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IN THE SUPREME COURT OF THE STATE OF NEVADA

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TRUDI LEE LYTLE AND JOHN ALLEN LYTLE, TRUSTEES OF THE  
LYTLE TRUST,  
Appellants,

Electronically Filed  
Jun 19 2019 09:21 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

vs.

SEPTEMBER TRUST, DATED MARCH 23, 1972; GERRY R. ZOBRIST AND  
JOLIN G. ZOBRIST, AS TRUSTEES OF THE GERRY R. ZOBRIST AND  
JOLIN G. ZOBRIST FAMILY TRUST; RAYNALDO G. SANDOVAL AND  
JULIE MARIE SANDOVAL GEGEN, AS TRUSTEES OF THE RAYNALDO G.  
AND EVELYN A. SANDOVAL JOINT LIVING AND DEVOLUTION TRUST  
DATED MAY 27, 1992; AND DENNIS A. GEGEN AND JULIE S. GEGEN,  
HUSBAND AND WIFE, AS JOINT TENANTS,  
Respondents.

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On Appeal from an Order of the Eighth Judicial District Court, Clark  
County, Nevada; The Honorable Mark Bailus, District Court Judge;  
District Court Case No. A-17-765372-C

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Respondents' Appendix to Answering Brief – Volume 1

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WESLEY J. SMITH, ESQ.  
Nevada Bar No. 11871  
LAURA J. WOLFF, ESQ.  
Nevada Bar No. 6869  
CHRISTENSEN JAMES & MARTIN  
7440 W. Sahara Avenue  
Las Vegas, Nevada 89117  
Tel.: (702) 255-1718 Facsimile: (702) 255-0871  
Attorneys for Respondents

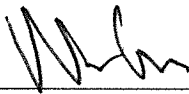
## **TABLE OF CONTENTS**

1. Details of District Court Case No. A-10-631355-C (**RA0001 –RA0047** )
2. Memorandum of Costs and Disbursements (**RA0048-RA0051**)
3. Plaintiffs’ Motion for Attorney’s Fees and Costs (**RA0052-RA0159**)
4. Declaration of Counsel in Support of Plaintiffs’ Motion for Attorney’s Fees and Costs (**RA0160-RA0166**)

**CERTIFICATE OF SERVICE**

I hereby certify that on this date, the 17th day of June 2019, I submitted the foregoing Respondents' Appendix to Opening Brief – Volume 1 (Docket 76198 and 77007) for filing and service through the Court's eFlex electronic filing service. According to the system, electronic notification will automatically be sent to the following:

Richard E. Haskin, Esq.  
GIBBS GIDEN LOCHER TURNER  
SENET & WITTBRODT LLP  
1140 N. Town Center Drive,  
Suite 300  
Las Vegas, Nevada 89144

  
\_\_\_\_\_  
Wesley J. Smith

## Case Information

A-10-631355-C | Lytle Trust, Plaintiff(s) vs. Rosemere Estates Property Owners Association, Defendant(s)

Case Number	Court	Judicial Officer
A-10-631355-C	Department 32	Bare, Rob
File Date	Case Type	Case Status
12/13/2010	Other Civil Filing	Closed

## Party

Plaintiff  
Lytle Trust

Active Attorneys ▼  
Attorney  
Sterling, Beau  
Retained

Lead Attorney  
Haskin Esq,  
Richard Edward  
Retained

Plaintiff  
Lytle, John Allen

Active Attorneys ▼  
Attorney  
Sterling, Beau  
Retained

Lead Attorney  
Haskin Esq,

Richard Edward  
Retained

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Counter Defendant  
Lytle, John Allen

Active Attorneys ▼  
Attorney  
Sterling, Beau  
Retained

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Lead Attorney  
Haskin Esq,  
Richard Edward  
Retained

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---

Plaintiff  
Lytle, Trudi Lee

Active Attorneys ▼  
Attorney  
Sterling, Beau  
Retained

---

Lead Attorney  
Haskin Esq,  
Richard Edward  
Retained

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---

Counter Defendant  
Lytle, Trudi Lee

Active Attorneys ▼  
Attorney  
Sterling, Beau  
Retained

---

Lead Attorney  
Haskin Esq,  
Richard Edward  
Retained

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Defendant  
Rosemere Estates Property Owners  
Association

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Counter Claimant  
Rosemere Estates Property Owners  
Association

## Disposition Events

12/09/2011 Judgment ▼

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Judicial Officer  
Bare, Rob

Judgment Type  
Order of Dismissal Without Prejudice

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Monetary Judgment

Debtors: Lytle Trust (Plaintiff), John Allen Lytle (Plaintiff), Trudi Lee  
Lytle (Plaintiff)

Creditors: Rosemere Estates Property Owners Association  
(Defendant)

Judgment: 12/09/2011 Docketed: 12/19/2011

Comment: Certain Claim

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12/09/2011 Judgment ▼

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Judicial Officer  
Bare, Rob

Judgment Type  
Summary Judgment

---

Monetary Judgment

Debtors: Lytle Trust (Plaintiff), John Allen Lytle (Plaintiff), John Allen Lytle (Counter Defendant), Trudi Lee Lytle (Plaintiff), Trudi Lee Lytle (Counter Defendant)

Creditors: Rosemere Estates Property Owners Association (Defendant), Rosemere Estates Property Owners Association (Counter Claimant)

Judgment: 12/09/2011 Docketed: 12/19/2011

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05/15/2012 Judgment ▼

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Judicial Officer  
Bare, Rob

Judgment Type  
Judgment for Attorney's Fees

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Monetary Judgment

Debtors: Lytle Trust (Plaintiff), John Allen Lytle (Plaintiff), Trudi Lee Lytle (Plaintiff)

Creditors: Rosemere Estates Property Owners Association (Defendant)

Judgment: 05/15/2012 Docketed: 05/29/2012

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06/05/2012 Judgment ▼

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Judicial Officer  
Bare, Rob

Judgment Type  
Judgment for Attorney's Fees

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Monetary Judgment

Debtors: Lytle Trust (Plaintiff), John Allen Lytle (Plaintiff), Trudi Lee Lytle (Plaintiff)

Creditors: Rosemere Estates Property Owners Association (Defendant)

Judgment: 06/05/2012 Docketed: 06/12/2012

Total Judgment: \$104,023.74

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08/13/2012 Judgment▼

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Judicial Officer

Bare, Rob

Judgment Type

Order

---

Monetary Judgment

Debtors: Lytle Trust (Plaintiff), John Allen Lytle (Plaintiff), Trudi Lee Lytle (Plaintiff)

Creditors: Rosemere Estates Property Owners Association (Defendant)

Judgment: 08/13/2012 Docketed: 08/21/2012

Total Judgment: \$7,185.45

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01/22/2016 Judgment▼

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Judicial Officer

Bare, Rob

Judgment Type

Clerk's Certificate

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Monetary Judgment

Debtors: Lytle Trust (Plaintiff), John Allen Lytle (Plaintiff), Trudi Lee Lytle (Plaintiff)

Creditors: Rosemere Estates Property Owners Association (Defendant)



