed by the parties (ECF No. 416) included a Proposed Order stating that the case be dismissed with prejudice, and (2) it appears that there are no active Defendants remaining in this case. Plaintiffs were required to show cause in writing by August 14, 2015, and have not done so.

"Courts are to weigh five factors in deciding whether to dismiss a case for failure to comply with a court order: (1) the public's interest in expeditious resolution of litigation; (2) the court's need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy

1 favoring disposition of cases on their merits; and (5) the availability of less drastic sanctions.” In
2 re Phenylpropanolamine (PPA) Products Liab. Litig., 460 F.3d 1217, 1226 (9th Cir. 2006)
3 (citations and internal quotation marks omitted).

4 Here, the public’s interest and the court’s interest in managing its docket favor dismissing
5 this case. The Court originally ordered Plaintiffs to serve Kearney with a copy of the Court’s
6 previous order, and provide proof of service to the Court, on October 16, 2014. ECF No. 408.
7 Plaintiffs did not do so. Further, Plaintiffs to date have not responded to the Court’s Order to
8 Show Cause, even after the Court has waited an additional three weeks beyond the deadline it
9 gave Plaintiffs. This delay of almost a full year, with no action by Plaintiffs, weighs heavily in
10 favor of dismissal.

11 The third factor, prejudice to Defendants, also favors dismissal. While it appears all
12 Defendants may have been dismissed from the case, Defendants are faced with continuing
13 uncertainty and risk incurring additional costs as long as this case remains open despite
14 Plaintiffs’ demonstrated inaction.

15 Fourth, “the public policy favoring disposition of cases on their merits strongly counsels
16 against dismissal.” PPA Products, 460 F.3d at 1228 (citation omitted). Nevertheless, “this factor
17 lends little support to a party whose responsibility it is to move a case toward disposition on the
18 merits but whose conduct impedes progress in that direction.” Id. (internal quotation marks
19 omitted). Because Plaintiffs are responsible for moving a case forward, their conduct in causing
20 delay and impeding progress supports dismissal.

21 Finally, the Court finds that no less drastic sanctions are available. Plaintiffs have failed
22 to obey two Orders of the Court despite being informed that the case would be dismissed with
23 prejudice if they did not provide an explanation for their inaction and the lack of clarity in their
24 recent Stipulation. Based on Plaintiffs’ failure to comply, the Court can only conclude that they
25 have abandoned their claims and have no intention of moving forward.

26 For these reasons,

27 . . .

28 . . .

1 **IT IS ORDERED** that this case is DISMISSED WITH PREJUDICE. The Clerk of Court
2 is instructed to close this case.

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4 DATED: September 4, 2015.

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7 **RICHARD F. BOULWARE, II**
8 **United States District Judge**
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

TAE-SI KIM and JIN-SUNG HONG,

Plaintiffs,

v.

ADAM B. KEARNEY, *et al.*,

Defendants.

Case No. 2:09-cv-02008-RFB-GWF

ORDER TO SHOW CAUSE

I. INTRODUCTION

This case is before the Court on Plaintiffs Tae-Si Kim and Jin-Sung Hong's (collectively, "Plaintiffs") Motion for Order to Show Cause filed on September 10, 2014. ECF No. 404. In their motion, Plaintiffs request that this Court issue an Order to Show Cause why Defendant Adam Kearney should not be held in contempt for his failure to appear for a judgment debtor examination.

On September 30, 2014, the Honorable George Foley, Jr., United States Magistrate Judge, issued an Order certifying to the undersigned that Defendant Kearney was ordered to produce documents and appear for a judgment debtor examination and that Kearney failed to do so. Order to Show Cause, ECF No. 405. Kearney was ordered to appear before this Court on October 16, 2014 to show cause why he should not be held in civil contempt of court for failing to comply with the Court's Order. *Id.* The Court also ordered Plaintiffs' counsel to serve a copy of that Order on Kearney and to provide proof of service to the Court. *Id.* Kearney did not appear at the October 16 hearing, nor did Plaintiffs' counsel provide proof to the Court that it had served Kearney with the Order or with its underlying motion.

...

1 At the hearing, the Court noted its concern for ensuring that Plaintiffs intended to fully
2 litigate the matter before invoking its contempt power. To that effect, the Court ordered Plaintiff
3 Kim to serve Kearney with Plaintiffs' Motion for Order to Show Cause and with the Court's
4 Order to Show Cause, by mail and by personal service, and to file proof of service (or, if
5 personal service could not be accomplished, an explanation of what attempts had been made to
6 do so) with the Court by October 23, 2014. Minutes of Proceedings, ECF No. 408. To date,
7 Plaintiffs have not filed any proof of service with the Court. The Court shall therefore dismiss
8 Plaintiffs' motion for failure to file any notification regarding service as required.

9 In addition, the recent Stipulation filed by the parties reflects a lack of clarity as to
10 whether this case should be dismissed entirely. ECF No. 416. While the Stipulation purported to
11 dismiss only Defendants Edward C. Reed, Barbara R. Reed, and Barbie, Ltd. d/b/a Re/Max
12 Extreme, the Proposed Order stated that this action should be dismissed with prejudice in its
13 entirety. Id. Given this lack of clarity and the fact that it does not appear that any active
14 Defendants remain in this case, the Court shall require an explanation from Plaintiffs why this
15 case should not be dismissed in its entirety.

16 Accordingly,

17 **IT IS ORDERED** that Plaintiffs' Motion for Order to Show Cause for Contempt of
18 Court Order for Adam Kearney's Failure to Appear for Judgment Debtor Examination (ECF No.
19 404) is DENIED.

20 **IT IS FURTHER ORDERED** that Plaintiffs Tae-Si Kim and Jin-Sung Hong shall show
21 cause, in writing, **no later than August 14, 2015**, why this case should not be dismissed with
22 prejudice in its entirety in accordance with the Proposed Order included in the parties'
23 Stipulation filed on June 16, 2015.

24
25 DATED: August 6, 2015.



26 **RICHARD F. BOULWARE, II**
27 **United States District Judge**
28

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

TAE-SI KIM and JIN-SUNG HONG,

Plaintiffs-Appellants,

vs.

ADAM B. KEARNEY; et al.,

Defendants-Appellees.

District No. 2:09-cv-02008-RFB-GWF

U.S.C.A. No. 13-16311

ORDER ON MANDATE

The above-entitled cause having been before the United States Court of Appeals for the Ninth Circuit, and the Court of Appeals having on 03-18-2015, issued its judgment AFFIRMING the judgment of the District Court, and the Court being fully advised in the premises, NOW, THEREFORE, IT IS ORDERED that the mandate be spread upon the records of this Court.

Dated this 21st day of April, 2015.



RICHARD F. BOULWARE, II
United States District Judge

CLOSED,STAYED

**United States District Court
District of Nevada (Las Vegas)
CIVIL DOCKET FOR CASE #: 2:09-cv-02008-RFB-GWF**

Kim et al v. Kearney et al.,
Assigned to: Judge Richard F. Boulware, II
Referred to: Magistrate Judge George Foley, Jr
Demand: \$462,000

Case in other court: 9th Circuit Court of Appeals, 12-15959
Ninth Circuit, 13-16311

Cause: 12:22 Securities Fraud

Date Filed: 10/15/2009
Date Terminated: 09/04/2015
Jury Demand: Defendant
Nature of Suit: 370 Fraud
Jurisdiction: Federal Question

Plaintiff

Tae-Si Kim

represented by **Eric Dobberstein**
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8965 S. Eastern Ave.
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TERMINATED: 03/05/2012

Jonathan M.A. Salls

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Fax: 702-382-1661

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*ATTORNEY TO BE NOTICED***Steven A. Gibson**

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*TERMINATED: 10/15/2014***Tracee L. Duthie**

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702-382-4002

Fax: 702-382-1661

Email: tduthie@dickinsonwright.com

ATTORNEY TO BE NOTICED

Plaintiff

Jin-Sung Hong

represented by **Eric Dobberstein**
(See above for address)
ATTORNEY TO BE NOTICED

Jodi Donetta Lowry
(See above for address)
ATTORNEY TO BE NOTICED

John Scott Burris
(See above for address)
TERMINATED: 03/05/2012

Jonathan M.A. Salls
(See above for address)
ATTORNEY TO BE NOTICED

Joseph A. Geller
(See above for address)
ATTORNEY TO BE NOTICED

Laura Lucero
(See above for address)
ATTORNEY TO BE NOTICED

Steven A. Gibson
(See above for address)
TERMINATED: 10/15/2014

V.

Defendant

Adam B Kearney
TERMINATED: 01/28/2011

Defendant

Edward C. Reed
TERMINATED: 07/13/2015

represented by **Matthew A Cavanaugh**
Olson Cannon Gormley & Desruisseaux
9950 West Cheyenne Avenue
Las Vegas, NV 89129
702-384-4012
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael E Stoberski
Olson, Cannon, Gormley, Angulo &

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(702) 384-4012
Fax: (702) 383-0701
Email: mstoberski@ocgas.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Barbara R. Reed
TERMINATED: 07/13/2015

represented by **Matthew A Cavanaugh**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael E Stoberski
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Barbie Ltd.
TERMINATED: 07/13/2015
doing business as
RE/MAX Extreme
TERMINATED: 07/13/2015

represented by **Matthew A Cavanaugh**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael E Stoberski
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

First American Title
TERMINATED: 10/22/2010

represented by **Spencer H. Gunnerson**
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Las Vegas, NV 89169
702-385-6000
Fax: 702-385-6001
Email: s.gunnerson@kempjones.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Gina Thomas
TERMINATED: 10/22/2010

Defendant

represented by **Jonathan B Owens**
Alverson Taylor Mortensen & Sanders

**Alverson, Taylor, Mortensen &
Sanders**

TERMINATED: 12/13/2010

7401 W Charleston Blvd.
Las Vegas, NV 89117
702-384-7000
Fax: 702-385-7000
Email: jowens@alversontaylor.com

Defendant

Estate of James L. Zemelman, Esq.

TERMINATED: 12/14/2010

Defendant

RE/MAX International, Inc.

TERMINATED: 03/18/2011

represented by **Matthew A Cavanaugh**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael E Stoberski
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Zachary J. Thompson
Olson, Cannon, Gormley &
Desruisseaux
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(702) 384-4012
Email: zthompson@ocgd.com
ATTORNEY TO BE NOTICED

Defendant

Cumorah Credit Union

TERMINATED: 01/23/2012

represented by **Aaron R. Maurice**
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Suite 400
Las Vegas, NV 89145
702-362-7800
Fax: 702-362-9472
Email: amaurice@klnevada.com
TERMINATED: 06/24/2015

Brian L. Bradford
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Stewart
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Las Vegas, NV 89104
702-369-6810
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Defendant

Charles M. Damus
TERMINATED: 12/06/2010

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Defendant

Valley Foreclosure Services
TERMINATED: 01/23/2012

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Defendant

Richard L. Tobler
TERMINATED: 05/28/2013

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TERMINATED: 07/14/2015

Jodi Donetta Lowry
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ATTORNEY TO BE NOTICED

Defendant

Cumorah Credit Union
TERMINATED: 03/21/2015

represented by **Brian L. Bradford**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Aaron R. Maurice
(See above for address)
TERMINATED: 06/24/2015

Brittany Wood
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TERMINATED: 06/24/2015

Carleton R. Burch
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TERMINATED: 06/18/2015

Defendant

**First American Title Insurance
Company**

Defendant

Adam B Kearney
TERMINATED: 05/31/2012

Defendant

Gina Thomas

Defendant

Estate of James L. Zemelman, Esq.

Defendant

RE/MAX International, Inc.

Defendant

Gary L. Weil

Defendant

Valley Foreclosure Services, LLC
TERMINATED: 03/07/2012

represented by **Michael F. Bohn**
(See above for address)

Defendant

Richard L. Tobler, Ltd.
TERMINATED: 05/28/2013

represented by **Sheri M. Thome**
(See above for address)
TERMINATED: 03/05/2012
LEAD ATTORNEY

David J. Larson
(See above for address)
TERMINATED: 07/14/2015

Jeremy R. Alberts
(See above for address)
TERMINATED: 07/14/2015

Jodi Donetta Lowry
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/15/2009	<u>1</u>	COMPLAINT against all defendants (Filing fee \$ 350, Receipt# 09780000000001406241), filed by Tae-Si Kim, Jin-Sung Hong. Certificate of Interested Parties due by 10/25/2009. Proof of service due by 2/12/2010. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u>

		Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Civil Cover Sheet)(SRK) (Entered: 10/16/2009)
10/15/2009	<u>2</u>	PROPOSED SUMMONS to be issued, filed by Plaintiffs Tae-Si Kim, Jin-Sung Hong. (Attachments: # <u>1</u> Edward Reed, # <u>2</u> Barbara Reed, # <u>3</u> Reed Team, # <u>4</u> First American Title Company, # <u>5</u> Gina Thomas, # <u>6</u> Alverson, Taylor, # <u>7</u> James Zemelman)(SRK) (Entered: 10/16/2009)
10/15/2009		Case assigned to Judge Philip M. Pro and Magistrate Judge Peggy A. Leen. (SD) (Entered: 10/16/2009)
10/16/2009	<u>3</u>	Summons Issued as to Barbara R. Reed, Reed Team, First American Title, Gina Thomas, Alverson, Taylor, Mortensen & Sanders, Estate of James L. Zemelman, Esq., Adam B Kearney, and Edward C. Reed. (SD) (Entered: 10/16/2009)
10/16/2009	<u>4</u>	NOTICE PURSUANT TO LOCAL RULE IB 2-2: In accordance with 28 USC § 636(c) and FRCP 73, the parties in this action are provided with a link to the "AO 85 Notice of Availability, Consent, and Order of Reference - Exercise of Jurisdiction by a U.S. Magistrate Judge" form on the Court's website - www.nvd.uscourts.gov . Consent forms should NOT be electronically filed. Upon consent of all parties, counsel are advised to manually file the form with the Clerk's Office. (no image attached) (SD) (Entered: 10/16/2009)
11/05/2009	<u>5</u>	ORDER for Certificate of Interested Parties. IT IS ORDERED that counsel for Plaintiffs shall have a period of 10 calendar days from the filing date of this order within which to fully comply with the provisions of Local Rule 7.1-1. Certificate of Interested Parties due by 11/23/2009. Signed by Magistrate Judge Peggy A. Leen on 11/4/2009. (Copies have been distributed pursuant to the NEF - SD) (Entered: 11/05/2009)
11/06/2009	<u>6</u>	CERTIFICATE of Interested Parties filed by Tae-Si Kim, Jin-Sung Hong.. There are no known interested parties other than those participating in the case. (Burris, John) (Entered: 11/06/2009)
12/03/2009	<u>7</u>	PROPOSED SUMMONS to be issued to <i>RE/MAX International, Inc.</i> , filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Burris, John) (Entered: 12/03/2009)
12/04/2009	<u>8</u>	Summons Issued as to RE/MAX International,Inc. (SD) (Entered: 12/04/2009)
12/14/2009	<u>9</u>	MOTION to Dismiss by Defendants Barbara R. Reed, Edward C. Reed, Reed Team. Responses due by 12/31/2009. (Stoberski, Michael) (Entered: 12/14/2009)
12/17/2009	<u>10</u>	MOTION to Dismiss <i>Defendant Alverson, Taylor, Mortensen & Sanders' Motion to Dismiss Plaintiffs' Complaint</i> by Defendant Alverson, Taylor, Mortensen & Sanders. Responses due by 1/3/2010. (Owens, Jonathan) (Entered: 12/17/2009)
12/24/2009	<u>11</u>	CERTIFICATE of Interested Parties filed by First American Title. There are no known interested parties other than those participating in the case. (Gunnerson, Spencer) (Entered: 12/24/2009)
12/24/2009	<u>12</u>	

		MOTION to Dismiss by Defendant First American Title. Responses due by 1/10/2010. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D)(Gunnerson, Spencer) (Entered: 12/24/2009)
12/30/2009	<u>13</u>	CERTIFICATE of Interested Parties filed by Alverson, Taylor, Mortensen & Sanders. There are no known interested parties other than those participating in the case <i>Certificate of Interested Parties Required by Local Rule 7.1-1</i> . (Owens, Jonathan) (Entered: 12/30/2009)
12/31/2009	<u>14</u>	RESPONSE to <u>9</u> MOTION to Dismiss, filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Replies due by 1/10/2010. (Burris, John) (Entered: 12/31/2009)
01/06/2010	<u>15</u>	CERTIFICATE of Interested Parties filed by Barbara R. Reed, Edward C. Reed, RE/MAX EXTREME. There are no known interested parties other than those participating in the case. (Stoberski, Michael) (Entered: 01/06/2010)
01/07/2010	<u>16</u>	CERTIFICATE OF SERVICE for Complaint and Summons by Plaintiffs Jin-Sung Hong, Tae-Si Kim re <u>8</u> Summons Issued, <u>1</u> Complaint,. (Burris, John) (Entered: 01/07/2010)
01/11/2010	<u>17</u>	REPLY to Response to <u>9</u> MOTION to Dismiss ; filed by Defendants RE/MAX EXTREME, Barbara R. Reed, Edward C. Reed. (Stoberski, Michael) (Entered: 01/11/2010)
01/11/2010	<u>18</u>	RESPONSE to <u>12</u> MOTION to Dismiss, filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Replies due by 1/21/2010. (Attachments: # <u>1</u> Exhibit Property Record)(Burris, John) (Entered: 01/11/2010)
01/18/2010	<u>19</u>	RESPONSE to <u>10</u> MOTION to Dismiss <i>Defendant Alverson, Taylor, Mortensen & Sanders' Motion to Dismiss Plaintiffs' Complaint</i> , filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Replies due by 1/28/2010. (Burris, John) (Entered: 01/18/2010)
01/21/2010	<u>20</u>	REPLY to Response to <u>12</u> MOTION to Dismiss ; filed by Defendant First American Title. (Gunnerson, Spencer) (Entered: 01/21/2010)
01/28/2010	<u>21</u>	REPLY to Response to <u>10</u> MOTION to Dismiss <i>Defendant Alverson, Taylor, Mortensen & Sanders' Motion to Dismiss Plaintiffs' Complaint</i> ; filed by Defendant Alverson, Taylor, Mortensen & Sanders. <i>Defendant Alverson, Taylor, Mortensen & Sanders' Reply in Support of its Motion to Dismiss Plaintiffs' Complaint</i> (Owens, Jonathan) (Entered: 01/28/2010)
02/08/2010	<u>23</u>	SUMMONS Returned Executed by Jin-Sung Hong, Tae-Si Kim re <u>3</u> Summons Issued. Adam B Kearney served on 2/2/2010, answer due 2/23/2010. (Burris, John) (Entered: 02/08/2010)
02/17/2010	<u>25</u>	SUMMONS Returned Unexecuted by Jin-Sung Hong, Tae-Si Kim as to Gina Thomas re <u>3</u> Summons Issued (Burris, John) (Entered: 02/17/2010)
02/17/2010	<u>26</u>	SUMMONS Returned Unexecuted by Jin-Sung Hong, Tae-Si Kim as to Estate of James L. Zemelman, Esq. (Burris, John) (Entered: 02/17/2010)
02/26/2010	<u>28</u>	MOTION to Extend Time regarding discovery/non dispositive matter by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Motion ripe 2/26/2010. (Attachments: # <u>1</u> Proposed Order)(Burris, John) (Entered: 02/26/2010)

