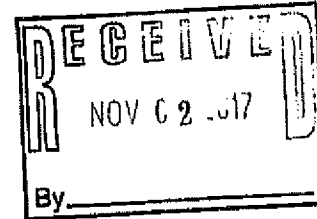


# ATTACHMENT 1

*Steven D. Grierson*

**PET**  
**Amberlea Davis**  
Nevada Bar Number: 11551  
Law Offices of Amberlea Davis  
415 S. Sixth St, Ste 300  
Las Vegas, NV 89101  
Phone: (702) 440-8000  
Email: Amber@ShelsMyLawyer.com  
Attorney for: Melani Schulte



**DISTRICT COURT**  
**CLARK COUNTY NEVADA**

**MELANI SCHULTE,**

**Plaintiff,**  
**-vs-**

**WILLIAM R. SCHULTE,**

**Defendants.**

**CASE: D-12-458809-D**

**DEPT: I**

**VERIFIED PETITION**

**VERIFIED PETITION FOR AN ORDER DIRECTING PAYMENT OUT OF  
THE EDUCATION RESEARCH RECOVERY FUND PURSUANT TO NRS  
645.841 TO 645.8494 INCLUSIVE**

COMES NOW Plaintiff/Petitioner, Melani Schulte, by and through her attorney of record AMBERLEA DAVIS, in the above-entitled matter and files this Petition to request the court for an order directing payment out of the Real Estate Education Research and Recovery Fund (ERRF), overseen by The Nevada Real Estate Division, in satisfaction of said Judgment.

This motion is based upon the Nevada Revised Statutes ("NRS"); the Nevada Rules of Civil Procedure ("NRCP"); the Nevada Rules of Professional

**LAW OFFICES OF AMBERLEA DAVIS**

415 S. Sixth St., Ste. 300  
Las Vegas, Nevada 89101  
Telephone: 702.518-4377

1 Conduct ("NRPC"); the Nevada Rules of Appellate Procedure ("NRAP"); the  
2 Eighth Judicial District Court Rules ("EDCR"); the record on file in this case; the  
3 attached Affidavit of Melani Schulte; the following memorandum of points and  
4 authorities; the evidence attached to the memorandum and any oral argument the  
5 Court may entertain at a hearing thereon.

### 6 7 MEMORANDUM OF POINTS AND AUTHORITIES

8  
9 Defendant/Licensee, WILLIAM R. SCHULTE, was the licensed broker and  
10 permitted property manager for Sabreco, Inc. As the Licensed Broker, the  
11 Defendant executed a lease on the residential property owned by the Arciszewski  
12 family. WILLIAM R. SCHULTE signed the lease on behalf of the Arciszewski's  
13 and collected rents and a security deposit on behalf of the Arciszewskis. Those  
14 funds were deposited into Sabreco trust accounts. Sabreco failed to remit the  
15 monies collected on behalf of Arciszewskis; instead, the Defendant used those  
16 funds to pay bank fees, write and sign checks to pay Sabreco bills, as well as paid  
17 monies to other clients or parties. WILLIAM R. SCHULTE and Sabreco also failed  
18 to reconcile the Sabreco trust accounts. Sabreco additionally failed to file annual  
19 reports to the Nevada Real Estate Division for three consecutive years (2009, 2010,  
20 and 2011), acted with fraud and misrepresentation or deceit when deliberately  
21 collecting, depositing, keeping and spending the funds belonging to Petitioner, and  
22 further failed to disclose those wrongful acts to Petitioner and obfuscating that  
23 information by not filing mandatory reports and not reconciling the bank  
24 statements monthly. [Exhibit 1<sup>1</sup>, Motion to Amend, see especially Exhibit 2 to the  
25 Motion] Ultimately, William R. Schulte's Nevada Real Estate licenses and permits  
26

27  
28 <sup>1</sup> For purposes of recovery from the Fund, this Motion was the functional equivalent of a Complaint.

1 were revoked.]

2 The Arciszewskis sued Sabreco and Melani Schulte and Melani ultimately  
3 paid off the judgment. This court ordered that William R. Schulte, the acting  
4 broker and property manager, was to repay Melani on the judgment. This court  
5 issued a final judgment against William R. Schulte on the bases of fraud  
6 misrepresentation or deceit in the amount of \$1,556.00. [Exhibit 2, Order] and  
7 [Exhibit 3, Judgment].

8 Petitioner attempted to collect on the judgment, but the judgments were  
9 returned unsatisfied.

10  
11 A. Petitioner, submitted for Writs Of Garnishment and Execution to be issued to  
12 the Clark County School District. The Writs were served by the Las Vegas  
13 Constable's Office and the Writ of Garnishment returned unpaid along with  
14 an answered set of interrogatories and a statement that the Defendant had no  
15 payroll activity during the period. [Exhibit 4, Writs CCSD].

16 B. Petitioner, submitted for Writs Of Garnishment and Execution to be issued to  
17 the only known bank account of the Defendant, Clark County Credit Union.  
18 The Writs were served by the Las Vegas Constable's Office and returned  
19 unpaid along with an answered set of interrogatories and a statement that the  
20 account had been closed the day before the credit union was served and that  
21 defendant stated he "was moving to Minnesota." [Exhibit 5, Writs CCCU].

22  
23 Pursuant to NRS 645.844 (1), the petitioner may then file a verified petition  
24 for "an order directing payment out of [Real Estate Education, Research and  
25 Recovery] Fund, in the amount of unpaid actual damages included in the judgment.

## 26 CONCLUSION


27

28

1  
2 Since MELANI SCHULTE by and through her counsel AMBERLEA  
3 DAVIS, have made all legal efforts to collect on the FINAL JUDGEMENT filed  
4 against Defendant/Licensee, WILLIAM R. SCHULTE, and have unsuccessfully  
5 been able to ascertain full payment for said Judgment, and therefore, request the  
6 court for an order directing payment out of the Real Estate Education Research and  
7 Recovery Fund, in satisfaction of said Judgment.

8 WHEREFORE, MELANI SCHULTE prays for the Court to Order direct  
9 payment from the Real Estate Education Research and Recovery Fund, payable to  
10 MELANI SCHULTE for actual damages in the amount of \$1,556.00.

11  
12 Dated this 25 of October 2017.

13  
14   
15 Attorney Amberlea Davis  
16 Nevada Bar #11551  
17 Attorney for: Petitioner  
18  
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26  
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28

LAW OFFICES OF AMBERLEA DAVIS  
416 S. 6th St., Ste. 300  
Las Vegas, Nevada 89101  
Telephone: 702.518-4377

VERIFICATION OF PETITION

Under penalty of perjury, I, Melani Schulte, declare that:

1. I am the successor in interest to Melani Schulte;
2. As the successor in interest, I am the petitioner in the foregoing petition;
3. I have read the foregoing petition and know the contents thereof;
4. The facts in the pleading are true and of my own knowledge, except as to those matters stated on information and belief, and that as to such matters I believe it to be true.

Dated this 25th day of October 2017.



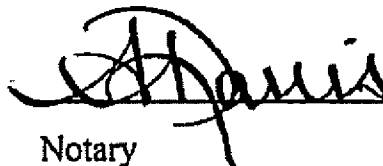
MELANI SCHULTE

State of Nevada     )  
                                  )ss.  
County of Clark     )

Signed and sworn to before me, Amberlea Davis on this 25th day of October 2017 by Melani Schulte.



Amberlea Davis  
Notary for Public  
No: 14-14876-1  
Exp. Oct 30, 2018

  
Notary



1 **PET**

2 **Amberlea Davis**

3 Nevada Bar Number: 11551

4 Law Offices of Amberlea Davis

5 415 S. Sixth St, Ste 300

6 Las Vegas, NV 89101

7 Phone: (702) 440-8000

8 Email: Amber@ShelsMyLawyer.com

9 Attorney for: 9521 SIERRA SUMMIT, LLC and

10 Successor in Interest Melani Schulte

11 **DISTRICT COURT**  
12 **CLARK COUNTY NEVADA**

13 **MELANI SCHULTE,**

14 **Plaintiff,**  
15 **-vs-**

16 **WILLIAM R. SCHULTE,**  
17 **Defendants.**

18 **CASE: D-12-458809-D**

19 **DEPT: 1**

20 **VERIFIED PETITION**

21 **VERIFIED PETITION FOR AN ORDER DIRECTING PAYMENT OUT OF**  
22 **THE EDUCATION RESEARCH RECOVERY FUND PURSUANT TO NRS**  
23 **645.841 TO 645.8494 INCLUSIVE**

24 COMES NOW Plaintiff/Petitioner, Melani Schulte, by and through her  
25 attorney of record AMBERLEA DAVIS, in the above-entitled matter and files this  
26 Petition to request the court for an order directing payment out of the Real Estate  
27 Education Research and Recovery Fund (ERRF), overseen by The Nevada Real  
28 Estate Division, in satisfaction of said Judgment.

This motion is based upon the Nevada Revised Statutes ("NRS"); the  
Nevada Rules of Civil Procedure ("NRCP"); the Nevada Rules of Professional

LAW OFFICES OF AMBERLEA DAVIS

416 S. 6th St., Ste. 300  
Las Vegas, Nevada 89101  
Telephone: 702.518-4377

1 Conduct ("NRPC"); the Nevada Rules of Appellate Procedure ("NRAP"); the  
2 Eighth Judicial District Court Rules ("EDCR"); the record on file in this case; the  
3 attached Affidavit of Melani Schulte; the following memorandum of points and  
4 authorities; the evidence attached to the memorandum and any oral argument the  
5 Court may entertain at a hearing thereon.

### 6 7 MEMORANDUM OF POINTS AND AUTHORITIES

8  
9 Defendant/Licensee, WILLIAM R. SCHULTE, was the licensed broker and  
10 permitted property manager for Sabreco, Inc. As the Licensed Broker, the  
11 Defendant executed a lease on the residential property located 9521 SIERRA  
12 SUMMIT AVE, LAS VEGAS. 9521 SIERRA SUMMIT, LLC was the owner of  
13 the residential property. WILLIAM R. SCHULTE signed the lease on behalf of  
14 Petitioner and deposited Petitioner's funds into Sabreco trust accounts. Sabreco  
15 failed to remit the monies collected on behalf of Petitioner; instead, the Defendant  
16 used those funds to pay bank fees, write and sign checks to pay Sabreco bills, as  
17 well as paid monies to other clients or parties. WILLIAM R. SCHULTE and  
18 Sabreco also failed to reconcile the Sabreco trust accounts. Sabreco additionally  
19 failed to file annual reports to the Nevada Real Estate Division for three  
20 consecutive years (2009, 2010, and 2011), acted with fraud and misrepresentation  
21 or deceit when deliberately collecting, depositing, keeping and spending the funds  
22 belonging to Petitioner, and further failed to disclose those wrongful acts to  
23 Petitioner and obfuscating that information by not filing mandatory reports and not  
24 reconciling the bank statements monthly. [Exhibit 1<sup>1</sup>, Motion to Amend, see  
25 especially Exhibit 2 to the Motion] Ultimately, William R. Schulte's Nevada Real  
26

27  
28 <sup>1</sup> For purposes of recovery from the Fund, this Motion was the functional equivalent of a Complaint.



1 Estate licenses and permits were revoked.]

2 This court ordered a final judgment against William R. Schulte on the bases  
3 of fraud misrepresentation or deceit in the amount of \$11,093.00. [Exhibit 2,  
4 Order] and [Exhibit 3, Judgment].

5 Petitioner attempted to collect on the judgment, but the judgments were  
6 returned unsatisfied.

7  
8 A. Petitioner, submitted for Writs Of Garnishment and Execution to be issued to  
9 the Clark County School District. The Writs were served by the Las Vegas  
10 Constable's Office and the Writ of Garnishment returned unpaid along with  
11 an answered set of interrogatories and a statement that the Defendant had no  
12 payroll activity during the period. [Exhibit 4, Writs CCSD].

13 B. Petitioner, submitted for Writs Of Garnishment and Execution to be issued to  
14 the only known bank account of the Defendant, Clark County Credit Union.  
15 The Writs were served by the Las Vegas Constable's Office and returned  
16 unpaid along with an answered set of interrogatories and a statement that the  
17 account had been closed the day before the credit union was served and that  
18 defendant stated he "was moving to Minnesota." [Exhibit 5, Writs CCCU].

19  
20 Pursuant to NRS 645.844 (1), the petitioner may then file a verified petition  
21 for "an order directing payment out of [Real Estate Education, Research and  
22 Recovery] Fund, in the amount of unpaid actual damages included in the judgment.

### 23 CONCLUSION

24  
25  
26 Since MELANI SCHULTE by and through her counsel AMBERLEA  
27 DAVIS, have made all legal efforts to collect on the FINAL JUDGEMENT filed  
28

1 against Defendant/Licensee, WILLIAM R. SCHULTE, and have unsuccessfully  
2 been able to ascertain full payment for said Judgment, and therefore, request the  
3 court for an order directing payment out of the Real Estate Education Research and  
4 Recovery Fund, in satisfaction of said Judgment.

5 WHEREFORE, MELANI SCHULTE, prays for the Court to Order direct  
6 payment from the Real Estate Education Research and Recovery Fund, payable to  
7 MELANI SCHULTE as the Successor in Interest to 9521 SIERRA SUMMIT, LLC  
8 for actual damages in the amount of \$11,093.00.

9  
10 Dated this 25 of October 2017.

11  
12 

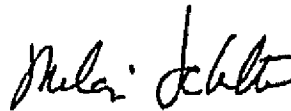
13 Attorney Amberlea Davis  
14 Nevada Bar #11551  
15 Attorney for: Petitioner  
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## VERIFICATION OF PETITION

Under penalty of perjury, I, Melani Schulte, declare that:

1. I am the successor in interest to 9521 SIERRA SUMMIT, LLC ;
2. As the successor in interest, I am the petitioner in the foregoing petition;
3. I have read the foregoing petition and know the contents thereof;
4. The facts in the pleading are true and of my own knowledge, except as to those matters stated on information and belief, and that as to such matters I believe it to be true.

Dated this 25th day of October 2017.



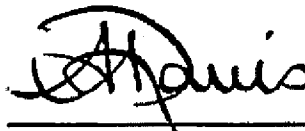
MELANI SCHULTE

State of Nevada    )  
                                  )ss.  
County of Clark    )

Signed and sworn to before me, Amberlea Davis on this 25th day of October 2017 by Melani Schulte.



Amberlea Davis  
Notary for Public  
No: 14-14876-1  
Exp. Oct 30, 2018



Notary

*Steven D. Grierson*

**PET**  
**Amberlea Davis**  
Nevada Bar Number: 11551  
Law Offices of Amberlea Davis  
415 S. Sixth St, Ste 300  
Las Vegas, NV 89101  
Phone: (702) 440-8000  
Email: Amber@ShelsMyLawyer.com  
Attorney for: 5609 SAN ARDO, LLC and  
Successor in Interest Melani Schulte

**DISTRICT COURT**  
**CLARK COUNTY NEVADA**

**MELANI SCHULTE,**

Plaintiff,  
-vs-

**WILLIAM R. SCHULTE,**  
Defendants.

**CASE: D-12-458809-D**

**DEPT: I**

**VERIFIED PETITION**

**VERIFIED PETITION FOR AN ORDER DIRECTING PAYMENT OUT OF  
THE EDUCATION RESEARCH RECOVERY FUND PURSUANT TO NRS  
645.841 TO 645.8494 INCLUSIVE**

COMES NOW Plaintiff/Petitioner, Melani Schulte, by and through her attorney of record AMBERLEA DAVIS, in the above-entitled matter and files this Petition to request the court for an order directing payment out of the Real Estate Education Research and Recovery Fund (ERRF), overseen by The Nevada Real Estate Division, in satisfaction of said Judgment.

This motion is based upon the Nevada Revised Statutes ("NRS"); the Nevada Rules of Civil Procedure ("NRCP"); the Nevada Rules of Professional

**LAW OFFICES OF AMBERLEA DAVIS**

415 S. 6th St., Ste. 300  
Las Vegas, Nevada 89101  
Telephone: 702.518-4377

1 Conduct ("NRPC"); the Nevada Rules of Appellate Procedure ("NRAP"); the  
2 Eighth Judicial District Court Rules ("EDCR"); the record on file in this case; the  
3 attached Affidavit of Melani Schulte; the following memorandum of points and  
4 authorities; the evidence attached to the memorandum and any oral argument the  
5 Court may entertain at a hearing thereon.

### 6 7 MEMORANDUM OF POINTS AND AUTHORITIES 8

9 Defendant/Licensee, WILLIAM R. SCHULTE, was the licensed broker and  
10 permitted property manager for Sabreco, Inc. As the Licensed Broker, the  
11 Defendant executed a lease on the residential property located 5609 SAN ARDO  
12 PL, LAS VEGAS. 5609 SAN ARDO, LLC was the owner of the residential  
13 property. WILLIAM R. SCHULTE signed the lease on behalf of Petitioner and  
14 deposited Petitioner's funds into Sabreco trust accounts. Sabreco failed to remit the  
15 monies collected on behalf of Petitioner; instead, the Defendant used those funds to  
16 pay bank fees, write and sign checks to pay Sabreco bills, as well as paid monies to  
17 other clients or parties. WILLIAM R. SCHULTE and Sabreco also failed to  
18 reconcile the Sabreco trust accounts. Sabreco additionally failed to file annual  
19 reports to the Nevada Real Estate Division for three consecutive years (2009, 2010,  
20 and 2011), acted with fraud and misrepresentation or deceit when deliberately  
21 collecting, depositing, keeping and spending the funds belonging to Petitioner, and  
22 further failed to disclose those wrongful acts to Petitioner and obfuscating that  
23 information by not filing mandatory reports and not reconciling the bank  
24 statements monthly. [Exhibit 1<sup>1</sup>, Motion to Amend, see especially Exhibit 2 to the  
25 Motion] Ultimately, William R. Schulte's Nevada Real Estate licenses and permits  
26

27  
28 <sup>1</sup> For purposes of recovery from the Fund, this Motion was the functional equivalent of a Complaint.

1 were revoked.]

2 This court ordered a final judgment against William R. Schulte on the bases  
3 of fraud misrepresentation or deceit in the amount of \$10,400.00. [Exhibit 2,  
4 Order] and [Exhibit 3, Judgment].

5 Petitioner attempted to collect on the judgment, but the judgments were  
6 returned unsatisfied.

7  
8 A. Petitioner, submitted for Writs Of Garnishment and Execution to be issued to  
9 the Clark County School District. The Writs were served by the Las Vegas  
10 Constable's Office and the Writ of Garnishment returned unpaid along with  
11 an answered set of interrogatories and a statement that the Defendant had no  
12 payroll activity during the period. [Exhibit 4, Writs CCSD].

13 B. Petitioner, submitted for Writs Of Garnishment and Execution to be issued to  
14 the only known bank account of the Defendant, Clark County Credit Union.  
15 The Writs were served by the Las Vegas Constable's Office and returned  
16 unpaid along with an answered set of interrogatories and a statement that the  
17 account had been closed the day before the credit union was served and that  
18 defendant stated he "was moving to Minnesota." [Exhibit 5, Writs CCCU].

19  
20 Pursuant to NRS 645.844 (1), the petitioner may then file a verified petition  
21 for "an order directing payment out of [Real Estate Education, Research and  
22 Recovery] Fund, in the amount of unpaid actual damages included in the judgment.

## 23 CONCLUSION

24  
25  
26 Since MELANI SCHULTE by and through her counsel AMBERLEA  
27 DAVIS, have made all legal efforts to collect on the FINAL JUDGEMENT filed  
28

1 against Defendant/Licensee, WILLIAM R. SCHULTE, and have unsuccessfully  
2 been able to ascertain full payment for said Judgment, and therefore, request the  
3 court for an order directing payment out of the Real Estate Education Research and  
4 Recovery Fund, in satisfaction of said Judgment.

5 WHEREFORE, MELANI SCHULTE, prays for the Court to Order direct  
6 payment from the Real Estate Education Research and Recovery Fund, payable to  
7 MELANI SCHULTE as the Successor in Interest to 5609 SAN ARDO, LLC for  
8 actual damages in the amount of \$10,400.00.

9  
10 Dated this 25 of October 2017.

11  
12 

13 Attorney Amberlea Davis  
14 Nevada Bar #11551  
15 Attorney for: Petitioner  
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## VERIFICATION OF PETITION

Under penalty of perjury, I, Melani Schulte, declare that:

1. I am the successor in interest to 5609 SAN ARDO, LLC;
2. As the successor in interest, I am the petitioner in the foregoing petition;
3. I have read the foregoing petition and know the contents thereof;
4. The facts in the pleading are true and of my own knowledge, except as to those matters stated on information and belief, and that as to such matters I believe it to be true.

Dated this 25th day of October 2017.



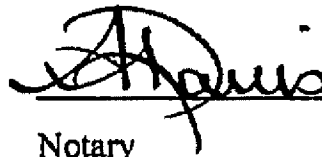
MELANI SCHULTE

State of Nevada     )  
                                  )ss.  
County of Clark    )

Signed and sworn to before me, Amberlea Davis on this 25th day of October 2017 by Melani Schulte.



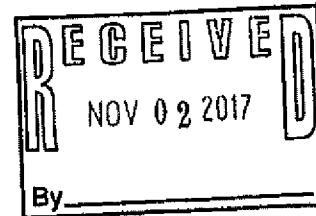
Amberlea Davis  
Notary for Public  
No: 14-14876-1  
Exp. Oct 30, 2018



Notary



*Steven D. Grierson*



**PET**  
**Amberlea Davis**  
Nevada Bar Number: 11551  
Law Offices of Amberlea Davis  
415 S. Sixth St, Ste 300  
Las Vegas, NV 89101  
Phone: (702) 440-8000  
Email: Amber@SheIsMyLawyer.com  
Attorney for: 5524 ROCK CREEK, LLC and  
Successor in Interest Melani Schulte

**DISTRICT COURT  
CLARK COUNTY NEVADA**

**MELANI SCHULTE,**

**Plaintiff,  
-vs-**

**WILLIAM R. SCHULTE,**  
**Defendants.**

**CASE: D-12-458809-D**

**DEPT: I**

**VERIFIED PETITION**

**VERIFIED PETITION FOR AN ORDER DIRECTING PAYMENT OUT OF  
THE EDUCATION RESEARCH RECOVERY FUND PURSUANT TO NRS  
645.841 TO 645.8494 INCLUSIVE**

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This motion is based upon the Nevada Revised Statutes ("NRS"); the Nevada Rules of Civil Procedure ("NRCP"); the Nevada Rules of Professional

**LAW OFFICES OF AMBERLEA DAVIS**  
416 S. 6th St., Ste. 300  
Las Vegas, Nevada 89101  
Telephone: 702.518-4377

1 Conduct ("NRPC"); the Nevada Rules of Appellate Procedure ("NRAP"); the  
2 Eighth Judicial District Court Rules ("EDCR"); the record on file in this case; the  
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5 Court may entertain at a hearing thereon.

### 6 7 MEMORANDUM OF POINTS AND AUTHORITIES

8  
9 Defendant/Licensee, WILLIAM R. SCHULTE, was the licensed broker and  
10 permitted property manager for Sabreco, Inc. As the Licensed Broker, the  
11 Defendant executed a lease on the residential property located 5524 ROCK  
12 CREEK LANE, LAS VEGAS. 5524 ROCK CREEK, LLC was the owner of the  
13 residential property. WILLIAM R. SCHULTE signed the lease on behalf of  
14 Petitioner and deposited Petitioner's funds into Sabreco trust accounts. Sabreco  
15 failed to remit the monies collected on behalf of Petitioner; instead, the Defendant  
16 used those funds to pay bank fees, write and sign checks to pay Sabreco bills, as  
17 well as paid monies to other clients or parties. WILLIAM R. SCHULTE and  
18 Sabreco also failed to reconcile the Sabreco trust accounts. Sabreco additionally  
19 failed to file annual reports to the Nevada Real Estate Division for three  
20 consecutive years (2009, 2010, and 2011), acted with fraud and misrepresentation  
21 or deceit when deliberately collecting, depositing, keeping and spending the funds  
22 belonging to Petitioner, and further failed to disclose those wrongful acts to  
23 Petitioner and obfuscating that information by not filing mandatory reports and not  
24 reconciling the bank statements monthly. [Exhibit 1<sup>1</sup>, Motion to Amend, see  
25 especially Exhibit 2 to the Motion] Ultimately, William R. Schulte's Nevada Real  
26

27  
28 <sup>1</sup> For purposes of recovery from the Fund, this Motion was the functional equivalent of a Complaint.

1 Estate licenses and permits were revoked.]

2 This court ordered a final judgment against William R. Schulte on the bases  
3 of fraud misrepresentation or deceit in the amount of \$14,590.00. [Exhibit 2,  
4 Order] and [Exhibit 3, Judgment].

5 Petitioner attempted to collect on the judgment, but the judgments were  
6 returned unsatisfied.

7  
8 A. Petitioner, submitted for Writs Of Garnishment and Execution to be issued to  
9 the Clark County School District. The Writs were served by the Las Vegas  
10 Constable's Office and the Writ of Garnishment returned unpaid along with  
11 an answered set of interrogatories and a statement that the Defendant had no  
12 payroll activity during the period. [Exhibit 4, Writs CCSD].