Judgment: 01/22/2016 Docketed: 02/01/2016

Comment: Supreme Court No. 66558; Affirmed

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01/22/2016 Judgment▼

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Judicial Officer

Bare, Rob

Judgment Type

Clerk's Certificate

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Monetary Judgment

Debtors: Lytle Trust (Plaintiff), John Allen Lytle (Plaintiff), Trudi Lee Lytle (Plaintiff)

Creditors: Rosemere Estates Property Owners Association (Defendant)

Judgment: 01/22/2016 Docketed: 02/01/2016

Comment: Supreme Court No. 60657; Vacated and Remand

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04/18/2017 Judgment▼

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Judicial Officer

Bare, Rob

Judgment Type

Order

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Monetary Judgment

Debtors: Rosemere Estates Property Owners Association (Defendant)

Creditors: John Allen Lytle (Plaintiff), Trudi Lee Lytle (Plaintiff)

Judgment: 04/18/2017 Docketed: 04/25/2017

Total Judgment: \$279,333.25

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05/15/2017 Judgment ▼

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Judicial Officer  
Bare, Rob

Judgment Type  
Order

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Monetary Judgment

Debtors: Rosemere Estates Property Owners Association  
(Defendant)

Creditors: John Allen Lytle (Plaintiff), Trudi Lee Lytle (Plaintiff)

Judgment: 05/15/2017 Docketed: 05/22/2017

Total Judgment: \$823,824.84

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## Events and Hearings

12/13/2010 Complaint ▼

Complaint for Trial De Novo Pursuant to NRS 38.330; Declaratory  
Relief; Preliminary and Permanent I

Comment

Complaint for Trial De Novo Pursuant to NRS 38.330;  
Declaratory Relief; Preliminary and Permanent Injunctive  
Relief; and Money Damages

12/28/2010 Summons ▼

Summons

Comment

Summons

01/01/2011 Case Reassigned to Department 32 ▼

Comment

Case reassigned from Judge Bixler, James

01/07/2011 Notice ▼

Notice of Attorney's Lien

Comment

Notice of Attorney's Lien

01/07/2011 Motion to Withdraw As Counsel ▼

Motion to Withdraw as Attorney of Record and Motion to Adjudicate the Rights of Counsel for Enforce

Comment

Motion to Withdraw as Attorney of Record and Motion to Adjudicate the Rights of Counsel for Enforcement of Attorney's Lien and for Judgment of Attorney's Fees

01/13/2011 Certificate of Mailing ▼

Certificate of Mailing of Motion to Withdraw as Attorney of Record for Plaintiffs and Motion to Adj

Comment

Certificate of Mailing of Motion to Withdraw as Attorney of Record for Plaintiffs and Motion to Adjudicate the Rights of Counsel for Enforcement of Attorney's Lien and for Judgment of Attorney's Fees

01/24/2011 Opposition to Motion ▼

Opposition to Motion to Withdraw and to Adjudicate Lien

Comment

Opposition to Motion to Withdraw and to Adjudicate Lien

01/27/2011 Substitution of Attorney ▼

Substitution of Attorney

Comment

Substitution of Attorney

02/04/2011 Reply Points and Authorities ▼

Reply Points and Authorities in Support of Motion to Adjudicate the Rights of Counsel for Enforceme

Comment

Reply Points and Authorities in Support of Motion to  
Adjudicate the Rights of Counsel for Enforcement of  
Attorney's Lien and for Judgment of Attorney's Fees

02/14/2011 Motion ▼

Original Type

**Motion**

Motion

Judicial Officer

**Bare, Rob**

Hearing Time

**9:00 AM**

Result

**Denied**

Comment

Thomas D. Harper's Motion to Withdraw as Attorney of Record for  
Plaintiffs and Motion to Adjudicate the Rights of Counsel for  
Enforcement of Attorney's Lien and for Judgment of Attorney's  
Fees

03/01/2011 Order ▼

Order

Comment

**Order**

03/09/2011 Notice of Entry of Order ▼

Notice of Entry of Order

Comment

**Notice of Entry of Order**

03/31/2011 Answer and Counterclaim ▼

Answer and Counterclaim

Comment

**Answer and Counterclaim**

04/04/2011 Initial Appearance Fee Disclosure ▼

Initial Appearance Fee Disclosure

Comment

**Initial Appearance Fee Disclosure**

04/07/2011 Substitution of Attorney ▼

Plaintiffs Substitution of Attorney

Comment

**Plaintiffs Substitution of Attorney**

04/08/2011 Reply ▼

Defendant's Reply in Support of Motion to Dismiss

Comment

**Defendant's Reply in Support of Motion to Dismiss**

04/08/2011 Demand for Jury Trial ▼

Plaintiffs Demand for Trial by Jury

Comment

**Plaintiffs Demand for Trial by Jury**

04/18/2011 Errata ▼

Errata to Answer and Counterclaim

Comment

**Errata to Answer and Counterclaim**

04/19/2011 Reply to Counterclaim ▼

Reply to Counterclaim

Comment

**Reply to Counterclaim**

04/20/2011 Three Day Notice of Intent to Default ▼

Three Day Notice of Intent to Take Default

Comment

**Three Day Notice of Intent to Take Default**

05/11/2011 Three Day Notice of Intent to Default ▼

Three Day Notice of Intent to Take Default

Comment

**Three Day Notice of Intent to Take Default**

05/11/2011 Amended Certificate of Service ▼

Certificate of Service (Amended) for Reply to Counterclaim and Demand for Jury Trial

Comment

**Certificate of Service (Amended) for Reply to Counterclaim and Demand for Jury Trial**

05/23/2011 Notice of Early Case Conference ▼

Notice of Early Case Conference

Comment

**Notice of Early Case Conference**

07/14/2011 Joint Case Conference Report ▼

Joint Case Conference Report

Comment

**Joint Case Conference Report**

07/20/2011 Scheduling Order ▼

Scheduling Order

Comment

**Scheduling Order**

07/29/2011 Order Setting Civil Jury Trial, Pre-Trial, and Calendar Call ▼

Order Setting Civil Jury Trial, Pre-Trial, and Calendar Call

Comment

**Order Setting Civil Jury Trial, Pre-Trial, and Calendar Call**

09/19/2011 Motion for Summary Judgment ▼

Defendant/Counterclaimant Rosemere Estates Property Owners' Association's Motion for Summary Judgment

Comment

**Defendant/Counterclaimant Rosemere Estates Property Owners' Association's Motion for Summary Judgment**

09/22/2011 Notice of Hearing ▼

Notice of Hearing

Comment

**Notice of Hearing**

10/10/2011 Opposition to Motion For Summary Judgment ▼

Opposition to Motion for Summary Judgment

Comment

Opposition to Motion for Summary Judgment

10/31/2011 Reply ▼

Defendant/Counterclaimant Rosemere Estates Property Owners' Association's Reply to Plaintiff/Counte

Comment

Defendant/Counterclaimant Rosemere Estates Property Owners' Association's Reply to Plaintiff/Counter-Defendants' Opposition to Motion for Summary Judgment