03/02/2010	<u>29</u>	AMENDED COMPLAINT with Jury Demand against Alverson, Taylor, Mortensen & Sanders, Estate of James L. Zemelman, Esq., First American Title, Adam B Kearney, RE/MAX EXTREME, RE/MAX International, Inc., Barbara R. Reed, Edward C. Reed, Reed Team, Gina Thomas, filed by Jin-Sung Hong, Tae-Si Kim. Adds new parties. Proof of service due by 6/30/2010. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit, # <u>14</u> Exhibit, # <u>15</u> Exhibit, # <u>16</u> Exhibit, # <u>17</u> Exhibit) (Burris, John) (Entered: 03/02/2010)
03/03/2010	<u>30</u>	PROPOSED SUMMONS to be issued, filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Burris, John) (Entered: 03/03/2010)
03/03/2010	<u>31</u>	PROPOSED SUMMONS to be issued, filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Burris, John) (Entered: 03/03/2010)
03/03/2010	<u>32</u>	PROPOSED SUMMONS to be issued, filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Burris, John) (Entered: 03/03/2010)
03/03/2010	<u>33</u>	Summons Issued as to Cumorah Credit Union. (AXM) (Entered: 03/03/2010)
03/03/2010	<u>34</u>	Summons Issued as to Charles M. Damus. (AXM) (Entered: 03/03/2010)
03/03/2010	<u>35</u>	Summons Issued as to Valley Foreclosure Services. (AXM) (Entered: 03/03/2010)
03/04/2010	<u>36</u>	ORDER granting <u>28</u> Motion to Extend Time. Discovery Plan/Scheduling Order due by 4/1/2010. Signed by Magistrate Judge Peggy A. Leen on 3/2/10. (Copies have been distributed pursuant to the NEF - AXM) (Entered: 03/04/2010)
03/15/2010	<u>37</u>	MOTION to Strike <i>Defendant Alverson Taylor Mortensen & Sanders Motion to Strike Plaintiffs' First Amended Complaint</i> by Defendant Alverson, Taylor, Mortensen & Sanders. Responses due by 4/1/2010. (Owens, Jonathan) (Entered: 03/15/2010)
03/15/2010	<u>38</u>	MOTION to Strike <u>29</u> Amended Complaint,, by Defendant First American Title. Responses due by 4/1/2010. (Gunnerson, Spencer) (Entered: 03/15/2010)
03/16/2010	<u>39</u>	SUMMONS Returned Executed by Jin-Sung Hong, Tae-Si Kim re <u>34</u> Summons Issued. Charles M. Damus served on 3/9/2010, answer due 3/30/2010. (Burris, John) (Entered: 03/16/2010)
03/16/2010	<u>40</u>	SUMMONS Returned Executed by Jin-Sung Hong, Tae-Si Kim re <u>33</u> Summons Issued. Cumorah Credit Union served on 3/9/2010, answer due 3/30/2010. (Burris, John) (Entered: 03/16/2010)
03/16/2010	<u>41</u>	SUMMONS Returned Executed by Jin-Sung Hong, Tae-Si Kim re <u>35</u> Summons Issued. Valley Foreclosure Services served on 3/9/2010, answer due 3/30/2010. (Burris, John) (Entered: 03/16/2010)
03/16/2010	<u>42</u>	NOTICE of Lis Pendens by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Burris, John) (Entered: 03/16/2010)
03/16/2010	<u>43</u>	

		JOINDER to <u>37</u> <u>38</u> Motion to Strike; filed by Defendants Barbara R. Reed, Edward C. Reed, Reed Team. (Attachments: # <u>1</u> Exhibit)(Stoberski, Michael) Docket entry relationship added on 3/23/2010. (MJZ) (Entered: 03/16/2010)
03/25/2010	<u>44</u>	SUMMONS Returned Unexecuted by Jin-Sung Hong, Tae-Si Kim as to Gina Thomas re <u>3</u> Summons Issued (Burris, John) (Entered: 03/25/2010)
03/29/2010	<u>45</u>	MOTION for Summary Judgment by Defendant Valley Foreclosure Services. Responses due by 4/22/2010. (Attachments: # <u>1</u> Exhibit Exhibit A deed, # <u>2</u> Exhibit Exhibit B deed of trust, # <u>3</u> Exhibit Exhibit C deed, # <u>4</u> Exhibit Exhibit D re-recorded deed of trust, # <u>5</u> Exhibit Exhibit E notice of default, # <u>6</u> Exhibit Exhibit F notice of sale, # <u>7</u> Exhibit Exhibit G trustee's deed)(Bohn, Michael) <u>46</u> Corrected image filed on 3/29/2010. (MJZ) (Entered: 03/29/2010)
03/29/2010	<u>46</u>	NOTICE of Corrected Image/Document re <u>45</u> MOTION for Summary Judgment by Defendant Valley Foreclosure Services. (Service of corrected image is attached). (Attachments: # <u>1</u> Exhibit A--deed, # <u>2</u> Exhibit B--deed of trust, # <u>3</u> Exhibit C--deed, # <u>4</u> Exhibit D--re-recorded deed of trust, # <u>5</u> Exhibit E--notice of default, # <u>6</u> Exhibit F--notice of sale, # <u>7</u> Exhibit G--trustee's deed) (Bohn, Michael) (Entered: 03/29/2010)
03/29/2010	<u>47</u>	STIPULATION <i>and Order to Exend Time to File Responsive Pleading</i> by Defendant Cumorah Credit Union. (Burch, Carleton) (Entered: 03/29/2010)
03/30/2010	<u>48</u>	ORDER ON STIPULATION granting <u>47</u> Stipulation for time to respond by Cumorah Credit Union, due 4/12/2010. Signed by Judge Philip M. Pro. (Copies have been distributed pursuant to the NEF - AXM) (Entered: 03/30/2010)
04/01/2010	<u>49</u>	PROPOSED Discovery Plan/Scheduling Order filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Burris, John) (Entered: 04/01/2010)
04/01/2010	<u>50</u>	RESPONSE to <u>37</u> MOTION to Strike <i>Defendant Alverson Taylor Mortensen & Sanders Motion to Strike Plaintiffs' First Amended Complaint</i> , filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Replies due by 4/11/2010. (Burris, John) (Entered: 04/01/2010)
04/01/2010	<u>51</u>	RESPONSE to <u>38</u> MOTION to Strike <u>29</u> Amended Complaint,, filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Replies due by 4/11/2010. (Burris, John) (Entered: 04/01/2010)
04/06/2010	<u>52</u>	SCHEDULING ORDER. Discovery due by 9/10/2010. Motions due by 10/10/2010. Proposed Joint Pretrial Order due by 11/9/2010. Signed by Magistrate Judge Peggy A. Leen on 4/5/10. (Copies have been distributed pursuant to the NEF - AXM) (Entered: 04/07/2010)
04/07/2010	<u>53</u>	CERTIFICATE of Interested Parties filed by Valley Foreclosure Services. There are no known interested parties other than those participating in the case. (Bohn, Michael) (Entered: 04/07/2010)
04/09/2010	<u>54</u>	REPLY to Response to <u>38</u> MOTION to Strike <u>29</u> Amended Complaint,, ; filed by Defendant First American Title. (Gunnerson, Spencer) (Entered: 04/09/2010)
04/09/2010	<u>55</u>	

		MOTION to Amend/Correct Complaint re <u>1</u> Complaint,. by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Responses due by 4/26/2010. (Attachments: # <u>1</u> Exhibit) (Burris, John) (Entered: 04/09/2010)
04/12/2010	<u>56</u>	REPLY to Response to <u>37</u> MOTION to Strike <i>Defendant Alverson Taylor Mortensen & Sanders Motion to Strike Plaintiffs' First Amended Complaint</i> ; filed by Defendant Alverson, Taylor, Mortensen & Sanders. <i>Defendant Alverson Taylor Mortensen & Sanders Reply in Support of its Motion to Strike Plaintiffs' First Amended Complaint</i> (Owens, Jonathan) (Entered: 04/12/2010)
04/12/2010	<u>57</u>	MOTION to Dismiss <i>and</i> MOTION to Strike Plaintiffs' Claims for Punitive Damages by Defendant Cumorah Credit Union. Responses due by 4/29/2010. (Burch, Carleton) (Entered: 04/12/2010)
04/12/2010	<u>59</u>	MOTION to Strike Plaintiffs' Claims for Punitive Damages by Defendant Cumorah Credit Union. Responses due by 4/29/2010. (MJZ) (Entered: 04/13/2010)
04/13/2010	<u>58</u>	SERVICE by Publication filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Last publication date April-13-2010. (Burris, John) (Entered: 04/13/2010)
04/13/2010		NOTICE of Docket Correction to <u>57</u> MOTION to Dismiss : ERROR: Document should've been filed as two separate entries by Attorney <u>Carleton R. Burch</u> ; CORRECTION: Entry refiled by Court as <u>59</u> MOTION to Strike. (no image attached)(MJZ) (Entered: 04/13/2010)
04/21/2010	<u>61</u>	STIPULATION re <u>45</u> MOTION for Summary Judgment ; by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Burris, John) (Entered: 04/21/2010)
04/22/2010	<u>62</u>	ORDER Granting <u>61</u> Stipulation for time to file deadlines to <u>45</u> MOTION for Summary Judgment. Responses due by 5/6/2010. Replies due by 5/11/2010. Signed by Judge Philip M. Pro. (Copies have been distributed pursuant to the NEF - AXM) (Entered: 04/22/2010)
04/26/2010	<u>63</u>	RESPONSE to <u>55</u> MOTION to Amend/Correct Complaint re <u>1</u> Complaint,, filed by Defendant Alverson, Taylor, Mortensen & Sanders. <i>Defendant Alverson Taylor Mortensen & Sanders' Opposition to Plaintiffs' Motion for Leave to File a First Amended Complaint and to Add Parties</i> Replies due by 5/6/2010. (Owens, Jonathan) (Entered: 04/26/2010)
04/26/2010	<u>64</u>	RESPONSE to <u>55</u> MOTION to Amend/Correct Complaint re <u>1</u> Complaint,, filed by Defendant First American Title. Replies due by 5/6/2010. (Gunnerson, Spencer) (Entered: 04/26/2010)
04/28/2010	<u>65</u>	STIPULATION re <u>59</u> MOTION to Strike, <u>57</u> MOTION to Dismiss <i>and</i> MOTION to Strike Plaintiffs' Claims for Punitive Damages ; by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Burris, John) (Entered: 04/28/2010)
04/28/2010	<u>66</u>	ORDER Granting <u>65</u> Stipulation for time to file deadlines to <u>57</u> MOTION to Dismiss, and <u>59</u> MOTION to Strike. Responses due by 5/7/2010. Replies due by 5/18/2010. Signed by Judge Philip M. Pro. (Copies have been distributed pursuant to the NEF - AXM) (Entered: 04/28/2010)
05/05/2010	<u>67</u>	

		STIPULATION re <u>59</u> MOTION to Strike, <u>57</u> MOTION to Dismiss <i>and</i> <i>MOTION to Strike Plaintiffs' Claims for Punitive Damages</i> ; by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Burris, John) (Entered: 05/05/2010)
05/05/2010	<u>68</u>	STIPULATION re <u>45</u> MOTION for Summary Judgment, <u>46</u> Notice of Corrected Image/Document, ; by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Burris, John) (Entered: 05/05/2010)
05/05/2010	<u>69</u>	ORDER GRANTING <u>68</u> Stipulation to Extend Deadlines. Responses due by 5/11/2010 and Replies due by 5/24/2010 re <u>45</u> MOTION for Summary Judgment. Signed by Judge Philip M. Pro on 5/5/10. (Copies have been distributed pursuant to the NEF - ECS) (Entered: 05/05/2010)
05/06/2010	<u>70</u>	REPLY to Response to <u>55</u> MOTION to Amend/Correct Complaint re <u>1</u> Complaint,. ; filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Burris, John) (Entered: 05/06/2010)
05/06/2010	<u>71</u>	REPLY to Response to <u>55</u> MOTION to Amend/Correct Complaint re <u>1</u> Complaint,. ; filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Burris, John) (Entered: 05/06/2010)
05/11/2010	<u>72</u>	RESPONSE to <u>45</u> MOTION for Summary Judgment, filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Replies due by 5/28/2010. (Attachments: # <u>1</u> Declaration)(Burris, John) (Entered: 05/11/2010)
05/14/2010	<u>73</u>	RESPONSE to <u>57</u> MOTION to Dismiss, <u>59</u> MOTION to Strike, filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Replies due by 5/24/2010. (Burris, John) (Entered: 05/14/2010)
05/24/2010	<u>74</u>	REPLY to Response to <u>57</u> MOTION to Dismiss <i>and</i> <i>MOTION to Strike Plaintiffs' Claims for Punitive Damages</i> ; filed by Defendant Cumorah Credit Union. <i>Reply in Support of Cumorah Credit Union's Motion to Dismiss</i> (Bradford, Brian) (Entered: 05/24/2010)
06/14/2010	<u>75</u>	MOTION to Extend Time regarding discovery/non dispositive matter by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Motion ripe 6/14/2010. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Burris, John) (Entered: 06/14/2010)
06/28/2010	<u>76</u>	ORDER Granting <u>75</u> Motion to Extend Time to Serve Defendant The Estate of James L. Zemelman. Proof of service due by 7/2/2010. Signed by Magistrate Judge Peggy A. Leen on 6/23/10. (Copies have been distributed pursuant to the NEF - ASB) (Entered: 06/28/2010)
07/01/2010	<u>77</u>	SERVICE by Publication filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Last publication date 06/29/2010. (Burris, John) (Entered: 07/01/2010)
07/12/2010	<u>78</u>	Joint STATUS REPORT by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Burris, John) (Entered: 07/12/2010)
07/12/2010	<u>79</u>	MOTION to Extend Time regarding discovery/nondispositive matter re <u>52</u> Scheduling Order by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Motion ripe 7/12/2010. (Attachments: # <u>1</u> Exhibit)(Burris, John) (Entered: 07/12/2010)
07/19/2010	<u>80</u>	SCHEDULING ORDER DENYING <u>79</u> MOTION for Extension of Dates. The court will give the parties a 90-day extension of the existing Discovery Plan

		and Scheduling Order Deadlines as follows: Discovery due by 12/8/2010. Motions due by 1/7/2011. Proposed Joint Pretrial Order due by 2/6/2011. Signed by Magistrate Judge Peggy A. Leen on 7/16/10. (Copies have been distributed pursuant to the NEF - EDS) (Entered: 07/19/2010)
07/22/2010	<u>81</u>	MOTION for Entry of Clerks Default by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Motion ripe 7/22/2010. (Attachments: # <u>1</u> Exhibit)(Burris, John) (Entered: 07/22/2010)
07/22/2010	<u>82</u>	MOTION for Entry of Clerks Default by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Motion ripe 7/22/2010. (Attachments: # <u>1</u> Exhibit)(Burris, John) (Entered: 07/22/2010)
07/23/2010	<u>83</u>	Clerk's ENTRY OF DEFAULT as to Estate of James L. Zemelman, Esq. and Adam B Kearney re <u>81</u> and <u>82</u> MOTIONS for Entry of Clerks Default. (ASB) (Entered: 07/23/2010)
08/26/2010	<u>84</u>	NOTICE of Change of Address by Steven A. Gibson. (<i>Change of Firm Name from Gibson Lowry Burris LLP to Dickinson Wright PLLC</i>) (Gibson, Steven) (Entered: 08/26/2010)
08/30/2010	<u>85</u>	ORDER granting in part and denying in part <u>9</u> Motion to Dismiss; granting in part and denying in part <u>10</u> Motion to Dismiss; granting in part and denying in part <u>12</u> Motion to Dismiss. Signed by Judge Philip M. Pro on 8/29/2010. (Copies have been distributed pursuant to the NEF - MJZ) (Entered: 08/30/2010)
08/30/2010	<u>86</u>	ORDER denying as moot <u>37</u> Motion to Strike; denying as moot <u>38</u> Motion to Strike; granting in part and denying in part <u>45</u> Motion for Summary Judgment; granting in part and denying in part <u>57</u> Motion to Dismiss; and denying <u>59</u> Motion to Strike. IT IS FURTHER ORDERED granting in part and denying in part <u>55</u> Motion to Amend Complaint. Plaintiffs have 30 days to file a second amended complaint. Signed by Judge Philip M. Pro on 8/29/2010. (Copies have been distributed pursuant to the NEF - MJZ) (Entered: 08/30/2010)
09/02/2010	<u>87</u>	NOTICE of Appearance by attorney Joseph P Garin on behalf of Defendant Charles M. Damus. (Garin, Joseph) (Entered: 09/02/2010)
09/08/2010	<u>88</u>	MOTION to Compel <i>Deposition</i> by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Responses due by 9/25/2010. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit)(Burris, John) (Entered: 09/08/2010)
09/08/2010	<u>89</u>	MOTION for Sanctions re Discovery by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Responses due by 9/25/2010. (MJZ) (Entered: 09/09/2010)
09/09/2010		NOTICE of Docket Correction to <u>88</u> MOTION to Compel. ERROR: Document should've been filed as <i>two</i> separate entries by attorney <u>John Burris</u> ; CORRECTION: Entry refiled by Court as <u>89</u> MOTION for Sanctions re Discovery. (no image attached)(MJZ) (Entered: 09/09/2010)
09/13/2010	90	NOTICE of Hearing on <u>88</u> MOTION to Compel <i>Deposition</i> , <u>89</u> MOTION for Sanctions re Discovery : Motion Hearing set for 10/5/2010 09:15 AM in LV

		Courtroom 3B before Magistrate Judge Peggy A. Leen. (no image attached) (TKH) Modified on 9/13/2010 (TKH). (Entered: 09/13/2010)
09/17/2010	<u>91</u>	RESPONSE to Defendant Cumorah Credit Union's Demand for Prior Discovery filed by Defendant Alverson, Taylor, Mortensen & Sanders. (Attachments: # <u>1</u> Exhibit D)(Owens, Jonathan) Modified text on 9/20/2010 (SRK). (Entered: 09/17/2010)
10/05/2010	<u>92</u>	MOTION to Dismiss for Lack of Jurisdiction by Defendant Charles M. Damus. Responses due by 10/22/2010. (Garin, Joseph) (Entered: 10/05/2010)
10/05/2010	<u>94</u>	MINUTES OF PROCEEDINGS - Motion Hearing held on 10/5/2010 before Magistrate Judge Peggy A. Leen. Crtrm Administrator: <i>Jeff Miller</i> ; Pla Counsel: <i>Steven A. Gibson, Esq.</i> ; Def Counsel: <i>Zach Thompson, Esq., Andres Camacho, Esq., James Fairbanks, Esq.</i> ; Court Reporter/FTR #: 9:15:33 - 9:19:16; Time of Hearing: 9:15am; Courtroom: 3B; This matter has been scheduled to hear arguments on Plaintiffs' Motion to Compel <u>88</u> and Motion for Sanctions re: Discovery <u>89</u> . Defendant Kearney has not responded to these motions, and is not present at this hearing. IT IS ORDERED: Plaintiffs' Motion to Compel <u>88</u> and Motion for Sanctions re: Discovery <u>89</u> are GRANTED. <u>A SEPARATE WRITTEN ORDER WILL ISSUE</u> requiring the Plaintiff to appear for his duly noticed deposition on 10/21/2010 @ 9:30am in the law offices of counsel. Plaintiffs' Counsel is directed to file a memorandum, supported by affidavit, regarding the costs and fees incurred due to the necessity of filing this motion and the out of pocket costs for Defendant Kearney's failure to appear at a previously noticed deposition on 8/25/2010, IT IS FURTHER ORDERED: Defendant Kearney shall comply with the outstanding discovery obligation to serve Plaintiffs' and other counsel with his initial disclosures and responses to production of document requests no later than 4:00pm on 10/20/2010, IT IS FURTHER ORDERED: Defendant Kearney shall provide the Court and opposing counsel with a valid mailing address where he can accept papers and pleadings filed in this matter. If Defendant Kearney fails to timely comply with these orders, this Court will recommend up to and including case dispositive sanctions to the District Judge for his failure to engage in discovery, failure to meet his obligations, and for failure to comply with Court orders. Plaintiffs' Counsel shall provide email notice of the entry of this order and the Court's written order to Defendant Kearney, as well as inform Defendant Kearney telephonically of these orders, and shall file a Certificate of Service reflecting their efforts in complying with the Court's directions. (Copies have been distributed pursuant to the NEF - JAM) (Entered: 10/06/2010)
10/06/2010	<u>93</u>	JOINDER to <u>92</u> MOTION to Dismiss for Lack of Jurisdiction ; filed by Defendant Valley Foreclosure Services. (Bohn, Michael) (Entered: 10/06/2010)
10/06/2010	<u>95</u>	<u>AMENDED</u> MINUTES OF PROCEEDINGS - Motion Hearing held on 10/5/2010 before Magistrate Judge Peggy A. Leen. Crtrm Administrator: <i>Jeff Miller</i> ; Pla Counsel: <i>Steven A. Gibson, Esq.</i> ; Def Counsel: <i>Zach Thompson, Esq., Andres Camacho, Esq., James Fairbanks, Esq.</i> ; Court Reporter/FTR #: 9:15:33 - 9:19:16; Time of Hearing: 9:15am; Courtroom: 3B; This matter has