13 B. Petitioner, submitted for Writs Of Garnishment and Execution to be issued to  
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15 The Writs were served by the Las Vegas Constable's Office and returned  
16 unpaid along with an answered set of interrogatories and a statement that the  
17 account had been closed the day before the credit union was served and that  
18 defendant stated he "was moving to Minnesota." [Exhibit 5, Writs CCCU].

19  
20 Pursuant to NRS 645.844 (1), the petitioner may then file a verified petition  
21 for "an order directing payment out of [Real Estate Education, Research and  
22 Recovery] Fund, in the amount of unpaid actual damages included in the judgment.

23  
24 **CONCLUSION**

25  
26 Since MELANI SCHULTE by and through her counsel AMBERLEA  
27 DAVIS, have made all legal efforts to collect on the FINAL JUDGEMENT filed  
28


LAW OFFICES OF AMBERLEA DAVIS

416 S. 6th St., Ste. 300  
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Telephone: 702-518-4377

1 against Defendant/Licensee, WILLIAM R. SCHULTE, and have unsuccessfully  
2 been able to ascertain full payment for said Judgment, and therefore, request the  
3 court for an order directing payment out of the Real Estate Education Research and  
4 Recovery Fund, in satisfaction of said Judgment.

5 WHEREFORE, MELANI SCHULTE, prays for the Court to Order direct  
6 payment from the Real Estate Education Research and Recovery Fund, payable to  
7 MELANI SCHULTE as the Successor in Interest to 5524 ROCK CREEK, LLC for  
8 actual damages in the amount of \$14,590.00.

9  
10 Dated this 25 of October 2017.

11  
12   
13 Attorney Amberlea Davis  
14 Nevada Bar #11551  
15 Attorney for: Petitioner  
16  
17  
18  
19  
20  
21  
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28

## VERIFICATION OF PETITION

Under penalty of perjury, I, Melani Schulte, declare that:

1. I am the successor in interest to 5524 ROCK CREEK, LLC;
2. As the successor in interest, I am the petitioner in the foregoing petition;
3. I have read the foregoing petition and know the contents thereof;
4. The facts in the pleading are true and of my own knowledge, except as to those matters stated on information and belief, and that as to such matters I believe it to be true.

Dated this 25th day of October 2017.



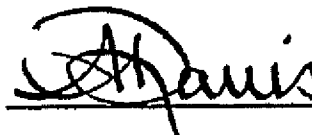
MELANI SCHULTE

State of Nevada    )  
                                  )ss.  
County of Clark    )

Signed and sworn to before me, Amberlea Davis on this 25th day of October  
2017 by Melani Schulte.

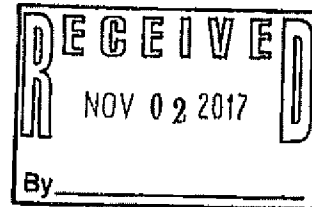


Amberlea Davis  
Notary for Public  
No: 14-14876-1  
Exp. Oct 30, 2018



Notary

*Steven D. Grierson*



**PET**

**Amberlea Davis**

**Nevada Bar Number: 11551**

**Law Offices of Amberlea Davis**

**415 S. Sixth St, Ste 300**

**Las Vegas, NV 89101**

**Phone: (702) 440-8000**

**Email: Amber@ShelsMyLawyer.com**

**Attorney for: 8216 PEACEFUL CANYON, LLC and**

**Successor in Interest Melani Schulte**

**DISTRICT COURT  
CLARK COUNTY NEVADA**

**MELANI SCHULTE,**

**Plaintiff,**

**-VS-**

**WILLIAM R. SCHULTE,**

**Defendants.**

**CASE: D-12-458809-D**

**DEPT: I**

**VERIFIED PETITION**

**VERIFIED PETITION FOR AN ORDER DIRECTING PAYMENT OUT OF  
THE EDUCATION RESEARCH RECOVERY FUND PURSUANT TO NRS  
645.841 TO 645.8494 INCLUSIVE**

COMES NOW Plaintiff/Petitioner, Melani Schulte, by and through her attorney of record AMBERLEA DAVIS, in the above-entitled matter and files this Petition to request the court for an order directing payment out of the Real Estate Education Research and Recovery Fund (ERRF), overseen by The Nevada Real Estate Division, in satisfaction of said Judgment.

This motion is based upon the Nevada Revised Statutes ("NRS"); the Nevada Rules of Civil Procedure ("NRCF"); the Nevada Rules of Professional

**LAW OFFICES OF AMBERLEA DAVIS**  
416 S. 6th St., Ste. 300  
Las Vegas, Nevada 89101  
Telephone: 702-518-4377

1 Conduct ("NRPC"); the Nevada Rules of Appellate Procedure ("NRAP"); the  
2 Eighth Judicial District Court Rules ("EDCR"); the record on file in this case; the  
3 attached Affidavit of Melani Schulte; the following memorandum of points and  
4 authorities; the evidence attached to the memorandum and any oral argument the  
5 Court may entertain at a hearing thereon.

6  
7 **MEMORANDUM OF POINTS AND AUTHORITIES**  
8

9 Defendant/Licensee, WILLIAM R. SCHULTE, was the licensed broker and  
10 permitted property manager for Sabreco, Inc. As the Licensed Broker, the  
11 Defendant executed a lease on the residential property located 8216 PEACEFUL  
12 CANYON DR, LAS VEGAS. 8216 PEACEFUL CANYON, LLC was the owner  
13 of the residential property. WILLIAM R. SCHULTE signed the lease on behalf of  
14 Petitioner and deposited Petitioner's funds into Sabreco trust accounts. Sabreco  
15 failed to remit the monies collected on behalf of Petitioner; instead, the Defendant  
16 used those funds to pay bank fees, write and sign checks to pay Sabreco bills, as  
17 well as paid monies to other clients or parties. WILLIAM R. SCHULTE and  
18 Sabreco also failed to reconcile the Sabreco trust accounts. Sabreco additionally  
19 failed to file annual reports to the Nevada Real Estate Division for three  
20 consecutive years (2009, 2010, and 2011), acted with fraud and misrepresentation  
21 or deceit when deliberately collecting, depositing, keeping and spending the funds  
22 belonging to Petitioner, and further failed to disclose those wrongful acts to  
23 Petitioner and obfuscating that information by not filing mandatory reports and not  
24 reconciling the bank statements monthly. [Exhibit 1<sup>1</sup>, Motion to Amend, see  
25 especially Exhibit 2 to the Motion] Ultimately, William R. Schulte's Nevada Real  
26

27  
28 <sup>1</sup> For purposes of recovery from the Fund, this Motion was the functional equivalent of a Complaint.

1 Estate licenses and permits were revoked.]

2 This court ordered a final judgment against William R. Schulte on the bases  
3 of fraud misrepresentation or deceit in the amount of \$10,715.00. [Exhibit 2,  
4 Order] and [Exhibit 3, Judgment].

5 Petitioner attempted to collect on the judgment, but the judgments were  
6 returned unsatisfied.

7  
8 A. Petitioner, submitted for Writs Of Garnishment and Execution to be issued to  
9 the Clark County School District. The Writs were served by the Las Vegas  
10 Constable's Office and the Writ of Garnishment returned unpaid along with  
11 an answered set of interrogatories and a statement that the Defendant had no  
12 payroll activity during the period. [Exhibit 4, Writs CCSD].

13 B. Petitioner, submitted for Writs Of Garnishment and Execution to be issued to  
14 the only known bank account of the Defendant, Clark County Credit Union.  
15 The Writs were served by the Las Vegas Constable's Office and returned  
16 unpaid along with an answered set of interrogatories and a statement that the  
17 account had been closed the day before the credit union was served and that  
18 defendant stated he "was moving to Minnesota." [Exhibit 5, Writs CCCU].

19  
20 Pursuant to NRS 645.844 (1), the petitioner may then file a verified petition  
21 for "an order directing payment out of [Real Estate Education, Research and  
22 Recovery] Fund, in the amount of unpaid actual damages included in the judgment.

## 23 CONCLUSION

24  
25  
26 Since MELANI SCHULTE by and through her counsel AMBERLEA  
27 DAVIS, have made all legal efforts to collect on the FINAL JUDGEMENT filed  
28



1 against Defendant/Licensee, WILLIAM R. SCHULTE, and have unsuccessfully  
2 been able to ascertain full payment for said Judgment, and therefore, request the  
3 court for an order directing payment out of the Real Estate Education Research and  
4 Recovery Fund, in satisfaction of said Judgment.

5 WHEREFORE, MELANI SCHULTE, prays for the Court to Order direct  
6 payment from the Real Estate Education Research and Recovery Fund, payable to  
7 MELANI SCHULTE as the Successor in Interest to 8216 PEACEFUL CANYON,  
8 LLC for actual damages in the amount of \$10,715.00.

9  
10 Dated this 25 of October 2017.

11  
12 

13 Attorney Amberlea Davis  
14 Nevada Bar #11551  
15 Attorney for: Petitioner  
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## VERIFICATION OF PETITION

Under penalty of perjury, I, Melani Schulte, declare that:

1. I am the successor in interest to 8216 PEACEFUL CANYON, LLC ;
2. As the successor in interest, I am the petitioner in the foregoing petition;
3. I have read the foregoing petition and know the contents thereof;
4. The facts in the pleading are true and of my own knowledge, except as to those matters stated on information and belief, and that as to such matters I believe it to be true.

Dated this 25th day of October 2017.



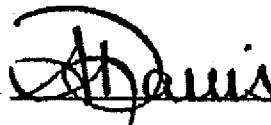
MELANI SCHULTE

State of Nevada     )  
                                  )ss.  
County of Clark    )

Signed and sworn to before me, Amberlea Davis on this 25th day of October 2017 by Melani Schulte.



Amberlea Davis  
Notary for Public  
No: 14-14876-1  
Exp. Oct 30, 2018



Notary

*Steven D. Grierson*

**PET**

**Amberlea Davis**

**Nevada Bar Number: 11551**

**Law Offices of Amberlea Davis**

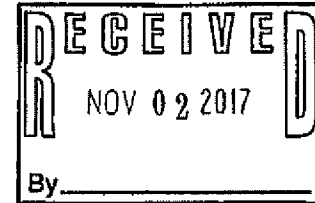
**415 S. Sixth St, Ste 300**

**Las Vegas, NV 89101**

**Phone: (702) 440-8000**

**Email: Amber@ShelsMyLawyer.com**

**Attorney for: 1341 MINUET, LLC and  
Successor in Interest Melani Schulte**



**DISTRICT COURT  
CLARK COUNTY NEVADA**

**MELANI SCHULTE,**

**Plaintiff,  
-vs-**

**WILLIAM R. SCHULTE,**

**Defendants.**

**CASE: D-12-458809-D**

**DEPT: I**

**VERIFIED PETITION**

**VERIFIED PETITION FOR AN ORDER DIRECTING PAYMENT OUT OF  
THE EDUCATION RESEARCH RECOVERY FUND PURSUANT TO NRS  
645.841 TO 645.8494 INCLUSIVE**

COMES NOW Plaintiff/Petitioner, Melani Schulte, by and through her attorney of record AMBERLEA DAVIS, in the above-entitled matter and files this Petition to request the court for an order directing payment out of the Real Estate Education Research and Recovery Fund (ERRF), overseen by The Nevada Real Estate Division, in satisfaction of said Judgment.

This motion is based upon the Nevada Revised Statutes ("NRS"); the Nevada Rules of Civil Procedure ("NRCP"); the Nevada Rules of Professional

1 Conduct ("NRPC"); the Nevada Rules of Appellate Procedure ("NRAP"); the  
2 Eighth Judicial District Court Rules ("EDCR"); the record on file in this case; the  
3 attached Affidavit of Melani Schulte; the following memorandum of points and  
4 authorities; the evidence attached to the memorandum and any oral argument the  
5 Court may entertain at a hearing thereon.

### 6 7 MEMORANDUM OF POINTS AND AUTHORITIES

8  
9 Defendant/Licensee, WILLIAM R. SCHULTE, was the licensed broker and  
10 permitted property manager for Sabreco, Inc. As the Licensed Broker, the  
11 Defendant executed a lease on the residential property located 1341 MINUET ST,  
12 HENDERSON. 1341 MINUET, LLC was the owner of the residential property.  
13 WILLIAM R. SCHULTE signed the lease on behalf of Petitioner and deposited  
14 Petitioner's funds into Sabreco trust accounts. Sabreco failed to remit the monies  
15 collected on behalf of Petitioner; instead, the Defendant used those funds to pay  
16 bank fees, write and sign checks to pay Sabreco bills, as well as paid monies to  
17 other clients or parties. WILLIAM R. SCHULTE and Sabreco also failed to  
18 reconcile the Sabreco trust accounts. Sabreco additionally failed to file annual  
19 reports to the Nevada Real Estate Division for three consecutive years (2009, 2010,  
20 and 2011), acted with fraud and misrepresentation or deceit when deliberately  
21 collecting, depositing, keeping and spending the funds belonging to Petitioner, and  
22 further failed to disclose those wrongful acts to Petitioner and obfuscating that  
23 information by not filing mandatory reports and not reconciling the bank  
24 statements monthly. [Exhibit 1<sup>1</sup>, Motion to Amend, see especially Exhibit 2 to the  
25 Motion] Ultimately, William R. Schulte's Nevada Real Estate licenses and permits

26  
27  
28 <sup>1</sup> For purposes of recovery from the Fund, this Motion was the functional equivalent of a Complaint.

1 were revoked.]

2 This court ordered a final judgment against William R. Schulte on the bases  
3 of fraud misrepresentation or deceit in the amount of \$12,402.71. [Exhibit 2,  
4 Order] and [Exhibit 3, Judgment].

5 Petitioner attempted to collect on the judgment, but the judgments were  
6 returned unsatisfied.

7  
8 A. Petitioner, submitted for Writs Of Garnishment and Execution to be issued to  
9 the Clark County School District. The Writs were served by the Las Vegas  
10 Constable's Office and the Writ of Garnishment returned unpaid along with  
11 an answered set of interrogatories and a statement that the Defendant had no  
12 payroll activity during the period. [Exhibit 4, Writs CCSD].

13 B. Petitioner, submitted for Writs Of Garnishment and Execution to be issued to  
14 the only known bank account of the Defendant, Clark County Credit Union.  
15 The Writs were served by the Las Vegas Constable's Office and returned  
16 unpaid along with an answered set of interrogatories and a statement that the  
17 account had been closed the day before the credit union was served and that  
18 defendant stated he "was moving to Minnesota." [Exhibit 5, Writs CCCU].  
19

20 Pursuant to NRS 645.844 (1), the petitioner may then file a verified petition  
21 for "an order directing payment out of [Real Estate Education, Research and  
22 Recovery] Fund, in the amount of unpaid actual damages included in the judgment.  
23

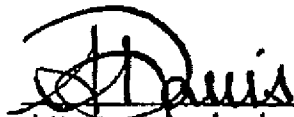
## 24 CONCLUSION

25  
26 Since MELANI SCHULTE by and through her counsel AMBERLEA  
27 DAVIS, have made all legal efforts to collect on the FINAL JUDGEMENT filed  
28

1 against Defendant/Licensee, WILLIAM R. SCHULTE, and have unsuccessfully  
2 been able to ascertain full payment for said Judgment, and therefore, request the  
3 court for an order directing payment out of the Real Estate Education Research and  
4 Recovery Fund, in satisfaction of said Judgment.

5 WHEREFORE, MELANI SCHULTE, prays for the Court to Order direct  
6 payment from the Real Estate Education Research and Recovery Fund, payable to  
7 MELANI SCHULTE as the Successor in Interest to 1341 MINUET, LLC for  
8 actual damages in the amount of \$12,402.71.

9  
10 Dated this 25 of October 2017.

11  
12   
13 Attorney Amberlea Davis  
14 Nevada Bar #11551  
15 Attorney for: Petitioner  
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28

## VERIFICATION OF PETITION

Under penalty of perjury, I, Melani Schulte, declare that:

1. I am the successor in interest to 1341 MINUET, LLC;
2. As the successor in interest, I am the petitioner in the foregoing petition;
3. I have read the foregoing petition and know the contents thereof;
4. The facts in the pleading are true and of my own knowledge, except as to those matters stated on information and belief, and that as to such matters I believe it to be true.

Dated this 25th day of October 2017.



MELANI SCHULTE

State of Nevada     )  
                                      )ss.  
County of Clark     )

Signed and sworn to before me, Amberlea Davis on this 25th day of October 2017 by Melani Schulte.



Amberlea Davis  
Notary for Public  
No: 14-14876-1  
Exp. Oct 30, 2018



Notary



**PET**  
**Amberlea Davis**  
Nevada Bar Number: 11551  
Law Offices of Amberlea Davis  
415 S. Sixth St, Ste 300  
Las Vegas, NV 89101  
Phone: (702) 440-8000  
Email: Amber@SheIsMyLawyer.com  
Attorney for: 2861 MARATHON, LLC and  
Successor in Interest Melani Schulte

**DISTRICT COURT**  
**CLARK COUNTY NEVADA**

**MELANI SCHULTE,**

**Plaintiff,**  
**-VS-**

**WILLIAM R. SCHULTE,**  
**Defendants.**

**CASE: D-12-458809-D**

**DEPT: I**

**VERIFIED PETITION**

**VERIFIED PETITION FOR AN ORDER DIRECTING PAYMENT OUT OF  
THE EDUCATION RESEARCH RECOVERY FUND PURSUANT TO NRS  
645.841 TO 645.8494 INCLUSIVE**

COMES NOW Plaintiff/Petitioner, Melani Schulte, by and through her attorney of record AMBERLEA DAVIS, in the above-entitled matter and files this Petition to request the court for an order directing payment out of the Real Estate Education Research and Recovery Fund (ERRF), overseen by The Nevada Real Estate Division, in satisfaction of said Judgment.

This motion is based upon the Nevada Revised Statutes ("NRS"); the Nevada Rules of Civil Procedure ("NRCP"); the Nevada Rules of Professional



1 Conduct ("NRPC"); the Nevada Rules of Appellate Procedure ("NRAP"); the  
2 Eighth Judicial District Court Rules ("EDCR"); the record on file in this case; the  
3 attached Affidavit of Melani Schulte; the following memorandum of points and  
4 authorities; the evidence attached to the memorandum and any oral argument the  
5 Court may entertain at a hearing thereon.

### 6 7 MEMORANDUM OF POINTS AND AUTHORITIES

8  
9 Defendant/Licensee, WILLIAM R. SCHULTE, was the licensed broker and  
10 permitted property manager for Sabreco, Inc. As the Licensed Broker, the  
11 Defendant executed a lease on the residential property located 2861 MARATHON  
12 DR, . 2861 MARATHON, LLC was the owner of the residential property.  
13 WILLIAM R. SCHULTE signed the lease on behalf of Petitioner and deposited  
14 Petitioner's funds into Sabreco trust accounts. Sabreco failed to remit the monies  
15 collected on behalf of Petitioner; instead, the Defendant used those funds to pay  
16 bank fees, write and sign checks to pay Sabreco bills, as well as paid monies to  
17 other clients or parties. WILLIAM R. SCHULTE and Sabreco also failed to  
18 reconcile the Sabreco trust accounts. Sabreco additionally failed to file annual  
19 reports to the Nevada Real Estate Division for three consecutive years (2009, 2010,  
20 and 2011), acted with fraud and misrepresentation or deceit when deliberately  
21 collecting, depositing, keeping and spending the funds belonging to Petitioner, and  
22 further failed to disclose those wrongful acts to Petitioner and obfuscating that  
23 information by not filing mandatory reports and not reconciling the bank  
24 statements monthly. [Exhibit 1<sup>1</sup>, Motion to Amend, see especially Exhibit 2 to the  
25 Motion] Ultimately, William R. Schulte's Nevada Real Estate licenses and permits  
26  
27

28 <sup>1</sup> For purposes of recovery from the Fund, this Motion was the functional equivalent of a Complaint.

1 were revoked.]

2 This court ordered a final judgment against William R. Schulte on the bases  
3 of fraud misrepresentation or deceit in the amount of \$11,228.75. [Exhibit 2,  
4 Order] and [Exhibit 3, Judgment].

5 Petitioner attempted to collect on the judgment, but the judgments were  
6 returned unsatisfied.

7  
8 A. Petitioner, submitted for Writs Of Garnishment and Execution to be issued to  
9 the Clark County School District. The Writs were served by the Las Vegas  
10 Constable's Office and the Writ of Garnishment returned unpaid along with  
11 an answered set of interrogatories and a statement that the Defendant had no  
12 payroll activity during the period. [Exhibit 4, Writs CCSD].

13 B. Petitioner, submitted for Writs Of Garnishment and Execution to be issued to  
14 the only known bank account of the Defendant, Clark County Credit Union.  
15 The Writs were served by the Las Vegas Constable's Office and returned  
16 unpaid along with an answered set of interrogatories and a statement that the  
17 account had been closed the day before the credit union was served and that  
18 defendant stated he "was moving to Minnesota." [Exhibit 5, Writs CCCU].

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20 Pursuant to NRS 645.844 (1), the petitioner may then file a verified petition  
21 for "an order directing payment out of [Real Estate Education, Research and  
22 Recovery] Fund, in the amount of unpaid actual damages included in the judgment.

## 23 CONCLUSION

24  
25  
26 Since MELANI SCHULTE by and through her counsel AMBERLEA  
27 DAVIS, have made all legal efforts to collect on the FINAL JUDGEMENT filed  
28


LAW OFFICES OF AMBERLEA DAVIS

416 S. 6th St., Ste. 300  
Las Vegas, Nevada 89101  
Telephone: 702-518-4377

1 against Defendant/Licensee, WILLIAM R. SCHULTE, and have unsuccessfully  
2 been able to ascertain full payment for said Judgment, and therefore, request the  
3 court for an order directing payment out of the Real Estate Education Research and  
4 Recovery Fund, in satisfaction of said Judgment.

5 WHEREFORE, MELANI SCHULTE, prays for the Court to Order direct  
6 payment from the Real Estate Education Research and Recovery Fund, payable to  
7 MELANI SCHULTE as the Successor in Interest to 2861 MARATHON, LLC for  
8 actual damages in the amount of \$11,228.75.

9  
10 Dated this 25 of October 2017.

11  
12  
13   
14 Attorney Amberlea Davis  
15 Nevada Bar #11551  
16 Attorney for: Petitioner  
17  
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27  
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## VERIFICATION OF PETITION

Under penalty of perjury, I, Melani Schulte, declare that:

1. I am the successor in interest to 2861 MARATHON, LLC ;
2. As the successor in interest, I am the petitioner in the foregoing petition;
3. I have read the foregoing petition and know the contents thereof;
4. The facts in the pleading are true and of my own knowledge, except as to those matters stated on information and belief, and that as to such matters I believe it to be true.

Dated this 25th day of October 2017.



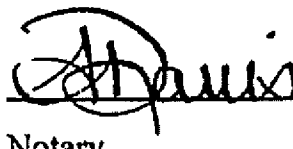
MELANI SCHULTE

State of Nevada     )  
                                      )ss.  
County of Clark     )

Signed and sworn to before me, Amberlea Davis on this 25th day of October 2017 by Melani Schulte.



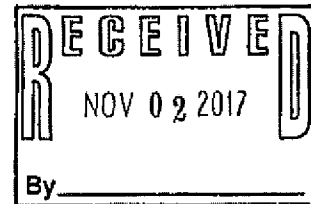
Amberlea Davis  
Notary for Public  
No: 14-14876-1  
Exp. Oct 30, 2018



Notary

*Steven D. Grierson*

**PET**  
**Amberlea Davis**  
Nevada Bar Number: 11551  
Law Offices of Amberlea Davis  
415 S. Sixth St, Ste 300  
Las Vegas, NV 89101  
Phone: (702) 440-8000  
Email: [Amber@SheIsMyLawyer.com](mailto:Amber@SheIsMyLawyer.com)  
Attorney for: CHERISH, LLC and  
Successor in Interest Melani Schulte



**DISTRICT COURT  
CLARK COUNTY NEVADA**

**MELANI SCHULTE,**

**Plaintiff,  
-vs-**

**WILLIAM R. SCHULTE,**  
**Defendants.**

**CASE: D-12-458809-D**

**DEPT: I**

**VERIFIED PETITION**

**VERIFIED PETITION FOR AN ORDER DIRECTING PAYMENT OUT OF  
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645.841 TO 645.8494 INCLUSIVE**

COMES NOW Plaintiff/Petitioner, Melani Schulte, by and through her attorney of record AMBERLEA DAVIS, in the above-entitled matter and files this Petition to request the court for an order directing payment out of the Real Estate Education Research and Recovery Fund (ERRF), overseen by The Nevada Real Estate Division, in satisfaction of said Judgment.

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**LAW OFFICES OF AMBERLEA DAVIS**  
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Telephone: 702.518-4377

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5 Court may entertain at a hearing thereon.