11/11/2011 Supplement ▼

Plaintiffs Supplement to Opposition to Defendant's Motion for Summary Judgment

Comment

Plaintiffs Supplement to Opposition to Defendant's Motion for Summary Judgment

11/14/2011 Motion for Summary Judgment ▼

Original Type

**Motion for Summary Judgment**

Motion for Summary Judgment

Judicial Officer

**Bare, Rob**

Hearing Time

**9:00 AM**

Result

**Granted**

Comment

Defendant/Counterclaimant Rosemere Estates Property Owners' Association's Motion for Summary Judgment

11/18/2011 Stipulation and Order ▼

Stipulation and Order to Continue Hearing on Defendants' Motion to Dismiss

Comment

**Stipulation and Order to Continue Hearing on Defendants' Motion to Dismiss**

12/01/2011 Recorders Transcript of Hearing ▼

Recorder's Transcript of:Defendant/Counter Claimant Rosemere Estates Property Owners' Association'

Comment

Recorder's Transcript of: Defendant/Counter Claimant Rosemere Estates Property Owners' Association's Motion For Summary Judgment November 14, 2011

12/09/2011 Order ▼

Order Granting Defendants/Counterclaimant Motion for Summary Judgment

Comment

Order Granting Defendants/Counterclaimant Motion for Summary Judgment

12/15/2011 Notice of Entry of Order ▼

Notice of Entry Order Granting Defendant/ Counterclaimant's Motion for Summary Judgment

Comment

Notice of Entry Order Granting Defendant/ Counterclaimant's Motion for Summary Judgment

12/15/2011 Memorandum of Costs and Disbursements ▼

Verified Memorandum of Costs

Comment

Verified Memorandum of Costs

12/27/2011 Motion for Relief ▼

Plaintiffs' Motion for Relief from Judgment or Order pursuant to NRCP 60, to Alter or Amend Judgment

Comment

Plaintiffs' Motion for Relief from Judgment or Order pursuant to NRCP 60, to Alter or Amend Judgment pursuant to NRCP 59 and for Clarification of Decision and Order upon Defendants' Motion for Summary Judgment, and Request for Sanctions Pursuant to E.D.C.R. 7.60, or in the Alternative Motion for Reconsideration, or in the Alternative, Motion for Leave to Amend or Supplement Pursuant to N.R.C.P. 15

12/30/2011 Receipt of Copy ▼

Receipt of Copy

Comment

Receipt of Copy



01/06/2012 Motion ▼

Defendant/Counterclaimant's Application to Confirm Arbitrator's Decision and Award and Motion for A

Comment

Defendant/Counterclaimant's Application to Confirm Arbitrator's Decision and Award and Motion for Attorneys' Fees

01/13/2012 Errata ▼

Errata to Defendant/Counterclaimants Application to Confirm Arbitrator's Decision and Award and Mot

Comment

Errata to Defendant/Counterclaimants Application to Confirm Arbitrator's Decision and Award and Motion for Attorneys' Fees

01/13/2012 Notice of Hearing ▼

Notice of Hearing

Comment

Notice of Hearing

01/17/2012 Opposition ▼

Defendant/Counterclaimant Rosemere Estates Property Owners' Association's Omnibus Opposition to Pla

Comment

Defendant/Counterclaimant Rosemere Estates Property Owners' Association's Omnibus Opposition to Plaintiffs Motion

01/25/2012 Petitioner's Reply Brief ▼

Reply in Support of Plaintiffs' Motion (1) For Relief from Judgment or Order (NRCP 60); (2) to Al

Comment

Reply in Support of Plaintiffs' Motion (1) For Relief from Judgment or Order (NRCP 60); (2) to Alter or Amend Judgment (NRCP 59); (3) For Clarification of Decision and Order; (4) For Sanctions (E.D.C.R. 7.60); (5) For Reconsideration; (6) For Leave to Amend or Supplement Their Complaint (NRCP 15)

01/27/2012 Opposition and Countermotion ▼

Plaintiffs Opposition to Defendant's Motion to Confirm Arbitrator's Decision and Award and Motion

Comment

**Plaintiffs Opposition to Defendant's Motion to Confirm Arbitrator's Decision and Award and Motion for Fees and Costs; Plaintiffs Countermotion to Strike (NRCP 12) and for Sanctions (EDCR 7.60)**

01/30/2012 Motion for Relief ▼

Original Type

**Motion for Relief**

Motion for Relief

Judicial Officer

**Bare, Rob**

Hearing Time

**9:00 AM**

Result

**Denied**

Comment

**Plaintiffs' Motion for Relief from Judgment or Order pursuant to NRCP 60, to Alter or Amend Judgment pursuant to NRCP 59 and for Clarification of Decision and Order upon Defendants' Motion for Summary Judgment, and Request for Sanctions Pursuant to E.D.C.R. 7.60, or in the Alternative Motion for Reconsideration, or in the Alternative, Motion for Leave to Amend or Supplement Pursuant to N.R.C.P. 15**

01/31/2012 Supplement ▼

**Supplement to Plaintiffs' Reply in Support of Motion for Relief from Judgment or Order pursuant to**

Comment

**Supplement to Plaintiffs' Reply in Support of Motion for Relief from Judgment or Order pursuant to NRCP 60 [And Related Relief]**

01/31/2012 Supplement ▼

**Supplement to Plaintiffs Opposition to Defendant's Motion to Confirm Arbitrator's Decision and Awa**

Comment

**Supplement to Plaintiffs Opposition to Defendant's Motion to Confirm Arbitrator's Decision and Award and Motion for Attorney's Fees**

01/31/2012 Reply in Support ▼

Reply in Support of Motion to Confirm Arbitrator's Award and Motion for Attorneys' Fees & Oppositio

Comment

Reply in Support of Motion to Confirm Arbitrator's Award and Motion for Attorneys' Fees & Opposition to Plaintiffs' Countermotion to Strike and for Sanctions

02/02/2012 Objection ▼

Objection to and Motion to Strike Improper First Supplement

Comment

Objection to and Motion to Strike Improper First Supplement

02/06/2012 Motion ▼

Original Type

**Motion**

Judicial Officer

**Bare, Rob**

Hearing Time

**9:00 AM**

Result

**Denied in Part**

Comment

Defendant/Counterclaimant's Application to Confirm Arbitrator's Decision and Award and Motion for Attorneys' Fees

02/06/2012 Opposition and Countermotion ▼

Original Type

**Opposition and Countermotion**

Judicial Officer

**Bare, Rob**

Hearing Time

**9:00 AM**

Result

**Denied**

Comment

Plaintiffs Opposition to Defendant's Motion to Confirm Arbitrator's Decision and Award and Motion for Fees and Costs; Plaintiffs Countermotion to Strike (NRCP 12) and for Sanctions (EDCR 7.60)