		<p>been scheduled to hear arguments on Plaintiffs' Motion to Compel <u>88</u> and Motion for Sanctions re: Discovery <u>89</u> . Defendant Kearney has not responded to these motions, and is not present at this hearing. IT IS ORDERED: Plaintiffs' Motion to Compel <u>88</u> and Motion for Sanctions re: Discovery <u>89</u> are GRANTED. <u>A SEPARATE WRITTEN ORDER WILL ISSUE</u> requiring <i>Defendant Kearney</i> to appear for his duly noticed deposition on 10/21/2010 @ 9:30am in the law offices of counsel. Plaintiffs' Counsel is directed to file a memorandum, supported by affidavit, regarding the costs and fees incurred due to the necessity of filing this motion and the out of pocket costs for Defendant Kearney's failure to appear at a previously noticed deposition on 8/25/2010, IT IS FURTHER ORDERED: Defendant Kearney shall comply with the outstanding discovery obligation to serve Plaintiffs' and other counsel with his initial disclosures and responses to production of document requests no later than 4:00pm on 10/20/2010, IT IS FURTHER ORDERED: Defendant Kearney shall provide the Court and opposing counsel with a valid mailing address where he can accept papers and pleadings filed in this matter. If Defendant Kearney fails to timely comply with these orders, this Court will recommend up to and including case dispositive sanctions to the District Judge for his failure to engage in discovery, failure to meet his obligations, and for failure to comply with Court orders. Plaintiffs' Counsel shall provide email notice of the entry of this order and the Court's written order to Defendant Kearney, as well as inform Defendant Kearney telephonically of these orders, and shall file a Certificate of Service reflecting their efforts in complying with the Court's directions. (Copies have been distributed pursuant to the NEF - JAM)(Copies have been distributed pursuant to the NEF - JAM) (Entered: 10/07/2010)</p>
10/07/2010	<u>96</u>	ORDER Granting <u>88</u> MOTION to Compel <i>Deposition</i> and <u>89</u> MOTION for Sanctions re Discovery filed by Jin-Sung Hong, and Tae-Si Kim. Signed by Magistrate Judge Peggy A. Leen on 10/6/2010. (Copies have been distributed pursuant to the NEF - DXS) (Entered: 10/08/2010)
10/11/2010	<u>97</u>	ANSWER to <u>29</u> Amended Complaint,, <i>Defendant Alverson Taylor Mortensen & Sanders' Answer to Plaintiffs' First Amended Complaint</i> filed by Alverson, Taylor, Mortensen & Sanders. Certificate of Interested Parties due by 10/21/2010. Discovery Plan/Scheduling Order due by 11/25/2010.(Owens, Jonathan) (Entered: 10/11/2010)
10/11/2010	<u>98</u>	DEMAND for Trial by Jury by Defendant Alverson, Taylor, Mortensen & Sanders <i>Demand for Jury Trial</i> . (Owens, Jonathan) (Entered: 10/11/2010)
10/11/2010	<u>99</u>	Second STATUS REPORT by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Burris, John) (Entered: 10/11/2010)
10/12/2010	<u>100</u>	JOINDER to <u>92</u> Motion to Dismiss; filed by Defendant Alverson, Taylor, Mortensen & Sanders. (Owens, Jonathan) Docket entry relationship added on 10/12/2010. (MJZ) (Entered: 10/12/2010)
10/12/2010	<u>101</u>	NOTICE by Plaintiffs Jin-Sung Hong, Tae-Si Kim re <u>96</u> Order,. (Lowry, Jodi) (Entered: 10/12/2010)
10/20/2010	<u>102</u>	

		ANSWER to <u>29</u> Amended Complaint,, with Jury Demand filed by Barbara R. Reed, Edward C. Reed, Reed Team. Certificate of Interested Parties due by 10/30/2010. Discovery Plan/Scheduling Order due by 12/4/2010.(Stoberski, Michael) (Entered: 10/20/2010)
10/21/2010	<u>103</u>	STIPULATION of Dismissal <i>with Prejudice of First American Title Insurance Co. and Gina Thomas by Plaintiff Jin-Sung Hong and by Plaintiff Tae-Si Kim.</i> (Lowry, Jodi) (Entered: 10/21/2010)
10/21/2010	<u>104</u>	MEMORANDUM <i>of Fees and Costs</i> filed by Plaintiff Tae-Si Kim RE <u>96</u> Order,. (Lowry, Jodi) (Entered: 10/21/2010)
10/22/2010	<u>105</u>	ORDER ON STIPULATION Granting <u>103</u> Stipulation of Dismissal with prejudice as to Defendants First American Title and Gina Thomas. Each party shall bear their own fees and costs. Signed by Judge Philip M. Pro on 10/22/10. (Copies have been distributed pursuant to the NEF - EDS) (Entered: 10/22/2010)
10/22/2010	<u>106</u>	RESPONSE to <u>92</u> MOTION to Dismiss for Lack of Jurisdiction, filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Replies due by 11/1/2010. (Lowry, Jodi) (Entered: 10/22/2010)
10/22/2010	<u>107</u>	BRIEF re <u>93</u> Joinder ; filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (<i>Opposition to Valley Foreclosure Services' Joinder to Charles M. Damus' Motion to Dismiss [Doc. 92]</i>) (Lowry, Jodi) (Entered: 10/22/2010)
11/01/2010	<u>108</u>	REPLY to Response to <u>92</u> MOTION to Dismiss for Lack of Jurisdiction ; filed by Defendant Charles M. Damus. (Garin, Joseph) (Entered: 11/01/2010)
11/09/2010	<u>109</u>	MINUTE ORDER IN CHAMBERS of the Honorable Judge Philip M. Pro, on 11/9/2010. By Deputy Clerk: Donna Sherwood. RE: <u>92</u> Defendant Charles M. Damus, Esq.'s Motion to Dismiss for Lack of Subject Matter Jurisdiction and Joinders [93 & 100]. IT IS ORDERED a Motion Hearing is set for 12/6/2010 at 10:30 AM in LV Courtroom 7C before Judge Philip M. Pro.(no image attached) (Copies have been distributed pursuant to the NEF - DMS) (Entered: 11/09/2010)
11/24/2010	<u>110</u>	NOTICE by Defendant Alverson, Taylor, Mortensen & Sanders re <u>100</u> Joinder. <i>Notice of Withdrawal of Defendant Alverson, Taylor, Mortensen & Sanders' Joinder in Defendant Charles M. Damus, Esq.'s Motion to Dismiss for Lack of Subject Matter Jurisdiction</i> (Owens, Jonathan) (Entered: 11/24/2010)
11/24/2010	<u>111</u>	STIPULATION <i>and Order to Continue the Deposition of Charles Damus, Esq. Until After the Close of Discovery</i> by Defendant Charles M. Damus, Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Garin, Joseph) (Entered: 11/24/2010)
11/29/2010	<u>112</u>	ORDER ON STIPULATION Granting <u>111</u> Stipulation to Continue the Deposition of Charles Damus until after the close of discovery. Signed by Judge Philip M. Pro on 11/29/10. (Copies have been distributed pursuant to the NEF - EDS) (Entered: 11/29/2010)
11/30/2010	<u>113</u>	MOTION to Withdraw as Attorney by Plaintiff Tae-Si Kim. <i>and Plaintiff Jin-Sung Hong</i> (Burris, John) <u>Event type corrected on 2/28/2012. (MJZ)</u> (Entered: 11/30/2010)

11/30/2010	<u>114</u>	NOTICE by Defendants Barbara R. Reed, Edward C. Reed, Reed Team of <i>Bankruptcy</i> (Stoberski, Michael) (Entered: 11/30/2010)
12/02/2010	<u>115</u>	STIPULATION re <u>80</u> Scheduling Order, Terminate Motions,, ; <i>Stipulation and Order to Continue Deposition of Adam B. Kearney and Extend Time for Dispositive Motions</i> by Defendant Cumorah Credit Union. (Bradford, Brian) (Entered: 12/02/2010)
12/03/2010	<u>116</u>	ORDER Granting <u>115</u> Stipulation to Continue Deposition and Extend time for Dispositive Motions. (Motions due by 2/21/2011.) Signed by Judge Philip M. Pro on 12/3/2010. (Copies have been distributed pursuant to the NEF - DXS) (Entered: 12/03/2010)
12/06/2010	<u>117</u>	MINUTES OF PROCEEDINGS - Motion Hearing held on 12/6/2010 before Judge Philip M. Pro. Crtrm Administrator: <i>Donna Sherwood</i> ; Pla Counsel: <i>Steven A. Gibson, Jonathan Salls</i> ; Def Counsel: <i>Zachary J. Thompson, Brian L. Bradford, Joseph P. Garin, Steven Keim, Michael F. Bohn</i> ; Court Reporter/FTR #: <i>Summer Rivera</i> ; Time of Hearing: <i>10:30 a.m. - 11:00 a.m.</i> ; Courtroom: <i>7C</i> ; The Court having heard the arguments of counsel, IT IS ORDERED Defendant Charles M. Damus, Esq.'s Motion to Dismiss for Lack of Subject Matter Jurisdiction and Defendant Valley Foreclosure Services' Joinder in motion to Dismiss <u>23</u> are GRANTED. (Copies have been distributed pursuant to the NEF - DMS) (Entered: 12/06/2010)
12/06/2010	<u>120</u>	MINUTES OF PROCEEDINGS - Status Conference held on 12/6/2010 before Magistrate Judge Peggy A. Leen. Crtrm Administrator: <i>Teresa K. Hoskin</i> ; Pla Counsel: <i>Steven A. Gibson</i> ; Def Counsel: <i>Brian L. Bradford and Zachary J. Thompson</i> ; Time of Hearing: <i>2:30 PM-2:40 PM</i> ; The court conducted a telephonic status conference regarding discovery issues, commencing at 2:30 p.m. and concluding at 2:40 p.m. Counsel advised that, due to recent developments in the case, there is a need for an extension of deadlines in the existing Discovery Plan and Scheduling Order. The court inquired of counsel what discovery has been completed to date and what discovery has yet to be completed. The court advised counsel that the extended deadlines would be granted and further advised counsel to submit a Stipulated Extension of the Discovery Plan and Scheduling Order. (Copies have been distributed pursuant to the NEF - ASB) (Entered: 12/08/2010)
12/07/2010	<u>118</u>	STIPULATION re <u>116</u> Order on Stipulation, Set/Reset Deadlines ; <i>Stipulation and Order to Continue Discovery and Extend Time for Dispositive Motions Pursuant to LR 6-1 and LR 7-1 (ThirdRequest)</i> by Defendant Cumorah Credit Union. (Bradford, Brian) (Entered: 12/07/2010)
12/07/2010	<u>119</u>	ORDER ON STIPULATION. Granting <u>118</u> Stipulation to Continue Discovery and Extend Time for Dispositive Motions. Discovery due by 3/1/2011. Motions due by 3/31/2011. Signed by Judge Philip M. Pro on 12/7/10. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 12/07/2010)
12/08/2010	<u>121</u>	SUBPOENA Returned Executed as to PMK First American Title (Bradford, Brian) (Entered: 12/08/2010)
12/10/2010	<u>122</u>	

		STIPULATION of Dismissal <i>Joint Stipulation and Order for Dismissal with Prejudice</i> by Defendant Alverson, Taylor, Mortensen & Sanders. (Owens, Jonathan) (Entered: 12/10/2010)
12/13/2010	<u>123</u>	ORDER Granting <u>122</u> Stipulation of Dismissal with prejudice as to Defendants Alverson, Taylor, Mortensen & Sanders. Each party shall bear it's own costs and attorney's fees. Signed by Judge Philip M. Pro on 12/13/2010. (Copies have been distributed pursuant to the NEF - DXS) (Entered: 12/13/2010)
12/13/2010	<u>124</u>	STIPULATION of Dismissal <i>Stipulation and Order of Dismissal with Prejudice Pursuant to FRCP 41(a)</i> by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Lowry, Jodi) (Entered: 12/13/2010)
12/14/2010	<u>125</u>	ORDER ON STIPULATION Granting <u>124</u> Stipulation of Dismissal of Defendant Estate of James L. Zemelman, Esq. Signed by Judge Philip M. Pro on 12/14/10. (Copies have been distributed pursuant to the NEF - ASB) (Entered: 12/15/2010)
01/18/2011	<u>126</u>	MINUTE ORDER IN CHAMBERS of the Honorable Roger L. Hunt, on 1/18/2011.To properly distribute the case load for the magistrate judges in the District of Nevada, IT IS ORDERED that this case is reassigned to Judge George W. Foley, Jr., U.S. Magistrate Judge for all further proceedings consistent with his jurisdiction. All further documents must bear the correct case number 2:09-cv-02008-PMP-GWF . (no image attached) (Copies have been distributed pursuant to the NEF - PM) (Entered: 01/18/2011)
01/28/2011	<u>127</u>	NOTICE of Voluntary Dismissal by Plaintiffs Jin-Sung Hong, Tae-Si Kim. <i>Notice of Dismissal of Adam B. Kearney with Prejudice Pursuant to Fed. R. Civ. P. 41(a)</i> (Gibson, Steven) (Entered: 01/28/2011)
01/28/2011		Party Adam B Kearney terminated pursuant to Notice of Voluntary Dismissal <u>127</u> . (ECS) (Entered: 01/31/2011)
01/31/2011	<u>128</u>	ORDER Approving <u>127</u> Notice of Voluntary Dismissal of Adam B. Kearney. Signed by Judge Philip M. Pro on 1/31/11. (Copies have been distributed pursuant to the NEF - ECS) (Entered: 01/31/2011)
02/02/2011	<u>129</u>	ORDER that the court will assess sanctions in favor of the Plaintiffs against Defendant Adam Kearney in the amount of \$3,667.25 which represents \$3,514.75 in attorneys fees incurred for deposition preparation and preparation of the motion to compel, and \$152.50 in costs. Signed by Magistrate Judge George Foley, Jr on 2/2/11. (Copies have been distributed pursuant to the NEF - ECS) (Entered: 02/02/2011)
02/09/2011	<u>130</u>	STIPULATION re <u>120</u> Status Conference,, <u>119</u> Order on Stipulation,, Set/Reset Deadlines, ; <i>Stipulation and Order to Extend Discovery (Fourth Request)</i> by Defendant Cumorah Credit Union. (Bradford, Brian) (Entered: 02/09/2011)
02/10/2011	<u>131</u>	SCHEDULING ORDER Granting <u>130</u> Stipulation to Extend Discovery Deadlines. Discovery due by 4/15/2011. Motions due by 5/16/2011. Proposed Joint Pretrial Order due by 6/16/2011. Signed by Magistrate Judge George

		Foley, Jr on 2/10/11. (Copies have been distributed pursuant to the NEF - ASB) (Entered: 02/10/2011)
02/28/2011	<u>132</u>	SUBPOENA Returned Executed as to Adam B. Kearney (Bradford, Brian) (Entered: 02/28/2011)
03/08/2011	<u>133</u>	NOTICE by Plaintiffs Jin-Sung Hong, Tae-Si Kim of <i>Stipulated Order Modifying Automatic Stay</i> (Attachments: # <u>1</u> Exhibit)(Salls, Jonathan) (Entered: 03/08/2011)
03/18/2011	<u>134</u>	NOTICE of Voluntary Dismissal by Plaintiffs Jin-Sung Hong, Tae-Si Kim. <i>Plaintiffs' Notice of Dismissal of RE/MAX International, Inc. Without Prejudice Pursuant To Fed. R. Civ. P. 41(a)</i> (Salls, Jonathan) (Entered: 03/18/2011)
03/18/2011		Party RE/MAX International, Inc. terminated per <u>134</u> Notice of Voluntary Dismissal. (ASB) (Entered: 03/21/2011)
03/21/2011	<u>135</u>	ORDER Granting <u>134</u> Notice of Voluntary Dismissal as to Re/Max International, Inc. Signed by Judge Philip M. Pro on 3/21/11. (Copies have been distributed pursuant to the NEF - ASB) (Entered: 03/21/2011)
04/12/2011	<u>136</u>	SUBPOENA Returned Executed as to Kevin J. Lee (Bradford, Brian) (Entered: 04/12/2011)
04/15/2011	<u>137</u>	STIPULATION FOR EXTENSION OF TIME (Fifth Request) <i>Stipulation and Order to Extend Discovery (Fifth Request)</i> by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Salls, Jonathan) (Entered: 04/15/2011)
04/18/2011	<u>138</u>	SCHEDULING ORDER Granting <u>137</u> Stipulation for Extension of Discovery. Discovery due by 5/16/2011. Motions due by 6/16/2011. Proposed Joint Pretrial Order due by 7/18/2011. Signed by Magistrate Judge George Foley, Jr on 4/18/11. (Copies have been distributed pursuant to the NEF - ASB) (Entered: 04/18/2011)
05/02/2011	<u>139</u>	SUBPOENA Returned Executed as to PMK First American Title (Bradford, Brian) (Entered: 05/02/2011)
05/10/2011	<u>140</u>	STIPULATION FOR EXTENSION OF TIME (Sixth or more Request) re <u>138</u> Scheduling Order, ; <i>Stipulation and Order to Continue Discovery (Sixth Request)</i> by Defendant Cumorah Credit Union. (Bradford, Brian) (Entered: 05/10/2011)
05/11/2011	<u>141</u>	ORDER GRANTING <u>140</u> Stipulation to Extend Deadlines. Discovery due by 6/6/2011. Motions due by 7/7/2011. Proposed Joint Pretrial Order due by 8/8/2011. Signed by Magistrate Judge George Foley, Jr on 5/11/11. (Copies have been distributed pursuant to the NEF - ECS) (Entered: 05/11/2011)
05/31/2011	<u>142</u>	NOTICE of Association of Counsel by Aaron R. Maurice on behalf of Defendant Cumorah Credit Union. (Maurice, Aaron) (Entered: 05/31/2011)
06/06/2011	<u>143</u>	STIPULATION FOR EXTENSION OF TIME (Sixth or more Request) <i>Stipulation and Order to Extend Discovery (Seventh Request)</i> by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Salls, Jonathan) (Entered: 06/06/2011)

06/07/2011	<u>144</u>	SCHEDULING ORDER Granting <u>143</u> Stipulation for Extension of Discovery Deadlines. Discovery due by 7/8/2011. Motions due by 8/8/2011. Proposed Joint Pretrial Order due by 9/8/2011. Signed by Magistrate Judge George Foley, Jr on 6/7/11. (Copies have been distributed pursuant to the NEF - ASB) (Entered: 06/07/2011)
06/10/2011	<u>145</u>	MOTION to remove attorney(s) Joseph P. Garin from the Electronic Service List in this case, by Defendant Charles M. Damus. Motion ripe 6/10/2011. (Garin, Joseph) (Entered: 06/10/2011)
06/10/2011	<u>146</u>	MOTION to remove from the Electronic Service List in this case, by Defendant Alverson, Taylor, Mortensen & Sanders. (Owens, Jonathan) <u>Event type corrected on 6/13/2011. (MJZ)</u> (Entered: 06/10/2011)
06/13/2011	<u>147</u>	ORDER granting <u>145</u> Motion to Remove Attorney from Electronic Service List for Defendant Charles M. Damus. Signed by Judge Philip M. Pro on 6/13/11. (Copies have been distributed pursuant to the NEF - ASB) (Entered: 06/13/2011)
06/14/2011	<u>148</u>	ORDER Granting <u>146</u> Motion to Remove Attorney from Electronic Service List for Defendant Alverson, Taylor, Mortensen & Sanders. Signed by Magistrate Judge George Foley, Jr on 6/14/11. (Copies have been distributed pursuant to the NEF - ASB) (Entered: 06/14/2011)
06/14/2011	149	(1st Notice) PURSUANT TO SPECIAL ORDER 109: that <u>Brittany Wood</u> is in violation of Special Order 109. Participation in the electronic filing system became mandatory for all attorneys effective January 1, 2006. You are required to register for the Court's Case Management and Electronic Case Filing (CM/ECF) program and the electronic service of pleadings. Please visit the Court's website to register for CM/ECF. (MJZ) (Entered: 06/14/2011)
06/24/2011	<u>150</u>	MOTION for Relief from Court's Order Granting Valley Foreclosure Services' Joinder in Motion to Dismiss, by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Responses due by 7/11/2011. (Attachments: # <u>1</u> Exhibit Exhibit 1, # <u>2</u> Exhibit Exhibit 2, # <u>3</u> Exhibit Exhibit 3, # <u>4</u> Exhibit Exhibit 4, # <u>5</u> Exhibit Exhibit 5, # <u>6</u> Exhibit Exhibit 6)(Lucero, Laura) (Entered: 06/24/2011)
07/06/2011	<u>151</u>	STIPULATION FOR EXTENSION OF TIME (Sixth or more Request) re <u>144</u> Scheduling Order, ; <i>Stipulation and Order to Continue Discovery (Sixth or More Request)</i> by Defendant Cumorah Credit Union. (Bradford, Brian) (Entered: 07/06/2011)
07/07/2011	<u>152</u>	ORDER GRANTING <u>151</u> Stipulation to Extend Deadlines. Discovery due by 8/1/2011. Motions due by 9/1/2011. Proposed Joint Pretrial Order due by 10/3/2011. Signed by Magistrate Judge George Foley, Jr on 7/7/11. (Copies have been distributed pursuant to the NEF - ECS) (Entered: 07/07/2011)
07/12/2011	153	MINUTE ORDER IN CHAMBERS of the Honorable Judge Philip M. Pro, on 7/12/2011. By Deputy Clerk: Donna Sherwood. IT IS ORDERED Defendant Valley Foreclosure Services, LLC shall file a Response by 7/19/2011 to Plaintiff's Motion for Relief From Court's Order Granting Valley Foreclosure Services' Joinder in Motion to Dismiss <u>150</u> . (no image attached) (Copies have been distributed pursuant to the NEF - DMS) (Entered: 07/12/2011)