### 6 7 MEMORANDUM OF POINTS AND AUTHORITIES 8

9 Defendant/Licensee, WILLIAM R. SCHULTE, was the licensed broker and  
10 permitted property manager for Sabreco, Inc. As the Licensed Broker, the  
11 Defendant executed a lease on the residential property located 1407 HOMETOWN,  
12 HENDERSON. CHERISH, LLC was the owner of the residential property.  
13 WILLIAM R. SCHULTE signed the lease on behalf of Petitioner and deposited  
14 Petitioner's funds into Sabreco trust accounts. Sabreco failed to remit the monies  
15 collected on behalf of Petitioner; instead, the Defendant used those funds to pay  
16 bank fees, write and sign checks to pay Sabreco bills, as well as paid monies to  
17 other clients or parties. WILLIAM R. SCHULTE and Sabreco also failed to  
18 reconcile the Sabreco trust accounts. Sabreco additionally failed to file annual  
19 reports to the Nevada Real Estate Division for three consecutive years (2009, 2010,  
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21 collecting, depositing, keeping and spending the funds belonging to Petitioner, and  
22 further failed to disclose those wrongful acts to Petitioner and obfuscating that  
23 information by not filing mandatory reports and not reconciling the bank  
24 statements monthly. [Exhibit 1<sup>1</sup>, Motion to Amend, see especially Exhibit 2 to the  
25 Motion] Ultimately, William R. Schulte's Nevada Real Estate licenses and permits  
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3 of fraud misrepresentation or deceit in the amount of \$12,060.00. [Exhibit 2,  
4 Order] and [Exhibit 3, Judgment].

5 Petitioner attempted to collect on the judgment, but the judgments were  
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10 Constable's Office and the Writ of Garnishment returned unpaid along with  
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18 defendant stated he "was moving to Minnesota." [Exhibit 5, Writs CCCU].

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22 Recovery] Fund, in the amount of unpaid actual damages included in the judgment.

## 23 CONCLUSION

24  
25  
26 Since MELANI SCHULTE by and through her counsel AMBERLEA  
27 DAVIS, have made all legal efforts to collect on the FINAL JUDGEMENT filed  
28

1 against Defendant/Licensee, WILLIAM R. SCHULTE, and have unsuccessfully  
2 been able to ascertain full payment for said Judgment, and therefore, request the  
3 court for an order directing payment out of the Real Estate Education Research and  
4 Recovery Fund, in satisfaction of said Judgment.

5 WHEREFORE, MELANI SCHULTE, prays for the Court to Order direct  
6 payment from the Real Estate Education Research and Recovery Fund, payable to  
7 MELANI SCHULTE as the Successor in Interest to CHERISH, LLC for actual  
8 damages in the amount of \$12,060.00.

9  
10 Dated this 25 of October 2017.

11  
12 

13 Attorney Amberlea Davis  
14 Nevada Bar #11551  
15 Attorney for: Petitioner  
16  
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## VERIFICATION OF PETITION

Under penalty of perjury, I, Melani Schulte, declare that:

1. I am the successor in interest to CHERISH, LLC;
2. As the successor in interest, I am the petitioner in the foregoing petition;
3. I have read the foregoing petition and know the contents thereof;
4. The facts in the pleading are true and of my own knowledge, except as to those matters stated on information and belief, and that as to such matters I believe it to be true.

Dated this 25th day of October 2017.



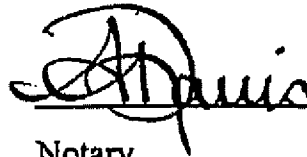
MELANI SCHULTE

State of Nevada     )  
                                      )ss.  
County of Clark     )

Signed and sworn to before me, Amberlea Davis on this 25th day of October 2017 by Melani Schulte.



Amberlea Davis  
Notary for Public  
No: 14-14876-1  
Exp. Oct 30, 2018



Notary

*Steven D. Grlerson*

**PET**

**Amberlea Davis**

Nevada Bar Number: 11551

Law Offices of Amberlea Davis

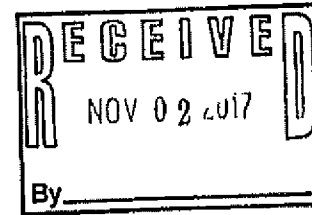
415 S. Sixth St, Ste 300

Las Vegas, NV 89101

Phone: (702) 440-8000

Email: [Amber@ShelsMyLawyer.com](mailto:Amber@ShelsMyLawyer.com)

Attorney for: 1701 EMPIRE MINE, LLC and  
Successor in Interest Melani Schulte



**DISTRICT COURT  
CLARK COUNTY NEVADA**

**MELANI SCHULTE,**

**Plaintiff,  
-vs-**

**WILLIAM R. SCHULTE,**

**Defendants.**

**CASE: D-12-458809-D**

**DEPT: I**

**VERIFIED PETITION**

**VERIFIED PETITION FOR AN ORDER DIRECTING PAYMENT OUT OF  
THE EDUCATION RESEARCH RECOVERY FUND PURSUANT TO NRS  
645.841 TO 645.8494 INCLUSIVE**

COMES NOW Plaintiff/Petitioner, Melani Schulte, by and through her attorney of record AMBERLEA DAVIS, in the above-entitled matter and files this Petition to request the court for an order directing payment out of the Real Estate Education Research and Recovery Fund (ERRF), overseen by The Nevada Real Estate Division, in satisfaction of said Judgment.

This motion is based upon the Nevada Revised Statutes ("NRS"); the Nevada Rules of Civil Procedure ("NRCP"); the Nevada Rules of Professional

**LAW OFFICES OF AMBERLEA DAVIS**  
415 S. 6th St., Ste. 300  
Las Vegas, Nevada 89101  
Telephone: 702-518-4377

1 Conduct ("NRPC"); the Nevada Rules of Appellate Procedure ("NRAP"); the  
2 Eighth Judicial District Court Rules ("EDCR"); the record on file in this case; the  
3 attached Affidavit of Melani Schulte; the following memorandum of points and  
4 authorities; the evidence attached to the memorandum and any oral argument the  
5 Court may entertain at a hearing thereon.

### 6 7 MEMORANDUM OF POINTS AND AUTHORITIES

8  
9 Defendant/Licensee, WILLIAM R. SCHULTE, was the licensed broker and  
10 permitted property manager for Sabreco, Inc. As the Licensed Broker, the  
11 Defendant executed a lease on the residential property located 1701 EMPIRE  
12 MINE DR, HENDERSON. 1701 EMPIRE MINE, LLC was the owner of the  
13 residential property. WILLIAM R. SCHULTE signed the lease on behalf of  
14 Petitioner and deposited Petitioner's funds into Sabreco trust accounts. Sabreco  
15 failed to remit the monies collected on behalf of Petitioner; instead, the Defendant  
16 used those funds to pay bank fees, write and sign checks to pay Sabreco bills, as  
17 well as paid monies to other clients or parties. WILLIAM R. SCHULTE and  
18 Sabreco also failed to reconcile the Sabreco trust accounts. Sabreco additionally  
19 failed to file annual reports to the Nevada Real Estate Division for three  
20 consecutive years (2009, 2010, and 2011), acted with fraud and misrepresentation  
21 or deceit when deliberately collecting, depositing, keeping and spending the funds  
22 belonging to Petitioner, and further failed to disclose those wrongful acts to  
23 Petitioner and obfuscating that information by not filing mandatory reports and not  
24 reconciling the bank statements monthly. [Exhibit 1<sup>1</sup>, Motion to Amend, see  
25 especially Exhibit 2 to the Motion] Ultimately, William R. Schulte's Nevada Real  
26

27  
28 <sup>1</sup> For purposes of recovery from the Fund, this Motion was the functional equivalent of a Complaint.

1 Estate licenses and permits were revoked.]

2 This court ordered a final judgment against William R. Schulte on the bases  
3 of fraud misrepresentation or deceit in the amount of \$10,900.00. [Exhibit 2,  
4 Order] and [Exhibit 3, Judgment].

5 Petitioner attempted to collect on the judgment, but the judgments were  
6 returned unsatisfied.

7  
8 A. Petitioner, submitted for Writs Of Garnishment and Execution to be issued to  
9 the Clark County School District. The Writs were served by the Las Vegas  
10 Constable's Office and the Writ of Garnishment returned unpaid along with  
11 an answered set of interrogatories and a statement that the Defendant had no  
12 payroll activity during the period. [Exhibit 4, Writs CCSD].

13 B. Petitioner, submitted for Writs Of Garnishment and Execution to be issued to  
14 the only known bank account of the Defendant, Clark County Credit Union.  
15 The Writs were served by the Las Vegas Constable's Office and returned  
16 unpaid along with an answered set of interrogatories and a statement that the  
17 account had been closed the day before the credit union was served and that  
18 defendant stated he "was moving to Minnesota." [Exhibit 5, Writs CCCU].

19  
20 Pursuant to NRS 645.844 (1), the petitioner may then file a verified petition  
21 for "an order directing payment out of [Real Estate Education, Research and  
22 Recovery] Fund, in the amount of unpaid actual damages included in the judgment.

## 23 CONCLUSION

24  
25  
26 Since MELANI SCHULTE by and through her counsel AMBERLEA  
27 DAVIS, have made all legal efforts to collect on the FINAL JUDGEMENT filed  
28

1 against Defendant/Licensee, WILLIAM R. SCHULTE, and have unsuccessfully  
2 been able to ascertain full payment for said Judgment, and therefore, request the  
3 court for an order directing payment out of the Real Estate Education Research and  
4 Recovery Fund, in satisfaction of said Judgment.

5 WHEREFORE, MELANI SCHULTE, prays for the Court to Order direct  
6 payment from the Real Estate Education Research and Recovery Fund, payable to  
7 MELANI SCHULTE as the Successor in Interest to 1701 EMPIRE MINE, LLC for  
8 actual damages in the amount of \$10,900.00.

9  
10 Dated this 25 of October 2017.

11  
12 

13 Attorney Amberlea Davis  
14 Nevada Bar #11551  
15 Attorney for: Petitioner  
16  
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## VERIFICATION OF PETITION

Under penalty of perjury, I, Melani Schulte, declare that:

1. I am the successor in interest to 1701 EMPIRE MINE, LLC;
2. As the successor in interest, I am the petitioner in the foregoing petition;
3. I have read the foregoing petition and know the contents thereof;
4. The facts in the pleading are true and of my own knowledge, except as to those matters stated on information and belief, and that as to such matters I believe it to be true.

Dated this 25th day of October 2017.



MELANI SCHULTE

State of Nevada     )  
                                  )ss.  
County of Clark    )

Signed and sworn to before me, Amberlea Davis on this 25th day of October 2017 by Melani Schulte.

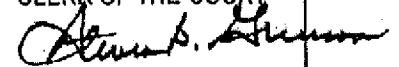


Amberlea Davis  
Notary for Public  
No: 14-14876-1  
Exp. Oct 30, 2018



Notary

# ATTACHMENT 2



**JUDG**

**Amberlea Davis**  
Nevada Bar Number: 11551  
Law Offices of Amberlea Davis  
415 S. Sixth St, Ste 300  
Las Vegas, NV 89101  
Phone: (702) 440-8000  
Email: Amber@ShelsMyLawyer.com  
Attorney for: Melani Schulte

**DISTRICT COURT  
CLARK COUNTY NEVADA**

MELANI SCHULTE,

Plaintiff,  
-vs-

WILLIAM R. SCHULTE,

Defendants.

CASE: D-12-458809-D

DEPT: 1

**FINAL JUDGMENT IN FAVOR OF MELANI SCHULTE AND  
AGAINST WILLIAM R. SCHULTE**

THIS MATTER came for a hearing on March 8, 2017 and an evidentiary hearing on April 3, 2017 regarding omitted assets and debts and to determine who bears responsibility for omitted debts that had not been determined at the trial pursuant to NRS 125.150(3) and if a fraud, misrepresentation or deceit component exists. Plaintiff Melani Schulte was present at both hearings and proffered testimony. At the March 8<sup>th</sup> hearing, Melani Schulte was represented by attorney Randy Richards of the law firm Kelleher & Kelleher, LLC and attorney Amberlea Davis. At the April 3<sup>rd</sup> evidentiary hearing, Melani Schulte was represented by attorney John Kelleher of the law firm Kelleher & Kelleher, LLC and Attorney Amberlea Davis. William R. Schulte filed an opposition, was at the March 8<sup>th</sup> hearing in proper person and proffered testimony. William R. Schulte failed to appear at the April 3<sup>rd</sup> evidentiary hearing.

The Court having reviewed the papers and pleadings on file herein, having heard the



1 arguments of counsel and testimony, having heard the evidence, having been fully apprised as to  
2 the facts and matters herein, and for good cause appearing ORDERED, ADJUDGED and  
3 DECREED:

- 4  
5 1. The Court finds that Plaintiff met her burden by providing this court admissible  
6 evidence to support the requested relief. The Court finds that Plaintiff has proved up  
7 all requested damages.
- 8 2. The Court finds that William R. Schulte was the Licensed Broker and Permitted  
9 Property Manager for Sabreco, Inc. ("Sabreco"). William R. Schulte as Broker of  
10 Sabreco executed a lease for the Robert and Renee Arciszewski ("Arciszewskis") .  
11 Sabreco collected rents and security deposits on behalf of Arciszewskis and deposited  
12 those funds into Sabreco trust accounts for which William R. Schulte had sole  
13 signatory authority. From these trust accounts, Sabreco paid bank fees and William  
14 R. Schulte signed checks to pay Sabreco bills, paid monies to other clients or parties  
15 with the monies belonging to Arciszewskis. Sabreco failed to remit the monies  
16 collected for the Arciszewskis to the Arciszewskis. William R. Schulte failed to  
17 reconcile the Sabreco trust accounts and failed to file annual reports to the Nevada  
18 Real Estate Division ("NRED") for three consecutive years 2009-2011. William R.  
19 Schulte acted with fraud, misrepresentation or deceit when deliberately collecting,  
20 depositing, keeping and spending the funds belonging to the Arciszewskis, and  
21 failing to disclose those wrongful acts to the Arciszewskis and obfuscating that  
22 information by not filing mandatory reports and not reconciling the bank statements  
23 monthly.
- 24 3. The Arciszewskis received a judgment against Melani Schulte for the amount of  
25 \$1,556.00 for these acts committed by Sabreco and William R. Schulte in Small  
26 Claims court case 14-A-003291.
- 27 4. In a previous contempt hearing the Court found that William R. Schulte was entrusted  
28

1 to run the daily operations of Sabreco during the divorce and his management  
2 resulted in a discrepancy in excess of \$200,000 for which William R. Schulte has not  
3 accounted.

4 TOTAL MONETARY JUDGMENT

5 Melani Schulte, is awarded a monetary judgment: In the amount of \$1,556 for the return of rents,  
6 tenant security deposit and owner's deposit collected by Sabreco and William R. Schulte on  
7 behalf of the Arciszewskis but not paid to the Arciszewskis and for which Melani Schulte had to  
8 pay; Against William R. Schulte; On the grounds of fraud, misrepresentation or deceit;  
9 collectable by all lawful means by Melani Schulte; and With interest to begin accruing at the  
10 legal rate (prime rate plus 2%) on the date following the entry of the judgment.


11  
12 IT IS SO ORDERED this 16 day of May 2017.

13  
14   
15 DISTRICT COURT JUDGE

16  
17 Submitted by:

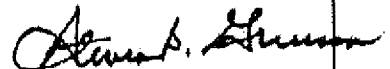
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20 /s Amberlea Davis  
21 Attorney Amberlea Davis  
22 Nevada Bar #11551

23 

24  
25 AUG 18 2017

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27 CERTIFIED COPY  
28 DOCUMENT ATTACHED IS A  
TRUE AND CORRECT COPY  
OF THE DOCUMENT ON FILE



**JUDG**

**Amberlea Davis**

Nevada Bar Number: 11551

Law Offices of Amberlea Davis

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Las Vegas, NV 89101

Phone: (702) 440-8000

Email: Amber@ShesMyLawyer.com

Attorney for; 9521 SIERRA SUMMIT, LLC and

Successor in Interest Melani Schulte

**DISTRICT COURT  
CLARK COUNTY NEVADA**

MELANI SCHULTE,

Plaintiff,

-vs-

WILLIAM R. SCHULTE,

Defendants.

CASE: D-12-458809-D

DEPT: I

**FINAL JUDGMENT IN FAVOR OF 9521 SIERRA SUMMIT, LLC AND  
AGAINST WILLIAM R. SCHULTE**

THIS MATTER came for a hearing on March 8, 2017 and an evidentiary hearing on April 3, 2017 regarding omitted assets and debts and to determine who bears responsibility for omitted debts that had not been determined at the trial pursuant to NRS 125.150(3) and if a fraud, misrepresentation or deceit component exists. Plaintiff Melani Schulte was present at both hearings and proffered testimony. At the March 8<sup>th</sup> hearing, Melani Schulte was represented by attorney Randy Richards of the law firm Kelleher & Kelleher, LLC and attorney Amberlea Davis. At the April 3<sup>rd</sup> evidentiary hearing, Melani Schulte was represented by attorney John Kelleher of the law firm Kelleher & Kelleher, LLC and Attorney Amberlea Davis. William R. Schulte filed an opposition, was at the March 8<sup>th</sup> hearing in proper person and proffered testimony. William R. Schulte failed to appear at the April 3<sup>rd</sup> evidentiary hearing.

1 The Court having reviewed the papers and pleadings on file herein, having heard the  
2 arguments of counsel and testimony, having heard the evidence, having been fully apprised as to  
3 the facts and matters herein, and for good cause appearing ORDERED, ADJUDGED and  
4 DECREED:

5  
6 52. The Court finds that Plaintiff met her burden by providing this court admissible  
7 evidence to support the requested relief. The Court finds that Plaintiff has proved up  
8 all requested damages.

9 53. The Court finds that William R. Schulte was the Licensed Broker and Permitted  
10 Property Manager for Sabreco, Inc. ("Sabreco"). William R. Schulte as Broker of  
11 Sabreco executed a lease for 9521 SIERRA SUMMIT, LLC . Sabreco collected rents  
12 and security deposits on behalf of 9521 SIERRA SUMMIT, LLC and deposited  
13 those funds into Sabreco trust accounts for which William R. Schulte had sole  
14 signatory authority. From these trust accounts, Sabreco paid bank fees and William  
15 R. Schulte signed checks to pay Sabreco bills, paid monies to other clients or parties  
16 with the monies belonging to 9521 SIERRA SUMMIT, LLC . Sabreco failed to remit  
17 the monies collected for 9521 SIERRA SUMMIT, LLC to 9521 SIERRA SUMMIT,  
18 LLC . William R. Schulte failed to reconcile the Sabreco trust accounts and failed to  
19 file annual reports to the Nevada Real Estate Division ("NRED") for three  
20 consecutive years 2009-2011. William R. Schulte acted with fraud, misrepresentation  
21 or deceit when deliberately collecting, depositing, keeping and spending the funds  
22 belonging to 9521 SIERRA SUMMIT, LLC , and failing to disclose those wrongful  
23 acts to 9521 SIERRA SUMMIT, LLC and obfuscating that information by not filing  
24 mandatory reports and not reconciling the bank statements monthly.

25 54. In a previous contempt hearing the Court found that William R. Schulte was entrusted  
26 to run the daily operations of Sabreco during the divorce and his management  
27 resulted in a discrepancy in excess of \$200,000 for which William R. Schulte has not  
28

1 accounted.

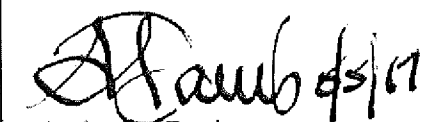
2 TOTAL MONETARY JUDGMENT

3 9521 SIERRA SUMMIT, LLC , the property owner, is awarded a monetary judgment: In the  
4 amount of \$11,093.00 for \$9,443.00 of rents collected by Sabreco on behalf of the property  
5 owner but not paid to the property owner and the security deposit of \$1,650.00 collected which  
6 was collected by Sabreco for which 9521 SIERRA SUMMIT, LLC was liable; Against William  
7 R. Schulte; On the grounds of fraud, misrepresentation or deceit; collectable by all lawful means  
8 by the 9521 SIERRA SUMMIT, LLC or Melani Schulte as the Successor in Interest to 9521  
9 SIERRA SUMMIT, LLC ; and With interest to begin accruing at the legal rate (prime rate plus  
10 2%) on the date following the entry of the judgment.

11  
12 IT IS SO ORDERED this 16 day of May 2017.

13  
14   
15 DISTRICT COURT JUDGE

16  
17 Submitted by:

18 

19 /s/ Amberlea Davis  
20 Attorney Amberlea Davis  
21 Nevada Bar #11551

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**JUDG****Amberlea Davis**

Nevada Bar Number: 11551

Law Offices of Amberlea Davis

415 S. Sixth St, Ste 300

Las Vegas, NV 89101

Phone: (702) 440-8000

Email: Amber@ShelsMyLawyer.com

Attorney for: 5609 SAN ARDO, LLC and

Successor in Interest Melani Schulte

**DISTRICT COURT  
CLARK COUNTY NEVADA**

MELANI SCHULTE,

Plaintiff,

-vs-

WILLIAM R. SCHULTE,

Defendants.

CASE: D-12-458809-D

DEPT: 1

**FINAL JUDGMENT IN FAVOR OF 5609 SAN ARDO, LLC AND  
AGAINST WILLIAM R. SCHULTE**

THIS MATTER came for a hearing on March 8, 2017 and an evidentiary hearing on April 3, 2017 regarding omitted assets and debts and to determine who bears responsibility for omitted debts that had not been determined at the trial pursuant to NRS 125.150(3) and if a fraud, misrepresentation or deceit component exists. Plaintiff Melani Schulte was present at both hearings and proffered testimony. At the March 8<sup>th</sup> hearing, Melani Schulte was represented by attorney Randy Richards of the law firm Kelleher & Kelleher, LLC and attorney Amberlea Davis. At the April 3<sup>rd</sup> evidentiary hearing, Melani Schulte was represented by attorney John Kelleher of the law firm Kelleher & Kelleher, LLC and Attorney Amberlea Davis. William R. Schulte filed an opposition, was at the March 8<sup>th</sup> hearing in proper person and proffered testimony. William R. Schulte failed to appear at the April 3<sup>rd</sup> evidentiary hearing.

1 The Court having reviewed the papers and pleadings on file herein, having heard the  
2 arguments of counsel and testimony, having heard the evidence, having been fully apprised as to  
3 the facts and matters herein, and for good cause appearing ORDERED, ADJUDGED and  
4 DECREED:

5  
6 49. The Court finds that Plaintiff met her burden by providing this court admissible  
7 evidence to support the requested relief. The Court finds that Plaintiff has proved up  
8 all requested damages.

9 50. The Court finds that William R. Schulte was the Licensed Broker and Permitted  
10 Property Manager for Sabreco, Inc. ("Sabreco"). William R. Schulte as Broker of  
11 Sabreco executed a lease for 5609 SAN ARDO, LLC. Sabreco collected rents and  
12 security deposits on behalf of 5609 SAN ARDO, LLC and deposited those funds into  
13 Sabreco trust accounts for which William R. Schulte had sole signatory authority.  
14 From these trust accounts, Sabreco paid bank fees and William R. Schulte signed  
15 checks to pay Sabreco bills, paid monies to other clients or parties with the monies  
16 belonging to 5609 SAN ARDO, LLC. Sabreco failed to remit the monies collected  
17 for 5609 SAN ARDO, LLC to 5609 SAN ARDO, LLC. William R. Schulte failed to  
18 reconcile the Sabreco trust accounts and failed to file annual reports to the Nevada  
19 Real Estate Division ("NRED") for three consecutive years 2009-2011. William R.  
20 Schulte acted with fraud, misrepresentation or deceit when deliberately collecting,  
21 depositing, keeping and spending the funds belonging to 5609 SAN ARDO, LLC,  
22 and failing to disclose those wrongful acts to 5609 SAN ARDO, LLC and  
23 obfuscating that information by not filing mandatory reports and not reconciling the  
24 bank statements monthly.

25 51. In a previous contempt hearing the Court found that William R. Schulte was entrusted  
26 to run the daily operations of Sabreco during the divorce and his management  
27 resulted in a discrepancy in excess of \$200,000 for which William R. Schulte has not  
28

1 accounted.

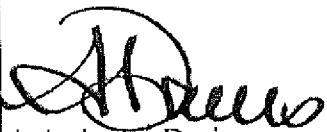
2 TOTAL MONETARY JUDGMENT

3 5609 SAN ARDO, LLC, the property owner, is awarded a monetary judgment: In the amount of  
4 \$10,400.00 for \$9,200.00 of rents collected by Sabreco on behalf of the property owner but not  
5 paid to the property owner and the security deposit of \$1,200.00 collected which was collected  
6 by Sabreco for which 5609 SAN ARDO, LLC was liable; Against William R. Schulte; On the  
7 grounds of fraud, misrepresentation or deceit; collectable by all lawful means by the 5609 SAN  
8 ARDO, LLC or Melani Schulte as the Successor in Interest to 5609 SAN ARDO, LLC; and With  
9 interest to begin accruing at the legal rate (prime rate plus 2%) on the date following the entry of  
10 the judgment.