02/06/2012 All Pending Motions ▼

Original Type  
**All Pending Motions**

All Pending Motions

Judicial Officer  
**Bare, Rob**

Hearing Time  
**9:00 AM**

Result  
**Matter Heard**

02/15/2012 Recorders Transcript of Hearing ▼

Recorder's Transcript of:All Pending Motions.January 30, 2012

Comment

**Recorder's Transcript of: All Pending Motions January 30, 2012**

02/28/2012 Supplemental Brief ▼

Supplemental Briefing in Support of Award of Attorneys' Fees, Costs and Damages

Comment

**Supplemental Briefing in Support of Award of Attorneys' Fees, Costs and Damages**

03/05/2012 Order Denying Motion ▼

Order Denying Plaintiff/CounterDefendant's Motion (1) For Relief from Judgment or Order (NRCP 60);

Comment

**Order Denying Plaintiff/CounterDefendant's Motion (1) For Relief from Judgment or Order (NRCP 60); (2) To Alter or Amend Judgment (NRCP 59); (3) For Clarification of Decision and Order; (4) For Sanctions (E.D.C.R. 7.60); (5) For**

03/09/2012 Notice of Entry of Order ▼

Notice of Entry Order Denying Plaintiff/ Counterdefendant's Motion: (1) For Relief from Judgment or

Comment

**Notice of Entry Order Denying Plaintiff/ Counterdefendant's Motion: (1) For Relief from Judgment or Order (NRCP 60); (2) To Alter or Amend Judgment (NRCP 59); (3) For Clarification**

of Decision and Order; (4) For Sanctions (E.D.C.R. 7.60); (5) For Reconsideration; (6) For Leave to Amend or Supplement Their Complaint (NRCP 15)

03/12/2012 Substitution of Attorney ▼

John Allen Lytle and Trudi Lee Lytle, as Trustees of the Lytle Trust, Substitution of Counsel

Comment

**John Allen Lytle and Trudi Lee Lytle, as Trustees of the Lytle Trust, Substitution of Counsel**

03/27/2012 Ex Parte Motion ▼

John Allen Lytle and Trudi Lee Lytle, as Trustees of the Lytle Trust, Ex Parte Motion to Continue H

Comment

**John Allen Lytle and Trudi Lee Lytle, as Trustees of the Lytle Trust, Ex Parte Motion to Continue Hearing and Motion for Order Shortening Time to Continue Hearing on Motion for Attorneys' Fees**

04/10/2012 Notice of Appeal ▼

Notice of Appeal (Lytle Trust)

Comment

**Notice of Appeal (Lytle Trust)**

04/10/2012 Case Appeal Statement ▼

Case Appeal Statement (Lytle Trust)

Comment

**Case Appeal Statement (Lytle Trust)**

04/12/2012 Opposition ▼

John Allen Lytle and Trudi Lee Lytle, as Trustees of the Lytle Trust's, Opposition to Supplemental

Comment

**John Allen Lytle and Trudi Lee Lytle, as Trustees of the Lytle Trust's, Opposition to Supplemental Briefing in Support of Attorney's Fees, Costs and Damages**

04/12/2012 Request for Judicial Notice ▼

Request for Judicial Notice in Support of Opposition to Motion for Attorneys Fees, Costs and Damage

Comment  
Request for Judicial Notice in Support of Opposition to  
Motion for Attorneys Fees, Costs and Damages

04/16/2012 Certificate of Mailing ▼

Certificate of Service

Comment  
Certificate of Service

04/20/2012 Reply to Opposition ▼

Reply to Plaintiff's Opposition to Supplemental Briefing inn  
Support of Award of Attorneys' Fees, C

Comment  
Reply to Plaintiff's Opposition to Supplemental Briefing inn  
Support of Award of Attorneys' Fees, Costs and Damages

04/27/2012 Evidentiary Hearing ▼

Original Type  
Evidentiary Hearing

Evidentiary Hearing

Judicial Officer  
Bare, Rob

Hearing Time  
10:00 AM

Result  
Matter Heard

Parties Present ▲  
Plaintiff

Attorney: Haskin Esq, Richard Edward

Plaintiff

Attorney: Haskin Esq, Richard Edward

Plaintiff: Lytle, Trudi Lee

Attorney: Haskin Esq, Richard Edward

05/04/2012 Supplemental ▼

Supplemental Briefing in Support of Award of Attorneys' Fees and  
Costs Post February 27, 2012

Comment  
Supplemental Briefing in Support of Award of Attorneys' Fees  
and Costs Post February 27, 2012

05/08/2012 Request ▼

Plaintiffs Request for Written Findings of Fact and Conclusions of  
Law

Comment  
Plaintiffs Request for Written Findings of Fact and  
Conclusions of Law

05/10/2012 Objection ▼

Plaintiffs' Objections to Rosemere Estates Property Owners  
Association's Proposed Order Awarding Att

Comment  
Plaintiffs' Objections to Rosemere Estates Property Owners  
Association's Proposed Order Awarding Attorney's Fees and  
Damages

05/11/2012 Opposition ▼

John Allen Lytle and Trudi Lee Lytle, as Trustees of the Lytle  
Trust's, Opposition to Defendant 's

Comment  
John Allen Lytle and Trudi Lee Lytle, as Trustees of the Lytle  
Trust's, Opposition to Defendant 's Supplemental Briefing in  
Support of Award of Attorneys' Fees and Costs Post February  
27, 2012

05/15/2012 Order ▼

Order (1) Denying Defendant's Application to Confirm Arbitrator's  
Decision and Award Without Prejud

Comment  
Order (1) Denying Defendant's Application to Confirm  
Arbitrator's Decision and Award Without Prejudice With  
Leave to File Supplemental Briefing; (2) Granting  
Defendant's Motion for Attorneys' Fees; and (3) Denying  
Plaintiffs Countermotion to Strike and for Sanctions

05/16/2012 Decision ▼

Original Type  
Decision

Decision

Judicial Officer

Bare, Rob

Hearing Time

3:00 AM

Result

Decision Made

Comment

Court's Decision Re: Attorney's Fees & Costs

05/16/2012 Notice of Entry of Order ▼

Notice of Entry of Order (1) Denying Defendant's Application to Confirm Arbitrator's Decision and A

Comment

Notice of Entry of Order (1) Denying Defendant's Application to Confirm Arbitrator's Decision and Award Without Prejudice with Leave to File Supplemental Briefing; (2) Granting Defendant's Motion for Attorneys' Fees; and (3) Denying Plaintiffs' Countermotion to Strike and For Sanctions

06/05/2012 Order ▼

Order Awarding Attorneys' Fees and Damages

Comment

Order Awarding Attorneys' Fees and Damages

06/08/2012 Pretrial/Calendar Call ▼

Judicial Officer

Bare, Rob

Hearing Time

11:00 AM

Cancel Reason

Vacated - per Judge

06/12/2012 Notice of Entry of Order ▼

Notice of Entry of Order Awarding Attorneys' Fees and Damages

Comment

Notice of Entry of Order Awarding Attorneys' Fees and Damages

06/19/2012 Reporters Transcript ▼

Transcript of Proceedings - Evidentiary Hearing - April 27, 2012



Comment  
Transcript of Proceedings - Evidentiary Hearing - April 27,  
2012

06/20/2012 Motion to Stay ▼

Plaintiff John Lytle and Trudi Lytle's Motion to Stay Proceedings to  
Enforce Judgment and Request t