07/20/2011	<u>154</u>	ORDER TO SHOW CAUSE re: Defendant Valley Foreclosure Services' Failure to Comply with 153 Order. Show Cause Response due by 7/29/2011. Signed by Judge Philip M. Pro on 7/20/11. (Copies have been distributed pursuant to the NEF - ASB) (Entered: 07/20/2011)
07/25/2011	<u>155</u>	RESPONSE to <u>150</u> Motion for Relief; filed by Defendant Valley Foreclosure Services. Replies due by 8/4/2011. (Bohn, Michael) <u>Docket entry relationship added on 7/26/2011. (MJZ)</u> (Entered: 07/25/2011)
07/25/2011	<u>156</u>	RESPONSE TO ORDER TO SHOW CAUSE by Defendant Valley Foreclosure Services. (Bohn, Michael) (Entered: 07/25/2011)
08/04/2011	<u>157</u>	OBJECTION to <u>156</u> Response to Order to Show Cause ; filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit, # <u>9</u> Exhibit, # <u>10</u> Exhibit, # <u>11</u> Exhibit, # <u>12</u> Exhibit, # <u>13</u> Exhibit)(Salls, Jonathan) (Entered: 08/04/2011)
08/04/2011	<u>158</u>	REPLY to Response to <u>150</u> MOTION for Relief from Court's Order Granting Valley Foreclosure Services' Joinder in Motion to Dismiss ; filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit, # <u>4</u> Exhibit, # <u>5</u> Exhibit, # <u>6</u> Exhibit, # <u>7</u> Exhibit, # <u>8</u> Exhibit)(Salls, Jonathan) (Entered: 08/04/2011)
08/15/2011	<u>159</u>	MOTION for Summary Judgment <i>Defendant Cumorah Credit Union's Motion for Summary Judgment</i> by Defendant Cumorah Credit Union. Responses due by 9/8/2011. (Bradford, Brian) (Entered: 08/15/2011)
08/15/2011	<u>160</u>	DECLARATION of Brian L. Bradford, Esq. re <u>159</u> MOTION for Summary Judgment <i>Defendant Cumorah Credit Union's Motion for Summary Judgment ; Declaration of Brian L. Bradford, Esq. in Support of Defendant's Motion for Summary Judgment</i> by Defendant Cumorah Credit Union. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G1, # <u>8</u> Exhibit G2, # <u>9</u> Exhibit G3, # <u>10</u> Exhibit G4, # <u>11</u> Exhibit H, # <u>12</u> Exhibit I, # <u>13</u> Exhibit J, # <u>14</u> Exhibit K)(Bradford, Brian) (Entered: 08/15/2011)
08/15/2011	<u>161</u>	REQUEST for Judicial Notice re <u>159</u> MOTION for Summary Judgment <i>Defendant Cumorah Credit Union's Motion for Summary Judgment ;</i> by Defendant Cumorah Credit Union. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13)(Bradford, Brian) (Entered: 08/15/2011)
08/18/2011	<u>162</u>	MINUTE ORDER IN CHAMBERS of the Honorable Judge Philip M. Pro, on 8/18/2011. By Deputy Clerk: Donna Sherwood. RE: <u>150</u> Plaintiff's Motion for Relief from Court's Order Granting Valley Foreclosure Services' Joinder in Motion to Dismiss. IT IS ORDERED a Motion Hearing is set for 9/15/2011 at 09:30 AM in LV Courtroom 7C before Judge Philip M. Pro.(no image attached) (Copies have been distributed pursuant to the NEF - DMS) (Entered: 08/18/2011)
08/30/2011	<u>163</u>	

		MOTION to Amend/Correct Complaint re <u>29</u> Amended Complaint,,. <i>to Extend the Amend Pleading Deadline and Leave to File Second Amended Complaint</i> by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Responses due by 9/16/2011. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5-1, # <u>6</u> Exhibit 5-2, # <u>7</u> Exhibit 5-3, # <u>8</u> Exhibit 5-4, # <u>9</u> Exhibit 5-5, # <u>10</u> Exhibit 5-6, # <u>11</u> Exhibit 5-7, # <u>12</u> Exhibit 5-8, # <u>13</u> Exhibit 5-9, # <u>14</u> Exhibit 5-10, # <u>15</u> Exhibit 5-11, # <u>16</u> Exhibit 5-12)(Salls, Jonathan) (Entered: 08/30/2011)
08/30/2011	<u>164</u>	MOTION to Extend Time regarding discovery/nondispositive matter (Sixth or more Request) . by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Motion ripe 8/30/2011. (Salls, Jonathan) Modified text on 8/31/2011 (SRK). (Entered: 08/30/2011)
08/30/2011	<u>165</u>	MOTION to Stay re 162 Minute Order Setting Hearing on Motion, RE Dispositive Motion Deadline. by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Motion ripe 8/30/2011. (Attachments: # <u>1</u> Exhibit)(Salls, Jonathan) Modified text on 8/31/2011 (SRK). (Entered: 08/30/2011)
08/31/2011	<u>166</u>	MINUTE ORDER IN CHAMBERS of the Honorable Magistrate Judge George Foley, Jr, on 8/31/2011. By Deputy Clerk: Heidi Ojeda. RE: <u>164</u> MOTION for Extension of Discovery Deadlines. Defendants are to file a response to this motion no later than <u>Wednesday, September 7, 2011</u> . (Copies have been distributed pursuant to the NEF - Ojeda, Heidi) (Entered: 08/31/2011)
09/01/2011	<u>167</u>	MOTION for Partial Summary Judgment <i>on Negligent Undertaking to Perform Services</i> by Defendants Barbara R. Reed, Edward C. Reed, Reed Team. Responses due by 9/18/2011. (Stoberski, Michael) (Entered: 09/01/2011)
09/01/2011	<u>168</u>	MOTION for Partial Summary Judgment <i>on Civil Conspiracy, Concert of Action, Aiding and Abetting</i> by Defendants Barbara R. Reed, Edward C. Reed, Reed Team. Responses due by 9/18/2011. (Stoberski, Michael) (Entered: 09/01/2011)
09/01/2011	<u>169</u>	MOTION for Partial Summary Judgment <i>on Contract Related Claims</i> by Defendants Barbara R. Reed, Edward C. Reed, Reed Team. Responses due by 9/18/2011. (Stoberski, Michael) (Entered: 09/01/2011)
09/01/2011	<u>170</u>	MOTION for Partial Summary Judgment <i>on Plaintiffs' Fraud-Based Claims</i> by Defendants Barbara R. Reed, Edward C. Reed, Reed Team. Responses due by 9/18/2011. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P, # <u>17</u> Exhibit Q, # <u>18</u> Exhibit R, # <u>19</u> Exhibit S, # <u>20</u> Exhibit T, # <u>21</u> Exhibit U)(Stoberski, Michael) (Entered: 09/01/2011)
09/01/2011	<u>171</u>	DECLARATION of Zachary J. Thompson, Esq. re <u>169</u> MOTION for Partial Summary Judgment <i>on Contract Related Claims</i> , <u>167</u> MOTION for Partial Summary Judgment <i>on Negligent Undertaking to Perform Services</i> , <u>168</u> MOTION for Partial Summary Judgment <i>on Civil Conspiracy, Concert of</i>

		<i>Action, Aiding and Abetting</i> , <u>170</u> MOTION for Partial Summary Judgment on <i>Plaintiffs' Fraud-Based Claims</i> ; filed by Defendants Barbara R. Reed, Edward C. Reed, Reed Team. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Exhibit N, # <u>15</u> Exhibit O, # <u>16</u> Exhibit P, # <u>17</u> Exhibit Q, # <u>18</u> Exhibit R, # <u>19</u> Exhibit S, # <u>20</u> Exhibit T, # <u>21</u> Exhibit U)(Stoberski, Michael) (Entered: 09/01/2011)
09/01/2011	<u>172</u>	JOINDER to <u>164</u> MOTION to Extend Time regarding discovery/nondispositive matter (Sixth or more Request) ; <i>Partial Joinder to Plaintiffs' Motion for Extension of Discovery Deadlines</i> filed by Defendants Barbara R. Reed, Edward C. Reed, Reed Team. (Stoberski, Michael) (Entered: 09/01/2011)
09/07/2011	<u>173</u>	RESPONSE to <u>165</u> MOTION to Stay re 162 Minute Order Setting Hearing on Motion, <u>164</u> MOTION to Extend Time regarding discovery/nondispositive matter (Sixth or more Request) re <u>163</u> MOTION to Amend/Correct Complaint re <u>29</u> Amended Complaint,, <i>to Extend the A</i> , filed by Defendant Cumorah Credit Union. <i>Defendant Cumorah Credit Union's Opposition to Plaintiffs' Emergency Motion to Suspend Dispositive Motion Deadline Replies due by 9/17/2011.</i> (Attachments: # <u>1</u> Exhibit A)(Bradford, Brian) (Entered: 09/07/2011)
09/07/2011	<u>174</u>	RESPONSE to <u>164</u> MOTION to Extend Time regarding discovery/nondispositive matter (Sixth or more Request), filed by Defendant Cumorah Credit Union. <i>Defendant Cumorah Credit Union's Opposition to Plaintiffs' Motion for Extension of Discovery Deadlines</i> Replies due by 9/17/2011. (Attachments: # <u>1</u> Exhibit A)(Bradford, Brian) (Entered: 09/07/2011)
09/07/2011	<u>175</u>	RESPONSE to <u>163</u> MOTION to Amend/Correct Complaint re <u>29</u> Amended Complaint,, <i>to Extend the Amend Pleading Deadline and Leave to File Second Amended Complaint</i> MOTION to Amend/Correct Complaint re <u>29</u> Amended Complaint,, <i>to Extend the Amend Pleading Deadline and Leave to File Second Amended Complaint</i> MOTION to Amend/Correct Complaint re <u>29</u> Amended Complaint,, <i>to Extend the Amend Pleading Deadline and Leave to File Second Amended Complaint</i> , filed by Defendant Cumorah Credit Union. <i>Defendant Cumorah Credit Union's Limited Opposition to Plaintiffs' Motion to Extend the Amend Pleading Deadline and Leave to File a Second Amended Complaint</i> Replies due by 9/17/2011. (Bradford, Brian) (Entered: 09/07/2011)
09/08/2011	<u>176</u>	ORDER Denying without prejudice <u>164</u> Motion for Extension of Discovery Deadlines. Signed by Magistrate Judge George Foley, Jr on 9/8/2011. (Copies have been distributed pursuant to the NEF - SLR) (Entered: 09/08/2011)
09/08/2011	<u>177</u>	RESPONSE to <u>159</u> MOTION for Summary Judgment <i>Defendant Cumorah Credit Union's Motion for Summary Judgment</i> , filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Replies due by 9/25/2011. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2 part 1, # <u>3</u> Exhibit 2 part 2, # <u>4</u> Exhibit 2 part 3, # <u>5</u> Exhibit 2 part 4, # <u>6</u> Exhibit 2 part 5, # <u>7</u> Exhibit 3, # <u>8</u> Exhibit 4, # <u>9</u> Exhibit 5, # <u>10</u> Exhibit 6,

		# <u>11</u> Exhibit 7 part 1, # <u>12</u> Exhibit 7 part 2, # <u>13</u> Exhibit 7 part 3, # <u>14</u> Exhibit 7 part 4, # <u>15</u> Exhibit 8, # <u>16</u> Exhibit 9)(Salls, Jonathan) (Entered: 09/08/2011)
09/09/2011	<u>178</u>	MINUTE ORDER IN CHAMBERS of the Honorable Judge Philip M. Pro, on 9/9/2011. In addition to Plaintiffs' Motion for Relief (Doc. #150) set for hearing on September 15, 2011, @ 9:30 AM, the Honorable Judge Philip Pro will also hear Plaintiffs' Emergency Motion to Suspend Dispositive Motion Deadline (Doc. #165) (Copies have been distributed pursuant to the NEF - DG) (Entered: 09/09/2011)
09/09/2011	<u>179</u>	MOTION For Relief from Voluntary Dismissal of Adam B. Kearney re <u>128</u> Order by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Responses due by 9/26/2011. (Attachments: # <u>1</u> Exhibit 1)(Salls, Jonathan) (Entered: 09/09/2011)
09/14/2011	<u>180</u>	REPLY to Response to <u>163</u> MOTION to Amend/Correct Complaint re <u>29</u> Amended Complaint,,. <i>to Extend the Amend Pleading Deadline and Leave to File Second Amended Complaint</i> MOTION to Amend/Correct Complaint re <u>29</u> Amended Complaint,,. <i>to Extend the Amend Pleading Deadline and Leave to File Second Amended Complaint</i> MOTION to Amend/Correct Complaint re <u>29</u> Amended Complaint,,. <i>to Extend the Amend Pleading Deadline and Leave to File Second Amended Complaint</i> ; filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Salls, Jonathan) (Entered: 09/14/2011)
09/15/2011	<u>181</u>	MINUTES OF PROCEEDINGS - Motion Hearing held on 9/15/2011 before Judge Philip M. Pro. Crtrm Administrator: <i>Donna Sherwood</i> ; Pla Counsel: <i>Steven A. Gibson, Jonathan M.A. Salls</i> ; Def Counsel: <i>Zachary J. Thompson, Brian L. Bradford, Aaron R. Maurice</i> ; <i>Present Telephonically - Michael F. Bohn</i> ; Court Reporter/FTR #: <i>Joan Quiros</i> ; Time of Hearing: <i>9:30 a.m.</i> ; Courtroom: <i>3B</i> ; The Court having heard the arguments of counsel, IT IS ORDERED Plaintiffs' Motion for Relief from Court's Order Granting Valley Foreclosure Services' Joinder in Motion to Dismiss <u>150</u> is GRANTED in part and DENIED in part, as stated on the record. Plaintiffs' Emergency Motion to Suspend Dispositive Motion Deadline <u>165</u> stands submitted. (Copies have been distributed pursuant to the NEF - DMS) (Entered: 09/15/2011)
09/15/2011	<u>182</u>	JOINDER to <u>159</u> MOTION for Summary Judgment <i>Defendant Cumorah Credit Union's Motion for Summary Judgment</i> ; filed by Defendant Valley Foreclosure Services. (Bohn, Michael) (Entered: 09/15/2011)
09/16/2011	<u>183</u>	ORDER that Plaintiffs Motion for Relief From Courts Order Granting Valley Foreclosure Services Joinder in Motion to Dismiss <u>150</u> is GRANTED to the extent that this Courts Order 117 of December 6, 2010 is VACATED to the limited extent that it GRANTED Defendant Valley Foreclosure Services, LLCs Joinder in Defendant Damus Motion to Dismiss. Defendant Valley Foreclosure Services, LLC is hereby reinstated as a party Defendant to this action. Signed by Judge Philip M. Pro on 9/16/11. (Copies have been distributed pursuant to the NEF - ECS) (Entered: 09/16/2011)
09/16/2011	<u>184</u>	STIPULATION FOR EXTENSION OF TIME (First Request) re <u>167</u> MOTION for Partial Summary Judgment <i>on Negligent Undertaking to Perform Services</i> , <u>168</u> MOTION for Partial Summary Judgment <i>on Civil Conspiracy</i> ,

		<i>Concert of Action, Aiding and Abetting</i> , <u>169</u> MOTION for Partial Summary Judgment <i>on Contract Related Claims</i> , <u>170</u> MOTION for Partial Summary Judgment <i>on Plaintiffs' Fraud-Based Claims</i> ; <i>To File Oppositions to the RE/MAX Defendants' Partial Motions for Summary Judgment</i> by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Salls, Jonathan) (Entered: 09/16/2011)
09/19/2011	<u>185</u>	ORDER ON STIPULATION Granting <u>184</u> Stipulation for Extension of Time to File Response to <u>167</u> , <u>168</u> , <u>169</u> , and <u>170</u> Motions for Summary Judgment. Responses due by 9/26/2011. Signed by Judge Philip M. Pro on 9/19/11. (Copies have been distributed pursuant to the NEF - ASB) (Entered: 09/20/2011)
09/26/2011	<u>186</u>	REPLY to Response to <u>159</u> MOTION for Summary Judgment <i>Defendant Cumorah Credit Union's Motion for Summary Judgment</i> ; filed by Defendant Cumorah Credit Union. <i>Defendant Cumorah Credit Union's Reply in Support of Motion for Summary Judgment</i> (Bradford, Brian) (Entered: 09/26/2011)
09/26/2011	<u>187</u>	RESPONSE to <u>167</u> MOTION for Partial Summary Judgment <i>on Negligent Undertaking to Perform Services</i> , filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Replies due by 10/13/2011. (Salls, Jonathan) (Entered: 09/26/2011)
09/26/2011	<u>188</u>	RESPONSE to <u>168</u> MOTION for Partial Summary Judgment <i>on Civil Conspiracy, Concert of Action, Aiding and Abetting</i> , filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Replies due by 10/13/2011. (Salls, Jonathan) (Entered: 09/26/2011)
09/26/2011	<u>189</u>	RESPONSE to <u>169</u> MOTION for Partial Summary Judgment <i>on Contract Related Claims</i> , filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Replies due by 10/13/2011. (Salls, Jonathan) (Entered: 09/26/2011)
09/26/2011	<u>190</u>	RESPONSE to <u>170</u> MOTION for Partial Summary Judgment <i>on Plaintiffs' Fraud-Based Claims</i> , filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Replies due by 10/13/2011. (Salls, Jonathan) (Entered: 09/26/2011)
09/26/2011	<u>191</u>	DECLARATION re <u>169</u> MOTION for Partial Summary Judgment <i>on Contract Related Claims</i> , <u>167</u> MOTION for Partial Summary Judgment <i>on Negligent Undertaking to Perform Services</i> , <u>168</u> MOTION for Partial Summary Judgment <i>on Civil Conspiracy, Concert of Action, Aiding and Abetting</i> , <u>170</u> MOTION for Partial Summary Judgment <i>on Plaintiffs' Fraud-Based Claims</i> ; filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2 part 1, # <u>3</u> Exhibit 2 part 2, # <u>4</u> Exhibit 2 part 3, # <u>5</u> Exhibit 2 part 4, # <u>6</u> Exhibit 2 part 5, # <u>7</u> Exhibit 2 part 6, # <u>8</u> Exhibit 2 part 7, # <u>9</u> Exhibit 3 part 1, # <u>10</u> Exhibit 3 part 2, # <u>11</u> Exhibit 3 part 3, # <u>12</u> Exhibit 3 part 4, # <u>13</u> Exhibit 4, # <u>14</u> Exhibit 5, # <u>15</u> Exhibit 6, # <u>16</u> Exhibit 7, # <u>17</u> Exhibit 8, # <u>18</u> Exhibit 9, # <u>19</u> Exhibit 10, # <u>20</u> Exhibit 11)(Salls, Jonathan) (Entered: 09/26/2011)
09/29/2011	<u>192</u>	RESPONSE to <u>159</u> MOTION for Summary Judgment <i>Defendant Cumorah Credit Union's Motion for Summary Judgment</i> , filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. <i>PLAINTIFFS' OPPOSITION TO VALLEY'S JOINDER IN CUMORAH CREDIT UNION'S MOTION FOR SUMMARY JUDGMENT</i> Replies due by 10/9/2011. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2 - Part 1, #

		<u>3</u> Exhibit 2 - Part 2, # <u>4</u> Exhibit 2 - Part 3, # <u>5</u> Exhibit 2 - Part 4, # <u>6</u> Exhibit 2 - Part 5, # <u>7</u> Exhibit 3, # <u>8</u> Exhibit 4, # <u>9</u> Exhibit 5, # <u>10</u> Exhibit 6, # <u>11</u> Exhibit 7 - Part 1, # <u>12</u> Exhibit 7 - Part 2, # <u>13</u> Exhibit 7 - Part 3, # <u>14</u> Exhibit 7 - Part 4, # <u>15</u> Exhibit 7 - Part 5, # <u>16</u> Exhibit 8, # <u>17</u> Exhibit 9)(Salls, Jonathan) (Entered: 09/29/2011)
10/13/2011	<u>193</u>	REPLY to Response to <u>169</u> MOTION for Partial Summary Judgment <i>on Contract Related Claims</i> ; filed by Defendants Barbara R. Reed, Edward C. Reed, Reed Team. (Stoberski, Michael) (Entered: 10/13/2011)
10/13/2011	<u>194</u>	REPLY to Response to <u>170</u> MOTION for Partial Summary Judgment <i>on Plaintiffs' Fraud-Based Claims</i> ; filed by Defendants Barbara R. Reed, Edward C. Reed, Reed Team. (Stoberski, Michael) (Entered: 10/13/2011)
10/13/2011	<u>195</u>	REPLY to Response to <u>168</u> MOTION for Partial Summary Judgment <i>on Civil Conspiracy, Concert of Action, Aiding and Abetting</i> ; filed by Defendants Barbara R. Reed, Edward C. Reed, Reed Team. (Stoberski, Michael) (Entered: 10/13/2011)
10/13/2011	<u>196</u>	REPLY to Response to <u>167</u> MOTION for Partial Summary Judgment <i>on Negligent Undertaking to Perform Services</i> ; filed by Defendants Barbara R. Reed, Edward C. Reed, Reed Team. (Stoberski, Michael) (Entered: 10/13/2011)
10/26/2011	<u>197</u>	MOTION for Clarification re <u>183</u> Order,, by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Responses due by 11/12/2011. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6)(Salls, Jonathan) (Entered: 10/26/2011)
10/26/2011	<u>198</u>	RESPONSE to <u>197</u> MOTION for Clarification re <u>183</u> Order,,, filed by Defendant Valley Foreclosure Services. Replies due by 11/12/2011. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit, # <u>3</u> Exhibit)(Bohn, Michael) (Entered: 10/26/2011)
11/01/2011	<u>199</u>	JOINDER to <u>198</u> Response to Motion ; <i>Defendant Cumorah Credit Union's Joinder to Valley Foreclosure's Opposition to Motion for Clarification of Order [Doc. 198]</i> filed by Defendant Cumorah Credit Union. (Bradford, Brian) (Entered: 11/01/2011)
11/08/2011	<u>200</u>	REPLY to Response to <u>197</u> MOTION for Clarification re <u>183</u> Order,, ; filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. <i>Reply to Opposition to Motion for Clarification of Order</i> (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7)(Salls, Jonathan) (Entered: 11/08/2011)
11/09/2011	<u>201</u>	REPLY to Response to <u>197</u> MOTION for Clarification re <u>183</u> Order,, ; filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. <i>REPLY TO DEFENDANT CUMORAH CREDIT UNION'S JOINDER TO VALLEY FORECLOSURE'S OPPOSITION TO MOTION FOR CLARIFICATION OF ORDER</i> (Salls, Jonathan) (Entered: 11/09/2011)
11/16/2011	<u>202</u>	MOTION to Compel <i>MOTION TO COMPEL DEPOSITIONS OF ALAN MAYNOR AND DENISE CRARY</i> by Plaintiffs Jin-Sung Hong, Tae-Si Kim.