11 IT IS SO ORDERED this 16 day of May 2017.

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15 DISTRICT COURT JUDGE

16 Submitted by:

17  
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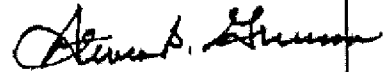
19 /s/ Amberlea Davis  
20 Attorney Amberlea Davis  
21 Nevada Bar #11551

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25 AUG 18 2017

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**JUDG****Amberlea Davis**

Nevada Bar Number: 11551

Law Offices of Amberlea Davis

415 S. Sixth St, Ste 300

Las Vegas, NV 89101

Phone: (702) 440-8000

Email: Amber@ShesMyLawyer.com

Attorney for: 5524 ROCK CREEK, LLC and

Successor in Interest Melani Schulte

**DISTRICT COURT  
CLARK COUNTY NEVADA**

MELANI SCHULTE,

Plaintiff,

-vs-

WILLIAM R. SCHULTE,

Defendants.

CASE: D-12-458809-D

DEPT: I

**FINAL JUDGMENT IN FAVOR OF 5524 ROCK CREEK, LLC AND  
AGAINST WILLIAM R. SCHULTE**

THIS MATTER came for a hearing on March 8, 2017 and an evidentiary hearing on April 3, 2017 regarding omitted assets and debts and to determine who bears responsibility for omitted debts that had not been determined at the trial pursuant to NRS 125.150(3) and if a fraud, misrepresentation or deceit component exists. Plaintiff Melani Schulte was present at both hearings and proffered testimony. At the March 8<sup>th</sup> hearing, Melani Schulte was represented by attorney Randy Richards of the law firm Kelleher & Kelleher, LLC and attorney Amberlea Davis. At the April 3<sup>rd</sup> evidentiary hearing, Melani Schulte was represented by attorney John Kelleher of the law firm Kelleher & Kelleher, LLC and Attorney Amberlea Davis. William R. Schulte filed an opposition, was at the March 8<sup>th</sup> hearing in proper person and proffered testimony. William R. Schulte failed to appear at the April 3<sup>rd</sup> evidentiary hearing.

1 The Court having reviewed the papers and pleadings on file herein, having heard the  
2 arguments of counsel and testimony, having heard the evidence, having been fully apprised as to  
3 the facts and matters herein, and for good cause appearing ORDERED, ADJUDGED and  
4 DECREED:

5  
6 46. The Court finds that Plaintiff met her burden by providing this court admissible  
7 evidence to support the requested relief. The Court finds that Plaintiff has proved up  
8 all requested damages.

9 47. The Court finds that William R. Schulte was the Licensed Broker and Permitted  
10 Property Manager for Sabreco, Inc. ("Sabreco"). William R. Schulte as Broker of  
11 Sabreco executed a lease for 5524 ROCK CREEK, LLC. Sabreco collected rents and  
12 security deposits on behalf of 5524 ROCK CREEK, LLC and deposited those funds  
13 into Sabreco trust accounts for which William R. Schulte had sole signatory  
14 authority. From these trust accounts, Sabreco paid bank fees and William R. Schulte  
15 signed checks to pay Sabreco bills, paid monies to other clients or parties with the  
16 monies belonging to 5524 ROCK CREEK, LLC. Sabreco failed to remit the monies  
17 collected for 5524 ROCK CREEK, LLC to 5524 ROCK CREEK, LLC. William R.  
18 Schulte failed to reconcile the Sabreco trust accounts and failed to file annual reports  
19 to the Nevada Real Estate Division ("NRED") for three consecutive years 2009-2011.  
20 William R. Schulte acted with fraud, misrepresentation or deceit when deliberately  
21 collecting, depositing, keeping and spending the funds belonging to 5524 ROCK  
22 CREEK, LLC, and failing to disclose those wrongful acts to 5524 ROCK CREEK,  
23 LLC and obfuscating that information by not filing mandatory reports and not  
24 reconciling the bank statements monthly.

25 48. In a previous contempt hearing the Court found that William R. Schulte was entrusted  
26 to run the daily operations of Sabreco during the divorce and his management  
27 resulted in a discrepancy in excess of \$200,000 for which William R. Schulte has not  
28

1 accounted.


2 TOTAL MONETARY JUDGMENT

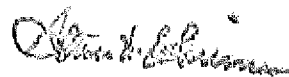
3 5524 ROCK CREEK, LLC, the property owner, is awarded a monetary judgment: In the amount  
4 of \$14,590.00 for \$13,440.00 of rents collected by Sabreco on behalf of the property owner but  
5 not paid to the property owner and the security deposit of \$1,150.00 collected which was  
6 collected by Sabreco for which 5524 ROCK CREEK, LLC was liable; Against William R.  
7 Schulte; On the grounds of fraud, misrepresentation or deceit; collectable by all lawful means by  
8 the 5524 ROCK CREEK, LLC or Melani Schulte as the Successor in Interest to 5524 ROCK  
9 CREEK, LLC; and With interest to begin accruing at the legal rate (prime rate plus 2%) on the  
10 date following the entry of the judgment.

11  
12 IT IS SO ORDERED this 16 day of May 2017.

13  
14   
15 DISTRICT COURT JUDGE

16  
17 Submitted by:

18   
19 /s Amberlea Davis  
20 Attorney Amberlea Davis  
21 Nevada Bar #11551

22 

23 AUG 18 2017

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25 DOCUMENT ATTACHED IS A  
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27 OF THE DOCUMENT ON FILE  
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**JUDG**

**Amberlea Davis**  
Nevada Bar Number: 11551  
Law Offices of Amberlea Davis  
415 S. Sixth St, Ste 300  
Las Vegas, NV 89101  
Phone: (702) 440-8000  
Email: Amber@ShelsMyLawyer.com  
Attorney for: 8216 PEACEFUL CANYON, LLC and  
Successor in Interest Melani Schulte

**DISTRICT COURT**  
**CLARK COUNTY NEVADA**

MELANI SCHULTE,

Plaintiff,  
-vs-

WILLIAM R. SCHULTE,

Defendants.

CASE: D-12-458809-D

DEPT: 1

**FINAL JUDGMENT IN FAVOR OF 8216 PEACEFUL CANYON, LLC AND**  
**AGAINST WILLIAM R. SCHULTE**

THIS MATTER came for a hearing on March 8, 2017 and an evidentiary hearing on April 3, 2017 regarding omitted assets and debts and to determine who bears responsibility for omitted debts that had not been determined at the trial pursuant to NRS 125.150(3) and if a fraud, misrepresentation or deceit component exists. Plaintiff Melani Schulte was present at both hearings and proffered testimony. At the March 8<sup>th</sup> hearing, Melani Schulte was represented by attorney Randy Richards of the law firm Kelleher & Kelleher, LLC and attorney Amberlea Davis. At the April 3<sup>rd</sup> evidentiary hearing, Melani Schulte was represented by attorney John Kelleher of the law firm Kelleher & Kelleher, LLC and Attorney Amberlea Davis. William R. Schulte filed an opposition, was at the March 8<sup>th</sup> hearing in proper person and proffered testimony. William R. Schulte failed to appear at the April 3<sup>rd</sup> evidentiary hearing.

1 The Court having reviewed the papers and pleadings on file herein, having heard the  
2 arguments of counsel and testimony, having heard the evidence, having been fully apprised as to  
3 the facts and matters herein, and for good cause appearing ORDERED, ADJUDGED and  
4 DECREED:

5  
6 43. The Court finds that Plaintiff met her burden by providing this court admissible  
7 evidence to support the requested relief. The Court finds that Plaintiff has proved up  
8 all requested damages.

9 44. The Court finds that William R. Schulte was the Licensed Broker and Permitted  
10 Property Manager for Sabreco, Inc. ("Sabreco"). William R. Schulte as Broker of  
11 Sabreco executed a lease for 8216 PEACEFUL CANYON, LLC . Sabreco collected  
12 rents and security deposits on behalf of 8216 PEACEFUL CANYON, LLC and  
13 deposited those funds into Sabreco trust accounts for which William R. Schulte had  
14 sole signatory authority. From these trust accounts, Sabreco paid bank fees and  
15 William R. Schulte signed checks to pay Sabreco bills, paid monies to other clients or  
16 parties with the monies belonging to 8216 PEACEFUL CANYON, LLC . Sabreco  
17 failed to remit the monies collected for 8216 PEACEFUL CANYON, LLC to 8216  
18 PEACEFUL CANYON, LLC . William R. Schulte failed to reconcile the Sabreco  
19 trust accounts and failed to file annual reports to the Nevada Real Estate Division  
20 ("NRED") for three consecutive years 2009-2011. William R. Schulte acted with  
21 fraud, misrepresentation or deceit when deliberately collecting, depositing, keeping  
22 and spending the funds belonging to 8216 PEACEFUL CANYON, LLC , and failing  
23 to disclose those wrongful acts to 8216 PEACEFUL CANYON, LLC and  
24 obfuscating that information by not filing mandatory reports and not reconciling the  
25 bank statements monthly.

26 45. In a previous contempt hearing the Court found that William R. Schulte was entrusted  
27 to run the daily operations of Sabreco during the divorce and his management  
28

1 resulted in a discrepancy in excess of \$200,000 for which William R. Schulte has not  
2 accounted.


3 **TOTAL MONETARY JUDGMENT**


4 8216 PEACEFUL CANYON, LLC, the property owner, is awarded a monetary judgment: In the  
5 amount of \$10,715.00 for \$9,065.00 of rents collected by Sabreco on behalf of the property  
6 owner but not paid to the property owner and the security deposit of \$1,650.00 collected which  
7 was collected by Sabreco for which 8216 PEACEFUL CANYON, LLC was liable; Against  
8 William R. Schulte; On the grounds of fraud, misrepresentation or deceit; collectable by all  
9 lawful means by the 8216 PEACEFUL CANYON, LLC or Melani Schulte as the Successor in  
10 Interest to 8216 PEACEFUL CANYON, LLC; and With interest to begin accruing at the legal  
11 rate (prime rate plus 2%) on the date following the entry of the judgment,


12 IT IS SO ORDERED this 16 day of May 2017.

13  
14   
15 DISTRICT COURT JUDGE  
16

17 Submitted by:

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20 /s Amberlea Davis  
21 Attorney Amberlea Davis  
22 Nevada Bar #11551

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TRUE AND CORRECT COPY  
OF THE DOCUMENT ON FILE



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Amberlea Davis

Nevada Bar Number: 11551

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Phone: (702) 440-8000

Email: Amber@ShellsMyLawyer.com

Attorney for: 1341 MINUET, LLC and

Successor in Interest Melani Schulte

**DISTRICT COURT  
CLARK COUNTY NEVADA**

MELANI SCHULTE,

Plaintiff,

-vs-

WILLIAM R. SCHULTE,

Defendants.

CASE: D-12-458809-D

DEPT: I

**FINAL JUDGMENT IN FAVOR OF 1341 MINUET, LLC AND  
AGAINST WILLIAM R. SCHULTE**

THIS MATTER came for a hearing on March 8, 2017 and an evidentiary hearing on April 3, 2017 regarding omitted assets and debts and to determine who bears responsibility for omitted debts that had not been determined at the trial pursuant to NRS 125.150(3) and if a fraud, misrepresentation or deceit component exists. Plaintiff Melani Schulte was present at both hearings and proffered testimony. At the March 8<sup>th</sup> hearing, Melani Schulte was represented by attorney Randy Richards of the law firm Kelleher & Kelleher, LLC and attorney Amberlea Davis. At the April 3<sup>rd</sup> evidentiary hearing, Melani Schulte was represented by attorney John Kelleher of the law firm Kelleher & Kelleher, LLC and Attorney Amberlea Davis. William R. Schulte filed an opposition, was at the March 8<sup>th</sup> hearing in proper person and proffered testimony. William R. Schulte failed to appear at the April 3<sup>rd</sup> evidentiary hearing.

1 The Court having reviewed the papers and pleadings on file herein, having heard the  
2 arguments of counsel and testimony, having heard the evidence, having been fully apprised as to  
3 the facts and matters herein, and for good cause appearing ORDERED, ADJUDGED and  
4 DECREED:

5  
6 37. The Court finds that Plaintiff met her burden by providing this court admissible  
7 evidence to support the requested relief. The Court finds that Plaintiff has proved up  
8 all requested damages.

9 38. The Court finds that William R. Schulte was the Licensed Broker and Permitted  
10 Property Manager for Sabreco, Inc. ("Sabreco"). William R. Schulte as Broker of  
11 Sabreco executed a lease for 1341 MINUET, LLC. Sabreco collected rents and  
12 security deposits on behalf of 1341 MINUET, LLC and deposited those funds into  
13 Sabreco trust accounts for which William R. Schulte had sole signatory authority.  
14 From these trust accounts, Sabreco paid bank fees and William R. Schulte signed  
15 checks to pay Sabreco bills, paid monies to other clients or parties with the monies  
16 belonging to 1341 MINUET, LLC. Sabreco failed to remit the monies collected for  
17 1341 MINUET, LLC to 1341 MINUET, LLC. William R. Schulte failed to reconcile  
18 the Sabreco trust accounts and failed to file annual reports to the Nevada Real Estate  
19 Division ("NRED") for three consecutive years 2009-2011. William R. Schulte acted  
20 with fraud, misrepresentation or deceit when deliberately collecting, depositing,  
21 keeping and spending the funds belonging to 1341 MINUET, LLC, and failing to  
22 disclose those wrongful acts to 1341 MINUET, LLC and obfuscating that information  
23 by not filing mandatory reports and not reconciling the bank statements monthly.

24 39. In a previous contempt hearing the Court found that William R. Schulte was entrusted  
25 to run the daily operations of Sabreco during the divorce and his management  
26 resulted in a discrepancy in excess of \$200,000 for which William R. Schulte has not  
27 accounted.  
28



## TOTAL MONETARY JUDGMENT

1341 MINUET, LLC, the property owner, is awarded a monetary judgment: In the amount of \$12,402.71 for \$10,552.71 of rents collected by Sabreco on behalf of the property owner but not paid to the property owner and the security deposit of \$1,850.00 collected which was collected by Sabreco for which 1341 MINUET, LLC was liable; Against William R. Schulte; On the grounds of fraud, misrepresentation or deceit; collectable by all lawful means by the 1341 MINUET, LLC or Melani Schulte as the Successor in Interest to 1341 MINUET, LLC; and With interest to begin accruing at the legal rate (prime rate plus 2%) on the date following the entry of the judgment.

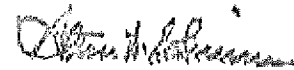
IT IS SO ORDERED this 16 day of May 2017.

  
DISTRICT COURT JUDGE

Submitted by:

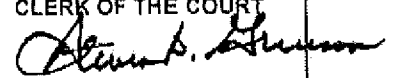


/s/ Amberlea Davis  
Attorney Amberlea Davis  
Nevada Bar #11551



AUG 18 2017

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**JUDG****Amberlea Davis**

Nevada Bar Number: 11551

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Las Vegas, NV 89101

Phone: (702) 440-8000

Email: Amber@ShesMyLawyer.com

Attorney for: 2861 MARATHON, LLC and  
Successor in Interest Melani Schulte**DISTRICT COURT  
CLARK COUNTY NEVADA**

MELANI SCHULTE,

Plaintiff,  
-vs-

WILLIAM R. SCHULTE,

Defendants.

CASE: D-12-458809-D

DEPT: 1

**FINAL JUDGMENT IN FAVOR OF 2861 MARATHON, LLC AND  
AGAINST WILLIAM R. SCHULTE**

THIS MATTER came for a hearing on March 8, 2017 and an evidentiary hearing on April 3, 2017 regarding omitted assets and debts and to determine who bears responsibility for omitted debts that had not been determined at the trial pursuant to NRS 125.150(3) and if a fraud, misrepresentation or deceit component exists. Plaintiff Melani Schulte was present at both hearings and proffered testimony. At the March 8<sup>th</sup> hearing, Melani Schulte was represented by attorney Randy Richards of the law firm Kelleher & Kelleher, LLC and attorney Amberlea Davis. At the April 3<sup>rd</sup> evidentiary hearing, Melani Schulte was represented by attorney John Kelleher of the law firm Kelleher & Kelleher, LLC and Attorney Amberlea Davis. William R. Schulte filed an opposition, was at the March 8<sup>th</sup> hearing in proper person and proffered testimony. William R. Schulte failed to appear at the April 3<sup>rd</sup> evidentiary hearing.

1 The Court having reviewed the papers and pleadings on file herein, having heard the  
2 arguments of counsel and testimony, having heard the evidence, having been fully apprised as to  
3 the facts and matters herein, and for good cause appearing ORDERED, ADJUDGED and  
4 DECREED:

5  
6 34. The Court finds that Plaintiff met her burden by providing this court admissible  
7 evidence to support the requested relief. The Court finds that Plaintiff has proved up  
8 all requested damages.

9 35. The Court finds that William R. Schulte was the Licensed Broker and Permitted  
10 Property Manager for Sabreco, Inc. ("Sabreco"). William R. Schulte as Broker of  
11 Sabreco executed a lease for 2861 MARATHON, LLC . Sabreco collected rents and  
12 security deposits on behalf of 2861 MARATHON, LLC and deposited those funds  
13 into Sabreco trust accounts for which William R. Schulte had sole signatory  
14 authority. From these trust accounts, Sabreco paid bank fees and William R. Schulte  
15 signed checks to pay Sabreco bills, paid monies to other clients or parties with the  
16 monies belonging to 2861 MARATHON, LLC . Sabreco failed to remit the monies  
17 collected for 2861 MARATHON, LLC to 2861 MARATHON, LLC . William R.  
18 Schulte failed to reconcile the Sabreco trust accounts and failed to file annual reports  
19 to the Nevada Real Estate Division ("NRED") for three consecutive years 2009-2011.  
20 William R. Schulte acted with fraud, misrepresentation or deceit when deliberately  
21 collecting, depositing, keeping and spending the funds belonging to 2861  
22 MARATHON, LLC , and failing to disclose those wrongful acts to 2861  
23 MARATHON, LLC and obfuscating that information by not filing mandatory  
24 reports and not reconciling the bank statements monthly.


25 36. In a previous contempt hearing the Court found that William R. Schulte was entrusted  
26 to run the daily operations of Sabreco during the divorce and his management  
27 resulted in a discrepancy in excess of \$200,000 for which William R. Schulte has not  
28

1 accounted.


2 TOTAL MONETARY JUDGMENT


3 2861 MARATHON, LLC, the property owner, is awarded a monetary judgment: In the amount  
4 of \$11,228.75 for \$9,528.75 of rents collected by Sabreco on behalf of the property owner but not  
5 paid to the property owner and the security deposit of \$1,700.00 collected which was collected  
6 by Sabreco for which 2861 MARATHON, LLC was liable; Against William R. Schulte; On the  
7 grounds of fraud, misrepresentation or deceit; collectable by all lawful means by the 2861  
8 MARATHON, LLC or Melani Schulte as the Successor in Interest to 2861 MARATHON, LLC  
9 ; and With interest to begin accruing at the legal rate (prime rate plus 2%) on the date following  
10 the entry of the judgment.

11  
12 IT IS SO ORDERED this 16 day of May 2017.

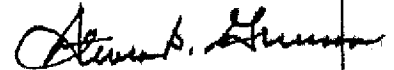
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15 DISTRICT COURT JUDGE

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17 Submitted by:

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20 /s/ Amberlea Davis  
21 Attorney Amberlea Davis  
22 Nevada Bar #11551

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Amberlea Davis

Nevada Bar Number: 11551

Law Offices of Amberlea Davis

415 S. Sixth St, Ste 300

Las Vegas, NV 89101

Phone: (702) 440-8000

Email: Amber@SheIsMyLawyer.com

Attorney for: CHERISH, LLC and

Successor in Interest Melani Schulte

**DISTRICT COURT  
CLARK COUNTY NEVADA**

MELANI SCHULTE,

Plaintiff,

-vs-

WILLIAM R. SCHULTE,

Defendants.

CASE: D-12-458809-D

DEPT: I

**FINAL JUDGMENT IN FAVOR OF CHERISH, LLC AND  
AGAINST WILLIAM R. SCHULTE**

THIS MATTER came for a hearing on March 8, 2017 and an evidentiary hearing on April 3, 2017 regarding omitted assets and debts and to determine who bears responsibility for omitted debts that had not been determined at the trial pursuant to NRS 125.150(3) and if a fraud, misrepresentation or deceit component exists. Plaintiff Melani Schulte was present at both hearings and proffered testimony. At the March 8<sup>th</sup> hearing, Melani Schulte was represented by attorney Randy Richards of the law firm Kelleher & Kelleher, LLC and attorney Amberlea Davis. At the April 3<sup>rd</sup> evidentiary hearing, Melani Schulte was represented by attorney John Kelleher of the law firm Kelleher & Kelleher, LLC and Attorney Amberlea Davis. William R. Schulte filed an opposition, was at the March 8<sup>th</sup> hearing in proper person and proffered testimony. William R. Schulte failed to appear at the April 3<sup>rd</sup> evidentiary hearing.

1 The Court having reviewed the papers and pleadings on file herein, having heard the  
2 arguments of counsel and testimony, having heard the evidence, having been fully apprised as to  
3 the facts and matters herein, and for good cause appearing ORDERED, ADJUDGED and  
4 DECREED:

5  
6 28. The Court finds that Plaintiff met her burden by providing this court admissible  
7 evidence to support the requested relief. The Court finds that Plaintiff has proved up  
8 all requested damages.

9 29. The Court finds that William R. Schulte was the Licensed Broker and Permitted  
10 Property Manager for Sabreco, Inc. ("Sabreco"). William R. Schulte as Broker of  
11 Sabreco executed a lease for CHERISH, LLC. Sabreco collected rents and security  
12 deposits on behalf of CHERISH, LLC and deposited those funds into Sabreco trust  
13 accounts for which William R. Schulte had sole signatory authority. From these trust  
14 accounts, Sabreco paid bank fees and William R. Schulte signed checks to pay  
15 Sabreco bills, paid monies to other clients or parties with the monies belonging to  
16 CHERISH, LLC. Sabreco failed to remit the monies collected for CHERISH, LLC to  
17 CHERISH, LLC. William R. Schulte failed to reconcile the Sabreco trust accounts  
18 and failed to file annual reports to the Nevada Real Estate Division ("NRED") for  
19 three consecutive years 2009-2011. William R. Schulte acted with fraud,  
20 misrepresentation or deceit when deliberately collecting, depositing, keeping and  
21 spending the funds belonging to CHERISH, LLC, and failing to disclose those  
22 wrongful acts to CHERISH, LLC and obfuscating that information by not filing  
23 mandatory reports and not reconciling the bank statements monthly.

24 30. In a previous contempt hearing the Court found that William R. Schulte was entrusted  
25 to run the daily operations of Sabreco during the divorce and his management  
26 resulted in a discrepancy in excess of \$200,000 for which William R. Schulte has not  
27 accounted.  
28


## TOTAL MONETARY JUDGMENT

CHERISH, LLC, the property owner, is awarded a monetary judgment: In the amount of \$12,060.00 for \$10,465.00 of rents collected by Sabreco on behalf of the property owner but not paid to the property owner and the security deposit of \$1,595.00 collected which was collected by Sabreco for which CHERISH, LLC was liable; Against William R. Schulte; On the grounds of fraud, misrepresentation or deceit; collectable by all lawful means by the CHERISH, LLC or Melani Schulte as the Successor in Interest to CHERISH, LLC; and With interest to begin accruing at the legal rate (prime rate plus 2%) on the date following the entry of the judgment.

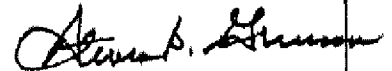
IT IS SO ORDERED this 16 day of May 2017.

  
DISTRICT COURT JUDGE

Submitted by:

 6/5/17  
/s Amberlea Davis  
Attorney Amberlea Davis  
Nevada Bar #11551

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TRUE AND CORRECT COPY  
OF THE DOCUMENT ON FILE



JUDG

Amberlea Davis

Nevada Bar Number: 11551

Law Offices of Amberlea Davis

415 S. Sixth St, Ste 300

Las Vegas, NV 89101

Phone: (702) 440-8000

Email: Amber@ShelsMyLawyer.com

Attorney for: 1701 EMPIRE MINE, LLC and  
Successor in Interest Melani Schulte

**DISTRICT COURT  
CLARK COUNTY NEVADA**

MELANI SCHULTE,

Plaintiff,  
-vs-

WILLIAM R. SCHULTE,  
Defendants.

CASE: D-12-458809-D

DEPT: I

**FINAL JUDGMENT IN FAVOR OF 1701 EMPIRE MINE, LLC AND  
AGAINST WILLIAM R. SCHULTE**

THIS MATTER came for a hearing on March 8, 2017 and an evidentiary hearing on April 3, 2017 regarding omitted assets and debts and to determine who bears responsibility for omitted debts that had not been determined at the trial pursuant to NRS 125.150(3) and if a fraud, misrepresentation or deceit component exists. Plaintiff Melani Schulte was present at both hearings and proffered testimony. At the March 8<sup>th</sup> hearing, Melani Schulte was represented by attorney Randy Richards of the law firm Kelleher & Kelleher, LLC and attorney Amberlea Davis. At the April 3<sup>rd</sup> evidentiary hearing, Melani Schulte was represented by attorney John Kelleher of the law firm Kelleher & Kelleher, LLC and Attorney Amberlea Davis. William R. Schulte filed an opposition, was at the March 8<sup>th</sup> hearing in proper person and proffered testimony. William R. Schulte failed to appear at the April 3<sup>rd</sup> evidentiary hearing.