Comment  
Plaintiff John Lytle and Trudi Lytle's Motion to Stay  
Proceedings to Enforce Judgment and Request to Post  
Cash Deposit in Lieu of a Supersedeas Bond

06/25/2012 Jury Trial ▼

Judicial Officer  
Bare, Rob

Hearing Time  
1:30 PM

Cancel Reason  
Vacated - per Judge

07/16/2012 Notice of Appeal ▼

Amended Notice of Appeal

Comment  
Amended Notice of Appeal

07/16/2012 Case Appeal Statement ▼

Amended Case Appeal Statement

Comment  
Amended Case Appeal Statement

07/18/2012 Minute Order ▼

Original Type  
Minute Order

Minute Order

Judicial Officer  
Bare, Rob

Hearing Time  
3:00 AM

Result  
Minute Order - No Hearing Held

07/19/2012 Bond ▼

Cash Bond Posted

Comment

Cash Bond Posted

07/20/2012 Motion to Stay ▼

Judicial Officer

Bare, Rob

Hearing Time

9:00 AM

Cancel Reason

Vacated - per Order

Comment

Plaintiff John Lytle and Trudi Lytle's Motion to Stay Proceedings to Enforce Judgment and Request to Post Cash Deposit in Lieu of a Supersedeas Bond

08/10/2012 Objection ▼

Plaintiffs' Objections to Rosemere Estates Property Owners Association's Proposed Supplemental Order

Comment

Plaintiffs' Objections to Rosemere Estates Property Owners Association's Proposed Supplemental Order Awarding Attorneys Fees

08/13/2012 Order ▼

Supplemental Order Awarding Attorneys' Fees

Comment

Supplemental Order Awarding Attorneys' Fees

08/14/2012 Notice of Entry ▼

Notice of Entry of Supplemental Order Awarding Attorneys' Fees

Comment

Notice of Entry of Supplemental Order Awarding Attorneys' Fees

08/14/2012 Order Granting Motion ▼

Order Granting John Allen Lytle and Trudi Lytle's Motion to Stay Proceedings to Enforce Judgment an

Comment

Order Granting John Allen Lytle and Trudi Lytle's Motion to Stay Proceedings to Enforce Judgment and Request to Post Cash Deposit in Lieu of a Supersedeas Bond; Stay of Execution of Judgment Pending Appeal

08/15/2012 Notice of Entry of Order ▼

Notice of Entry of Order Granting John Allen Lytle and Trudi Lytle's Motion to Stay Proceedings to

Comment

Notice of Entry of Order Granting John Allen Lytle and Trudi Lytle's Motion to Stay Proceedings to Enforce Judgment and Request to Post Cash Deposit in Lieu of a Supersedeas Bond; Stay of Execution of Judgment Pending Appeal

08/28/2012 Motion to Amend Judgment ▼

Notice of Motion to 1) Correct, Alter, Amend and/or Vacate Judgment/Order Pursuant to NRCP Rule 59(

Comment

Notice of Motion to 1) Correct, Alter, Amend and/or Vacate Judgment/Order Pursuant to NRCP Rule 59(e) and 2) Motion for Reconsideration

09/14/2012 Opposition ▼

Defendant's Opposition to (1) Plaintiffs Motion to Correct, Alter or Vacate Judgment Pursuant to NR

Comment

Defendant's Opposition to (1) Plaintiffs Motion to Correct, Alter or Vacate Judgment Pursuant to NRCP 59 and (2) Motion for Reconsideration

10/01/2012 Reply in Support ▼

Plaintiff John Allen Lytle and Trudi Lytle, as Trustees of The Lytle Trust, Reply in Support of Mot

Comment

Plaintiff John Allen Lytle and Trudi Lytle, as Trustees of The Lytle Trust, Reply in Support of Motion: 1) To Correct, Alter, Amend and/or Vacate Judgment/Order Pursuant to NRCP Rule 59(e); and 2) Motion for Reconsideration

10/02/2012 Motion to Amend ▼

Plaintiff John Allen Lytle and Trudi Lee Lytle's as Trustees of The Lytle Trust, Motion for Leave t

Comment

Plaintiff John Allen Lytle and Trudi Lee Lytle's as Trustees of The Lytle Trust, Motion for Leave to File First Amended Complaint for trial De Novo Pursuant to NRS 38.330

10/02/2012 Certificate of Mailing ▼

Certificate of Mailing Plaintiff John Allen Lytle and Trudi Lee Lytle's, as Trustees of the Lytle T

Comment

Certificate of Mailing Plaintiff John Allen Lytle and Trudi Lee Lytle's, as Trustees of the Lytle Trust, Motion for Leave to File First Amended Complaint for Trial De Novo Pursuant to NRS 38.330

10/05/2012 Affidavit in Support ▼

Affidavit of Trudi Lee Lytle in Support of John Allen Lytle and Trudi Lee Lytle, as Trustees of the

Comment

Affidavit of Trudi Lee Lytle in Support of John Allen Lytle and Trudi Lee Lytle, as Trustees of the Lytle Trust's, Opposition to Motion for Summary Judgment and Motion to Confirm Arbitration Award

10/05/2012 Affidavit in Support ▼

Affidavit of John Allen Lytle in Support of John Allen Lytle and Trudi Lee Lytle, as Trustees of th

Comment

Affidavit of John Allen Lytle in Support of John Allen Lytle and Trudi Lee Lytle, as Trustees of the Lytle Trust's, Opposition to Motion for Summary Judgment and Motion to Confirm Arbitration Award

10/05/2012 Affidavit in Support ▼

Affidavit of Richard Haskin, Esq. In Support of Opposition to Rosemere's Motion for Summary Judgment

Comment

Affidavit of Richard Haskin, Esq. In Support of Opposition to Rosemere's Motion for Summary Judgment and Motion to Confirm Arbitration Award

10/05/2012 Objection ▼

John Allen Lytle and Trudi Lee Lytle's Objections to Evidence  
Offered in Support of Rosemere Estat

Comment

John Allen Lytle and Trudi Lee Lytle's Objections to Evidence  
Offered in Support of Rosemere Estates Property Owner's  
Associations' Motion for Summary Judgment

10/08/2012 Motion to Amend ▼

Original Type

**Motion to Amend**

Motion to Amend

Judicial Officer

**Bare, Rob**

Hearing Time

**9:00 AM**

Result

**Denied**

Comment

Counter Defendant's Notice of Motion to 1) Correct, Alter, Amend  
and/or Vacate Judgment/Order Pursuant to NRCP Rule 59(e) and  
2) Motion for Reconsideration

Parties Present ▲

Plaintiff

Attorney: Haskin Esq, Richard Edward

Plaintiff

Attorney: Haskin Esq, Richard Edward

Plaintiff

Attorney: Haskin Esq, Richard Edward

01/16/2013 Order Denying Motion ▼

Order Denying: 1) Motion to Correct, Alter, Amend and/or Vacate  
Judgment/Order Pursuant to NRCP 59(