		Responses due by 12/3/2011. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8)(Salls, Jonathan) (Entered: 11/16/2011)
11/23/2011	<u>203</u>	PROPOSED Discovery Plan/Scheduling Order filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim (<i>PROPOSED</i>) <i>SCHEDULING ORDER REGARDING VALLEY FORECLOSURE SERVICES</i> . (Salls, Jonathan) (Entered: 11/23/2011)
11/28/2011	<u>204</u>	MINUTE ORDER IN CHAMBERS of the Honorable Magistrate Judge George Foley, Jr, on 11/28/2011. By Judicial Assistant: Julia Wright. RE: <u>203</u> Proposed Discovery Plan/Scheduling Order : IT IS ORDERED that a responsive pleading to this proposed scheduling order is due no later than <u>December 5, 2011</u> . (Copies have been distributed pursuant to the NEF - JBW) (Entered: 11/28/2011)
11/28/2011	<u>205</u>	RESPONSE to <u>202</u> MOTION to Compel <i>MOTION TO COMPEL DEPOSITIONS OF ALAN MAYNOR AND DENISE CRARY</i> , filed by Defendant Valley Foreclosure Services. Replies due by 12/8/2011. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Bohn, Michael) (Entered: 11/28/2011)
11/28/2011	<u>206</u>	RESPONSE to <u>203</u> Proposed Discovery Plan/Scheduling Order; filed by Defendant Valley Foreclosure Services. (Bohn, Michael) <u>Event type corrected on 11/29/2011. (MJZ)</u> (Entered: 11/28/2011)
11/29/2011	<u>207</u>	MINUTE ORDER IN CHAMBERS of the Honorable Magistrate Judge George Foley, Jr, on 11/29/2011. By Judicial Assistant: Julia Wright. RE: <u>203</u> Proposed Discovery Plan/Scheduling Order : Status Conference set for <u>Wednesday, December 7, 2011, at 1:30 PM</u> in LV Courtroom 3A before Magistrate Judge George Foley Jr. (Copies have been distributed pursuant to the NEF - JBW) (Entered: 11/29/2011)
11/29/2011	<u>208</u>	JOINDER to <u>206</u> Brief ; <i>Defendant Cumorah Credit Union's Joinder to Defendant Valley Foreclosure Services' Memorandum in Response to Plaintiffs' Proposed Scheduling Order [Doc. 206]</i> filed by Defendant Cumorah Credit Union. (Bradford, Brian) (Entered: 11/29/2011)
12/01/2011	<u>209</u>	MINUTE ORDER IN CHAMBERS of the Honorable Magistrate Judge George Foley, Jr, on 12/1/2011. By Deputy Clerk: Heidi Ojeda. RE: <u>202</u> MOTION to Compel <i>MOTION TO COMPEL DEPOSITIONS OF ALAN MAYNOR AND DENISE CRARY</i> . Motion Hearing set for <u>Wednesday, December 7, 2011, at 01:30 PM</u> in LV Courtroom 3A before Magistrate Judge George Foley Jr. The Court will hear arguments on the Motion to Compel (#202) and the Proposed Scheduling Order (#203). (no image attached) (Copies have been distributed pursuant to the NEF - Ojeda, Heidi) (Entered: 12/01/2011)
12/05/2011	<u>210</u>	RESPONSE to <u>203</u> Proposed Discovery Plan/Scheduling Order ; filed by Defendants Barbara R. Reed, Edward C. Reed, Reed Team. (Stoberski, Michael) (Entered: 12/05/2011)
12/06/2011	<u>211</u>	REPLY to Response to <u>202</u> MOTION to Compel <i>MOTION TO COMPEL DEPOSITIONS OF ALAN MAYNOR AND DENISE CRARY</i> ; filed by Plaintiffs

		Jin-Sung Hong, Tae-Si Kim. (Attachments: # <u>1</u> Exhibit 1)(Salls, Jonathan) (Entered: 12/06/2011)
12/07/2011	212	<p>MINUTES OF PROCEEDINGS - Motion Hearing held on 12/7/2011 before Magistrate Judge George Foley, Jr. Crtrm Administrator: <i>Heidi Jordan</i>; Pla Counsel: <i>Jonathan Salls</i>; Def Counsel: <i>Carleton Burch, Tyson Dobbs, Zach Thompson for Michael Stoberski, Michael Bohn</i>; Court Reporter/FTR #: <i>1:33 - 1:49</i>; Courtroom: <i>3A</i>; The Court hears representations and arguments of counsel. ORDERED that Plaintiffs' Motion to Compel Depositions of Alan Maynor and Denise Crary <u>202</u> is GRANTED to the extent that leave is given as long as it is not repeat questioning asked in Ms. Crary's previous deposition. FURTHER ORDERED that the Court will treat the Proposed Scheduling Order <u>203</u> as Motion to Reopen Discovery. The Court will reopen discovery as between Plaintiffs and Valley Foreclosure Services only through Thursday, January 31, 2012, for the limited purpose of taking the two depositions as discussed above. Plaintiffs may also serve written discovery upon Valley Foreclosure Services but are again cautioned that they should not repeat discovery that has already been conducted and responded to. (Copies have been distributed pursuant to the NEF - HJ) (Entered: 12/08/2011)</p>
01/23/2012	<u>213</u>	<p>ORDER Granting <u>159</u> Motion for Summary Judgment. Judgment is hereby entered in favor of Defendant Cumorah Credit union and against Plaintiffs Tai-Si Kim and Jin-Sung Hong.</p> <p>FURTHER ORDERED that <u>182</u> Defendant Valley Foreclosure Services' Joinder in Cumorah Credit Union's Motion for Summary Judgment is GRANTED. Judgment is hereby entered in favor of Defendant Valley Foreclosure Services and against Plaintiffs Tai-Si Kim and Jin-Sung Hong.</p> <p>FURTHER ORDERED that <u>163</u> Motion to Extend the Amend Pleading Deadline and Leave to File a Second Amended Complaint is GRANTED. FURTHER ORDERED that Plaintiffs shall file separately the Second Amended Complaint within 15 days of this Order.</p> <p>FURTHER ORDERED that the Clerk shall amend the caption to correct the name of current Defendant Reed Team doing business as RE/MAX Extreme to its proper name, Barbie Ltd. doing business as RE/MAX Extreme.</p> <p>FURTHER ORDERED that any Defendant named in the First Amended Complaint need not file an answer to the Second Amended Complaint.</p> <p>FURTHER ORDERED that <u>165</u> Emergency Motion to Suspend Dispositive Motion Deadline is GRANTED only with respect to any newly named Defendant in the Second Amended Complaint.</p> <p>FURTHER ORDERED that <u>167</u> Motion for Partial Summary Judgment on Negligent Undertaking to Perform Services is DENIED.</p> <p>FURTHER ORDERED that <u>168</u> Motion for Partial Summary Judgment on Civil Conspiracy, Concert of Action, Aiding and Abetting is GRANTED.</p>

		<p>FURTHER ORDERED that <u>169</u> Motion for Partial Summary Judgment on Contract Related Claims is DENIED.</p> <p>FURTHER ORDERED that <u>170</u> Motion for Partial Summary Judgment on Plaintiffs' Fraud-Based Claims is Granted in part and Denied in part. (<i>See Order for details</i>).</p> <p>FURTHER ORDERED that <u>179</u> Motion for Relief from Voluntary Dismissal of Adam B. Kearney is GRANTED to the extent Plaintiffs seek to enforce the settlement agreement. Plaintiffs shall file a motion to enforce the settlement agreement within 30 days from the date of this Order.</p> <p>FURTHER ORDERED that <u>197</u> Motion for Clarification of Order is DENIED as moot in light of the Magistrate Judge's decision to reopen discovery as to Defendant Valley Foreclosure Services.</p> <p>Signed by Judge Philip M. Pro on 1/22/12. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 01/23/2012)</p>
01/25/2012	<u>214</u>	CLERK'S JUDGMENT in favor of Defendants Cumorah Credit Union, Valley Foreclosure Services against Plaintiffs Jin-Sung Hong, Tae-Si Kim. Signed by Clerk of Court, Lance S. Wilson on 1/25/12. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 01/25/2012)
01/30/2012	<u>215</u>	AMENDED COMPLAINT <i>Second Amended Complaint</i> with Jury Demand against Richard L. Tobler, Ltd., Richard L. Tobler, filed by Jin-Sung Hong, Tae-Si Kim. Adds new parties. Proof of service due by 5/29/2012. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Summons Richard L. Tobler, Esq., # <u>19</u> Summons Richard L. Tobler, Ltd.) (Salls, Jonathan) (Entered: 01/30/2012)
01/31/2012	<u>216</u>	Summons Issued as to Richard L. Tobler. (MMM) (Entered: 01/31/2012)
01/31/2012	<u>217</u>	Summons Issued as to Richard L. Tobler, Ltd.. (MMM) (Entered: 01/31/2012)
02/01/2012	<u>218</u>	MOTION to Enforce Settlement <i>Agreement</i> by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Responses due by 2/18/2012. (Attachments: # <u>1</u> Exhibit 1)(Salls, Jonathan) (Entered: 02/01/2012)
02/06/2012	<u>219</u>	BILL OF COSTS by Defendants Cumorah Credit Union, Cumorah Credit Union. Tax or object to Bill of Costs by 2/24/2012. (Bradford, Brian) (Entered: 02/06/2012)
02/07/2012	220	MINUTE ORDER IN CHAMBERS of the Honorable Judge Philip M. Pro, on 2/7/2012. RE: <u>218</u> MOTION to Enforce Settlement <i>Agreement</i> (no image attached) The certificate of service does not indicate that Plaintiffs have served Defendant Adam Kearney with this motion. Plaintiffs shall serve the Motion to Enforce Settlement (Doc. #218) on Defendant Adam Kearney within

		ten (10) days. (Copies have been distributed pursuant to the NEF - KSR) (Entered: 02/07/2012)
02/10/2012	<u>221</u>	CERTIFICATE OF SERVICE for Plaintiffs' Motion to Enforce the Settlement Agreement by Plaintiffs Jin-Sung Hong, Tae-Si Kim re <u>218</u> MOTION to Enforce Settlement <i>Agreement</i> . (Salls, Jonathan) (Entered: 02/10/2012)
02/10/2012	<u>222</u>	MOTION to Expunge Lis Pendens <i>and FRCP 54(B) Certification with Certificate of Service</i> by Defendant Cumorah Credit Union. Responses due by 2/27/2012. (Maurice, Aaron) (Entered: 02/10/2012)
02/17/2012	<u>223</u>	CERTIFICATE OF SERVICE by Defendant Cumorah Credit Union re <u>222</u> MOTION to Expunge Lis Pendens <i>and FRCP 54(B) Certification with Certificate of Service</i> . (Maurice, Aaron) (Entered: 02/17/2012)
02/24/2012	<u>224</u>	OBJECTION to <u>219</u> Bill of Costs ; filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Salls, Jonathan) (Entered: 02/24/2012)
02/27/2012	<u>225</u>	ANSWER to <u>215</u> Amended Complaint,, filed by Richard L. Tobler, Ltd., Richard L. Tobler. Certificate of Interested Parties due by 3/8/2012. Discovery Plan/Scheduling Order due by 4/12/2012.(Thome, Sheri) (Entered: 02/27/2012)
02/27/2012	<u>226</u>	RESPONSE to <u>222</u> MOTION to Expunge Lis Pendens <i>and FRCP 54(B) Certification with Certificate of Service</i> , filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Replies due by 3/8/2012. (Salls, Jonathan) (Entered: 02/27/2012)
02/28/2012		NOTICE of Docket Correction to <u>113</u> Notice of Change of Attorney. ERROR: Wrong event selected by attorney <u>John Burris</u> in accordance with Local Rule IA 10-6(b). CORRECTION: Entry corrected by Court to <u>113</u> Motion to Withdraw as Attorney. (no image attached) (MJZ) (Entered: 02/28/2012)
03/02/2012	<u>227</u>	NOTICE of Change of Attorney on behalf of Defendants Richard L. Tobler, Ltd., Richard L. Tobler. <i>Substitution of Attorney</i> (Alberts, Jeremy) (Entered: 03/02/2012)
03/02/2012	<u>228</u>	REPLY to Objections to <u>219</u> Bill of Costs; filed by Defendant Cumorah Credit Union. (Attachments: # <u>1</u> Exhibit Exhibit 1)(Wood, Brittany) (Entered: 03/02/2012)
03/05/2012	<u>229</u>	NOTICE: Attorney Action Required to <u>227</u> Notice of Change of Attorney. <i>Wrong event selected in accordance with Local Rule IA 10-6(c).</i> Attorney <u>Jeremy Alberts</u> advised to refile PDF using <i>Stipulation</i> event under the <i>Other Documents</i> category. (no image attached) (MJZ) (Entered: 03/05/2012)
03/05/2012	<u>230</u>	ORDER Granting <u>113</u> Motion to Withdraw as Attorney by John Scott Burris as attorney of record for plaintiffs Tae Si Kim and Jim Sung Hong. Signed by Judge Philip M. Pro on 3/5/12. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 03/05/2012)
03/05/2012	<u>231</u>	STIPULATION <i>Substitution of Attorney</i> by Defendants Richard L. Tobler, Ltd., Richard L. Tobler. (Alberts, Jeremy) (Entered: 03/05/2012)
03/05/2012	<u>232</u>	

		SUMMONS Returned Executed by Tae-Si Kim, Jin-Sung Hong re <u>216</u> Summons Issued. Richard L. Tobler served on 2/6/2012, answer due 2/27/2012. (Salls, Jonathan) (Entered: 03/05/2012)
03/05/2012	<u>233</u>	SUMMONS Returned Executed by Tae-Si Kim, Jin-Sung Hong re <u>217</u> Summons Issued. Richard L. Tobler, Ltd. served on 2/6/2012, answer due 2/27/2012. (Salls, Jonathan) (Entered: 03/05/2012)
03/05/2012	<u>234</u>	REPLY to Response to <u>222</u> MOTION to Expunge Lis Pendens <i>and</i> FRCP 54 (B) Certification with Certificate of Service ; filed by Defendant Cumorah Credit Union. <i>Reply to Plaintiffs' Response to Cumorah Credit Union's Motion for FRCP 54(B) Certification and Cancellation of Lis Pendens</i> (Wood, Brittany) (Entered: 03/05/2012)
03/05/2012	<u>235</u>	ORDER ON STIPULATION Granting <u>231</u> Stipulation for Substitution of Attorneys. Attorney David J. Larson substituted in place and stead of Attorney Sheri M. Thome as counsel for Richard L. Tobler, Ltd. and Richard L. Tobler. Signed by Magistrate Judge George Foley, Jr on 3/5/12. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 03/05/2012)
03/07/2012	<u>236</u>	CERTIFICATE of Interested Parties filed by Richard L. Tobler, Ltd., Richard L. Tobler. There are no known interested parties other than those participating in the case. (Alberts, Jeremy) (Entered: 03/07/2012)
03/07/2012	<u>237</u>	EX PARTE MOTION <i>to remove from service list</i> by Defendants Valley Foreclosure Services, Valley Foreclosure Services, LLC. Motion ripe 3/7/2012. (Bohn, Michael) (Entered: 03/07/2012)
03/21/2012	<u>239</u>	ORDER Granting <u>222</u> Motion for FRCP 54(b) Certification and Cancellation of Lis Pendens. FURTHER ORDERED that the notice of lis pendens filed by Plaintiffs on the subject property is hereby cancelled. Plaintiffs shall record with the recorder of the county a copy of this Order of cancellation within 20 days of the date of this Order. This cancellation has the same effect as an expungement of the original notice. Signed by Judge Philip M. Pro on 3/21/12. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 03/21/2012)
03/21/2012	<u>240</u>	CLERK'S JUDGMENT in favor of Defendant Cumorah Credit Union and against Plaintiffs Jin-Sung Hong, Tae-Si Kim. Signed by Clerk of Court, Lance S. Wilson. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 03/21/2012)
03/21/2012	<u>241</u>	ORDERED that the Court will hold a hearing on Plaintiffs' Motion to Enforce the Settlement Agreement <u>218</u> on Monday, 4/16/2012 at 11:30 AM in LV Courtroom 7C before Judge Philip M. Pro. FURTHER ORDERED that Plaintiffs shall serve Defendant Adam B. Kearney with a copy of this Order. Signed by Judge Philip M. Pro on 3/21/12. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 03/21/2012)
03/23/2012	<u>242</u>	CERTIFICATE OF SERVICE for Order <u>241</u> by Plaintiffs Jin-Sung Hong, Tae-Si Kim re <u>241</u> Order, Set/Reset Motion and R&R Deadlines/Hearings,,. (Attachments: # <u>1</u> Order)(Salls, Jonathan) (Entered: 03/23/2012)