1 The Court having reviewed the papers and pleadings on file herein, having heard the  
2 arguments of counsel and testimony, having heard the evidence, having been fully apprised as to  
3 the facts and matters herein, and for good cause appearing ORDERED, ADJUDGED and  
4 DECREED:

5  
6 22. The Court finds that Plaintiff met her burden by providing this court admissible  
7 evidence to support the requested relief. The Court finds that Plaintiff has proved up  
8 all requested damages.

9 23. The Court finds that William R. Schulte was the Licensed Broker and Permitted  
10 Property Manager for Sabreco, Inc. ("Sabreco"). William R. Schulte as Broker of  
11 Sabreco executed a lease for 1701 EMPIRE MINE, LLC. Sabreco collected rents  
12 and security deposits on behalf of 1701 EMPIRE MINE, LLC and deposited those  
13 funds into Sabreco trust accounts for which William R. Schulte had sole signatory  
14 authority. From these trust accounts, Sabreco paid bank fees and William R. Schulte  
15 signed checks to pay Sabreco bills, paid monies to other clients or parties with the  
16 monies belonging to 1701 EMPIRE MINE, LLC. Sabreco failed to remit the monies  
17 collected for 1701 EMPIRE MINE, LLC to 1701 EMPIRE MINE, LLC. William R.  
18 Schulte failed to reconcile the Sabreco trust accounts and failed to file annual reports  
19 to the Nevada Real Estate Division ("NRED") for three consecutive years 2009-2011.  
20 William R. Schulte acted with fraud, misrepresentation or deceit when deliberately  
21 collecting, depositing, keeping and spending the funds belonging to 1701 EMPIRE  
22 MINE, LLC, and failing to disclose those wrongful acts to 1701 EMPIRE MINE,  
23 LLC and obfuscating that information by not filing mandatory reports and not  
24 reconciling the bank statements monthly.

25 24. In a previous contempt hearing the Court found that William R. Schulte was entrusted  
26 to run the daily operations of Sabreco during the divorce and his management  
27 resulted in a discrepancy in excess of \$200,000 for which William R. Schulte has not  
28

1 accounted.

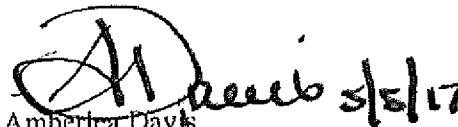
2 TOTAL MONETARY JUDGMENT


3 1701 EMPIRE MINE, LLC, the property owner, is awarded a monetary judgment: In the amount  
4 of \$10,900.00 for \$8,550.00 of rents collected by Sabreco on behalf of the property owner but not  
5 paid to the property owner and the security deposit of \$2,350.00 collected which was collected  
6 by Sabreco for which 1701 EMPIRE MINE, LLC was liable; Against William R. Schulte; On the  
7 grounds of fraud, misrepresentation or deceit; collectable by all lawful means by the 1701  
8 EMPIRE MINE, LLC or Melani Schulte as the Successor in Interest to 1701 EMPIRE MINE,  
9 LLC; and With interest to begin accruing at the legal rate (prime rate plus 2%) on the date  
10 following the entry of the judgment.

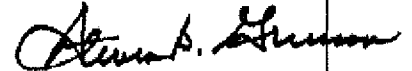
11  
12 IT IS SO ORDERED this 16 day of May 2017.

13  
14   
15 DISTRICT COURT JUDGE

16  
17 Submitted by:

18  
19   
20 /s Amberlea Davis  
21 Attorney Amberlea Davis  
22 Nevada Bar #11551

23  
24   
25 AUG 18 2017  
26 CERTIFIED COPY  
27 DOCUMENT ATTACHED IS A  
28 TRUE AND CORRECT COPY  
OF THE DOCUMENT ON FILE



**ORDER**

**Amberlea Davis**  
Nevada Bar Number: 11551  
Law Offices of Amberlea Davis  
415 S. Sixth St, Ste 300  
Las Vegas, NV 89101  
Phone: (702) 440-8000  
Email: Amber@ShelsMyLawyer.com  
Attorney for: Plaintiff

**DISTRICT COURT  
CLARK COUNTY NEVADA**

MELANI SCHULTE,

Plaintiff,  
-vs-

WILLIAM R. SCHULTE,  
Defendants.

CASE: D-12-458809-D

DEPT: 1

**ORDER FROM APRIL 3, 2017 HEARING GRANTING FINAL JUDGMENT AGAINST  
WILLIAM R. SCHULTE**

THIS MATTER came for a hearing on March 8, 2017 and an evidentiary hearing on April 3, 2017 regarding omitted assets and debts and to determine who bears responsibility for omitted debts that had not been determined at the trial pursuant to NRS 125.150(3) and if a fraud, misrepresentation or deceit component exists. Plaintiff Melani Schulte was present at both hearings and proffered testimony. At the March 8<sup>th</sup> hearing, Melani Schulte was represented by attorney Randy Richards of the law firm Kelleher & Kelleher, LLC and attorney Amberlea Davis. At the April 3<sup>rd</sup> evidentiary hearing, Melani Schulte was represented by attorney John Kelleher of the law firm Kelleher & Kelleher, LLC and Attorney Amberlea Davis. William R. Schulte filed an opposition, was at the March 8<sup>th</sup> hearing in proper person and proffered testimony. William R. Schulte failed to appear at the April 3<sup>rd</sup> evidentiary hearing.

The Court having reviewed the papers and pleadings on file herein, having heard the

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1 arguments of counsel and testimony, having heard the evidence, having been fully apprised as to  
2 the facts and matters herein, and for good cause appearing, hereby FINDS and ORDERS as  
3 follows:

- 4 1. The Court finds that Plaintiff met her burden by providing this court admissible  
5 evidence to support the requested relief.
- 6 2. The Court finds that the Plaintiff has proved up all requested damages.
- 7 3. The Court finds that William R. Schulte was the Licensed Broker and Permitted  
8 Property Manager for Sabreco, Inc ("Sabreco"). William R. Schulte as Broker of  
9 Sabreco executed leases for the LLCs listed in the individual judgments ("the  
10 LLCs"). [Exhibits 1-20]. Sabreco collected rents and security deposits on behalf of  
11 the LLCs and deposited those funds into Sabreco trust accounts for which William R.  
12 Schulte had sole signatory authority. From these trust accounts, Sabreco paid bank  
13 fees and William R. Schulte signed checks to pay Sabreco bills, paid monies to other  
14 clients or parties with the monies belonging to the LLCs. Sabreco failed to remit the  
15 monies collected for the LLCs to the LLCs. William R. Schulte failed to reconcile  
16 the Sabreco trust accounts and failed to file annual reports to the Nevada Real Estate  
17 Division ("NRED") for three consecutive years 2009-2011. William R. Schulte acted  
18 with fraud, misrepresentation or deceit when deliberately collecting, depositing,  
19 keeping and spending the funds belonging to the LLCs, and failing to disclose those  
20 wrongful acts to the LLCs and obfuscating that information by not filing mandatory  
21 reports.
- 22 4. In a previous contempt hearing the Court found that William R. Schulte was entrusted  
23 to run the daily operations of Sabreco during the divorce and his management  
24 resulted in a discrepancy in excess of \$200,000 for which William R. Schulte has not  
25 accounted.
- 26 5. The Court having considered and weighed the *Brunzell* factors the Court finds that  
27 Plaintiff's attorneys' fees were reasonable. Specifically, this was a complex case to  
28

1 prepare and argue; Attorney Davis had over 8 years of legal experience and more  
2 than 20 years of business experience and an MBA; Attorney Kelleher had more than  
3 20 years as a divorce attorney; Attorney Richards has many years as a divorce  
4 attorney in Nevada; the attorneys performed all material work and provided oral  
5 arguments; prepared documentation and Plaintiff was successful on her motion.

6 6. The Court hereby orders that the individual judgments be entered against William R.  
7 Schulte as follows:

8 a. 2460 AVENIDA CORTES, LLC, the property owner, shall be awarded a  
9 monetary judgment: In the amount of \$9,612.38 for \$8,262.38 of rents  
10 collected by Sabreco on behalf of the property owner but not paid to the  
11 property owner and the security deposit of \$1,350.00 collected which was  
12 collected by Sabreco for which 2460 AVENIDA CORTES, LLC was liable;  
13 Against William R. Schulte; On the grounds of fraud, misrepresentation or  
14 deceit; collectable by all lawful means by the 2460 AVENIDA CORTES,  
15 LLC or Melani Schulte as the Successor in Interest to 2460 AVENIDA  
16 CORTES, LLC; and With interest to begin accruing at the legal rate (prime  
17 rate plus 2%) on the date following the entry of the judgment. [Exhibit 1]

18 b. KEEP SAFE, LLC, the property owner, shall be awarded a monetary  
19 judgment: In the amount of \$8,543.00 for \$7,248.00 of rents collected by  
20 Sabreco on behalf of the property owner but not paid to the property owner  
21 and the security deposit of \$1,295.00 collected which was collected by  
22 Sabreco for which KEEP SAFE, LLC was liable; Against William R. Schulte;  
23 On the grounds of fraud, misrepresentation or deceit; collectable by all lawful  
24 means by the KEEP SAFE, LLC or Melani Schulte as the Successor in  
25 Interest to KEEP SAFE, LLC; and With interest to begin accruing at the legal  
26 rate (prime rate plus 2%) on the date following the entry of the judgment.  
27 [Exhibit 2]  
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- c. 4710 BRENTLY, LLC, the property owner, shall be awarded a monetary judgment: In the amount of \$9,115.00 for \$7,665.00 of rents collected by Sabreco on behalf of the property owner but not paid to the property owner and the security deposit of \$1,450.00 collected which was collected by Sabreco for which 4710 BRENTLY, LLC was liable; Against William R. Schulte; On the grounds of fraud, misrepresentation or deceit; collectable by all lawful means by the 4710 BRENTLY, LLC or Melani Schulte as the Successor in Interest to 4710 BRENTLY, LLC; and With interest to begin accruing at the legal rate (prime rate plus 2%) on the date following the entry of the judgment. [Exhibit 3]
- d. 3322 CHELTENHAM LLC, the property owner, shall be awarded a monetary judgment: In the amount of \$10,260.00 for \$8,960.00 of rents collected by Sabreco on behalf of the property owner but not paid to the property owner and the security deposit of \$1,300.00 collected which was collected by Sabreco for which 3322 CHELTENHAM LLC was liable; Against William R. Schulte; On the grounds of fraud, misrepresentation or deceit; collectable by all lawful means by the 3322 CHELTENHAM LLC or Melani Schulte as the Successor in Interest to 3322 CHELTENHAM LLC; and With interest to begin accruing at the legal rate (prime rate plus 2%) on the date following the entry of the judgment. [Exhibit 4]
- e. 3383 CLOVERDALE, LLC, the property owner, shall be awarded a monetary judgment: In the amount of \$10,250.76 for \$8,000.76 of rents collected by Sabreco on behalf of the property owner but not paid to the property owner and the security deposit of \$2,250.00 collected which was collected by Sabreco for which 3383 CLOVERDALE, LLC was liable; Against William R. Schulte; On the grounds of fraud, misrepresentation or deceit; collectable by all lawful means by the 3383 CLOVERDALE, LLC or Melani Schulte as

1 the Successor in Interest to 3383 CLOVERDALE, LLC; and With interest to  
2 begin accruing at the legal rate (prime rate plus 2%) on the date following the  
3 entry of the judgment. [Exhibit 5]

4 f. 3729 DISCOVERY CREEK, LLC, the property owner, shall be awarded a  
5 monetary judgment: In the amount of \$13,900.00 for \$12,400.00 of rents  
6 collected by Sabreco on behalf of the property owner but not paid to the  
7 property owner and the security deposit of \$1,500.00 collected which was  
8 collected by Sabreco for which 3729 DISCOVERY CREEK, LLC was liable;  
9 Against William R. Schulte; On the grounds of fraud, misrepresentation or  
10 deceit; collectable by all lawful means by the 3729 DISCOVERY CREEK,  
11 LLC or Melani Schulte as the Successor in Interest to 3729 DISCOVERY  
12 CREEK, LLC; and With interest to begin accruing at the legal rate (prime rate  
13 plus 2%) on the date following the entry of the judgment. [Exhibit 6]

14 g. 1392 ECHO FALLS, LLC, the property owner, shall be awarded a monetary  
15 judgment: In the amount of \$9,615.00 for \$8,365.00 of rents collected by  
16 Sabreco on behalf of the property owner but not paid to the property owner  
17 and the security deposit of \$1,250.00 collected which was collected by  
18 Sabreco for which 1392 ECHO FALLS, LLC was liable; Against William R.  
19 Schulte; On the grounds of fraud, misrepresentation or deceit; collectable by  
20 all lawful means by the 1392 ECHO FALLS, LLC or Melani Schulte as the  
21 Successor in Interest to 1392 ECHO FALLS, LLC; and With interest to begin  
22 accruing at the legal rate (prime rate plus 2%) on the date following the entry  
23 of the judgment. [Exhibit 7]

24 h. 1701 EMPIRE MINE, LLC, the property owner, shall be awarded a monetary  
25 judgment: In the amount of \$10,900.00 for \$8,550.00 of rents collected by  
26 Sabreco on behalf of the property owner but not paid to the property owner  
27 and the security deposit of \$2,350.00 collected which was collected by  
28

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1 Sabreco for which 1701 EMPIRE MINE, LLC was liable; Against William R.  
2 Schulte; On the grounds of fraud, misrepresentation or deceit; collectable by  
3 all lawful means by the 1701 EMPIRE MINE, LLC or Melani Schulte as the  
4 Successor in Interest to 1701 EMPIRE MINE, LLC; and With interest to  
5 begin accruing at the legal rate (prime rate plus 2%) on the date following the  
6 entry of the judgment. [Exhibit 8]

- 7 i. 9020 FEATHER RIVER, LLC, the property owner, shall be awarded a  
8 monetary judgment: In the amount of \$10,400.00 for \$8,775.00 of rents  
9 collected by Sabreco on behalf of the property owner but not paid to the  
10 property owner and the security deposit of \$1,625.00 collected which was  
11 collected by Sabreco for which 9020 FEATHER RIVER, LLC was liable;  
12 Against William R. Schulte; On the grounds of fraud, misrepresentation or  
13 deceit; collectable by all lawful means by the 9020 FEATHER RIVER, LLC  
14 or Melani Schulte as the Successor in Interest to 9020 FEATHER RIVER,  
15 LLC; and With interest to begin accruing at the legal rate (prime rate plus 2%)  
16 on the date following the entry of the judgment. [Exhibit 9]
- 17 j. CHERISH, LLC, the property owner, shall be awarded a monetary judgment:  
18 In the amount of \$12,060.00 for \$10,465.00 of rents collected by Sabreco on  
19 behalf of the property owner but not paid to the property owner and the  
20 security deposit of \$1,595.00 collected which was collected by Sabreco for  
21 which CHERISH, LLC was liable; Against William R. Schulte; On the  
22 grounds of fraud, misrepresentation or deceit; collectable by all lawful means  
23 by the CHERISH, LLC or Melani Schulte as the Successor in Interest to  
24 CHERISH, LLC; and With interest to begin accruing at the legal rate (prime  
25 rate plus 2%) on the date following the entry of the judgment. [Exhibit 10]
- 26 k. 276 MANZANITA RANCH LLC , the property owner, shall be awarded a  
27 monetary judgment: In the amount of \$10,125.00 for \$8,575.00 of rents  
28



1 collected by Sabreco on behalf of the property owner but not paid to the  
2 property owner and the security deposit of \$1,550.00 collected which was  
3 collected by Sabreco for which 276 MANZANITA RANCH LLC was liable;  
4 Against William R. Schulte; On the grounds of fraud, misrepresentation or  
5 deceit; collectable by all lawful means by the 276 MANZANITA RANCH  
6 LLC or Melani Schulte as the Successor in Interest to 276 MANZANITA  
7 RANCH LLC ; and With interest to begin accruing at the legal rate (prime  
8 rate plus 2%) on the date following the entry of the judgment. [Exhibit 11]

9 l. 2861 MARATHON, LLC , the property owner, shall be awarded a monetary  
10 judgment: In the amount of \$11,228.75 for \$9,528.75 of rents collected by  
11 Sabreco on behalf of the property owner but not paid to the property owner  
12 and the security deposit of \$1,700.00 collected which was collected by  
13 Sabreco for which 2861 MARATHON, LLC was liable; Against William R.  
14 Schulte; On the grounds of fraud, misrepresentation or deceit; collectable by  
15 all lawful means by the 2861 MARATHON, LLC or Melani Schulte as the  
16 Successor in Interest to 2861 MARATHON, LLC ; and With interest to begin  
17 accruing at the legal rate (prime rate plus 2%) on the date following the entry  
18 of the judgment. [Exhibit 12]

19 m. 1341 MINUET, LLC, the property owner, shall be awarded a monetary  
20 judgment: In the amount of \$12,402.71 for \$10,552.71 of rents collected by  
21 Sabreco on behalf of the property owner but not paid to the property owner  
22 and the security deposit of \$1,850.00 collected which was collected by  
23 Sabreco for which 1341 MINUET, LLC was liable; Against William R.  
24 Schulte; On the grounds of fraud, misrepresentation or deceit; collectable by  
25 all lawful means by the 1341 MINUET, LLC or Melani Schulte as the  
26 Successor in Interest to 1341 MINUET, LLC; and With interest to begin  
27 accruing at the legal rate (prime rate plus 2%) on the date following the entry  
28

1 of the judgment. [Exhibit 13]

2 n. 956 OSTRICH FERN, LLC, the property owner, shall be awarded a monetary  
3 judgment: In the amount of \$10,021.00 for \$8,571.00 of rents collected by  
4 Sabreco on behalf of the property owner but not paid to the property owner  
5 and the security deposit of \$1,450.00 collected which was collected by  
6 Sabreco for which 956 OSTRICH FERN, LLC was liable; Against William R.  
7 Schulte; On the grounds of fraud, misrepresentation or deceit; collectable by  
8 all lawful means by the 956 OSTRICH FERN, LLC or Melani Schulte as the  
9 Successor in Interest to 956 OSTRICH FERN, LLC; and With interest to  
10 begin accruing at the legal rate (prime rate plus 2%) on the date following the  
11 entry of the judgment. [Exhibit 14]

12 o. 8216 PEACEFUL CANYON, LLC , the property owner, shall be awarded a  
13 monetary judgment: In the amount of \$10,715.00 for \$9,065.00 of rents  
14 collected by Sabreco on behalf of the property owner but not paid to the  
15 property owner and the security deposit of \$1,650.00 collected which was  
16 collected by Sabreco for which 8216 PEACEFUL CANYON, LLC was  
17 liable; Against William R. Schulte; On the grounds of fraud,  
18 misrepresentation or deceit; collectable by all lawful means by the 8216  
19 PEACEFUL CANYON, LLC or Melani Schulte as the Successor in Interest  
20 to 8216 PEACEFUL CANYON, LLC ; and With interest to begin accruing at  
21 the legal rate (prime rate plus 2%) on the date following the entry of the  
22 judgment. [Exhibit 15]

23 p. 5524 ROCK CREEK, LLC, the property owner, shall be awarded a monetary  
24 judgment: In the amount of \$14,590.00 for \$13,440.00 of rents collected by  
25 Sabreco on behalf of the property owner but not paid to the property owner  
26 and the security deposit of \$1,150.00 collected which was collected by  
27 Sabreco for which 5524 ROCK CREEK, LLC was liable; Against William R.  
28

1 Schulte; On the grounds of fraud, misrepresentation or deceit; collectable by  
2 all lawful means by the 5524 ROCK CREEK, LLC or Melani Schulte as the  
3 Successor in Interest to 5524 ROCK CREEK, LLC; and With interest to begin  
4 accruing at the legal rate (prime rate plus 2%) on the date following the entry  
5 of the judgment. [Exhibit 16]

6 q. 5609 SAN ARDO, LLC, the property owner, shall be awarded a monetary  
7 judgment: In the amount of \$10,400.00 for \$9,200.00 of rents collected by  
8 Sabreco on behalf of the property owner but not paid to the property owner  
9 and the security deposit of \$1,200.00 collected which was collected by  
10 Sabreco for which 5609 SAN ARDO, LLC was liable; Against William R.  
11 Schulte; On the grounds of fraud, misrepresentation or deceit; collectable by  
12 all lawful means by the 5609 SAN ARDO, LLC or Melani Schulte as the  
13 Successor in Interest to 5609 SAN ARDO, LLC; and With interest to begin  
14 accruing at the legal rate (prime rate plus 2%) on the date following the entry  
15 of the judgment. [Exhibit 17]

16 r. 9521 SIERRA SUMMIT, LLC , the property owner, shall be awarded a  
17 monetary judgment: In the amount of \$11,093.00 for \$9,443.00 of rents  
18 collected by Sabreco on behalf of the property owner but not paid to the  
19 property owner and the security deposit of \$1,650.00 collected which was  
20 collected by Sabreco for which 9521 SIERRA SUMMIT, LLC was liable;  
21 Against William R. Schulte; On the grounds of fraud, misrepresentation or  
22 deceit; collectable by all lawful means by the 9521 SIERRA SUMMIT, LLC  
23 or Melani Schulte as the Successor in Interest to 9521 SIERRA SUMMIT,  
24 LLC ; and With interest to begin accruing at the legal rate (prime rate plus  
25 2%) on the date following the entry of the judgment. [Exhibit 18]

26 s. 2290 SURREY MEADOWS, LLC, the property owner, shall be awarded a  
27 monetary judgment: In the amount of \$11,599.00 for \$9,849.00 of rents  
28

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1 collected by Sabreco on behalf of the property owner but not paid to the  
2 property owner and the security deposit of \$1,750.00 collected which was  
3 collected by Sabreco for which 2290 SURREY MEADOWS, LLC was liable;  
4 Against William R. Schulte; On the grounds of fraud, misrepresentation or  
5 deceit; collectable by all lawful means by the 2290 SURREY MEADOWS,  
6 LLC or Melani Schulte as the Successor in Interest to 2290 SURREY  
7 MEADOWS, LLC; and With interest to begin accruing at the legal rate  
8 (prime rate plus 2%) on the date following the entry of the judgment. [Exhibit  
9 19]

- 10 t. 2614 SWEET LEILANI, LLC, the property owner, shall be awarded a  
11 monetary judgment: In the amount of \$12,110.00 for \$10,760.00 of rents  
12 collected by Sabreco on behalf of the property owner but not paid to the  
13 property owner and the security deposit of \$1,350.00 collected which was  
14 collected by Sabreco for which 2614 SWEET LEILANI, LLC was liable;  
15 Against William R. Schulte; On the grounds of fraud, misrepresentation or  
16 deceit; collectable by all lawful means by the 2614 SWEET LEILANI, LLC  
17 or Melani Schulte as the Successor in Interest to 2614 SWEET LEILANI,  
18 LLC; and With interest to begin accruing at the legal rate (prime rate plus 2%)  
19 on the date following the entry of the judgment. [Exhibit 20]
- 20 u. Melani Schulte shall be awarded \$1,556.00 against William R. Schulte for  
21 payments Melani Schulte made for the Arcizewski matter, with interest to  
22 begin accruing at the legal rate (prime rate plus 2%) on the date following the  
23 entry of the judgment. [Exhibit 21]
- 24 v. Melani Schulte shall be awarded all reasonable attorney fees and costs  
25 incurred to prosecute this matter against William R. Schulte in the amount of  
26 \$22,000 with interest to begin accruing at the legal rate (prime rate plus 2%)  
27 on the date following the entry of the judgment, plus all additional attorneys  
28

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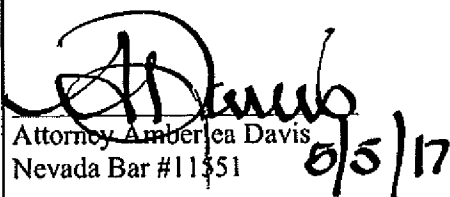
1 fees and costs in the future collection of these individual judgments and  
2 collectable by all lawful means. [Exhibit 22]  
3

4 BASED UPON THE FOREGOING IT IS HEREBY ORDERED, ADJUDGED AND  
5 DECREED.

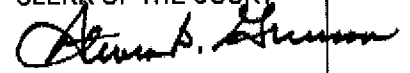
6 IT IS SO ORDERED ON this 8<sup>th</sup> day of May 2017.

