

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE
CHRISTIAN FAMILY TRUST U.A.D
10/11/16

SUSAN CHRISTIAN-PAYNE;
ROSEMARY KEACH; AND
RAYMOND CHRISTIAN, JR.,

Appellants,

v.

FREDRICK P. WAID, Trustee;
ANTHONY L. BARNEY, LTD.;

Respondents.

) Supreme Court No. 75750
) District Case No. Dec 17-092519-04
) Electronically Filed
) Dec 17-092519-04:12 p.m.
) Elizabeth A. Brown
) Clerk of Supreme Court

) **NOTICE THAT NO**
) **ANSWERING BRIEF WILL BE**
) **FILED**

Please take notice that pursuant to the Order Granting Motion for Substitution filed on November 20, 2019, Fredrick P. Waid, Court-appointed trustee of THE CHRISTIAN FAMILY TRUST (“Trust”), does not intend to file an answering brief or joinder to ANTHONY L. BARNEY, LTD’s answering brief in the above matter. As the Court-appointed trustee of the Trust currently being disputed among the various beneficiaries, including the estate of ANTHONY L. BARNEY, LTD’s now-deceased client, Nancy Christian, Mr. Waid’s appointment by the district court does

not impose a legal requirement or duty to take any particular side in the dispute between Monte Reason acting on behalf of the Nancy Christian Estate on one side (“Reason Parties”) and Susan Christian-Payne, Rosemary Keach, and Raymond Christian, Jr. on the other side (“Christian Parties”) regarding this or any other aspect of Trust administration. Mr. Waid respectfully defers to the district court and to this Court regarding any ongoing disputed aspect of administration of the Trust initiated before his appointment, including the payment of attorney’s fees to the former attorney of the late Nancy Christian. Mr. Waid has relied on the April 12, 2018 order of the district court awarding “\$53,031.97 to ALB, LTD., for payment of attorney’s fees and costs” and confirmed that the prior trustee, Jacqueline Utkin, paid such fees pursuant to the order. In other words, Mr. Waid agrees that the trustee of the Trust has the authority to pay Trust expenses as deemed appropriate, subject to the orders of the district court, such as the April 12, 2018 order of the district court awarding “\$53,031.97 to ALB, LTD., for payment of attorney’s fees and costs.”

If the Reason Parties and by extension the law firm of ANTHONY L. BARNEY, LTD as this Court permits, or the Christian Parties wish to appeal the district court’s order awarding “\$53,031.97 to ALB, LTD., for payment of attorney’s fees and costs,” Mr. Waid takes no position on their respective claims on appeal. Mr. Waid believes that neither the opening brief nor the answer requires him to weigh in

or assert any rights on behalf of the Trust when the issues are raised by “interested persons” to the Trust as defined in NRS 132.185 and are heard by the district court which has jurisdiction concerning the internal affairs of the Trust. *See*, NRS 153.031, NRS 164.015, and NRS 164.015.

Mr. Waid’s reliance on the April 12, 2018 order of the district court awarding “\$53,031.97 to ALB, LTD., for payment of attorney’s fees and costs” should not be construed as asserting any position nor delegating any authority of the Trust to any party in this appeal. Mr. Waid simply recognizes that the various parties have differing positions on the appeal about which he will defer to this Court’s decision and the district court’s order directing him to act accordingly on behalf of the Trust as necessary.

Respectfully submitted this 11th day of December, 2019.

HUTCHISON & STEFFEN, PLLC

/s/ Russel J. Geist

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CERTIFICATE OF SERVICE

I certify that I am an employee of HUTCHISON & STEFFEN, PLLC and that on this date **NOTICE THAT NO ANSWERING BRIEF WILL BE FILED** was filed electronically with the Clerk of the Nevada Supreme Court, and service was made in accordance with the master service list as follows:

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DATED this 11th day of December, 2019.

/s/ Amber Anderson-Reynolds
An employee of Hutchison & Steffen, PLLC