04/12/2012	<u>243</u>	MINUTE ORDER IN CHAMBERS of the Honorable Judge Philip M. Pro, on 4/12/2012. By Deputy Clerk: D. Sherwood. IT IS ORDERED the Hearing on Plaintiffs' Motion to Enforce the Settlement Agreement <u>218</u> set for 4/16/2012 at 11:30 AM is CONTINUED to 02:00 PM on the same date in LV Courtroom 7C before Judge Philip M. Pro. The Court has a conflict in scheduling.(no image attached) (Copies have been distributed pursuant to the NEF - DMS) (Entered: 04/12/2012)
04/13/2012	<u>244</u>	CERTIFICATE OF SERVICE for Minute Order In Chambers by Plaintiffs Jin-Sung Hong, Tae-Si Kim re 243 Minute Order Setting Hearing,, Set/Reset Hearings,. (Attachments: # <u>1</u> Exhibit)(Salls, Jonathan) (Entered: 04/13/2012)
04/13/2012	<u>245</u>	NOTICE OF APPEAL as to <u>239</u> Order and <u>240</u> Clerk's Judgment; filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Filing fee \$ 455, receipt number 0978-2337141. E-mail notice (NEF) sent to the US Court of Appeals, Ninth Circuit. (MJZ) (Entered: 04/16/2012)
04/16/2012	<u>246</u>	SUPPLEMENT to <u>49</u> Proposed Discovery Plan/Scheduling Order ; <i>Supplemental Joint Discovery Plan and Scheduling Order</i> by Plaintiffs Jin-Sung Hong, Tae-Si Kim, Defendants Richard L. Tobler, Ltd., Richard L. Tobler. (Lowry, Jodi) (Entered: 04/16/2012)
04/16/2012	<u>247</u>	MINUTES OF PROCEEDINGS - Motion Hearing held on 4/16/2012 before Judge Philip M. Pro. Crtrm Administrator: <i>D. Sherwood</i> ; Pla Counsel: <i>Jonathan M.A. Salls</i> ; Def Counsel: <i>Zachary J. Thompson</i> ; Court Reporter/FTR #: <i>Araceli Bareng</i> ; Time of Hearing: <i>2:00 p.m. - 2:10 p.m.</i> ; Courtroom: <i>7C</i> ; On inquiry by the Court, Mr. Salls states he has not heard anything from Mr. Kearney. Mr. Thompson advises the Court he does not represent Mr. Kearney and has no position on the motion. IT IS ORDERED Plaintiffs' Motion to Enforce the Settlement Agreement <u>218</u> is GRANTED. IT IS FURTHER ORDERED in accord with paragraph four of the Settlement Agreement, all claims previously asserted by Plaintiffs against Defendant Adam B. Kearney are reinstated. Plaintiffs shall file their Motion for Default Judgment by 5/16/2012. The Court ORDERS a copy of the Settlement Agreement be filed under seal in the court file. (Copies have been distributed pursuant to the NEF - DMS) (Entered: 04/16/2012)
04/24/2012	<u>249</u>	SCHEDULING ORDER re <u>246</u> Supplemental Joint Discovery Plan and Scheduling Order. Discovery due by 8/24/2012. Motions due by 9/21/2012. Proposed Joint Pretrial Order due by 10/19/2012. Signed by Magistrate Judge George Foley, Jr on 4/24/12. (Copies have been distributed pursuant to the NEF - EDS) (Entered: 04/24/2012)
04/25/2012	<u>250</u>	MOTION Request for Submission of Briefings Regarding Bill of Costs re <u>219</u> Bill of Costs <i>Request for Submission of Briefings Regarding Defendant Cumorah Credit Union's Bill of Costs [Doc. 219]</i> by Defendants Cumorah Credit Union, Cumorah Credit Union. Responses due by 5/12/2012. (Bradford, Brian) (Entered: 04/25/2012)
04/25/2012	<u>251</u>	ORDER for Time Schedule as to <u>245</u> Notice of Appeal filed by Jin-Sung Hong, Tae-Si Kim. USCA Case Number 12-15959 . (ECS) (Entered: 04/25/2012)

05/07/2012	<u>252</u>	MOTION for Summary Judgment filed by Defendants Richard L. Tobler, Ltd., Richard L. Tobler. Responses due by 5/31/2012. (Attachments: # <u>1</u> Exhibits 1-4)(Alberts, Jeremy) (Entered: 05/07/2012)
05/10/2012	<u>253</u>	MOTION for Default Judgment Against Defendant Mr. Adam B. Kearney Plaintiffs Jin-Sung Hong, Tae-Si Kim. Motion ripe 5/10/2012. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Salls, Jonathan) (Entered: 05/10/2012)
05/11/2012	<u>254</u>	CERTIFICATE OF SERVICE for Plaintiffs' <u>253</u> Motion for Entry of Default Judgment Against Defendant Mr. Adam B. Kearney filed by Plaintiffs Jin-Sung Hong and Tae-Si Kim. (Salls, Jonathan) (Entered: 05/11/2012)
05/29/2012	<u>255</u>	STIPULATION FOR EXTENSION OF TIME (First Request) re <u>252</u> MOTION for Summary Judgment <i>Defendant Richard L. Tobler, Esq. and Richard L. Tobler, Ltd.'s Motion for Summary Judgment and Memorandum of Law in Support</i> ; by Plaintiffs Jin-Sung Hong, Tae-Si Kim, Defendants Richard L. Tobler, Ltd., Richard L. Tobler. (Lowry, Jodi) (Entered: 05/29/2012)
05/30/2012	<u>256</u>	ORDER ON STIPULATION Granting <u>255</u> Stipulation to Extend Time to Respond re <u>252</u> MOTION for Summary Judgment. Responses due by 6/8/2012. Signed by Judge Philip M. Pro on 5/30/12. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 05/30/2012)
05/30/2012	<u>257</u>	ORDER granting Plaintiffs' <u>253</u> Motion for Default Judgment Against Mr. Adam B. Kearney. Judgment is hereby entered in favor of Plaintiffs Tae-Si Kim and Jin-Sung Hong and against Defendant Adam B. Kearney in the amount of \$464,384.00. Signed by Judge Philip M. Pro on 5/30/12. (Copies have been distributed pursuant to the NEF - ECS) (Entered: 05/31/2012)
05/31/2012	<u>258</u>	DEFAULT JUDGMENT in favor of Jin-Sung Hong, Tae-Si Kim against Adam B Kearney. Signed by Clerk of Court, Lance S. Wilson on 5/31/12. (Copies have been distributed pursuant to the NEF - ECS) (Entered: 05/31/2012)
05/31/2012	<u>259</u>	ORDER Granting <u>250</u> Motion Request for Submission of Briefings Regarding Defendant Cumorah Credit Unions Bill of Costs in the amount of \$14,662.06. Signed by Judge Philip M. Pro on 5/31/2012. (Copies have been distributed pursuant to the NEF - SLR) (Entered: 05/31/2012)
06/08/2012	<u>260</u>	MOTION for Leave to File <i>Oversized Brief</i> by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Motion ripe 6/8/2012. (Salls, Jonathan) (Entered: 06/08/2012)
06/08/2012	<u>261</u>	RESPONSE to <u>252</u> MOTION for Summary Judgment filed by Plaintiffs Jin-Sung Hong and Tae-Si Kim. Replies due by 6/25/2012. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9)(Salls, Jonathan) (Entered: 06/08/2012)
06/11/2012	<u>262</u>	ORDER Granting <u>260</u> Motion for Leave to File Oversized Brief. Signed by Judge Philip M. Pro on 6/11/12. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 06/11/2012)
06/13/2012	<u>263</u>	BILL OF COSTS by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Tax or object to Bill of Costs by 7/1/2012. (Salls, Jonathan) (Entered: 06/13/2012)

06/13/2012	<u>264</u>	CERTIFICATE OF SERVICE for <u>263</u> Bill of Costs filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Salls, Jonathan) (Entered: 06/13/2012)
06/14/2012	<u>265</u>	MOTION for Judgment Debtor Exam filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Motion ripe 6/14/2012. (Attachments: # <u>1</u> Proposed Order Exhibit 1) (Salls, Jonathan) (Entered: 06/14/2012)
06/15/2012	<u>266</u>	ORDER Granting <u>265</u> Motion for Judgment Debtor Exam and to Produce Documents. Signed by Magistrate Judge George Foley, Jr on 6/15/12. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 06/15/2012)
06/15/2012	<u>267</u>	CERTIFICATE OF SERVICE for <u>266</u> Order Granting Motion for Judgment Debtor Examination and to Produce Documents by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Salls, Jonathan) (Entered: 06/15/2012)
06/18/2012	<u>268</u>	STIPULATION FOR EXTENSION OF TIME re: <u>252</u> MOTION for Summary Judgment filed by Defendants Richard L. Tobler, Ltd., Richard L. Tobler. (Alberts, Jeremy) <u>Added docket entry relationship on 6/19/2012 (RFJ).</u> (Entered: 06/18/2012)
06/19/2012	<u>269</u>	ORDER ON STIPULATION Granting <u>268</u> Stipulation to Extend Time to Reply re <u>252</u> MOTION for Summary Judgment. Replies due by 6/29/2012. Signed by Judge Philip M. Pro on 6/19/12. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 06/19/2012)
06/29/2012	<u>270</u>	REPLY to Response to <u>252</u> MOTION for Summary Judgment filed by Defendants Richard L. Tobler, Ltd., and Richard L. Tobler. (Attachments: # <u>1</u> Exhibit)(Alberts, Jeremy) (Entered: 06/29/2012)
07/02/2012	<u>271</u>	COSTS TAXED in amount of \$ \$16,200.20 against Adam B. Kearney re <u>263</u> Bill of Costs. (VHM) (Entered: 07/02/2012)
07/06/2012	<u>272</u>	ORDER Denying <u>252</u> Motion for Summary Judgment. FURTHER ORDERED that the Parties shall file a joint pre-trial order no later than August 15, 2012. Signed by Judge Philip M. Pro on 7/6/12. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 07/06/2012)
07/06/2012	<u>273</u>	NOTICE of Demand for Prior Pleadings filed by Defendants Richard L. Tobler, Ltd., Richard L. Tobler. (Alberts, Jeremy) (Entered: 07/06/2012)
07/12/2012	<u>274</u>	SATISFACTION OF JUDGMENT re <u>259</u> Order on Motion, entered In favor of Cumorah Credit Union Against Jin-Sung Hong, In favor of Cumorah Credit Union Against Tae-Si Kim by Defendant Cumorah Credit Union. (Burch, Carleton) (Entered: 07/12/2012)
07/25/2012	<u>275</u>	Interim STATUS REPORT filed by Plaintiffs Jin-Sung Hong, and Tae-Si Kim. (Salls, Jonathan) (Entered: 07/25/2012)
08/15/2012	<u>276</u>	PROPOSED Pretrial Order by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Salls, Jonathan) (Entered: 08/15/2012)
08/20/2012	<u>277</u>	PRETRIAL ORDER: Jury Trial set for 4/9/2013 09:00 AM in LV Courtroom 7C before Judge Philip M. Pro. Calendar Call set for 4/3/2013 09:00 AM in LV Courtroom 7C before Judge Philip M. Pro. Proposed Jury Instructions due by

		4/3/2013. Proposed Voir Dire due by 4/3/2013. Signed by Judge Philip M. Pro on 8/20/12. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 08/20/2012)
08/20/2012	<u>278</u>	ORDER that this case is hereby referred to Magistrate Judge George W. Foley, Jr. for a settlement conference. Signed by Judge Philip M. Pro on 8/20/12. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 08/20/2012)
08/21/2012	<u>279</u>	ORDER Scheduling Settlement Conference: Settlement Conference set for 11/13/2012 09:00 AM in Chambers before Magistrate Judge George Foley Jr.. Signed by Magistrate Judge George Foley, Jr on 8/21/12. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 08/21/2012)
08/21/2012	<u>280</u>	NOTICE of Joint Letter to the Court filed by Plaintiffs Jin-Sung Hong and Tae-Si Kim. (Salls, Jonathan) (Entered: 08/21/2012)
08/22/2012	<u>281</u>	ORDER re <u>280</u> Joint Letter. The discovery deadline remains 8/24/12, and dispositive motions are due no later than 9/21/12. <i>See Order 249</i> . Given the impending discovery deadline, the Court will grant the parties until 9/5/12 to complete the Tobler PMK deposition. All other deadlines remain the same. Signed by Magistrate Judge George Foley, Jr on 8/22/12. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 08/22/2012)
09/05/2012	<u>282</u>	SUPPLEMENT to Pretrial Order filed by Defendants Richard L. Tobler, Ltd., Richard L. Tobler. (Alberts, Jeremy) (Entered: 09/05/2012)
09/14/2012	<u>283</u>	NOTICE of Joint Letter to the Court filed by Defendants Richard L. Tobler, Ltd., Richard L. Tobler. (Alberts, Jeremy) (Entered: 09/14/2012)
09/20/2012	<u>284</u>	ORDER re <u>283</u> Joint Letter to the Court. Dispositive Motions Deadline is extended to 9/27/2012. Proposed Joint Pretrial Orders are due 10/29/2012. In the event that dispositive motions are filed, the date for the filing of the joint pretrial order shall be suspended until 30 days after decision on the dispositive motions. Signed by Magistrate Judge George Foley, Jr on 9/20/12. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 09/20/2012)
09/27/2012	<u>285</u>	MOTION for Leave to File Motion for Summary Judgment on Plaintiffs' Remaining Common Law Claims and Motion for Reconsideration filed by Defendants Barbie Ltd., Barbara R. Reed, Edward C. Reed. Motion ripe 9/27/2012. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Stoberski, Michael) (Entered: 09/27/2012)
09/27/2012	<u>286</u>	OBJECTIONS re LR IB 3-1 or MOTION for District Judge to Reconsider <u>272</u> Order filed by Defendants Richard L. Tobler, Ltd., Richard L. Tobler. Responses due by 10/14/2012. (Alberts, Jeremy) (Entered: 09/27/2012)
09/28/2012		NOTICE of Docket Correction to <u>286</u> MOTION for Magistrate Judge to Reconsider <u>272</u> Order. ERROR: Wrong event selected by attorney. CORRECTION: Event modified as <u>286</u> OBJECTIONS re LR IB 3-1 or MOTION for District Judge to Reconsider <u>272</u> Order. (no image attached) (ASB) (Entered: 09/28/2012)
10/02/2012	<u>287</u>	

		STIPULATION FOR EXTENSION OF TIME (First Request) re <u>286</u> OBJECTIONS re LR IB 3-1 or MOTION for District Judge to Reconsider <u>272</u> Order ; by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Salls, Jonathan) (Entered: 10/02/2012)
10/03/2012	<u>288</u>	ORDER ON STIPULATION Granting <u>287</u> Stipulation to Extend Deadline to Respond re <u>286</u> OBJECTIONS re LR IB 3-1 or MOTION for District Judge to Reconsider <u>272</u> Order. Responses due by 10/29/2012. Signed by Judge Philip M. Pro on 10/3/12. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 10/03/2012)
10/04/2012	<u>289</u>	STIPULATION FOR EXTENSION OF TIME (First Request) to File Response to <u>285</u> MOTION for Leave to File Motion for Summary Judgment on Plaintiffs' Remaining Common Law Claims and Motion for Reconsideration by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Salls, Jonathan) (Entered: 10/04/2012)
10/04/2012	<u>290</u>	ORDER ON STIPULATION Granting <u>289</u> Stipulation to Extend Time to Respond re <u>285</u> MOTION for Leave to File Motion for Summary Judgment on Plaintiffs' Remaining Common Law Claims and Motion for Reconsideration. Responses due by 10/29/2012. Signed by Judge Philip M. Pro on 10/4/12. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 10/04/2012)
10/04/2012	<u>291</u>	MOTION Order Allowing Telephonic Appearance at Settlement Conference by Insurance Carrier Representative for the Tobler Defendants filed by Defendants Richard L. Tobler, Ltd., Richard L. Tobler. Responses due by 10/21/2012. (Alberts, Jeremy) (Entered: 10/04/2012)
10/05/2012	<u>292</u>	NOTICE of Change of Firm Name by Barbie Ltd., Barbara R. Reed, Edward C. Reed. (Stoberski, Michael) (Entered: 10/05/2012)
10/05/2012	<u>293</u>	REQUEST to Amend CM/ECF Service List filed by Defendants Barbie Ltd., Barbara R. Reed, and Edward C. Reed. (Stoberski, Michael) (Entered: 10/05/2012)
10/05/2012	<u>294</u>	(1st Notice) NOTICE: of Non-Compliance with Special Order 109 that <u>Michael Stoberski</u> is in violation of Special Order 109. re: <u>292</u> NOTICE of Change of Firm Name. Pursuant Special Order 109, section 2.C., <i>"It shall be the responsibility of each Filing User to maintain and update their user account information."</i> It is therefore recommended that you review and update your CM/ECF account in accordance with your notice of change of firm name by clicking "Utilities" and then selecting "Maintain Your Address". (ASB) (Entered: 10/05/2012)
10/05/2012	<u>295</u>	MINUTE ORDER IN CHAMBERS of the Honorable Magistrate Judge George Foley, Jr, on 10/5/2012. By Deputy Clerk: Dan Hill. granting <u>291</u> Motion for Telephonic Appearance at Settlement Conference. (Copies have been distributed pursuant to the NEF - DJH) (Entered: 10/05/2012)
10/12/2012	<u>297</u>	ORDER Granting <u>296</u> Motion to Amend Electronic Service List. Signed by Magistrate Judge George Foley, Jr on 10/12/12. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 10/12/2012)

10/24/2012	<u>298</u>	STIPULATION to Continue Settlement Conference by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Salls, Jonathan) (Entered: 10/24/2012)
10/25/2012	<u>299</u>	ORDER ON STIPULATION Granting <u>298</u> Stipulation to Continue Settlement Conference. Settlement Conference set for 12/19/2012 09:00 AM in Chambers before Magistrate Judge George Foley Jr. Signed by Magistrate Judge George Foley, Jr on 10/25/2012. (Copies have been distributed pursuant to the NEF - SLR) (Entered: 10/25/2012)
10/26/2012	<u>300</u>	MOTION for Order Allowing Telephonic Appearance at Settlement Conference by Insurance Carrier Representative by Defendants Barbie Ltd., Barbara R. Reed, Edward C. Reed. Responses due by 11/12/2012. (Stoberski, Michael) (Entered: 10/26/2012)
10/29/2012	<u>301</u>	ORDER Granting <u>300</u> Motion Allowing Telephonic Appearance at Settlement Conference. Signed by Magistrate Judge George Foley, Jr on 10/29/2012. (Copies have been distributed pursuant to the NEF - SLR) (Entered: 10/29/2012)
10/29/2012	<u>302</u>	RESPONSE to <u>286</u> OBJECTIONS re LR IB 3-1 or MOTION for District Judge to Reconsider <u>272</u> Order, filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Replies due by 11/8/2012. (Salls, Jonathan) (Entered: 10/29/2012)
10/29/2012	<u>303</u>	RESPONSE to <u>285</u> MOTION for Leave to File Motion for Summary Judgment on Plaintiffs' Remaining Common Law Claims and Motion for Reconsideration, filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Replies due by 11/8/2012. (Salls, Jonathan) (Entered: 10/29/2012)
11/08/2012	<u>304</u>	REPLY to Response to <u>286</u> OBJECTIONS re LR IB 3-1 or MOTION for District Judge to Reconsider <u>272</u> Order filed by Defendants Richard L. Tobler, Ltd., Richard L. Tobler. (Alberts, Jeremy) (Entered: 11/08/2012)
11/08/2012	<u>305</u>	REPLY to Response to <u>285</u> MOTION for Leave to File Motion for Summary Judgment on Plaintiffs' Remaining Common Law Claims and Motion for Reconsideration filed by Defendants Barbie Ltd., Barbara R. Reed, Edward C. Reed. (Stoberski, Michael) (Entered: 11/08/2012)
12/20/2012	<u>306</u>	MINUTES OF PROCEEDINGS - Settlement Conference held on 12/20/2012 before Magistrate Judge George Foley, Jr. Judicial Assistant: <i>Julia Wright</i> ; Plaintiff Counsel: <i>Steve Gibson; Jonathan Salls; J.D. Lowry</i> ; Defendant Counsel: <i>Matthew Cavanaugh; Mike Stoberski; David Larson</i> ; Time of Hearing: <i>9:00 a.m.</i> The Court heard presentations from counsel and from each of the parties present. NO SETTLEMENT WAS REACHED. The matter is returned to the normal litigation track. (Copies have been distributed pursuant to the NEF - JBW) (Entered: 12/20/2012)
01/31/2013	<u>307</u>	MOTION to Stay <i>Proceedings</i> by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Motion ripe 1/31/2013. (Lowry, Jodi) (Entered: 01/31/2013)
02/08/2013	<u>308</u>	MINUTE ORDER IN CHAMBERS of the Honorable Judge Philip M. Pro, on 2/8/2013. By Deputy Clerk: D. Sherwood. IT IS ORDERED Defendants' shall have until 2/18/2013 within which to file a Response to Plaintiffs' Motion to