7   
8 DISTRICT COURT JUDGE  
9

10 Submitted by:

11   
12 Attorney Amberlea Davis  
13 Nevada Bar #11551 5/5/17  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

# ATTACHMENT 3



1 **NEO**  
2 **Amberlea Davis**  
3 Nevada Bar Number: 11551  
4 Law Offices of Amberlea Davis  
5 415 S. Sixth St, Ste 300  
6 Las Vegas, NV 89101  
7 Phone: (702) 440-8000  
8 Email: [Amber@SheIsMyLawyer.com](mailto:Amber@SheIsMyLawyer.com)  
9 Attorney for: Melani Schulte  
10 and Successor in Interest Melani Schulte

11 **DISTRICT COURT**  
12 **CLARK COUNTY NEVADA**

13 MELANI SCHULTE,

14 Plaintiff,  
15 -vs-

16 WILLIAM R. SCHULTE,

17 Defendants.

CASE: D-12-458809-D

DEPT: I

**NOTICE OF ENTRY OF ORDER**

18 **NOTICE OF ENTRY OF ORDER DIRECTING PAYMENT OUT OF THE EDUCATION**  
19 **RESEARCH AND RECOVERY FUND AND TO MELANI SCHULTE**

20 PLEASE TAKE NOTICE: The attached Order was entered in the above matter on February 20,  
21 2018.

22 Dated February 21, 2018.

23 /s Amberlea Davis  
24 Attorney Amberlea Davis  
25 Nevada Bar #11551  
26 Attorney for: Melani Schulte  
27  
28

EXHIBIT 1

*ORDER DIRECTING PAYMENT OUT OF THE EDUCATION RESEARCH AND RECOVERY  
FUND AND TO MELANI SCHULTE FILED FEBRUARY 20, 2018.*

LAW OFFICES OF AMBERLEA DAVIS

416 S. 6th St., Ste. 300  
Las Vegas, Nevada 89101  
Telephone: 702-518-4377





1 **ORD**

2 **Amberlea Davis**

3 Nevada Bar Number: 11551

4 Law Offices of Amberlea Davis

5 415 S. Sixth St, Ste 300

6 Las Vegas, NV 89101

7 Phone: (702) 440-8000

8 Email: [Amber@SheIsMyLawyer.com](mailto:Amber@SheIsMyLawyer.com)

9 Attorney for: Melani Schulte  
and Successor in Interest Melani Schulte

10 **DISTRICT COURT**

11 **CLARK COUNTY NEVADA**

12 **MELANI SCHULTE,**

13 **Plaintiff,**

14 **-vs-**

15 **WILLIAM R. SCHULTE,**

16 **Defendants.**

CASE: D-12-458809-D

DEPT: I

17 ***ORDER DIRECTING PAYMENT OUT OF THE EDUCATION RESEARCH***  
18 ***AND RECOVERY FUND AND TO THE SUCCESSOR IN INTEREST TO***  
19 ***MELANI SCHULTE MELANI SCHULTE***

20 This mater came before the court for a hearing on November 30, 2017.  
21 Melani Schulte was present and represented by Attorney Amberlea Davis. Senior  
22 Deputy Attorney General Keith Kizer from the Nevada Attorney General's office  
23 was present representing the Sharath Chandra, Administrator of Nevada Real  
24 Estate Division guardian of the Education Research and Recovery Fund (ERRF  
25 Fund). William R. Schulte failed to appear at the November 30 hearing.

26 Attorney Kizer proffered that \$7,080.41 has been paid by the ERRF fund and  
27 that approximately \$92,919.59 was still available in the fund to pay claims against  
28

Melani Schulte

LAW OFFICES OF AMBERLEA DAVIS  
416 S. 6th St., Ste. 300  
Las Vegas, Nevada 89101  
Telephone: 702-518-4377

1 William R. Schulte. Plaintiff Melani Schulte was present and proffered testimony.  
2 Twenty-Two judgments were entered against William R. Schulte totaling over  
3 \$200,000. However, the Plaintiff filed verified petitions only on nine of the twenty-  
4 two judgments. The total of the nine verified petitions was approximately \$94,945.  
5 The Court has reviewed and considered the verified petition, the pleadings and oral  
6 argument.

7  
8 **FINDINGS OF FACT CONCLUSIONS OF LAW AND ORDER**  
9

10 **THE COURT FINDS** that the Petitioner has met the requirements of NRS  
11 645.841 et seq.

12 **THE COURT FINDS** NRS 645.844 (4)(a) applies.

13 **THE COURT FINDS** the "spouse exception" does not apply in this case  
14 because Plaintiff is a former spouse. At the time Plaintiff filed her action for  
15 recovery from the ERRF, Plaintiff was a former spouse not a current spouse and  
16 she is not married to the Defendant, therefore, the exception does not apply.

17 Further, the Court looked at the public policy pertaining to the word  
18 "spouse" in the NRS statute. The statute is designed to prevent married couples  
19 acting in concert to defraud other parties.

20 **THE COURT FINDS** that the Plaintiff has never been found to have  
21 committed any type of business fraud concerning the former community property  
22 assets she was awarded in the divorce.

23 **THE COURT FINDS** public policy also warrants that persons such as  
24 Plaintiff should be encouraged to keep businesses viable in Nevada. Otherwise,  
25 there would be less business conducted in Nevada. Here, Plaintiff has always acted  
26 in good faith concerning her duties in managing the former community property  
27 assets and ensuring no further harm to the tenants, paying restitution, and getting  
28

Melani Schulte

1 the businesses up to par.

2 **THE COURT FINDS** that the fund is limited to \$100,000 per licensee and  
3 that \$7,080.41 has already been paid from the ERRF fund on the license of William  
4 R. Schulte.

5 **THE COURT FINDS** that the fund is limited to \$25,000 per judgment.

6 **THE COURT FINDS** that the nine verified petitions have separate  
7 judgments.

8 **THE COURT FINDS** that this judgment is for \$1,556.00, which is less than  
9 the \$25,000 per judgment limit.

10 **THE COURT FINDS** that because of the fund limits, that the total of these  
11 nine judgments may not exceed \$92,919.59.

12 If any conclusions of law are properly findings of fact, they shall be treated  
13 as if appropriately identified and designated.

14  
15 **ORDER**

16  
17 **THE COURT ORDERS** that Plaintiffs motion is granted.

18 **THE COURT ORDERS** and directs the Administrator of the Real Estate  
19 Research and Recovery Fund (EERF) to pay Melani Schulte the successor in  
20 interest to Melani Schulte the amount of \$1,556.00.

21 **THE COURT ORDERS** and directs the Administrator of the Real Estate  
22 Research and Recovery Fund (EERF) may prorate or offset the payment so that the  
23 nine individual judgments do not collectively total more than \$92,919.59.

24 **THE COURT ORDERS** that Plaintiff's prior accounting (for paid security  
25 deposits and collected rent) from the nine (9) Judgements that apply, which were  
26 filed on or about 5/18/17, 5/23/17, 5/24/17, and 5/25/17 shall be attached as  
27 exhibits to the Order from today's hearing.

28  
Melani Schulte

**LAW OFFICES OF AMBERLEA DAVIS**

416 S. 6th St., Ste. 300  
Las Vegas, Nevada 89101  
Telephone: 702-518-4377

1       **THE COURT ORDERS** that all previously filed Judgments and Orders  
2 may be e-mailed to Attorney Kizer by the Judicial Executive Assistant (JEA) for  
3 Department I as he does not have access in this sealed case.

4       **THE COURT ORDERS** the Registry of Actions be printed and provided  
5 them to both Counsel IN OPEN COURT.

6       **THE COURT ORDERS** that this is a final order.

7  
8 Dated January 29, 2018.

9  
10  
11   
12 DISTRICT COURT JUDGE

13  
14 Respectfully Submitted:  
15 /s/ Amberlea Davis

16 **Law Offices of Amberlea Davis**

17 415 S. Sixth St, Ste 300

18 Las Vegas, NV 89101

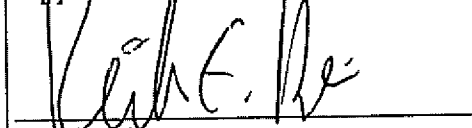
19 Phone: (702) 440-8000

20 Email: Amber@SheIsMyLawyer.com

21 Attorney for: Melani Schulte

22 and Successor in Interest Melani Schulte

23 Approved as to Form and Content:

24   
25 Keith Kizer

26 **Senior Deputy Attorney General**

27 **State of Nevada - Office of the Attorney General**

28 555 E Washington Avenue, Ste. 3900

Las Vegas, NV 89101

Melani Schulte



NEO  
Amberlea Davis  
Nevada Bar Number: 11551  
Law Offices of Amberlea Davis  
415 S. Sixth St, Ste 300  
Las Vegas, NV 89101  
Phone: (702) 440-8000  
Email: Amber@SheIsMyLawyer.com  
Attorney for: 9521 SIERRA SUMMIT, LLC  
and Successor in Interest Melani Schulte

**DISTRICT COURT  
CLARK COUNTY NEVADA**

MELANI SCHULTE,

Plaintiff,  
-vs-

WILLIAM R. SCHULTE,  
Defendants.

CASE: D-12-458809-D

DEPT: I

**NOTICE OF ENTRY OF ORDER**

**NOTICE OF ENTRY OF ORDER DIRECTING PAYMENT OUT OF THE EDUCATION  
RESEARCH AND RECOVERY FUND AND TO THE SUCCESSOR IN INTEREST TO  
9521 SIERRA SUMMIT, LLC MELANI SCHULTE**

PLEASE TAKE NOTICE: The attached Order was entered in the above matter on February 20,  
2018.

Dated February 21, 2018.

/s Amberlea Davis  
Attorney Amberlea Davis  
Nevada Bar #11551  
Attorney for: 9521 SIERRA SUMMIT, LLC  
and Successor in Interest - Melani Schulte

**LAW OFFICES OF AMBERLEA DAVIS**

416 S. 6th St., Ste. 300  
Las Vegas, Nevada 89101  
Telephone: 702.518-4377

**EXHIBIT 1**

*ORDER DIRECTING PAYMENT OUT OF THE EDUCATION RESEARCH AND RECOVERY  
FUND AND TO THE SUCCESSOR IN INTEREST TO 9521 SIERRA SUMMIT, LLC MELANI  
SCHULTE FILED FEBRUARY 20, 2018.*



1 **ORD**

2 **Amberlea Davis**

3 Nevada Bar Number: 11551

4 Law Offices of Amberlea Davis

5 415 S. Sixth St, Ste 300

6 Las Vegas, NV 89101

7 Phone: (702) 440-8000

8 Email: [Amber@SheIsMyLawyer.com](mailto:Amber@SheIsMyLawyer.com)

9 Attorney for: 9521 SIERRA SUMMIT, LLC

10 and Successor in Interest Melani Schulte

11 **DISTRICT COURT**

12 **CLARK COUNTY NEVADA**

13 **MELANI SCHULTE,**

14 **Plaintiff,**

15 **-vs-**

16 **WILLIAM R. SCHULTE,**

17 **Defendants.**

18 **CASE: D-12-458809-D**

19 **DEPT: I**

20 ***ORDER DIRECTING PAYMENT OUT OF THE EDUCATION RESEARCH***  
21 ***AND RECOVERY FUND AND TO THE SUCCESSOR IN INTEREST TO 9521***  
22 ***SIERRA SUMMIT, LLC MELANI SCHULTE***

23 This mater came before the court for a hearing on November 30, 2017.  
24 Melani Schulte was present and represented by Attorney Amberlea Davis. Senior  
25 Deputy Attorney General Keith Kizer from the Nevada Attorney General's office  
26 was present representing the Sharath Chandra, Administrator of Nevada Real  
27 Estate Division guardian of the Education Research and Recovery Fund (ERRF  
28 Fund). William R. Schulte failed to appear at the November 30 hearing.

Attorney Kizer proffered that \$7,080.41 has been paid by the ERRF fund and  
that approximately \$92,919.59 was still available in the fund to pay claims against

9521 SIERRA SUMMIT, LLC

LAW OFFICES OF AMBERLEA DAVIS  
416 S. 6th St., Ste. 300  
Las Vegas, Nevada 89101  
Telephone: 702.518-4377

1 William R. Schulte. Plaintiff Melani Schulte was present and proffered testimony.  
2 Twenty-Two judgments were entered against William R. Schulte totaling over  
3 \$200,000. However, the Plaintiff filed verified petitions only on nine of the twenty-  
4 two judgments. The total of the nine verified petitions was approximately \$94,945.  
5 The Court has reviewed and considered the verified petition, the pleadings and oral  
6 argument.

7  
8 **FINDINGS OF FACT CONCLUSIONS OF LAW AND ORDER**

9  
10 **THE COURT FINDS** that the Petitioner has met the requirements of NRS  
11 645.841 et seq.

12 **THE COURT FINDS** NRS 645.844 (4)(a) applies.

13 **THE COURT FINDS** the "spouse exception" does not apply in this case  
14 because Plaintiff is a former spouse. At the time Plaintiff filed her action for  
15 recovery from the ERRF, Plaintiff was a former spouse not a current spouse and  
16 she is not married to the Defendant, therefore, the exception does not apply.

17 Further, the Court looked at the public policy pertaining to the word  
18 "spouse" in the NRS statute. The statute is designed to prevent married couples  
19 acting in concert to defraud other parties.

20 **THE COURT FINDS** that the Plaintiff has never been found to have  
21 committed any type of business fraud concerning the former community property  
22 assets she was awarded in the divorce.

23 **THE COURT FINDS** public policy also warrants that persons such as  
24 Plaintiff should be encouraged to keep businesses viable in Nevada. Otherwise,  
25 there would be less business conducted in Nevada. Here, Plaintiff has always acted  
26 in good faith concerning her duties in managing the former community property  
27 assets and ensuring no further harm to the tenants, paying restitution, and getting  
28

9521 SIERRA SUMMIT, LLC



1 the businesses up to par.

2 **THE COURT FINDS** that the fund is limited to \$100,000 per licensee and  
3 that \$7,080.41 has already been paid from the ERRF fund on the license of William  
4 R. Schulte.

5 **THE COURT FINDS** that the fund is limited to \$25,000 per judgment.

6 **THE COURT FINDS** that the nine verified petitions have separate  
7 judgments.

8 **THE COURT FINDS** that this judgment is for \$11,093.00, which is less  
9 than the \$25,000 per judgment limit.

10 **THE COURT FINDS** that because of the fund limits, that the total of these  
11 nine judgments may not exceed \$92,919.59.

12 If any conclusions of law are properly findings of fact, they shall be treated  
13 as if appropriately identified and designated.

14  
15 **ORDER**

16  
17 **THE COURT ORDERS** that Plaintiffs motion is granted.

18 **THE COURT ORDERS** and directs the Administrator of the Real Estate  
19 Research and Recovery Fund (EERF) to pay Melani Schulte the successor in  
20 interest to 9521 SIERRA SUMMIT, LLC the amount of \$11,093.00.

21 **THE COURT ORDERS** and directs the Administrator of the Real Estate  
22 Research and Recovery Fund (EERF) may prorate or offset the payment so that the  
23 nine individual judgments do not collectively total more than \$92,919.59.

24 **THE COURT ORDERS** that Plaintiff's prior accounting (for paid security  
25 deposits and collected rent) from the nine (9) Judgements that apply, which were  
26 filed on or about 5/18/17, 5/23/17, 5/24/17, and 5/25/17 shall be attached as  
27 exhibits to the Order from today's hearing.

28  
9521 SIERRA SUMMIT, LLC

1       **THE COURT ORDERS** that all previously filed Judgments and Orders  
2 may be e-mailed to Attorney Kizer by the Judicial Executive Assistant (JEA) for  
3 Department I as he does not have access in this sealed case.

4       **THE COURT ORDERS** the Registry of Actions be printed and provided  
5 them to both Counsel IN OPEN COURT.

6       **THE COURT ORDERS** that this is a final order.

7  
8 Dated January 29, 2018.

9  
10  
11   
12 DISTRICT COURT JUDGE

13  
14 Respectfully Submitted:  
15 /s/ Amberlea Davis

16 **Law Offices of Amberlea Davis**

17 415 S. Sixth St, Ste 300

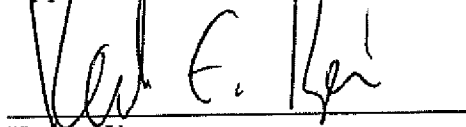
18 Las Vegas, NV 89101

19 Phone: (702) 440-8000

20 Email: Amber@SheIsMyLawyer.com

21 Attorney for: 9521 SIERRA SUMMIT, LLC  
22 and Successor in Interest Melani Schulte

23 Approved as to Form and Content:

24 

25 Keith Kizer

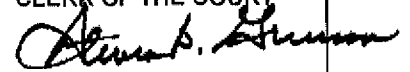
26 **Senior Deputy Attorney General**

27 **State of Nevada - Office of the Attorney General**

28 555 E Washington Avenue, Ste. 3900

Las Vegas, NV 89101

9521 SIERRA SUMMIT, LLC



1 **NEO**  
2 **Amberlea Davis**  
3 Nevada Bar Number: 11551  
4 Law Offices of Amberlea Davis  
5 415 S. Sixth St, Ste 300  
6 Las Vegas, NV 89101  
7 Phone: (702) 440-8000  
8 Email: [Amber@SheIsMyLawyer.com](mailto:Amber@SheIsMyLawyer.com)  
9 Attorney for: 5609 SAN ARDO, LLC  
10 and Successor in Interest Melani Schulte

11 **DISTRICT COURT**  
12 **CLARK COUNTY NEVADA**

13 MELANI SCHULTE,

14 Plaintiff,  
15 -vs-

16 WILLIAM R. SCHULTE,  
17 Defendants.

CASE: D-12-458809-D

DEPT: I

**NOTICE OF ENTRY OF ORDER**

18 **NOTICE OF ENTRY OF ORDER DIRECTING PAYMENT OUT OF THE EDUCATION**  
19 **RESEARCH AND RECOVERY FUND AND TO THE SUCCESSOR IN INTEREST TO**  
20 **5609 SAN ARDO, LLC MELANI SCHULTE**

21 PLEASE TAKE NOTICE: The attached Order was entered in the above matter on February 20,  
22 2018.

23 Dated February 21, 2018.

24 /s Amberlea Davis

25 Attorney Amberlea Davis  
26 Nevada Bar #11551  
27 Attorney for: 5609 SAN ARDO, LLC  
28 and Successor in Interest - Melani Schulte

EXHIBIT 1

*ORDER DIRECTING PAYMENT OUT OF THE EDUCATION RESEARCH AND RECOVERY  
FUND AND TO THE SUCCESSOR IN INTEREST TO 5609 SAN ARDO, LLC MELANI  
SCHULTE FILED FEBRUARY 20, 2018.*

LAW OFFICES OF AMBERLEA DAVIS

416 S. 6th St., Ste. 300  
Las Vegas, Nevada 89101  
Telephone: 702-518-4377



1 **ORD**

2 **Amberlea Davis**  
3 Nevada Bar Number: 11551  
4 Law Offices of Amberlea Davis  
5 415 S. Sixth St, Ste 300  
6 Las Vegas, NV 89101  
7 Phone: (702) 440-8000  
8 Email: Amber@ShelsMyLawyer.com  
9 Attorney for: 5609 SAN ARDO, LLC  
10 and Successor in Interest Melani Schulte

11 **DISTRICT COURT**  
12 **CLARK COUNTY NEVADA**

13 **MELANI SCHULTE,**  
14 **Plaintiff,**

**CASE: D-12-458809-D**

15 **-vs-**

16 **WILLIAM R. SCHULTE,**  
17 **Defendants.**

**DEPT: I**

18 ***ORDER DIRECTING PAYMENT OUT OF THE EDUCATION RESEARCH***  
19 ***AND RECOVERY FUND AND TO THE SUCCESSOR IN INTEREST TO 5609***  
20 ***SAN ARDO, LLC MELANI SCHULTE***

21 This mater came before the court for a hearing on November 30, 2017.  
22 Melani Schulte was present and represented by Attorney Amberlea Davis. Senior  
23 Deputy Attorney General Keith Kizer from the Nevada Attorney General's office  
24 was present representing the Sharath Chandra, Administrator of Nevada Real  
25 Estate Division guardian of the Education Research and Recovery Fund (ERRF  
26 Fund). William R. Schulte failed to appear at the November 30 hearing.

27 Attorney Kizer proffered that \$7,080.41 has been paid by the ERRF fund and  
28 that approximately \$92,919.59 was still available in the fund to pay claims against

**5609 SAN ARDO, LLC**

**LAW OFFICES OF AMBERLEA DAVIS**  
416 S. 6th St., Ste. 300  
Las Vegas, Nevada 89101  
Telephone: 702.518-4377

1 William R. Schulte. Plaintiff Melani Schulte was present and proffered testimony.  
2 Twenty-Two judgments were entered against William R. Schulte totaling over  
3 \$200,000. However, the Plaintiff filed verified petitions only on nine of the twenty-  
4 two judgments. The total of the nine verified petitions was approximately \$94,945.  
5 The Court has reviewed and considered the verified petition, the pleadings and oral  
6 argument.

7  
8 **FINDINGS OF FACT CONCLUSIONS OF LAW AND ORDER**  
9

10 **THE COURT FINDS** that the Petitioner has met the requirements of NRS  
11 645.841 et seq.

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13 **THE COURT FINDS** the "spouse exception" does not apply in this case  
14 because Plaintiff is a former spouse. At the time Plaintiff filed her action for  
15 recovery from the ERRF, Plaintiff was a former spouse not a current spouse and  
16 she is not married to the Defendant, therefore, the exception does not apply.

17 Further, the Court looked at the public policy pertaining to the word  
18 "spouse" in the NRS statute. The statute is designed to prevent married couples  
19 acting in concert to defraud other parties.

20 **THE COURT FINDS** that the Plaintiff has never been found to have  
21 committed any type of business fraud concerning the former community property  
22 assets she was awarded in the divorce.

23 **THE COURT FINDS** public policy also warrants that persons such as  
24 Plaintiff should be encouraged to keep businesses viable in Nevada. Otherwise,  
25 there would be less business conducted in Nevada. Here, Plaintiff has always acted  
26 in good faith concerning her duties in managing the former community property  
27 assets and ensuring no further harm to the tenants, paying restitution, and getting  
28

5609 SAN ARDO, LLC

1 the businesses up to par.

2 **THE COURT FINDS** that the fund is limited to \$100,000 per licensee and  
3 that \$7,080.41 has already been paid from the ERRF fund on the license of William  
4 R. Schulte.

5 **THE COURT FINDS** that the fund is limited to \$25,000 per judgment.

6 **THE COURT FINDS** that the nine verified petitions have separate  
7 judgments.

8 **THE COURT FINDS** that this judgment is for \$10,400.00, which is less  
9 than the \$25,000 per judgment limit.

10 **THE COURT FINDS** that because of the fund limits, that the total of these  
11 nine judgments may not exceed \$92,919.59.

12 If any conclusions of law are properly findings of fact, they shall be treated  
13 as if appropriately identified and designated.

## 14 ORDER

15 **THE COURT ORDERS** that Plaintiffs motion is granted.

16 **THE COURT ORDERS** and directs the Administrator of the Real Estate  
17 Research and Recovery Fund (EERF) to pay Melani Schulte the successor in  
18 interest to 5609 SAN ARDO, LLC the amount of \$10,400.00.

19 **THE COURT ORDERS** and directs the Administrator of the Real Estate  
20 Research and Recovery Fund (EERF) may prorate or offset the payment so that the  
21 nine individual judgments do not collectively total more than \$92,919.59.

22 **THE COURT ORDERS** that Plaintiffs prior accounting (for paid security  
23 deposits and collected rent) from the nine (9) Judgements that apply, which were  
24 filed on or about 5/18/17, 5/23/17, 5/24/17, and 5/25/17 shall be attached as  
25 exhibits to the Order from today's hearing.

26  
27  
28  
5609 SAN ARDO, LLC

1       **THE COURT ORDERS** that all previously filed Judgments and Orders  
2 may be e-mailed to Attorney Kizer by the Judicial Executive Assistant (JEA) for  
3 Department I as he does not have access in this sealed case.

4       **THE COURT ORDERS** the Registry of Actions be printed and provided  
5 them to both Counsel IN OPEN COURT.

6       **THE COURT ORDERS** that this is a final order.

7  
8 Dated January 29, 2018.