Comment

Order Denying: 1) Motion to Correct, Alter, Amend and/or  
Vacate Judgment/Order Pursuant to NRCP 59(e); and 2)  
Motion for Reconsideration

01/17/2013 Notice of Entry of Order ▼

Notice of Entry of Order Denying: 1) Motion to Correct, Alter, Amend  
and/or Vacate Judgment/Order P

Comment

Notice of Entry of Order Denying: 1) Motion to Correct, Alter, Amend and/or Vacate Judgment/Order Pursuant to NRCP 59(e); and 2) Motion for Reconsideration

01/30/2013 Notice of Appeal ▼

Second Amended Notice of Appeal

Comment

Second Amended Notice of Appeal

01/30/2013 Case Appeal Statement ▼

Second Amended Case Appeal Statement

Comment

Second Amended Case Appeal Statement

04/07/2014 Appendix ▼

Plaintiffs' / Counter-Defendants' First Supplemental Appendix of Exhibits

Comment

Plaintiffs' / Counter-Defendants' First Supplemental Appendix of Exhibits

04/07/2014 Motion to Vacate ▼

Plaintiffs' / Counter-Defendants' Motion for Relief From Judgment and Special Order After Judgment

Comment

Plaintiffs' / Counter-Defendants' Motion for Relief From Judgment and Special Order After Judgment Pursuant to NRCP 60(b); Request for Certification of Intent to Grant Motion; and Notice of Motion

04/08/2014 Proof of Service ▼

Amended Certificate of Service

Comment

Amended Certificate of Service

04/24/2014 Opposition ▼

Opposition to Plaintiffs' Counter-Defendants' Motion for Relief from Judgment and Special Order Aft

Comment  
Opposition to Plaintiffs' Counter-Defendants' Motion for Relief from Judgment and Special Order After Judgment Pursuant to NRCP 60(b)

04/24/2014 Appendix ▼

Appendix to Opposition to Plaintiffs'/Counter-Defendants' Motion for Relief from Judgment and Speci

Comment  
Appendix to Opposition to Plaintiffs'/Counter-Defendants' Motion for Relief from Judgment and Special Order after Judgment Pursuant to NRCP 60(b)

04/29/2014 Objection ▼

The Lyles' Notice of Objections to Rosemere's Non-Conforming Appendix to Opposition to Plaintiffs'

Comment  
The Lyles' Notice of Objections to Rosemere's Non-Conforming Appendix to Opposition to Plaintiffs'/Counterdefendants' Motion for Relief from Judgment and Special Order After Judgment Pursuant to NRCP 60(b)

06/20/2014 Reply ▼

Reply in Support of Plaintiffs' / Counter-Defendants' Motion for Relief From Judgment and Special O

Comment  
Reply in Support of Plaintiffs' / Counter-Defendants' Motion for Relief From Judgment and Special Order After Judgment Pursuant to NRCP 60(b); Request for Certification of Intent to Grant Motion

06/24/2014 Motion for Relief ▼

Original Type  
Motion for Relief

Motion for Relief

Judicial Officer  
Bare, Rob

Hearing Time  
10:30 AM

Result  
Matter Heard

Comment

Plaintiffs' / Counter-Defendants' Motion for Relief From Judgment and Special Order After Judgment Pursuant to NRCP 60(b); Request for Certification of Intent to Grant Motion; and Notice of Motion

Parties Present ▲

Plaintiff

Attorney: Sterling, Beau

Attorney: Haskin Esq, Richard Edward

Plaintiff: Lytle, John Allen

Attorney: Sterling, Beau

Attorney: Haskin Esq, Richard Edward

Plaintiff: Lytle, Trudi Lee

Attorney: Sterling, Beau

Attorney: Haskin Esq, Richard Edward

08/13/2014 Order Denying Motion ▼

Order Denying Plaintiffs'/Counter-Defendants Motion for Relief from Judgment and Special Order After

Comment

Order Denying Plaintiffs'/Counter-Defendants Motion for Relief from Judgment and Special Order After Judgment Pursuant to NRCP 60(B) Request for Certification of Intent to Grant Motion

08/19/2014 Notice of Entry of Order ▼

Notice of Entry of Order

Comment

Notice of Entry of Order

09/18/2014 Notice of Appeal ▼

Notice of Appeal

09/30/2014 Case Appeal Statement ▼

Case Appeal Statement

Comment

Case Appeal Statement

10/17/2014 Recorders Transcript of Hearing ▼



Recorder's Transcript of Proceedings: Plaintiffs' / Counter-Defendants' Motion for Relief From Judg

Comment

Recorder's Transcript of Proceedings: Plaintiffs' / Counter-Defendants' Motion for Relief From Judgment and Special Order After Judgment Pursuant to NRCP 60(B); Request for Certification of Intent to Grant Motion; and Notice of Motion  
6/24/14

01/06/2016 Order Shortening Time ▼

Motion to Withdraw as Attorney of Record on Order Shortening Time

Comment

Motion to Withdraw as Attorney of Record on Order Shortening Time

01/07/2016 Receipt of Copy ▼

Receipt of Copy of Motion to Withdraw as Attorney of Record on Order Shortening Time

Comment

Receipt of Copy of Motion to Withdraw as Attorney of Record on Order Shortening Time

01/11/2016 Minute Order ▼

Minute Order

Judicial Officer

Bare, Rob

Hearing Time

3:00 AM

Result

Minute Order - No Hearing Held

01/13/2016 Affidavit ▼

Affidavit of Service

Comment

Affidavit of Service

01/14/2016 Motion to Withdraw as Counsel ▼

Judicial Officer

Bare, Rob

Hearing Time

9:00 AM

Cancel Reason

Vacated - per Law Clerk

Comment

Motion to Withdraw as Attorney of Record on Order Shortening Time

01/22/2016 NV Supreme Court Clerks Certificate/Judgment - Remanded ▼

NV Supreme Court Clerks Certificate/Judgment -Remanded

Comment

Nevada Supreme Court Clerk's Certificate Judgment - Vacated and Remand

01/22/2016 NV Supreme Court Clerks Certificate/Judgment - Affirmed ▼

NV Supreme Court Clerks Certificate/Judgment - Affirmed

Comment

Nevada Supreme Court Clerk's Certificate Judgment - Affirmed

02/05/2016 Ex Parte Motion ▼

John Allen Lytle and Trudi Lee Lytle, as Trustees of the Lytle Trust's ExParte Motion for Release

Comment

John Allen Lytle and Trudi Lee Lytle, as Trustees of the Lytle Trust's Ex Parte Motion for Release of Bond

02/11/2016 Errata ▼

Notice of Errata Re: John Allen Lytle and Trudi Lee Lytle, as Trustees of the Lytle Trust's Ex Part

Comment

Notice of Errata Re: John Allen Lytle and Trudi Lee Lytle, as Trustees of the Lytle Trust's Ex Parte Motion for Release of Bond

02/12/2016 Order to Withdraw as Attorney of Record ▼

Order Granting Motion to Withdraw as Attorney of Record on Order Shortening Time

Comment  
Order Granting Motion to Withdraw as Attorney of Record on  
Order Shortening Time