		Stay Proceedings <u>307</u> . (no image attached) (Copies have been distributed pursuant to the NEF - DMS) (Entered: 02/08/2013)
02/18/2013	<u>309</u>	RESPONSE to <u>307</u> MOTION to Stay <i>Proceedings</i> , filed by Defendants Richard L. Tobler, Ltd., Richard L. Tobler. Replies due by 2/28/2013. (Alberts, Jeremy) (Entered: 02/18/2013)
02/19/2013	<u>310</u>	JOINDER to 309 Response to <u>307</u> MOTION to Stay <i>Proceedings</i> filed by Defendants Barbie Ltd., Barbara R. Reed, Edward C. Reed. (Stoberski, Michael) (Entered: 02/19/2013)
02/20/2013	<u>311</u>	ORDER. The Court having read and considered <u>307</u> Plaintiffs' Motion to Stay Proceedings, and Defendants' Response <u>309</u> and Joinder <u>310</u> thereto, IT IS ORDERED <u>307</u> Plaintiffs' Motion to Stay Proceedings is DENIED. Signed by Judge Philip M. Pro on 2/20/2013. (Copies have been distributed pursuant to the NEF - DMS) (Entered: 02/20/2013)
03/08/2013	<u>312</u>	MOTION in Limine to Exclude Evidence of Liability Insurance by Defendants Barbie Ltd., Barbara R. Reed, Edward C. Reed. Responses due by 3/25/2013. (Stoberski, Michael) (Entered: 03/08/2013)
03/08/2013	<u>313</u>	MOTION in Limine No. 2 to Exclude the Testimony of Any Expert, Witness, or Documents Plaintiffs Have Not Timely Identified by Defendants Barbie Ltd., Barbara R. Reed, Edward C. Reed. Responses due by 3/25/2013. (Stoberski, Michael) (Entered: 03/08/2013)
03/08/2013	<u>314</u>	MOTION in Limine No. 3 to Require All Parties to Give 24-Hour Notice of Witnesses, Deposition, and Exhibits to be Called or Used at Trial by Defendants Barbie Ltd., Barbara R. Reed, Edward C. Reed. Responses due by 3/25/2013. (Stoberski, Michael) (Entered: 03/08/2013)
03/08/2013	<u>315</u>	MOTION in Limine No. 4 to Exclude All Witnesses From Trial Until They are Called to Testify by Defendants Barbie Ltd., Barbara R. Reed, Edward C. Reed. Responses due by 3/25/2013. (Stoberski, Michael) (Entered: 03/08/2013)
03/08/2013	<u>316</u>	MOTION in Limine No. 5 to Preclude Appeal to the Community Conscience or the "Golden Rule" by Defendants Barbie Ltd., Barbara R. Reed, Edward C. Reed. Responses due by 3/25/2013. (Stoberski, Michael) (Entered: 03/08/2013)
03/08/2013	<u>317</u>	MOTION in Limine No. 6 Prohibiting the Display of Exhibits or Demonstrative Evidence Until Admitted or Court Permission is Obtained by Defendants Barbie Ltd., Barbara R. Reed, Edward C. Reed. Responses due by 3/25/2013. (Stoberski, Michael) (Entered: 03/08/2013)
03/08/2013	<u>318</u>	MOTION in Limine No. 7 to Exclude Expert Testimony by Non-Experts by Defendants Barbie Ltd., Barbara R. Reed, Edward C. Reed. Responses due by 3/25/2013. (Stoberski, Michael) (Entered: 03/08/2013)
03/08/2013	<u>319</u>	MOTION in Limine No. 8 for an Order Precluding the Application of Joint and Several Liability and Applying Comparative Negligence Liability by Defendants Barbie Ltd., Barbara R. Reed, Edward C. Reed. Responses due by 3/25/2013. (Stoberski, Michael) (Entered: 03/08/2013)
03/08/2013	<u>320</u>	

		MOTION in Limine No. 9 Excluding Comment by Plaintiffs on the Probable Testimony of All Absent Witnesses Not Appearing at Trial or Who Plaintiffs Could Have Brought to Trial But Did Not by Defendants Barbie Ltd., Barbara R. Reed, Edward C. Reed. Responses due by 3/25/2013. (Stoberski, Michael) (Entered: 03/08/2013)
03/08/2013	<u>321</u>	MOTION in Limine No. 10 Excluding Plaintiffs From Soliciting Testimony From a Witness, Or Otherwise Attempt to Introduce Evidence, About the Reed Defendants Filing for Bankruptcy by Defendants Barbie Ltd., Barbara R. Reed, Edward C. Reed. Responses due by 3/25/2013. (Stoberski, Michael) (Entered: 03/08/2013)
03/08/2013	<u>322</u>	MOTION in Limine No. 11 to Preclude Claim for Punitive Damages by Defendants Barbie Ltd., Barbara R. Reed, Edward C. Reed. Responses due by 3/25/2013. (Stoberski, Michael) (Entered: 03/08/2013)
03/08/2013	<u>323</u>	MOTION in Limine No. 1 to Preclude Plaintiffs From Offering Any Expert Opinion or Any Expert Testimony From Witnesses Who Have Not Been Properly Designated as an Expert Witness by Plaintiffs by Defendants Richard L. Tobler, Ltd., Richard L. Tobler. Responses due by 3/25/2013. (Alberts, Jeremy) (Entered: 03/08/2013)
03/08/2013	<u>324</u>	MOTION in Limine No. 2 to Preclude Any Expert Witness From Offering Opinions Beyond the Scope of His/Her Expertise by Defendants Richard L. Tobler, Ltd., Richard L. Tobler. Responses due by 3/25/2013. (Alberts, Jeremy) (Entered: 03/08/2013)
03/08/2013	<u>325</u>	MOTION in Limine No. 3 Barring Non-Experts From Offering Testimony on an Ultimate Issue by Defendants Richard L. Tobler, Ltd., Richard L. Tobler. Responses due by 3/25/2013. (Alberts, Jeremy) (Entered: 03/08/2013)
03/08/2013	<u>326</u>	MOTION in Limine No. 4 to Exclude Presence of Non-Party Witnesses From Courtroom During Trial by Defendants Richard L. Tobler, Ltd., Richard L. Tobler. Responses due by 3/25/2013. (Alberts, Jeremy) (Entered: 03/08/2013)
03/08/2013	<u>327</u>	MOTION in Limine No. 5 to Preclude Plaintiffs From Offering Any Evidence or Testimony Regarding the Standard of Care for Licensed Attorneys or Whether the Tobler Defendants Failed to Meet the Standard of Care for Licensed Attorneys by Defendants Richard L. Tobler, Ltd., Richard L. Tobler. Responses due by 3/25/2013. (Alberts, Jeremy) (Entered: 03/08/2013)
03/08/2013	<u>328</u>	MOTION in Limine No. 6 to Preclude Any Evidence or Testimony in Support of Plaintiffs' Claims for Breach of Fiduciary Duty, Negligent Undertaking and Negligent Misrepresentation by Defendants Richard L. Tobler, Ltd., Richard L. Tobler. Responses due by 3/25/2013. (Alberts, Jeremy) (Entered: 03/08/2013)
03/08/2013	<u>329</u>	MOTION in Limine No. 1: <i>Motion to Admit Excerpts of Thomas Tarter's Expert Testimony</i> by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Responses due by 3/25/2013. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Salls, Jonathan) (Entered: 03/08/2013)
03/08/2013	<u>330</u>	MOTION in Limine No. 2: <i>Motion to Exclude J.C. Melvin Expert Opinion</i> by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Responses due by 3/25/2013.

		(Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Salls, Jonathan) (Entered: 03/08/2013)
03/08/2013	<u>331</u>	MOTION in Limine No. 3: <i>Motion to Exclude References to Dismissed Defendants and Claims</i> by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Responses due by 3/25/2013. (Salls, Jonathan) (Entered: 03/08/2013)
03/08/2013	<u>332</u>	MOTION in Limine No. 4: <i>Motion to Exclude Evidence Regarding Gambling Activity of Plaintiff Jin-Sung Hong</i> by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Responses due by 3/25/2013. (Attachments: # <u>1</u> Exhibit 1)(Lowry, Jodi) (Entered: 03/08/2013)
03/08/2013	<u>333</u>	MOTION in Limine No. 5: <i>Motion to Exclude Bates No. KIM000015</i> by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Responses due by 3/25/2013. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Lowry, Jodi) (Entered: 03/08/2013)
03/08/2013	<u>334</u>	MOTION in Limine No. 6: <i>Motion to Exclude Witnesses Not Identified in Pretrial Order</i> by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Responses due by 3/25/2013. (Lowry, Jodi) (Entered: 03/08/2013)
03/15/2013	<u>335</u>	JOINDER to <u>313</u> MOTION in Limine No. 2 to Exclude the Testimony of Any Expert, Witness, or Documents Plaintiffs Have Not Timely Identified; filed by Defendants Richard L. Tobler, Ltd., Richard L. Tobler. (Alberts, Jeremy) (Entered: 03/15/2013)
03/15/2013	<u>336</u>	JOINDER to <u>314</u> MOTION in Limine No. 3 to Require All Parties to Give 24-Hour Notice of Witnesses, Deposition, and Exhibits to be Called or Used at Trial; filed by Defendants Richard L. Tobler, Ltd., Richard L. Tobler. (Alberts, Jeremy) (Entered: 03/15/2013)
03/15/2013	<u>337</u>	JOINDER to <u>317</u> MOTION in Limine No. 6 Prohibiting the Display of Exhibits or Demonstrative Evidence Until Admitted or Court Permission is Obtained; filed by Defendants Richard L. Tobler, Ltd., Richard L. Tobler. (Alberts, Jeremy) (Entered: 03/15/2013)
03/15/2013	<u>338</u>	JOINDER to <u>318</u> MOTION in Limine No. 7 to Exclude Expert Testimony by Non-Experts; filed by Defendants Richard L. Tobler, Ltd., Richard L. Tobler. (Alberts, Jeremy) (Entered: 03/15/2013)
03/15/2013	<u>339</u>	JOINDER to <u>319</u> MOTION in Limine No. 8 for an Order Precluding the Application of Joint and Several Liability and Applying Comparative Negligence Liability; filed by Defendants Richard L. Tobler, Ltd., Richard L. Tobler. (Alberts, Jeremy) (Entered: 03/15/2013)
03/15/2013	<u>340</u>	JOINDER to <u>322</u> MOTION in Limine No. 11 to Preclude Claim for Punitive Damages; filed by Defendants Richard L. Tobler, Ltd., Richard L. Tobler. (Alberts, Jeremy) (Entered: 03/15/2013)
03/18/2013	<u>341</u>	ORDER that the trial date of April 9, 2013, previously set in this case is hereby vacated. FURTHER ORDERED that this action is hereby rescheduled for trial on the Court's stacked calendar for October 22, 2013, at 9:00 a.m. with calendar call to be conducted the prior Wednesday, October 16, 2013, at 9:00

		a.m. Signed by Judge Philip M. Pro on 3/18/13. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 03/18/2013)
03/21/2013	<u>342</u>	MOTION for Leave to File <i>Amended Pre-Trial Order</i> by Defendants Barbie Ltd., Barbara R. Reed, Edward C. Reed. Motion ripe 3/21/2013. (Stoberski, Michael) (Entered: 03/21/2013)
03/25/2013	<u>343</u>	RESPONSE to <u>329</u> MOTION in Limine No. 1: <i>Motion to Admit Excerpts of Thomas Tarter's Expert Testimony</i> , filed by Defendants Barbie Ltd., Barbara R. Reed, Edward C. Reed. (Stoberski, Michael) (Entered: 03/25/2013)
03/25/2013	<u>344</u>	RESPONSE to <u>330</u> MOTION in Limine No. 2: <i>Motion to Exclude J.C. Melvin Expert Opinion</i> , filed by Defendants Barbie Ltd., Barbara R. Reed, Edward C. Reed. (Stoberski, Michael) (Entered: 03/25/2013)
03/25/2013	<u>345</u>	RESPONSE to <u>331</u> MOTION in Limine No. 3: <i>Motion to Exclude References to Dismissed Defendants and Claims</i> , filed by Defendants Barbie Ltd., Barbara R. Reed, Edward C. Reed. (Stoberski, Michael) (Entered: 03/25/2013)
03/25/2013	<u>346</u>	RESPONSE to <u>332</u> MOTION in Limine No. 4: <i>Motion to Exclude Evidence Regarding Gambling Activity of Plaintiff Jin-Sung Hong</i> , filed by Defendants Barbie Ltd., Barbara R. Reed, Edward C. Reed. (Stoberski, Michael) (Entered: 03/25/2013)
03/25/2013	<u>347</u>	RESPONSE to <u>334</u> MOTION in Limine No. 6: <i>Motion to Exclude Witnesses Not Identified in Pretrial Order</i> , filed by Defendants Barbie Ltd., Barbara R. Reed, Edward C. Reed. (Stoberski, Michael) (Entered: 03/25/2013)
03/25/2013	<u>348</u>	RESPONSE to <u>314</u> MOTION in Limine No. 3 to Require All Parties to Give 24-Hour Notice of Witnesses, Deposition, and Exhibits to be Called or Used at Trial, filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Salls, Jonathan) (Entered: 03/25/2013)
03/25/2013	<u>349</u>	RESPONSE to <u>313</u> MOTION in Limine No. 2 to Exclude the Testimony of Any Expert, Witness, or Documents Plaintiffs Have Not Timely Identified, filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Salls, Jonathan) (Entered: 03/25/2013)
03/25/2013	<u>350</u>	RESPONSE to <u>318</u> MOTION in Limine No. 7 to Exclude Expert Testimony by Non-Experts, filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Salls, Jonathan) (Entered: 03/25/2013)
03/25/2013	<u>351</u>	RESPONSE to <u>322</u> MOTION in Limine No. 11 to Preclude Claim for Punitive Damages, filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Salls, Jonathan) (Entered: 03/25/2013)
03/25/2013	<u>352</u>	RESPONSE to <u>325</u> MOTION in Limine No. 3 Barring Non-Experts From Offering Testimony on an Ultimate Issue, filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Salls, Jonathan) (Entered: 03/25/2013)
03/25/2013	<u>353</u>	RESPONSE to <u>315</u> MOTION in Limine No. 4 to Exclude All Witnesses From Trial Until They are Called to Testify, filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Lowry, Jodi) (Entered: 03/25/2013)
03/25/2013	<u>354</u>	

		RESPONSE to <u>320</u> MOTION in Limine No. 9 Excluding Comment by Plaintiffs on the Probable Testimony of All Absent Witnesses Not Appearing at Trial or Who Plaintiffs Could Have Brought to Trial But Did Not, filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Lowry, Jodi) (Entered: 03/25/2013)
03/25/2013	<u>355</u>	RESPONSE to <u>321</u> MOTION in Limine No. 10 Excluding Plaintiffs From Soliciting Testimony From a Witness, Or Otherwise Attempt to Introduce Evidence, About the Reed Defendants Filing for Bankruptcy, filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Lowry, Jodi) (Entered: 03/25/2013)
03/25/2013	<u>356</u>	RESPONSE to <u>312</u> MOTION in Limine to Exclude Evidence of Liability Insurance, filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Lowry, Jodi) (Entered: 03/25/2013)
03/25/2013	<u>357</u>	RESPONSE to <u>326</u> MOTION in Limine No. 4 to Exclude Presence of Non-Party Witnesses From Courtroom During Trial, filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Lowry, Jodi) (Entered: 03/25/2013)
03/25/2013	<u>358</u>	RESPONSE to <u>319</u> MOTION in Limine No. 8 for an Order Precluding the Application of Joint and Several Liability and Applying Comparative Negligence Liability, filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Lowry, Jodi) (Entered: 03/25/2013)
03/25/2013	<u>359</u>	RESPONSE to <u>329</u> MOTION in Limine No. 1: <i>Motion to Admit Excerpts of Thomas Tarter's Expert Testimony</i> , filed by Defendants Richard L. Tobler, Ltd., Richard L. Tobler. <i>Defendant Richard L. Tobler, Esq. and Richard L. Tobler, Ltd.'s Response to Plaintiffs' Motion in Limine No. 1 to Admit Excerpts of Thomas Tarter's Expert Testimony</i> (Alberts, Jeremy) (Entered: 03/25/2013)
03/25/2013	<u>360</u>	RESPONSE to <u>328</u> MOTION in Limine No. 6 to Preclude Any Evidence or Testimony in Support of Plaintiffs' Claims for Breach of Fiduciary Duty, Negligent Undertaking and Negligent Misrepresentation, filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Lowry, Jodi) (Entered: 03/25/2013)
03/25/2013	<u>361</u>	RESPONSE to <u>331</u> MOTION in Limine No. 3: <i>Motion to Exclude References to Dismissed Defendants and Claims</i> , filed by Defendants Richard L. Tobler, Ltd., Richard L. Tobler. <i>Defendant Richard L. Tobler, Esq. and Richard L. Tobler, Ltd.'s Response to Plaintiffs' Motion in Limine No. 3 to Exclude References to Dismissed Defendants and Claims</i> (Alberts, Jeremy) (Entered: 03/25/2013)
03/25/2013	<u>362</u>	RESPONSE to <u>332</u> MOTION in Limine No. 4: <i>Motion to Exclude Evidence Regarding Gambling Activity of Plaintiff Jin-Sung Hong</i> , filed by Defendants Richard L. Tobler, Ltd., Richard L. Tobler. <i>Defendant Richard L. Tobler, Esq. and Richard L. Tobler, Ltd.'s Response to Plaintiffs' Motion in Limine No. 4 to Exclude Evidence Regarding Gambling Activity of Plaintiff Jin-Sung Hong</i> (Alberts, Jeremy) (Entered: 03/25/2013)
03/25/2013	<u>363</u>	RESPONSE to <u>333</u> MOTION in Limine No. 5: <i>Motion to Exclude Bates No. KIM000015</i> , filed by Defendants Richard L. Tobler, Ltd., Richard L. Tobler. <i>Defendant Richard L. Tobler, Esq. and Richard L. Tobler, Ltd.'s Response to Plaintiffs' Motion in Limine No. 5 to Exclude Bates No. KIM000015</i> (Alberts, Jeremy) (Entered: 03/25/2013)

03/25/2013	<u>364</u>	RESPONSE to <u>323</u> MOTION in Limine No. 1 to Preclude Plaintiffs From Offering Any Expert Opinion or Any Expert Testimony From Witnesses Who Have Not Been Properly Designated as an Expert Witness, filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Attachments: # <u>1</u> Exhibit 1)(Salls, Jonathan) (Entered: 03/25/2013)
03/25/2013	<u>365</u>	RESPONSE to <u>327</u> MOTION in Limine No. 5 to Preclude Plaintiffs From Offering Any Evidence or Testimony Regarding the Standard of Care for Licensed Attorneys or Whether the Tobler Defendants Failed to Meet the Standard of Care for Licensed Attorneys, filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Attachments: # <u>1</u> Exhibit 1)(Salls, Jonathan) (Entered: 03/25/2013)
03/25/2013	<u>366</u>	RESPONSE to <u>324</u> MOTION in Limine No. 2 to Preclude Any Expert Witness From Offering Opinions Beyond the Scope of His/Her Expertise, filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3)(Lowry, Jodi) (Entered: 03/25/2013)
04/04/2013	<u>367</u>	RESPONSE to <u>342</u> MOTION for Leave to File <i>Amended Pre-Trial Order</i> , filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Replies due by 4/14/2013. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5)(Salls, Jonathan) (Entered: 04/04/2013)
04/15/2013	<u>368</u>	REPLY to Response to <u>342</u> MOTION for Leave to File <i>Amended Pre-Trial Order</i> filed by Defendants Barbie Ltd., Barbara R. Reed, Edward C. Reed. (Stoberski, Michael) (Entered: 04/15/2013)
05/28/2013	<u>369</u>	<p>ORDER that <u>285</u> Motion for Leave to File for Summary Judgment on Plaintiffs' Remaining Common Law Claims and Motion for Reconsideration is GRANTED to the extent that Plaintiffs' common law claims in counts six, thirteen, fourteen, twenty, twenty-three, and twenty-eight are converted to statutory claims under Nevada Revised Statutes § 645.257. The Motion is denied in all other respects. FURTHER ORDERED that <u>286</u> Motion for Reconsideration is GRANTED.</p> <p>FURTHER ORDERED that Judgment is hereby entered in favor of Defendants Richard L. Tobler, Esq. and Richard L. Tobler, Ltd. and against Plaintiffs Tae-Si Kim and Jin-Sung Hong. FURTHER ORDERED that pursuant to Federal Rule of Civil Procedure 54(b), there is no just reason for delay in entering final judgment as between Defendants Richard L. Tobler, Esq. and Richard L. Tobler, Ltd. and against Plaintiffs Tae-Si Kim and Jin-Sung Hong.</p> <p>Signed by Judge Philip M. Pro on 5/26/13.</p> <p>(Copies have been distributed pursuant to the NEF - MMM) (Entered: 05/28/2013)</p>
05/28/2013	<u>370</u>	CLERK'S JUDGMENT in favor of Defendants Richard L. Tobler, Esq. and Richard L. Tobler, Ltd., and against Plaintiffs Jin-Sung Hong and Tae-Si Kim. Signed by Clerk of Court, Lance S. Wilson on 5/28/13. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 05/28/2013)