9  
10  
11  
12   
13 DISTRICT COURT JUDGE

14 Respectfully Submitted:

15 /s/ Amberlea Davis

16 **Law Offices of Amberlea Davis**

17 415 S. Sixth St, Ste 300

18 Las Vegas, NV 89101

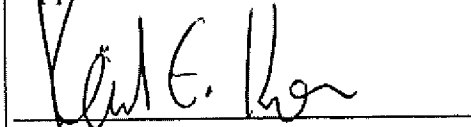
19 Phone: (702) 440-8000

20 Email: Amber@SheIsMyLawyer.com

21 Attorney for: 5609 SAN ARDO, LLC

22 and Successor in Interest Melani Schulte

23 Approved as to Form and Content:

24   
25 Keith Kizer

26 **Senior Deputy Attorney General**

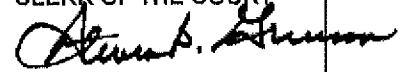
27 **State of Nevada - Office of the Attorney General**

28 555 E Washington Avenue, Ste. 3900

Las Vegas, NV 89101

5609 SAN ARDO, LLC





1 **NEO**  
2 **Amberlea Davis**  
3 Nevada Bar Number: 11551  
4 Law Offices of Amberlea Davis  
5 415 S. Sixth St, Ste 300  
6 Las Vegas, NV 89101  
7 Phone: (702) 440-8000  
8 Email: Amber@SheIsMyLawyer.com  
9 Attorney for: 5524 ROCK CREEK, LLC  
10 and Successor in Interest Melani Schulte

11 **DISTRICT COURT**  
12 **CLARK COUNTY NEVADA**

13 MELANI SCHULTE,

14 Plaintiff,  
15 -vs-

16 WILLIAM R. SCHULTE,  
17 Defendants.

CASE: D-12-458809-D

DEPT: I

**NOTICE OF ENTRY OF ORDER**

18 **NOTICE OF ENTRY OF ORDER DIRECTING PAYMENT OUT OF THE EDUCATION**  
19 **RESEARCH AND RECOVERY FUND AND TO THE SUCCESSOR IN INTEREST TO**  
20 **5524 ROCK CREEK, LLC MELANI SCHULTE**

21 PLEASE TAKE NOTICE: The attached Order was entered in the above matter on February 20,  
22 2018.

23 Dated February 21, 2018.

24 /s Amberlea Davis

25 Attorney Amberlea Davis  
26 Nevada Bar #11551  
27 Attorney for: 5524 ROCK CREEK, LLC  
28 and Successor in Interest - Melani Schulte

EXHIBIT 1

*ORDER DIRECTING PAYMENT OUT OF THE EDUCATION RESEARCH AND RECOVERY  
FUND AND TO THE SUCCESSOR IN INTEREST TO 5524 ROCK CREEK, LLC MELANI  
SCHULTE FILED FEBRUARY 20, 2018.*

LAW OFFICES OF AMBERLEA DAVIS

416 S. 6th St., Ste. 300  
Las Vegas, Nevada 89101  
Telephone: 702.518-4377



1 **ORD**

2 **Amberlea Davis**

3 Nevada Bar Number: 11551

4 Law Offices of Amberlea Davis

5 415 S. Sixth St, Ste 300

6 Las Vegas, NV 89101

7 Phone: (702) 440-8000

8 Email: Amber@SheIsMyLawyer.com

9 Attorney for: 5524 ROCK CREEK, LLC

10 and Successor in Interest Melani Schulte

11 **DISTRICT COURT**

12 **CLARK COUNTY NEVADA**

13 **MELANI SCHULTE,**

14 **Plaintiff,**

15 **-vs-**

16 **WILLIAM R. SCHULTE,**

17 **Defendants.**

18 **CASE: D-12-458809-D**

19 **DEPT: I**

20 ***ORDER DIRECTING PAYMENT OUT OF THE EDUCATION RESEARCH***

21 ***AND RECOVERY FUND AND TO THE SUCCESSOR IN INTEREST TO 5524***

22 ***ROCK CREEK, LLC MELANI SCHULTE***

23 This mater came before the court for a hearing on November 30, 2017.

24 Melani Schulte was present and represented by Attorney Amberlea Davis, Senior

25 Deputy Attorney General Keith Kizer from the Nevada Attorney General's office

26 was present representing the Sharath Chandra, Administrator of Nevada Real

27 Estate Division guardian of the Education Research and Recovery Fund (ERRF

28 Fund). William R. Schulte failed to appear at the November 30 hearing.

Attorney Kizer proffered that \$7,080.41 has been paid by the ERRF fund and  
that approximately \$92,919.59 was still available in the fund to pay claims against

5524 ROCK CREEK, LLC

LAW OFFICES OF AMBERLEA DAVIS  
416 S. 6th St., Ste. 300  
Las Vegas, Nevada 89101  
Telephone: 702-518-4377

1 William R. Schulte. Plaintiff Melani Schulte was present and proffered testimony.  
2 Twenty-Two judgments were entered against William R. Schulte totaling over  
3 \$200,000. However, the Plaintiff filed verified petitions only on nine of the twenty-  
4 two judgments. The total of the nine verified petitions was approximately \$94,945.  
5 The Court has reviewed and considered the verified petition, the pleadings and oral  
6 argument.

7  
8 **FINDINGS OF FACT CONCLUSIONS OF LAW AND ORDER**  
9

10 **THE COURT FINDS** that the Petitioner has met the requirements of NRS  
11 645.841 et seq.

12 **THE COURT FINDS** NRS 645.844 (4)(a) applies.

13 **THE COURT FINDS** the "spouse exception" does not apply in this case  
14 because Plaintiff is a former spouse. At the time Plaintiff filed her action for  
15 recovery from the ERRF, Plaintiff was a former spouse not a current spouse and  
16 she is not married to the Defendant, therefore, the exception does not apply.

17 Further, the Court looked at the public policy pertaining to the word  
18 "spouse" in the NRS statute. The statute is designed to prevent married couples  
19 acting in concert to defraud other parties.

20 **THE COURT FINDS** that the Plaintiff has never been found to have  
21 committed any type of business fraud concerning the former community property  
22 assets she was awarded in the divorce.

23 **THE COURT FINDS** public policy also warrants that persons such as  
24 Plaintiff should be encouraged to keep businesses viable in Nevada. Otherwise,  
25 there would be less business conducted in Nevada. Here, Plaintiff has always acted  
26 in good faith concerning her duties in managing the former community property  
27 assets and ensuring no further harm to the tenants, paying restitution, and getting  
28

5524 ROCK CREEK, LLC

1 the businesses up to par.

2 **THE COURT FINDS** that the fund is limited to \$100,000 per licensee and  
3 that \$7,080.41 has already been paid from the ERRF fund on the license of William  
4 R. Schulte.

5 **THE COURT FINDS** that the fund is limited to \$25,000 per judgment.

6 **THE COURT FINDS** that the nine verified petitions have separate  
7 judgments.

8 **THE COURT FINDS** that this judgment is for \$14,590.00, which is less  
9 than the \$25,000 per judgment limit.

10 **THE COURT FINDS** that because of the fund limits, that the total of these  
11 nine judgments may not exceed \$92,919.59.

12 If any conclusions of law are properly findings of fact, they shall be treated  
13 as if appropriately identified and designated.

14  
15 **ORDER**

16  
17 **THE COURT ORDERS** that Plaintiffs motion is granted.

18 **THE COURT ORDERS** and directs the Administrator of the Real Estate  
19 Research and Recovery Fund (EERF) to pay Melani Schulte the successor in  
20 interest to 5524 ROCK CREEK, LLC the amount of \$14,590.00.

21 **THE COURT ORDERS** and directs the Administrator of the Real Estate  
22 Research and Recovery Fund (EERF) may prorate or offset the payment so that the  
23 nine individual judgments do not collectively total more than \$92,919.59.

24 **THE COURT ORDERS** that Plaintiff's prior accounting (for paid security  
25 deposits and collected rent) from the nine (9) Judgements that apply, which were  
26 filed on or about 5/18/17, 5/23/17, 5/24/17, and 5/25/17 shall be attached as  
27 exhibits to the Order from today's hearing.

28  
5524 ROCK CREEK, LLC

1       **THE COURT ORDERS** that all previously filed Judgments and Orders  
2 may be e-mailed to Attorney Kizer by the Judicial Executive Assistant (JEA) for  
3 Department I as he does not have access in this sealed case.

4       **THE COURT ORDERS** the Registry of Actions be printed and provided  
5 them to both Counsel IN OPEN COURT.

6       **THE COURT ORDERS** that this is a final order.

7  
8 Dated January 29, 2018.

9  
10  
11  
12   
13 DISTRICT COURT JUDGE

14 Respectfully Submitted:  
15 /s/ Amberlea Davis

16 **Law Offices of Amberlea Davis**

17 415 S. Sixth St, Ste 300

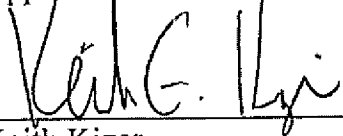
18 Las Vegas, NV 89101

19 Phone: (702) 440-8000

20 Email: Amber@ShelsMyLawyer.com

21 Attorney for: 5524 ROCK CREEK, LLC  
22 and Successor in Interest Melani Schulte

23 Approved as to Form and Content:

24   
25 Keith Kizer

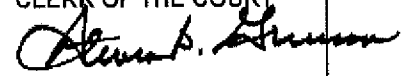
26 **Senior Deputy Attorney General**

27 **State of Nevada - Office of the Attorney General**

28 555 E Washington Avenue, Ste. 3900

Las Vegas, NV 89101

5524 ROCK CREEK, LLC



1 **NEO**  
2 **Amberlea Davis**  
3 Nevada Bar Number: 11551  
4 Law Offices of Amberlea Davis  
5 415 S. Sixth St, Ste 300  
6 Las Vegas, NV 89101  
7 Phone: (702) 440-8000  
8 Email: Amber@SheIsMyLawyer.com  
9 Attorney for: 8216 PEACEFUL CANYON, LLC  
10 and Successor in Interest Melani Schulte

11 **DISTRICT COURT**  
12 **CLARK COUNTY NEVADA**

13 MELANI SCHULTE,

14 Plaintiff,  
15 -vs-

16 WILLIAM R. SCHULTE,  
17 Defendants.

CASE: D-12-458809-D

DEPT: I

**NOTICE OF ENTRY OF ORDER**

18 **NOTICE OF ENTRY OF ORDER DIRECTING PAYMENT OUT OF THE EDUCATION**  
19 **RESEARCH AND RECOVERY FUND AND TO THE SUCCESSOR IN INTEREST TO**  
20 **8216 PEACEFUL CANYON, LLC MELANI SCHULTE**

21 PLEASE TAKE NOTICE: The attached Order was entered in the above matter on February 20,  
22 2018.

23 Dated February 21, 2018.

24 /s Amberlea Davis  
25 Attorney Amberlea Davis  
26 Nevada Bar #11551  
27 Attorney for: 8216 PEACEFUL CANYON, LLC  
28 and Successor in Interest - Melani Schulte

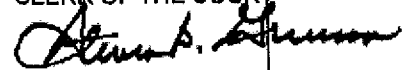
**LAW OFFICES OF AMBERLEA DAVIS**

416 S. 6th St., Ste. 300  
Las Vegas, Nevada 89101  
Telephone: 702.518-4377

**EXHIBIT 1**

*ORDER DIRECTING PAYMENT OUT OF THE EDUCATION RESEARCH AND RECOVERY  
FUND AND TO THE SUCCESSOR IN INTEREST TO 8216 PEACEFUL CANYON, LLC  
MELANI SCHULTE FILED FEBRUARY 20, 2018.*





1 **ORD**

2 **Amberlea Davis**

3 Nevada Bar Number: 11551

4 Law Offices of Amberlea Davis

5 415 S. Sixth St, Ste 300

6 Las Vegas, NV 89101

7 Phone: (702) 440-8000

8 Email: Amber@ShesMyLawyer.com

9 Attorney for: 8216 PEACEFUL CANYON, LLC  
and Successor in Interest Melani Schulte

10 **DISTRICT COURT**

11 **CLARK COUNTY NEVADA**

12 **MELANI SCHULTE,**

13 **Plaintiff,**

14 **-vs-**

15 **WILLIAM R. SCHULTE,**

16 **Defendants.**

CASE: D-12-458809-D

DEPT: I

17 ***ORDER DIRECTING PAYMENT OUT OF THE EDUCATION RESEARCH***  
18 ***AND RECOVERY FUND AND TO THE SUCCESSOR IN INTEREST TO 8216***  
19 ***PEACEFUL CANYON, LLC MELANI SCHULTE***

20 This matter came before the court for a hearing on November 30, 2017.  
21 Melani Schulte was present and represented by Attorney Amberlea Davis. Senior  
22 Deputy Attorney General Keith Kizer from the Nevada Attorney General's office  
23 was present representing the Sharath Chandra, Administrator of Nevada Real  
24 Estate Division guardian of the Education Research and Recovery Fund (ERRF  
25 Fund). William R. Schulte failed to appear at the November 30 hearing.

26 Attorney Kizer proffered that \$7,080.41 has been paid by the ERRF fund and  
27 that approximately \$92,919.59 was still available in the fund to pay claims against  
28

8216 PEACEFUL CANYON, LLC

LAW OFFICES OF AMBERLEA DAVIS

416 S. 6th St., Ste. 300  
Las Vegas, Nevada 89101  
Telephone: 702.518-4377

1 William R. Schulte. Plaintiff Melani Schulte was present and proffered testimony.  
2 Twenty-Two judgments were entered against William R. Schulte totaling over  
3 \$200,000. However, the Plaintiff filed verified petitions only on nine of the twenty-  
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5 The Court has reviewed and considered the verified petition, the pleadings and oral  
6 argument.

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8 **FINDINGS OF FACT CONCLUSIONS OF LAW AND ORDER**

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10 **THE COURT FINDS** that the Petitioner has met the requirements of NRS  
11 645.841 et seq.

12 **THE COURT FINDS** NRS 645.844 (4)(a) applies.

13 **THE COURT FINDS** the "spouse exception" does not apply in this case  
14 because Plaintiff is a former spouse. At the time Plaintiff filed her action for  
15 recovery from the ERRF, Plaintiff was a former spouse not a current spouse and  
16 she is not married to the Defendant, therefore, the exception does not apply.

17 Further, the Court looked at the public policy pertaining to the word  
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19 acting in concert to defraud other parties.

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21 committed any type of business fraud concerning the former community property  
22 assets she was awarded in the divorce.

23 **THE COURT FINDS** public policy also warrants that persons such as  
24 Plaintiff should be encouraged to keep businesses viable in Nevada. Otherwise,  
25 there would be less business conducted in Nevada. Here, Plaintiff has always acted  
26 in good faith concerning her duties in managing the former community property  
27 assets and ensuring no further harm to the tenants, paying restitution, and getting  
28

8216 PEACEFUL CANYON, LLC

1 the businesses up to par.

2 **THE COURT FINDS** that the fund is limited to \$100,000 per licensee and  
3 that \$7,080.41 has already been paid from the ERRF fund on the license of William  
4 R. Schulte.

5 **THE COURT FINDS** that the fund is limited to \$25,000 per judgment.

6 **THE COURT FINDS** that the nine verified petitions have separate  
7 judgments.

8 **THE COURT FINDS** that this judgment is for \$10,715.00, which is less  
9 than the \$25,000 per judgment limit.

10 **THE COURT FINDS** that because of the fund limits, that the total of these  
11 nine judgments may not exceed \$92,919.59.

12 If any conclusions of law are properly findings of fact, they shall be treated  
13 as if appropriately identified and designated.

14  
15 **ORDER**

16  
17 **THE COURT ORDERS** that Plaintiffs motion is granted.

18 **THE COURT ORDERS** and directs the Administrator of the Real Estate  
19 Research and Recovery Fund (EERF) to pay Melani Schulte the successor in  
20 interest to 8216 PEACEFUL CANYON, LLC the amount of \$10,715.00.

21 **THE COURT ORDERS** and directs the Administrator of the Real Estate  
22 Research and Recovery Fund (EERF) may prorate or offset the payment so that the  
23 nine individual judgments do not collectively total more than \$92,919.59.

24 **THE COURT ORDERS** that Plaintiff's prior accounting (for paid security  
25 deposits and collected rent) from the nine (9) Judgements that apply, which were  
26 filed on or about 5/18/17, 5/23/17, 5/24/17, and 5/25/17 shall be attached as  
27 exhibits to the Order from today's hearing.

28  
8216 PEACEFUL CANYON, LLC

LAW OFFICES OF AMBERLEA DAVIS  
416 S. 6th St., Ste. 300  
Las Vegas, Nevada 89101  
Telephone: 702.518-4377

1       **THE COURT ORDERS** that all previously filed Judgments and Orders  
2 may be e-mailed to Attorney Kizer by the Judicial Executive Assistant (JEA) for  
3 Department I as he does not have access in this sealed case.

4       **THE COURT ORDERS** the Registry of Actions be printed and provided  
5 them to both Counsel IN OPEN COURT.

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7  
8 Dated January 29, 2018.

9  
10  
11   
12 DISTRICT COURT JUDGE

13  
14 Respectfully Submitted:  
15 /s/ Amberlea Davis

16 **Law Offices of Amberlea Davis**

17 415 S. Sixth St, Ste 300

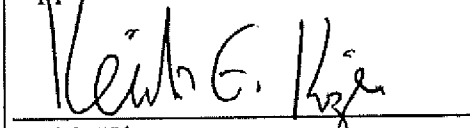
18 Las Vegas, NV 89101

19 Phone: (702) 440-8000

20 Email: Amber@SheIsMyLawyer.com

21 Attorney for: 8216 PEACEFUL CANYON, LLC  
22 and Successor in Interest Melani Schulte

23 Approved as to Form and Content:

24   
25 Keith Kizer

26 **Senior Deputy Attorney General**

27 **State of Nevada - Office of the Attorney General**

28 555 E Washington Avenue, Ste. 3900

Las Vegas, NV 89101

8216 PEACEFUL CANYON, LLC



1 **NEO**

2 **Amberlea Davis**

3 Nevada Bar Number: 11551

4 Law Offices of Amberlea Davis

5 415 S. Sixth St, Ste 300

6 Las Vegas, NV 89101

7 Phone: (702) 440-8000

8 Email: Amber@SheIsMyLawyer.com

9 Attorney for: 1341 MINUET, LLC

10 and Successor in Interest Melani Schulte

11 **DISTRICT COURT**  
12 **CLARK COUNTY NEVADA**

13 MELANI SCHULTE,

14 Plaintiff,

15 -vs-

16 WILLIAM R. SCHULTE,

17 Defendants.

CASE: D-12-458809-D

DEPT: 1

**NOTICE OF ENTRY OF ORDER**

18 **NOTICE OF ENTRY OF ORDER DIRECTING PAYMENT OUT OF THE EDUCATION**  
19 **RESEARCH AND RECOVERY FUND AND TO THE SUCCESSOR IN INTEREST TO**  
20 **1341 MINUET, LLC MELANI SCHULTE**

21 PLEASE TAKE NOTICE: The attached Order was entered in the above matter on February 20,  
22 2018.

23 Dated February 21, 2018.

24 /s Amberlea Davis

25 Attorney Amberlea Davis

26 Nevada Bar #11551

27 Attorney for: 1341 MINUET, LLC

28 and Successor in Interest - Melani Schulte

EXHIBIT 1

*ORDER DIRECTING PAYMENT OUT OF THE EDUCATION RESEARCH AND RECOVERY  
FUND AND TO THE SUCCESSOR IN INTEREST TO 1341 MINUET, LLC MELANI SCHULTE  
FILED FEBRUARY 20, 2018.*

LAW OFFICES OF AMBERLEA DAVIS

416 S. 6th St., Ste. 300  
Las Vegas, Nevada 89101  
Telephone: 702.518-4377



1 **ORD**  
2 **Amberlea Davis**  
3 Nevada Bar Number: 11551  
4 Law Offices of Amberlea Davis  
5 415 S. Sixth St, Ste 300  
6 Las Vegas, NV 89101  
7 Phone: (702) 440-8000  
8 Email: Amber@SheIsMyLawyer.com  
9 Attorney for: 1341 MINUET, LLC  
10 and Successor in Interest Melani Schulte

7 **DISTRICT COURT**  
8  
9 **CLARK COUNTY NEVADA**

10 **MELANI SCHULTE,**  
11 **Plaintiff,**

**CASE: D-12-458809-D**

12 **-vs-**

13 **WILLIAM R. SCHULTE,**  
14 **Defendants.**

**DEPT: I**

15  
16 ***ORDER DIRECTING PAYMENT OUT OF THE EDUCATION RESEARCH***  
17 ***AND RECOVERY FUND AND TO THE SUCCESSOR IN INTEREST TO 1341***  
18 ***MINUET, LLC MELANI SCHULTE***  
19

20 This mater came before the court for a hearing on November 30, 2017.  
21 Melani Schulte was present and represented by Attorney Amberlea Davis. Senior  
22 Deputy Attorney General Keith Kizer from the Nevada Attorney General's office  
23 was present representing the Sharath Chandra, Administrator of Nevada Real  
24 Estate Division guardian of the Education Research and Recovery Fund (ERRF  
25 Fund). William R. Schulte failed to appear at the November 30 hearing.

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28

**1341 MINUET, LLC**

**LAW OFFICES OF AMBERLEA DAVIS**  
416 S. 6th St., Ste. 300  
Las Vegas, Nevada 89101  
Telephone: 702.518-4377

1 William R. Schulte. Plaintiff Melani Schulte was present and proffered testimony.  
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7  
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10 **THE COURT FINDS** that the Petitioner has met the requirements of NRS  
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12 **THE COURT FINDS** NRS 645.844 (4)(a) applies.

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16 she is not married to the Defendant, therefore, the exception does not apply.

17 Further, the Court looked at the public policy pertaining to the word  
18 "spouse" in the NRS statute. The statute is designed to prevent married couples  
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21 committed any type of business fraud concerning the former community property  
22 assets she was awarded in the divorce.

23 **THE COURT FINDS** public policy also warrants that persons such as  
24 Plaintiff should be encouraged to keep businesses viable in Nevada. Otherwise,  
25 there would be less business conducted in Nevada. Here, Plaintiff has always acted  
26 in good faith concerning her duties in managing the former community property  
27 assets and ensuring no further harm to the tenants, paying restitution, and getting  
28

1341 MINUET, LLC



1 the businesses up to par.

2 **THE COURT FINDS** that the fund is limited to \$100,000 per licensee and  
3 that \$7,080.41 has already been paid from the ERRF fund on the license of William  
4 R. Schulte.

5 **THE COURT FINDS** that the fund is limited to \$25,000 per judgment.

6 **THE COURT FINDS** that the nine verified petitions have separate  
7 judgments.

8 **THE COURT FINDS** that this judgment is for \$12,402.71, which is less  
9 than the \$25,000 per judgment limit.

10 **THE COURT FINDS** that because of the fund limits, that the total of these  
11 nine judgments may not exceed \$92,919.59.

12 If any conclusions of law are properly findings of fact, they shall be treated  
13 as if appropriately identified and designated.

14  
15 **ORDER**

16  
17 **THE COURT ORDERS** that Plaintiffs motion is granted.

18 **THE COURT ORDERS** and directs the Administrator of the Real Estate  
19 Research and Recovery Fund (EERF) to pay Melani Schulte the successor in  
20 interest to 1341 MINUET, LLC the amount of \$12,402.71.

21 **THE COURT ORDERS** and directs the Administrator of the Real Estate  
22 Research and Recovery Fund (EERF) may prorate or offset the payment so that the  
23 nine individual judgments do not collectively total more than \$92,919.59.

24 **THE COURT ORDERS** that Plaintiff's prior accounting (for paid security  
25 deposits and collected rent) from the nine (9) Judgements that apply, which were  
26 filed on or about 5/18/17, 5/23/17, 5/24/17, and 5/25/17 shall be attached as  
27 exhibits to the Order from today's hearing.

28  
1341 MINUET, LLC

1       **THE COURT ORDERS** that all previously filed Judgments and Orders  
2 may be e-mailed to Attorney Kizer by the Judicial Executive Assistant (JEA) for  
3 Department I as he does not have access in this sealed case.

4       **THE COURT ORDERS** the Registry of Actions be printed and provided  
5 them to both Counsel IN OPEN COURT.

6       **THE COURT ORDERS** that this is a final order.

7  
8 Dated January 29, 2018.

9  
10  
11   
12 DISTRICT COURT JUDGE

13  
14 Respectfully Submitted:  
15 /s/ Amberlea Davis

16 **Law Offices of Amberlea Davis**

17 415 S. Sixth St, Ste 300

18 Las Vegas, NV 89101

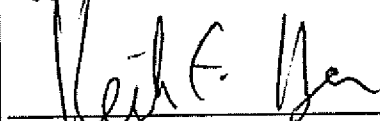
19 Phone: (702) 440-8000

20 Email: Amber@ShelsMyLawyer.com

21 Attorney for: 1341 MINUET, LLC

22 and Successor in Interest Melani Schulte

23 Approved as to Form and Content:

24 

25 Keith Kizer

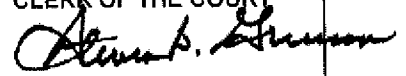
26 **Senior Deputy Attorney General**

27 **State of Nevada - Office of the Attorney General**

28 555 E Washington Avenue, Ste. 3900

Las Vegas, NV 89101

1341 MINUET, LLC



1 NEO

2 Amberlea Davis

3 Nevada Bar Number: 11551

4 Law Offices of Amberlea Davis

5 415 S. Sixth St, Ste 300

6 Las Vegas, NV 89101

7 Phone: (702) 440-8000

8 Email: Amber@SheIsMyLawyer.com

9 Attorney for: 2861 MARATHON, LLC

10 and Successor in Interest Melani Schulte

11  
12 DISTRICT COURT  
13 CLARK COUNTY NEVADA  
14

15 MELANI SCHULTE,

16 Plaintiff,

17 -VS-

18 WILLIAM R. SCHULTE,

19 Defendants.  
20

21 CASE: D-12-458809-D

22 DEPT: I

23 NOTICE OF ENTRY OF ORDER  
2425 NOTICE OF ENTRY OF ORDER DIRECTING PAYMENT OUT OF THE EDUCATION  
26 RESEARCH AND RECOVERY FUND AND TO THE SUCCESSOR IN INTEREST TO  
27 2861 MARATHON, LLC MELANI SCHULTE  
2829 PLEASE TAKE NOTICE: The attached Order was entered in the above matter on February 20,  
30 2018.