02/12/2016 Notice of Entry of Order ▼

Notice of Entry of Order Granting Motion to Withdraw as Attorney of  
Record on Order Shortening Time

Comment  
Notice of Entry of Order Granting Motion to Withdraw as  
Attorney of Record on Order Shortening Time

02/19/2016 Order ▼

Order Releasing Cash Bond in the Amount of \$123,000.00 to  
Plaintiffs John Allen Lytle and Trudi Lyt

Comment  
Order Releasing Cash Bond in the Amount of \$123,000.00  
to Plaintiffs John Allen Lytle and Trudi Lytle, as Trustees of  
the Lytle Trust

02/22/2016 Notice of Entry of Order ▼

Notice of Entry of Order Releasing Cash Bond in the Amount of  
\$123,000.00

Comment  
Notice of Entry of Order Releasing Cash Bond in the Amount  
of \$123,000.00

03/08/2016 Motion ▼

Plaintiff John Allen Lytle and Trudi Lee Lytle's, as Trustees of the  
Lytle Trust, Motion for Leave

Comment  
Plaintiff John Allen Lytle and Trudi Lee Lytle's, as Trustees of  
the Lytle Trust, Motion for Leave to File First Amended  
Complaint

04/26/2016 Notice ▼

Notice of Non-Opposition to Plaintiff John Allen Lytle and Trudi Lee  
Lytle's, as Trustees of the Ly

Comment  
Notice of Non-Opposition to Plaintiff John Allen Lytle and  
Trudi Lee Lytle's, as Trustees of the Lytle Trust, Motion for  
Leave to File First Amended Complaint

05/25/2016 Minute Order ▼

Minute Order

Judicial Officer

Bare, Rob

Hearing Time

3:00 AM

Result

Minute Order - No Hearing Held

05/31/2016 Motion for Leave ▼

Judicial Officer

Bare, Rob

Hearing Time

9:00 AM

Cancel Reason

Vacated - per Law Clerk

Comment

Plaintiff John Allen Lytle and Trudi Lee Lytle's, as Trustees of the Lytle Trust, Motion for Leave to File First Amended Complaint

06/03/2016 Order Granting Motion ▼

Order Granting Plaintiff John Allen Lytle and Trudi Lee Lytle's, as Trustees of the Lytle Trust, Mo

Comment

Order Granting Plaintiff John Allen Lytle and Trudi Lee Lytle's, as Trustees of the Lytle Trust, Motion for Leave to File First Amended Complaint

06/06/2016 Notice of Entry of Order ▼

Notice of Entry of Order Granting Motion for Leave to File First Amended Complaint

Comment

Notice of Entry of Order Granting Motion for Leave to File First Amended Complaint

09/14/2016 Motion for Summary Judgment ▼

Plaintiff John Allen Lytle and Trudi Lee Lytle's, as Trustees of The Lytle Trust, Motion for Summar

Comment

Plaintiff John Allen Lytle and Trudi Lee Lytle's, as Trustees of The Lytle Trust, Motion for Summary Judgment

09/14/2016 Declaration ▼

Declaration of Trudi Lee Lytle in Support of Motion for Summary Judgment

Comment

Declaration of Trudi Lee Lytle in Support of Motion for Summary Judgment

10/10/2016 Notice of Non Opposition ▼

Notice of Non-Opposition to Plaintiff John Allen Lytle and Trudi Lee Lytle's, as Trustees of The Ly

Comment

Notice of Non-Opposition to Plaintiff John Allen Lytle and Trudi Lee Lytle's, as Trustees of The Lytle Trust, Motion for Summary Judgment

11/08/2016 Motion for Summary Judgment ▼

Motion for Summary Judgment

Judicial Officer

Bare, Rob

Hearing Time

9:00 AM

Result

Motion Granted

Comment

Plaintiff John Allen Lytle and Trudi Lee Lytle's, as Trustees of The Lytle Trust, Motion for Summary Judgment

Parties Present ▲

Plaintiff

Attorney: Haskin Esq, Richard Edward

Plaintiff

Attorney: Haskin Esq, Richard Edward

Plaintiff

Attorney: Haskin Esq, Richard Edward

11/15/2016 Order ▼

Order Granting Plaintiff John Allen Lytle and Trudi Lee Lytle's, as Trustees of the Lytle Trust, Mo

Comment

Order Granting Plaintiff John Allen Lytle and Trudi Lee Lytle's,  
as Trustees of the Lytle Trust, Motion for Summary Judgment

11/16/2016 Notice of Entry of Order ▼

Notice of Entry of Order Granting Motion for Summary Judgment

Comment

Notice of Entry of Order Granting Motion for Summary  
Judgment

11/30/2016 Memorandum of Costs and Disbursements ▼

Verified Memorandum of Costs

Comment

Verified Memorandum of Costs

01/06/2017 Affidavit in Support ▼

Affidavit of Richard Haskin in Support of Motion for Attorneys' Fees

Comment

Affidavit of Richard Haskin in Support of Motion for Attorneys'  
Fees

01/06/2017 Motion for Attorney Fees ▼

Plaintiff John Allen Lytle and Trudi Lee Lytle, as Trustees of the  
Lytle Trust, Motion for Attorney

Comment

Plaintiff John Allen Lytle and Trudi Lee Lytle, as Trustees of  
the Lytle Trust, Motion for Attorneys' Fees

01/06/2017 Declaration ▼

Declaration of Beau Sterling in Support of Motion for Attorneys'  
Fees

Comment

Declaration of Beau Sterling in Support of Motion for  
Attorneys' Fees

01/06/2017 Request for Judicial Notice ▼

Request for Judicial Notice in Support of Motion for Attorneys' Fees

Comment

Request for Judicial Notice in Support of Motion for Attorneys'  
Fees

01/10/2017 Order to Statistically Close Case ▼

Civil Order To Statistically Close Case

Comment

Civil Order To Statistically Close Case

01/31/2017 Minute Order ▼

Original Type

**Minute Order**

Minute Order

Judicial Officer

**Bare, Rob**

Hearing Time

**3:00 AM**

Result

**Minute Order - No Hearing Held**

01/31/2017 Notice of Non Opposition ▼

Notice of Non-Opposition to Plaintiff John Allen Lytle and Trudi Lee Lytle's, as Trustees of the Ly

Comment

**Notice of Non-Opposition to Plaintiff John Allen Lytle and Trudi Lee Lytle's, as Trustees of the Lytle Trust, Motion for Attorneys' Fees**

02/22/2017 Motion ▼

Plaintiff John Allen Lytle and Trudi Lee Lytle's, As Trustees of The Lytle Trust, Motion for Damage