05/31/2013	<u>371</u>	ORDER that the following Motions are denied as moot: <u>323</u> Motion in Limine 1; <u>324</u> Motion in Limine 2; <u>325</u> Motion in Limine 3; <u>326</u> Motion in Limine 4; <u>327</u> Motion in Limine 5; <u>328</u> Motion in Limine 6; <u>333</u> Plaintiffs' Motion in Limine 5. Signed by Judge Philip M. Pro on 5/31/13. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 05/31/2013)
06/03/2013	<u>372</u>	BILL OF COSTS by Defendants Richard L. Tobler, Ltd., Richard L. Tobler. Tax or object to Bill of Costs by 6/21/2013. (Alberts, Jeremy) (Entered: 06/03/2013)
06/21/2013	<u>373</u>	OBJECTION to <u>372</u> Bill of Costs ; filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Salls, Jonathan) (Entered: 06/21/2013)
06/26/2013	<u>374</u>	NOTICE OF APPEAL as to <u>370</u> Clerk's Judgment,, Add and Terminate Parties, <u>369</u> Order on Motion for Leave to File,,,,, Order on Motion for District Judge to Reconsider Order,,,,,,,,, by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Filing fee \$ 455, receipt number 0978-2867998. E-mail notice (NEF) sent to the US Court of Appeals, Ninth Circuit. (Salls, Jonathan) (Entered: 06/26/2013)
06/26/2013	<u>375</u>	Designation of Transcripts and Transcript Order forms and instructions for <u>374</u> Notice of Appeal,. The forms may also be obtained on the Court's website at www.nvd.uscourts.gov/Forms.aspx . (ASB) (Entered: 06/26/2013)
06/27/2013	<u>376</u>	ORDER for Time Schedule as to <u>374</u> Notice of Appeal filed by Jin-Sung Hong, Tae-Si Kim. USCA Case Number 13-16311 . (SLD) (Entered: 06/27/2013)
08/07/2013	<u>377</u>	MOTION to Amend/Correct Complaint re <u>215</u> Amended Complaint, filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Responses due by 8/24/2013. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8)(Salls, Jonathan) (Entered: 08/07/2013)
08/27/2013	<u>378</u>	RESPONSE to <u>377</u> MOTION to Amend/Correct Complaint re <u>215</u> Amended Complaint, filed by Defendants Barbie Ltd., Barbara R. Reed, Edward C. Reed. Replies due by 9/6/2013. (Stoberski, Michael) (Entered: 08/27/2013)
09/05/2013	<u>379</u>	STIPULATION FOR EXTENSION OF TIME (First Request) re <u>378</u> Response to <u>377</u> MOTION to Amend/Correct Complaint re <u>215</u> Amended Complaint by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Salls, Jonathan) <u>Linked to motion.</u> (ASB) (Entered: 09/05/2013)
09/06/2013	<u>380</u>	MOTION to Stay <i>Proceedings (Renewed)</i> by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Motion ripe 9/6/2013. (Gibson, Steven) (Entered: 09/06/2013)
09/09/2013	<u>381</u>	ORDER ON STIPULATION Granting <u>379</u> Stipulation to Extend Time to Reply re <u>377</u> MOTION to Amend/Correct Complaint re <u>215</u> Amended Complaint. Replies due by 9/20/2013. Signed by Judge Philip M. Pro on 9/9/13. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 09/09/2013)
09/20/2013	<u>382</u>	

		REPLY to Response to <u>377</u> MOTION to Amend/Correct Complaint re <u>215</u> Amended Complaint filed by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Salls, Jonathan) (Entered: 09/20/2013)
09/23/2013	<u>383</u>	MINUTE ORDER IN CHAMBERS of the Honorable Judge Philip M. Pro, on 9/23/2013. Motion Hearing set for 10/22/2013 at 09:00 AM in LV Courtroom 7C before Judge Philip M. Pro RE: <u>342</u> MOTION for Leave to File <i>Amended Pre-Trial Order</i> , <u>380</u> MOTION to Stay <i>Proceedings (Renewed)</i> , <u>314</u> MOTION in Limine No. 3 to Require All Parties to Give 24-Hour Notice of Witnesses, Deposition, and Exhibits to be Called or Used at Trial, <u>317</u> MOTION in Limine No. 6 Prohibiting the Display of Exhibits or Demonstrative Evidence Until Admitted or Court Permission is Obtained, <u>316</u> MOTION in Limine No. 5 to Preclude Appeal to the Community Conscience or the "Golden Rule", <u>331</u> MOTION in Limine No. 3: <i>Motion to Exclude References to Dismissed Defendants and Claims</i> , <u>313</u> MOTION in Limine No. 2 to Exclude the Testimony of Any Expert, Witness, or Documents Plaintiffs Have Not Timely Identified, <u>319</u> MOTION in Limine No. 8 for an Order Precluding the Application of Joint and Several Liability and Applying Comparative Negligence Liability, <u>318</u> MOTION in Limine No. 7 to Exclude Expert Testimony by Non-Experts, <u>322</u> MOTION in Limine No. 11 to Preclude Claim for Punitive Damages, <u>330</u> MOTION in Limine No. 2: <i>Motion to Exclude J.C. Melvin Expert Opinion</i> , <u>329</u> MOTION in Limine No. 1: <i>Motion to Admit Excerpts of Thomas Tarter's Expert Testimony</i> , <u>320</u> MOTION in Limine No. 9 Excludi. g Comment by Plaintiffs on the Probable Testimony of All Absent Witnesses Not Appearing at Trial or Who Plaintiffs Could Have Brought to Trial But Did Not, <u>334</u> MOTION in Limine No. 6: <i>Motion to Exclude W)tnesses Not Identified in Pretrial Order</i> , <u>377</u> MOTION to Amend/Correct Complaint re <u>215</u> Amended Complaint, <u>321</u> MOTION in Limine No. 10 Excluding Plaintiffs From Soliciting Testimony From a Witness, Or Otherwise Attempt to Introduce Evidence, About the Reed Defendants Filing for Bankruptcy, <u>332</u> MOTION in Limine No. 4: <i>Motion to Exclude Evidence Regarding Gambling Activity of Plaintiff Jin-Sung Hong</i> , <u>312</u> MOTION in Limine to Exclude Evidence of Liability Insurance, <u>315</u> MOTION in Limine No. 4 to Exclude All Witnesses From Trial Until They are Called to Testify. (no image attached) (Copies have been distributed pursuant to the NEF - EW) (Entered: 09/23/2013)
09/23/2013	<u>384</u>	Joint MOTION to Stay Proceedings Pending Plaintiffs' Appeals by Defendants Barbie Ltd., Barbara R. Reed, Edward C. Reed, Plaintiffs Jin-Sung Hong, Tae-Si Kim. Motion ripe 9/23/2013. (Attachments: # <u>1</u> Proposed Order)(Stoberski, Michael) (Entered: 09/23/2013)
09/24/2013	<u>385</u>	MINUTE ORDER IN CHAMBERS of the Honorable Judge Philip M. Pro, on 9/24/2013. The Motion Hearing scheduled for October 22, 2013 is VACATED. Case is stayed pending further Order. (no image attached) (Copies have been distributed pursuant to the NEF - EW) (Entered: 09/24/2013)
09/24/2013	<u>386</u>	ORDER that <u>384</u> Joint Motion to Stay Proceedings is GRANTED. Signed by Judge Philip M. Pro on 9/24/13. (Copies have been distributed pursuant to the NEF - MMM) Modified on 9/24/2013 to link to correct motion (MMM). (Entered: 09/24/2013)

09/24/2013	<u>387</u>	ORDER that all pending motions are denied without prejudice to request the Court to reinstate the motions once the stay is lifted. Signed by Judge Philip M. Pro on 9/24/13. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 09/24/2013)
10/23/2013	<u>388</u>	ORDER of USCA, Ninth Circuit, as to <u>245</u> Notice of Appeal filed by Jin-Sung Hong, Tae-Si Kim. This matter is ordered submitted without oral argument on November 8, 2013, at San Francisco, California. Fed. R. App. P. 34(a)(2). (SLR) (Entered: 10/24/2013)
10/28/2013	<u>389</u>	TRANSCRIPT of Proceedings, 117 Order on Motion to Dismiss/Lack of Jurisdiction,,, Motion Hearing,, held on 12-6-10, before Judge Philip M. Pro. Court Reporter/Transcriber: Kathy French, 530-913-9213. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber using the court's "Transcript Order" form available on our website www.nvd.uscourts.gov before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER Redaction Request due 11/18/2013. Redacted Transcript Deadline set for 11/28/2013. Release of Transcript Restriction set for 1/26/2014. (KF) (Entered: 10/28/2013)
11/26/2013	<u>390</u>	MEMORANDUM of USCA, Ninth Circuit, as to <u>245</u> Notice of Appeal filed by Jin-Sung Hong, Tae-Si Kim. AFFIRMED. (SLR) (Entered: 11/26/2013)
12/09/2013	<u>391</u>	ORDER that the parties shall file a joint status report and propose a scheduling order to govern the remaining conduct of the litigation on or before December 30, 2013. Signed by Judge Philip M. Pro on 12/9/13. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 12/09/2013)
12/23/2013	<u>392</u>	MANDATE of USCA, Ninth Circuit, as to <u>390</u> USCA Memorandum/Opinion AFFIRMING the judgment of the district court re <u>245</u> Notice of Appeal filed by Jin-Sung Hong, Tae-Si Kim. Costs are taxed against the appellants in the amount of \$40.00. (MMM) (Entered: 12/27/2013)
12/30/2013	<u>394</u>	ORDER on Mandate as to <u>390</u> USCA Memorandum/Opinion re <u>392</u> USCA Mandate AFFIRMING the judgment of the District Court re <u>245</u> Notice of Appeal filed by Jin-Sung Hong, Tae-Si Kim. Signed by Judge Philip M. Pro on 12/30/13. (MMM) (Entered: 12/30/2013)
12/30/2013	<u>395</u>	Joint STATUS REPORT by <i>Reed Defendants and</i> by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Lowry, Jodi) (Entered: 12/30/2013)
01/06/2014	<u>396</u>	ORDER that the <u>386</u> Court's Order granting a stay remains in effect pending the Ninth Circuit's resolution of Plaintiffs' appeal. Signed by Judge Philip M. Pro on 01/06/2014. (Copies have been distributed pursuant to the NEF - AC) (Entered: 01/06/2014)
06/30/2014	<u>397</u>	MINUTE ORDER IN CHAMBERS of the Honorable Chief Judge Gloria M. Navarro, on 6/30/2014. By Deputy Clerk: Amber Freeman. IT IS ORDERED that this case is reassigned to Judge Richard F. Boulware, II for all further proceedings. Judge Philip M. Pro no longer assigned to case. All further documents must bear the correct case number 2:09-cv-02008-RFB-

		GWF. (no image attached) (Copies have been distributed pursuant to the NEF - AF) (Entered: 06/30/2014)
07/28/2014	<u>398</u>	NOTICE of Change of Address by Jonathan M.A. Salls. (Salls, Jonathan) (Entered: 07/28/2014)
07/29/2014	<u>399</u>	(1st Notice) NOTICE: of Non-Compliance with Special Order 109 that <u>Laura Lucero</u> is in violation of Special Order 109. re: <u>398</u> NOTICE of Change of Address. Pursuant to Special Order 109, section 2.C., <i>"It shall be the responsibility of each Filing User to maintain and update their user account information."</i> It is therefore recommended that you review and update your CM/ECF account in accordance with your notice of change of address by clicking "Utilities" and then selecting "Maintain Your Address". (ASB) (Entered: 07/29/2014)
07/29/2014	<u>400</u>	MOTION for Judgment Debtor Exam by Plaintiffs Jin-Sung Hong, Tae-Si Kim. Motion ripe 7/29/2014. (Attachments: # <u>1</u> Exhibit 1)(Salls, Jonathan) (Entered: 07/29/2014)
07/29/2014	<u>401</u>	AFFIDAVIT of Jonathan Salls re <u>258</u> Default Judgment ; by Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Attachments: # <u>1</u> Exhibit 1)(Salls, Jonathan) (Entered: 07/29/2014)
07/30/2014	<u>402</u>	ORDER granting <u>400</u> Motion allowing examination of the Judgment Debtor Adam B. Kearney and requiring production of documents. The Judgment Debtor is ordered to appear at the law offices of Dickenson Wright PLLC, 8965 S. Eastern Ave., Suite 280, Las Vegas, Nevada 89123, on the 27th day of August, 2014, at the hour of 9:30 a.m., and on such further days as the undersigned counsel shall name, to testify under oath concerning Judgment Debtor's assets and property. Failure to produce the documents requested and/or failure to appear may result in a bench warrant being issued for the arrest of Judgment Debtor. Signed by Magistrate Judge George Foley, Jr on 7/30/2014. (Copies have been distributed pursuant to the NEF - DKJ) (Entered: 07/30/2014)
08/11/2014	<u>403</u>	CERTIFICATE OF SERVICE for <u>402</u> Order on Motion for Judgment Debtor Exam,, by Plaintiff Tae-Si Kim. (Salls, Jonathan) (Entered: 08/11/2014)
09/10/2014	<u>404</u>	MOTION for Order to Show Cause re: <u>400</u> MOTION for Judgment Debtor Exam; filed by Plaintiff Tae-Si Kim. Motion ripe 9/10/2014. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Exhibit)(Salls, Jonathan) (Entered: 09/10/2014)
09/30/2014	<u>405</u>	ORDER TO SHOW CAUSE. Show Cause Hearing set for 10/16/2014 10:30 AM in LV Courtroom 7C before Judge Richard F. Boulware II. Signed by Magistrate Judge George Foley, Jr on 9/30/2014. (Copies have been distributed pursuant to the NEF - SLR) (Entered: 09/30/2014)
10/14/2014	<u>406</u>	MOTION to Withdraw as Attorney by Steven A. Gibson, Esq. by Plaintiff Tae-Si Kim. Motion ripe 10/14/2014. (Gibson, Steven) (Entered: 10/14/2014)
10/15/2014	<u>407</u>	ORDER granting <u>406</u> Motion to Withdraw as Attorney. Steven A. Gibson withdrawn from the case. Signed by Magistrate Judge George Foley, Jr on

		10/15/2014. (Copies have been distributed pursuant to the NEF - DKJ) (Entered: 10/15/2014)
10/16/2014	<u>408</u>	<p>MINUTES OF PROCEEDINGS - Show Cause Hearing held on 10/16/2014 before The Honorable Richard F. Boulware, II. Crtrm Administrator: Blanca Lenzi; Plaintiff Counsel: Rhonda Long, Esq. Counsel for Tae-Si Kim; Def Counsel: Michael Storbeki Esq. Counsel for Re/Max; Court Reporter/FTR #: Patty Ganci; Time of Hearing: 12:24 - 12:33 PM; Courtroom: 7C.</p> <p>The Court makes preliminary statements and canvasses plaintiff's counsel as to their late appearance to Court. For the reasons stated at the hearing, IT IS HEREBY ORDERED that Plaintiff Tae-Si Kim shall serve Defendant Adam Kearney with its 404 Motion for Order To Show Cause and the <u>405</u> Order Setting Hearing by mail AND by personal service by 10/23/2014. IT IS FURTHER ORDERED, Plaintiff Kim shall file a notification with the Court by 10/23/14 regarding service upon Defendant Adam Kearney. The Court will consider resetting the date for the hearing on the <u>404</u> Motion for Order To Show Cause after receiving the notification to be filed by Plaintiff Kim.</p> <p>(no image attached) (Copies have been distributed pursuant to the NEF - BEL) Modified CR name.(BEL). (Entered: 10/21/2014)</p>
12/05/2014	<u>409</u>	NOTICE of Change of Attorney on behalf of Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Dobberstein, Eric) (Entered: 12/05/2014)
03/10/2015	<u>410</u>	NOTICE re: MOTION to Dismiss Appeal; filed by Plaintiff Tae-Si Kim. Responses due by 3/27/2015. (Duthie, Tracee) Wrong event selected by attorney, event modified on 3/11/2015 (RFJ) . (Entered: 03/10/2015)
03/11/2015	<u>411</u>	<p>NOTICE: of Attorney Action Required to <u>410</u> NOTICE re: MOTION to Dismiss Appeal:</p> <p>ERROR: Motion filed in the wrong Court by attorney <u>Tracee L. Duthie</u>.</p> <p>CORRECTION: Attorney is advised to file <u>MOTION</u> with the 9th Circuit Court of Appeals as the Appeal is still pending in the 9th Circuit Court of Appeals. (no image attached)(RFJ) (Entered: 03/11/2015)</p>
03/18/2015	<u>412</u>	MEMORANDUM/OPINION of USCA, Ninth Circuit, as to <u>374</u> Notice of Appeal, filed by Jin-Sung Hong, Tae-Si Kim. AFFIRMED. (MMM) (Entered: 03/20/2015)
04/10/2015	<u>413</u>	MANDATE of USCA, Ninth Circuit, as to <u>412</u> USCA Memorandum/Opinion AFFIRMING the judgment of the District Court re <u>374</u> Notice of Appeal. (MMM) (Entered: 04/14/2015)
04/21/2015	<u>415</u>	ORDER on Mandate as to <u>413</u> USCA Mandate re <u>412</u> USCA Memorandum AFFIRMING the decision of the U.S. District Court re <u>374</u> Notice of Appeal. Signed by Judge Richard F. Boulware, II on 4/21/2015. (DKJ) (Entered: 04/21/2015)
06/16/2015	<u>416</u>	STIPULATION of Dismissal with Prejudice; filed by Defendants Barbie Ltd., Barbara R. Reed, Edward C. Reed. (Stoberski, Michael) (Entered: 06/16/2015)

06/17/2015	<u>417</u>	MOTION to remove attorney(s) Carleton R. Burch from the Electronic Service List in this case, by Defendants Cumorah Credit Union, Cumorah Credit Union. (Burch, Carleton) (Entered: 06/17/2015)
06/18/2015	<u>418</u>	ORDER that <u>417</u> Carleton R. Burch's Ex Parte Motion to Remove Attorney from Electronic Service List is granted. Signed by Magistrate Judge George Foley, Jr on 6/18/15. (Copies have been distributed pursuant to the NEF - MMM) (Entered: 06/18/2015)
06/19/2015	<u>419</u>	MOTION to remove attorney(s) Aaron R. Maurice; Brittany Wood from the Electronic Service List in this case, by Defendant Cumorah Credit Union. (Maurice, Aaron) (Entered: 06/19/2015)
06/23/2015	<u>420</u>	ORDER Granting <u>419</u> Motion to Remove Attorney from Electronic Service List. Signed by Magistrate Judge George Foley, Jr on 6/22/15. (Copies have been distributed pursuant to the NEF - TR) (Entered: 06/24/2015)
07/13/2015	<u>421</u>	MINUTE ORDER IN CHAMBERS of the Judge Richard F. Boulware, II, on 7/13/2015. IT IS ORDERED that <u>416</u> Stipulation of Dismissal with Prejudice is GRANTED. The Court is not using the proposed order as it appears to conflict with the stipulation itself as to which parties should be dismissed or whether the entire action should be dismissed. This action is therefore DISMISSED WITH PREJUDICE as to the following Defendants only: Edward C. Reed, Barbara R. Reed, and Barbie, Ltd. d/b/a RE/MAX Extreme. Each side shall bear its own attorneys' fees and costs. (Copies have been distributed pursuant to the NEF - BEL) (Entered: 07/13/2015)
07/13/2015	<u>422</u>	MOTION to remove attorney(s) David J. Larson, Jeremy R. Alberts from the Electronic Service List in this case, by Defendants Richard L. Tobler, Ltd., Richard L. Tobler. (Alberts, Jeremy) (Entered: 07/13/2015)
07/14/2015	<u>423</u>	ORDER Granting <u>422</u> Motion to Remove Attorney from Electronic Service List. Signed by Magistrate Judge George Foley, Jr on 7/14/15. (Copies have been distributed pursuant to the NEF - PS) (Entered: 07/15/2015)
08/06/2015	<u>424</u>	ORDER Denying <u>404</u> Plaintiffs' Motion for Order to Show Cause. IT IS FURTHER ORDERED that Plaintiffs' shall show cause, in writing, no later than 8/14/15, why this case should not be dismissed with prejudice in accordance with <u>416</u> Stipulation of Dismissal. Signed by Judge Richard F. Boulware, II on 8/6/15. (Copies have been distributed pursuant to the NEF - PS) (Entered: 08/07/2015)
09/03/2015	<u>425</u>	NOTICE of Association of Counsel by Joseph A. Geller on behalf of Plaintiffs Jin-Sung Hong, Tae-Si Kim. (Geller, Joseph) (Entered: 09/03/2015)
09/04/2015	<u>426</u>	ORDER. IT IS ORDERED that this case is DISMISSED WITH PREJUDICE. The Clerk of Court is instructed to close this case. Case is closed. Signed by

	Judge Richard F. Boulware, II on 9/4/15. (Copies have been distributed pursuant to the NEF - PS) (Entered: 09/04/2015)
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IN THE SUPREME COURT OF THE STATE OF NEVADA

Tae-Si Kim as an individual; and Jin-Sung Hong, as an individual.

Appellants,

v.

Dickinson Wright, PLLC, a Nevada Professional Limited Liability Company; Jodi Donetta Lowry, Esq., an individual; Jonathan M. A. Salls, Esq., an individual; Eric Dobberstein, Esq., an individual; and Michael G. Vartanian, Esq., an Individual

Respondents.

SUPREME COURT CASE

NO. 74803

Electronically Filed
Jun 21 2018 10:00 a.m.

Elizabeth A. Brown

DISTRICT COURT CASE
Clerk of Supreme Court

NO. A-756785

**APPELLANTS' APPENDIX
VOLUME II OF IV**

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