31 Dated February 21, 2018.

32 /s Amberlea Davis

33 Attorney Amberlea Davis

34 Nevada Bar #11551

35 Attorney for: 2861 MARATHON, LLC

36 and Successor in Interest - Melani Schulte  
37  
38

**LAW OFFICES OF AMBERLEA DAVIS**

416 S. 6th St., Ste. 300  
Las Vegas, Nevada 89101  
Telephone: 702.518-4377

**EXHIBIT 1**

*ORDER DIRECTING PAYMENT OUT OF THE EDUCATION RESEARCH AND RECOVERY  
FUND AND TO THE SUCCESSOR IN INTEREST TO 2861 MARATHON, LLC MELANI  
SCHULTE FILED FEBRUARY 20, 2018.*



1 **ORD**

2 **Amberlea Davis**

3 Nevada Bar Number: 11551

4 Law Offices of Amberlea Davis

5 415 S. Sixth St, Ste 300

6 Las Vegas, NV 89101

7 Phone: (702) 440-8000

8 Email: Amber@SheIsMyLawyer.com

9 Attorney for: 2861 MARATHON, LLC

10 and Successor in Interest Melani Schulte

11 **DISTRICT COURT**

12 **CLARK COUNTY NEVADA**

13 **MELANI SCHULTE,**

14 **Plaintiff,**

15 **-vs-**

16 **WILLIAM R. SCHULTE,**

17 **Defendants.**

18 **CASE: D-12-458809-D**

19 **DEPT: I**

20 ***ORDER DIRECTING PAYMENT OUT OF THE EDUCATION RESEARCH***  
21 ***AND RECOVERY FUND AND TO THE SUCCESSOR IN INTEREST TO 2861***  
22 ***MARATHON, LLC MELANI SCHULTE***

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24 Melani Schulte was present and represented by Attorney Amberlea Davis. Senior  
25 Deputy Attorney General Keith Kizer from the Nevada Attorney General's office  
26 was present representing the Sharath Chandra, Administrator of Nevada Real  
27 Estate Division guardian of the Education Research and Recovery Fund (ERRF  
28 Fund). William R. Schulte failed to appear at the November 30 hearing.

Attorney Kizer proffered that \$7,080.41 has been paid by the ERRF fund and  
that approximately \$92,919.59 was still available in the fund to pay claims against

2861 MARATHON, LLC

LAW OFFICES OF AMBERLEA DAVIS  
416 S. 6th St., Ste. 300  
Las Vegas, Nevada 89101  
Telephone: 702.518-4377

1 William R. Schulte. Plaintiff Melani Schulte was present and proffered testimony.  
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2861 MARATHON, LLC

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2 **THE COURT FINDS** that the fund is limited to \$100,000 per licensee and  
3 that \$7,080.41 has already been paid from the ERRF fund on the license of William  
4 R. Schulte.

5 **THE COURT FINDS** that the fund is limited to \$25,000 per judgment.

6 **THE COURT FINDS** that the nine verified petitions have separate  
7 judgments.

8 **THE COURT FINDS** that this judgment is for \$11,228.75, which is less  
9 than the \$25,000 per judgment limit.

10 **THE COURT FINDS** that because of the fund limits, that the total of these  
11 nine judgments may not exceed \$92,919.59.

12 If any conclusions of law are properly findings of fact, they shall be treated  
13 as if appropriately identified and designated.

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15 **ORDER**

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17 **THE COURT ORDERS** that Plaintiffs motion is granted.

18 **THE COURT ORDERS** and directs the Administrator of the Real Estate  
19 Research and Recovery Fund (EERF) to pay Melani Schulte the successor in  
20 interest to 2861 MARATHON, LLC the amount of \$11,228.75.

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25 deposits and collected rent) from the nine (9) Judgements that apply, which were  
26 filed on or about 5/18/17, 5/23/17, 5/24/17, and 5/25/17 shall be attached as  
27 exhibits to the Order from today's hearing.

28  
2861 MARATHON, LLC

**LAW OFFICES OF AMBERLEA DAVIS**

416 S. 6th St., Ste. 300  
Las Vegas, Nevada 89101  
Telephone: 702-518-4377

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2 may be e-mailed to Attorney Kizer by the Judicial Executive Assistant (JEA) for  
3 Department I as he does not have access in this sealed case.

4       **THE COURT ORDERS** the Registry of Actions be printed and provided  
5 them to both Counsel IN OPEN COURT.

6       **THE COURT ORDERS** that this is a final order.

7  
8 Dated January 29, 2018.

9  
10  
11   
12 DISTRICT COURT JUDGE

13  
14 Respectfully Submitted:  
15 /s/ Amberlea Davis

16 **Law Offices of Amberlea Davis**

17 415 S. Sixth St, Ste 300

18 Las Vegas, NV 89101

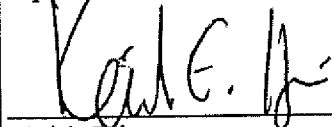
19 Phone: (702) 440-8000

20 Email: Amber@SheIsMyLawyer.com

21 Attorney for: 2861 MARATHON, LLC

22 and Successor in Interest Melani Schulte

23 Approved as to Form and Content:

24 

25 Keith Kizer

26 **Senior Deputy Attorney General**


27 **State of Nevada - Office of the Attorney General**

28 555 E Washington Avenue, Ste. 3900

Las Vegas, NV 89101

2861 MARATHON, LLC



1 **NEO**2 **Amberlea Davis**

3 Nevada Bar Number: 11551

4 Law Offices of Amberlea Davis

5 415 S. Sixth St, Ste 300

6 Las Vegas, NV 89101

7 Phone: (702) 440-8000

8 Email: Amber@SheIsMyLawyer.com

9 Attorney for: CHERISH, LLC

10 and Successor in Interest Melani Schulte

11 **DISTRICT COURT**  
12 **CLARK COUNTY NEVADA**

13 MELANI SCHULTE,

14 Plaintiff,

15 -VS-

16 WILLIAM R. SCHULTE,

17 Defendants.

CASE: D-12-458809-D

DEPT: 1

**NOTICE OF ENTRY OF ORDER**18 **NOTICE OF ENTRY OF ORDER DIRECTING PAYMENT OUT OF THE EDUCATION**  
19 **RESEARCH AND RECOVERY FUND AND TO THE SUCCESSOR IN INTEREST TO**  
20 **CHERISH, LLC MELANI SCHULTE**21 PLEASE TAKE NOTICE: The attached Order was entered in the above matter on February 20,  
22 2018.

23 Dated February 21, 2018.

24 /s Amberlea Davis

25 Attorney Amberlea Davis

26 Nevada Bar #11551

27 Attorney for: CHERISH, LLC

28 and Successor in Interest - Melani Schulte

EXHIBIT 1

*ORDER DIRECTING PAYMENT OUT OF THE EDUCATION RESEARCH AND RECOVERY  
FUND AND TO THE SUCCESSOR IN INTEREST TO CHERISH, LLC MELANI SCHULTE  
FILED FEBRUARY 20, 2018.*

LAW OFFICES OF AMBERLEA DAVIS

416 S. 6th St., Ste. 300  
Las Vegas, Nevada 89101  
Telephone: 702.518-4377

*Steven D. Grierson*

1 **ORD**

2 **Amberlea Davis**

3 Nevada Bar Number: 11551

4 Law Offices of Amberlea Davis

5 415 S. Sixth St, Ste 300

6 Las Vegas, NV 89101

7 Phone: (702) 440-8000

8 Email: [Amber@SheIsMyLawyer.com](mailto:Amber@SheIsMyLawyer.com)

9 Attorney for: CHERISH, LLC

10 and Successor in Interest Melani Schulte

11 **DISTRICT COURT**

12 **CLARK COUNTY NEVADA**

13 **MELANI SCHULTE,**

14 **Plaintiff,**

15 **-vs-**

16 **WILLIAM R. SCHULTE,**

17 **Defendants.**

18 **CASE: D-12-458809-D**

19 **DEPT: I**

20 ***ORDER DIRECTING PAYMENT OUT OF THE EDUCATION RESEARCH***  
21 ***AND RECOVERY FUND AND TO THE SUCCESSOR IN INTEREST TO***  
22 ***CHERISH, LLC MELANI SCHULTE***

23 This matter came before the court for a hearing on November 30, 2017.  
24 Melani Schulte was present and represented by Attorney Amberlea Davis. Senior  
25 Deputy Attorney General Keith Kizer from the Nevada Attorney General's office  
26 was present representing the Sharath Chandra, Administrator of Nevada Real  
27 Estate Division guardian of the Education Research and Recovery Fund (ERRF  
28 Fund). William R. Schulte failed to appear at the November 30 hearing.

Attorney Kizer proffered that \$7,080.41 has been paid by the ERRF fund and  
that approximately \$92,919.59 was still available in the fund to pay claims against

CHERISH, LLC

LAW OFFICES OF AMBERLEA DAVIS  
416 S. 6th St., Ste. 300  
Las Vegas, Nevada 89101  
Telephone: 702-518-4377

1 William R. Schulte. Plaintiff Melani Schulte was present and proffered testimony.  
2 Twenty-Two judgments were entered against William R. Schulte totaling over  
3 \$200,000. However, the Plaintiff filed verified petitions only on nine of the twenty-  
4 two judgments. The total of the nine verified petitions was approximately \$94,945.  
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6 argument.

7  
8 **FINDINGS OF FACT CONCLUSIONS OF LAW AND ORDER**

9  
10 **THE COURT FINDS** that the Petitioner has met the requirements of NRS  
11 645.841 et seq.

12 **THE COURT FINDS** NRS 645.844 (4)(a) applies.

13 **THE COURT FINDS** the "spouse exception" does not apply in this case  
14 because Plaintiff is a former spouse. At the time Plaintiff filed her action for  
15 recovery from the ERRF, Plaintiff was a former spouse not a current spouse and  
16 she is not married to the Defendant, therefore, the exception does not apply.

17 Further, the Court looked at the public policy pertaining to the word  
18 "spouse" in the NRS statute. The statute is designed to prevent married couples  
19 acting in concert to defraud other parties.

20 **THE COURT FINDS** that the Plaintiff has never been found to have  
21 committed any type of business fraud concerning the former community property  
22 assets she was awarded in the divorce.

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27 assets and ensuring no further harm to the tenants, paying restitution, and getting  
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CHERISH, LLC

1 the businesses up to par.

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5 **THE COURT FINDS** that the fund is limited to \$25,000 per judgment.

6 **THE COURT FINDS** that the nine verified petitions have separate  
7 judgments.

8 **THE COURT FINDS** that this judgment is for \$12,060.00, which is less  
9 than the \$25,000 per judgment limit.

10 **THE COURT FINDS** that because of the fund limits, that the total of these  
11 nine judgments may not exceed \$92,919.59.

12 If any conclusions of law are properly findings of fact, they shall be treated  
13 as if appropriately identified and designated.

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23 nine individual judgments do not collectively total more than \$92,919.59.

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CHERISH, LLC

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8 Dated January 29, 2018.

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11   
12 DISTRICT COURT JUDGE

13  
14 Respectfully Submitted:  
15 /s/ Amberlea Davis

16 **Law Offices of Amberlea Davis**

17 415 S. Sixth St, Ste 300

18 Las Vegas, NV 89101

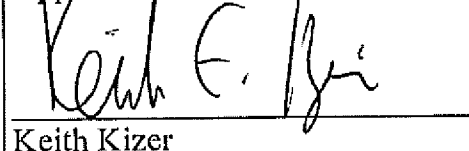
19 Phone: (702) 440-8000

20 Email: Amber@ShelsMyLawyer.com

21 Attorney for: CHERISH, LLC

22 and Successor in Interest Melani Schulte

23 Approved as to Form and Content:

24   
25

26 Keith Kizer

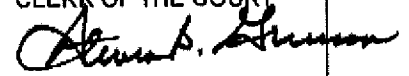
27 **Senior Deputy Attorney General**

28 **State of Nevada - Office of the Attorney General**

555 E Washington Avenue, Ste. 3900

Las Vegas, NV 89101

CHERISH, LLC



1 **NEO**  
2 **Amberlea Davis**  
3 Nevada Bar Number: 11551  
4 Law Offices of Amberlea Davis  
5 415 S. Sixth St, Ste 300  
6 Las Vegas, NV 89101  
7 Phone: (702) 440-8000  
8 Email: Amber@SheIsMyLawyer.com  
9 Attorney for: 1701 EMPIRE MINE, LLC  
10 and Successor in Interest Melani Schulte

11 **DISTRICT COURT**  
12 **CLARK COUNTY NEVADA**

13 MELANI SCHULTE,

14 Plaintiff,  
15 -vs-

16 WILLIAM R. SCHULTE,

17 Defendants.

CASE: D-12-458809-D

DEPT: I

**NOTICE OF ENTRY OF ORDER**

18 **NOTICE OF ENTRY OF ORDER DIRECTING PAYMENT OUT OF THE EDUCATION**  
19 **RESEARCH AND RECOVERY FUND AND TO THE SUCCESSOR IN INTEREST TO**  
20 **1701 EMPIRE MINE, LLC MELANI SCHULTE**

21 PLEASE TAKE NOTICE: The attached Order was entered in the above matter on February 20,  
22 2018.

23 Dated February 21, 2018.

24 /s Amberlea Davis

25 Attorney Amberlea Davis  
26 Nevada Bar #11551  
27 Attorney for: 1701 EMPIRE MINE, LLC  
28 and Successor in Interest - Melani Schulte

**LAW OFFICES OF AMBERLEA DAVIS**

416 S. 6th St., Ste. 300  
Las Vegas, Nevada 89101  
Telephone: 702.518-4377

**EXHIBIT 1**

*ORDER DIRECTING PAYMENT OUT OF THE EDUCATION RESEARCH AND RECOVERY  
FUND AND TO THE SUCCESSOR IN INTEREST TO 1701 EMPIRE MINE, LLC MELANI  
SCHULTE FILED FEBRUARY 20, 2018.*





ORD

Amberlea Davis  
Nevada Bar Number: 11551  
Law Offices of Amberlea Davis  
415 S. Sixth St, Ste 300  
Las Vegas, NV 89101  
Phone: (702) 440-8000  
Email: Amber@SheIsMyLawyer.com  
Attorney for: 1701 EMPIRE MINE, LLC  
and Successor in Interest Melani Schulte

**DISTRICT COURT  
CLARK COUNTY NEVADA**

MELANI SCHULTE,  
Plaintiff,

CASE: D-12-458809-D

-vs-

WILLIAM R. SCHULTE,  
Defendants.

DEPT: I

***ORDER DIRECTING PAYMENT OUT OF THE EDUCATION RESEARCH  
AND RECOVERY FUND AND TO THE SUCCESSOR IN INTEREST TO 1701  
EMPIRE MINE, LLC MELANI SCHULTE***

This mater came before the court for a hearing on November 30, 2017. Melani Schulte was present and represented by Attorney Amberlea Davis. Senior Deputy Attorney General Keith Kizer from the Nevada Attorney General's office was present representing the Sharath Chandra, Administrator of Nevada Real Estate Division guardian of the Education Research and Recovery Fund (ERRF Fund). William R. Schulte failed to appear at the November 30 hearing.

Attorney Kizer proffered that \$7,080.41 has been paid by the ERRF fund and that approximately \$92,919.59 was still available in the fund to pay claims against

1701 EMPIRE MINE, LLC

LAW OFFICES OF AMBERLEA DAVIS

416 S. 6th St., Ste. 300  
Las Vegas, Nevada 89101  
Telephone: 702-518-4377

Non-Trial Dispositions:  
☐ Other  
☐ Dismissed - Want of Prosecution  
☐ Involuntary (Statutory) Dismissal  
☐ Default Judgment  
☐ Transferred  
☐ Disposed After Trial Start  
Settled/Withdrawn:  
☐ Without Judicial Conf/Htg  
☒ With Judicial Conf/Htg  
☐ By ADR  
Trial Dispositions:  
☐ Judgment Reached by Trial

2018-02-20

001

1 William R. Schulte. Plaintiff Melani Schulte was present and proffered testimony.  
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3 \$200,000. However, the Plaintiff filed verified petitions only on nine of the twenty-  
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1701 EMPIRE MINE, LLC

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1701 EMPIRE MINE, LLC

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8 Dated January 29, 2018.

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13 DISTRICT COURT JUDGE

14 Respectfully Submitted:

15 /s/ Amberlea Davis

16 **Law Offices of Amberlea Davis**

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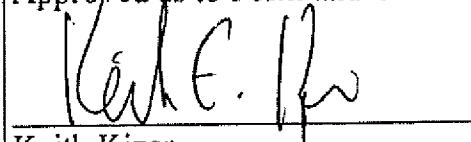
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19 Phone: (702) 440-8000

20 Email: Amber@SheIsMyLawyer.com

21 Attorney for: 1701 EMPIRE MINE, LLC  
22 and Successor in Interest Melani Schulte

23 Approved as to Form and Content:

24 

25 Keith Kizer

26 **Senior Deputy Attorney General**

27 **State of Nevada - Office of the Attorney General**

28 555 E Washington Avenue, Ste. 3900

Las Vegas, NV 89101

1701 EMPIRE MINE, LLC

IN THE SUPREME COURT OF THE STATE OF NEVADA

SHARATH CHANDRA, ADMINISTRATOR,  
NEVADA REAL ESTATE DIVISION,

Appellant,

vs.

MELANI SCHULTE; AND WILLIAM R.  
SCHULTE,

Respondents.

) Supreme Court No. 75477

Electronically Filed  
Apr 19 2018 02:18 p.m.

Elizabeth A. Brown

) Clerk of Supreme Court  
) DOCKETED  
) CIVIL APPEALS

1. **Judicial District:** Eighth **Department:** I (Family Court)  
**County:** Clark **Judge:** Cheryl B. Moss  
**District Court Docket No.:** D-12-458809-D

2. **Attorneys filing this docketing statement:**

Adam Paul Laxalt, Attorney General  
Keith E. Kizer, Senior Deputy Attorney General  
Office of the Attorney General  
555 E. Washington Ave., Ste. 3900  
Las Vegas, Nevada 89101  
Telephone: (702) 486-3326

Client: Sharath Chandra, Administrator, Nevada Real Estate Division

3. **Attorney representing respondents:**

Amberlea Davis, Esq.  
Law Offices of Amberlea Davis  
415 S. Sixth St., Ste. 300  
Las Vegas, Nevada 89101  
Telephone: (702) 440-8000

Client: Melani Schulte

William R. Schulte, In proper person  
8252 Nice Court  
Las Vegas, Nevada 89129

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

- |  |   |
|--|---|
| <input type="checkbox"/> Judgment after bench trial  | <input type="checkbox"/> Grant/Denial of NRCp 60(b) relief              |
| <input type="checkbox"/> Judgment after jury verdict | <input type="checkbox"/> Grant/Denial of injunction                     |
| <input type="checkbox"/> Summary Judgment            | <input type="checkbox"/> Grant/Denial of declaratory relief             |
| <input type="checkbox"/> Default Judgment            | <input type="checkbox"/> Review of agency determination                 |
| <input type="checkbox"/> Dismissal                   | <input type="checkbox"/> Divorce Decree:                                |
| <input type="checkbox"/> Lack of jurisdiction        | <input type="checkbox"/> original <input type="checkbox"/> modification |
| <input type="checkbox"/> Failure to state a claim    | X Other disposition: <u>Grant of NRS 645.846 relief</u>                 |
| <input type="checkbox"/> Failure to prosecute        |   |
| <input type="checkbox"/> Other (specify)             |   |

5. **Does this appeal raise issues concerning any of the following?**

- ☐ Child custody
- ☐ Venue
- ☐ Termination of parental rights

No

6. **Pending and prior proceedings in this court.**

None

7. **Pending and prior proceedings in other courts.**

None

8. **Nature of the action.**

The Administrator of the Nevada Real Estate Division (“Division”) maintains the Real Estate Education, Research and Recovery Fund (“Fund”), which allows limited recovery by a person who has been financially harmed by a real estate licensee’s fraud, misrepresentation or deceit. On October 25, 2017, respondent Melani Schulte filed nine Petitions for Fund relief (each based on a separate judgment entered against respondent William R. Schulte in the same action). The Division opposed her Petitions. On February 20, 2018, the District Court granted the Petitions, and entered nine Orders, each corresponding to one of the Petitions. The Orders collectively direct a \$94,045.46 payment from the Fund to Melani Schulte, who would end up receiving \$92,919.59 due to an offset. The Division appealed therefrom.

9. **Issues on appeal.**

1. Did the District Court err in granting Melanie Schulte payment from the Real Estate Education, Research and Recovery Fund in light of the spousal prohibition set forth in NRS 645.844(4)(a)?

2. Did the District Court err in finding that Melanie Schulte suffered financial harm as the result of fraud, misrepresentation or deceit by William R. Schulte with reference to any transaction for which a license is required pursuant NRS 645?

3. Did the District Court err in granting Melanie Schulte payment from the Fund in excess of \$25,000.00?

10. **Pending proceedings in this court raising the same or similar issues.**

None

11. **Constitutional issues.**

N/A

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

- ☐ Reversal of well-settled Nevada precedent (on an attachment, identify the case(s))
- ☐ An issue arising under the United States and/or Nevada Constitutions
- ☐ A substantial issue of first-impression
- ☐ An issue of public policy
- ☐ An issue where en banc consideration is necessary to maintain uniformity of this court's decisions
- ☐ A ballot question

No

13. **Assignment to the Court of Appeals or retention in the Supreme Court.**

This matter is presumptively assigned to the Court of Appeals pursuant to NRAP 17(b)(10).

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

N/A

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

No

### **TIMELINESS OF NOTICE OF APPEAL**

**16. Date of entry of written judgment or order appealed from:**

The Orders Directing Payment Out of the Education Research and Recovery Fund were each entered on February 20, 2018.

**17. Date written notice of entry of judgment or order served:**

The Notices of Entry of Order were each served on the Division on February 21, 2018.

Was service by:

☐ Delivery

☒ Mail/electronic/fax

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

N/A

**19. Date notice of appeal filed:**

March 22, 2018

**20. Specify statute or rule governing the time limit for filing the notice of appeal:**

NRAP 4(a)(1)

### **SUBSTANTIVE APPEALABILITY**

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

(a) NRAP 3A(b)(1)

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

The appeal is taken from final orders entered in an action commenced in the district court in which the orders were rendered.



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

(a) Parties:

1. Melani Schulte
2. William R. Schulte
3. Sharath Chandra, Administrator, Nevada Real Estate Division

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

N/A

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

Melani Schulte – sought payment from the Fund

Sharath Chandra, Administrator, Nevada Real Estate Division – objected to payment from the Fund

William R. Schulte – did not participate in the Fund relief proceedings

The District Court's Orders Directing Payment Out of the Education Research and Recovery Fund were issued on February 20, 2018.

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

Yes

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

N/A

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

N/A

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

- The latest-filed complaint, counterclaims, cross-claims, and third-party claims
- Any tolling motion(s) and order(s) resolving the tolling motion(s)

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

*See:*

- Attachment 1: Verified Petitions for an Order Directing Payment Out of the Education Research Recovery Fund (9) ;
- Attachment 2: Final Judgments (9) and Order From April 3, 2017 Hearing Granting Final Judgment Against William R. Schulte (1);
- Attachment 3: Notices of Entry of Order with Orders attached (9).

### **VERIFICATION**

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

DATED: April 19, 2018.

ADAM PAUL LAXALT  
Attorney General

By:       / s / Keith E. Kizer        
 Keith E. Kizer (Bar. No. 4305)  
 Senior Deputy Attorney General  
 Office of the Nevada Attorney General  
 555 E. Washington Avenue, Suite 3900  
 Las Vegas, Nevada 89101  
 (702) 486-3326 – Telephone  
 (702) 486-3416 – Facsimile  
[kkizer@ag.nv.gov](mailto:kkizer@ag.nv.gov)  
 Attorneys for Appellant Sharath Chandra,  
 Administrator, Nevada Real Estate Division

### **CERTIFICATE OF SERVICE**

I certify that I am an employee of the Office of the Attorney General, State of Nevada, and that on 19<sup>th</sup> day of April, 2018, I filed this completed docketing statement via this Court's electronic filing system.

The following participants in this case are registered electronic filing systems users and will be served electronically:

Amberlea Davis, Esq.  
Law Offices of Amberlea Davis  
415 S. Sixth Street, Suite 300  
Las Vegas, NV 89101

The following participants in this case are not registered electronic filing systems users and will be served via United States mail, first class, postage prepaid:

William R. Schulte  
8252 Nice Court  
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