Comment

**Plaintiff John Allen Lytle and Trudi Lee Lytle's, As Trustees of The Lytle Trust, Motion for Damages**

02/22/2017 Affidavit in Support ▼

Affidavit of Richard Haskin in Support of Motion for Damages

Comment

**Affidavit of Richard Haskin in Support of Motion for Damages**

02/22/2017 Declaration ▼

Declaration of Trudi Lee Lytle in Support of Motion for Damages

Comment  
Declaration of Trudi Lee Lytle in Support of Motion for  
Damages

02/23/2017 Minute Order ▼

Minute Order

Judicial Officer  
Bare, Rob

Hearing Time  
11:29 AM

Result  
Minute Order - No Hearing Held

Comment  
Plaintiff John Allen Lytle and Trudi Lee Lytle's, As Trustees of the  
Lytle Trust, Motion for Damages & Plaintiff John Allen Lytle and  
Trudi Lee Lytle, as Trustees of the Lytle Trust, Motion for Attorneys'  
Fees

02/23/2017 Amended Affidavit ▼

Amended Affidavit of Richard Haskin in Support of Motion for  
Damages

Comment  
Amended Affidavit of Richard Haskin in Support of Motion for  
Damages

03/21/2017 Motion for Attorney Fees ▼

Judicial Officer  
Bare, Rob

Hearing Time  
9:30 AM

Result  
Granted

Comment  
Plaintiff John Allen Lytle and Trudi Lee Lytle, as Trustees of the  
Lytle Trust, Motion for Attorneys' Fees

Parties Present ▲  
Plaintiff

Attorney: Haskin Esq, Richard Edward

Plaintiff: Lytle, John Allen

Attorney: Haskin Esq, Richard Edward



Plaintiff: Lytle, Trudi Lee

Attorney: Haskin Esq, Richard Edward

03/21/2017 Motion ▼

Judicial Officer

Bare, Rob

Hearing Time

9:30 AM

Result

Hearing Set

Comment

Plaintiff John Allen Lytle and Trudi Lee Lytle's, As Trustees of The Lytle Trust, Motion for Damages

Parties Present ▲

Plaintiff

Attorney: Haskin Esq, Richard Edward

Plaintiff: Lytle, John Allen

Attorney: Haskin Esq, Richard Edward

Plaintiff: Lytle, Trudi Lee

Attorney: Haskin Esq, Richard Edward

03/21/2017 All Pending Motions ▼

All Pending Motions

Judicial Officer

Bare, Rob

Hearing Time

9:30 AM

Result

Matter Heard

Parties Present ▲

Plaintiff

Attorney: Haskin Esq, Richard Edward

Plaintiff: Lytle, John Allen

Attorney: Haskin Esq, Richard Edward

Plaintiff: Lytle, Trudi Lee

Attorney: Haskin Esq, Richard Edward

03/27/2017 Minute Order ▼

Minute Order

Judicial Officer

**Bare, Rob**

Hearing Time

**2:00 PM**

Result

**Minute Order - No Hearing Held**

04/11/2017 Prove Up ▼

Judicial Officer

**Bare, Rob**

Hearing Time

**1:30 PM**

Cancel Reason

**Vacated**

Comment

**Prove Up Hearing - Plaintiff John Allen Lytle and Trudi Lee Lytle's,  
As Trustees of The Lytle Trust, Motion for Damages**

04/18/2017 Order Granting Motion ▼

**Order Granting Plaintiff John Allen Lytle and Trudi Lee Lytle's, as  
Trustees of the Lytle Trust, Mo**

Comment

**Order Granting Plaintiff John Allen Lytle and Trudi Lee Lytle's,  
as Trustees of the Lytle Trust, Motion for Attorneys' Fees**

04/19/2017 Notice of Entry of Order ▼

**Notice of Entry of Order Granting Motion for Attorneys' Fees**

Comment

**Notice of Entry of Order Granting Motion for Attorneys' Fees**

04/25/2017 Prove Up ▼

Prove Up

Judicial Officer

**Bare, Rob**

Hearing Time

**1:30 PM**

Result  
Matter Heard

Comment  
Court's Prove Up Hearing Re: Testimony to Plaintiff's Damages

Parties Present ▲  
Plaintiff

Attorney: Haskin Esq, Richard Edward

Plaintiff: Lytle, John Allen

Attorney: Haskin Esq, Richard Edward

Plaintiff: Lytle, Trudi Lee

Attorney: Haskin Esq, Richard Edward

05/15/2017 Order Granting ▼

Order Granting - ORDG

Comment  
Order Granting Plaintiff John Allen Lytle and Trudi Lee Lytle's,  
as Trustees of the Lytle Trust, Punitive Damages After  
Hearing

05/15/2017 Notice of Entry of Order ▼

Notice of Entry of Order - NEOJ

Comment  
Notice of Entry of Order Granting Punitive Damages After  
Hearing

07/25/2017 Abstract of Judgment ▼

Abstract of Judgment - AOJ

Comment  
Abstract of Judgment

09/29/2017 Ex Parte Motion for Order Allowing Examination of  
Judgment ▼

Ex Parte Motion for Order Allowing Examination of Judgment -  
EXPM

Comment  
Ex Parte Motion for Judgment Debtor's Examination and  
Production of Documents

## Financial

### Lytle Trust

Total Financial	\$324.00
Assessment	
Total Payments and Credits	\$324.00

12/14/2010	Transaction Assessment	\$30.00
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12/14/2010	Transaction Assessment	\$270.00
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12/14/2010	Efile Payment	Receipt # 2010-69801-CCCLK	Lytle Trust	(\$300.00)
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9/19/2014	Transaction Assessment	\$24.00
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9/19/2014	Payment (Window)	Receipt # 2014-108108-CCCLK	Sterling, Beau	(\$24.00)
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### Rosemere Estates Property Owners Association

Total Financial	\$423.00
Assessment	
Total Payments and Credits	\$423.00

4/4/2011	Transaction Assessment	\$223.00
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4/4/2011	Efile Payment	Receipt # 2011-32840-CCCLK	Rosemere Estates Property Owne	(\$223.00)
----------	---------------	----------------------------	--------------------------------	------------

9/19/2011	Transaction Assessment	\$200.00
-----------	------------------------	----------

9/19/2011	Efile Payment	Receipt # 2011-104987-CCCLK	Rosemere Estates Property Owne	(\$200.00)
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Lytle, John Allen

Total Financial	\$224.00
Assessment	
Total Payments and	\$224.00
Credits	

4/10/2012	Transaction	\$24.00
	Assessment	

4/10/2012	Efile	Receipt #	Lytle,	(\$24.00)
	Payment	2012-	John	
		45746-	Allen	
		CCCLK		

9/14/2016	Transaction	\$200.00
	Assessment	

9/14/2016	Efile	Receipt #	Lytle,	(\$200.00)
	Payment	2016-	John	
		89103-	Allen	
		CCCLK		

## Documents

Complaint for Trial De Novo Pursuant to NRS 38.330; Declaratory Relief; Preliminary and Permanent I

Summons

Notice of Attorney's Lien

Motion to Withdraw as Attorney of Record and Motion to Adjudicate the Rights of Counsel for Enforce

Certificate of Mailing of Motion to Withdraw as Attorney of Record for Plaintiffs and Motion to Adj

Opposition to Motion to Withdraw and to Adjudicate Lien

Substitution of Attorney

Reply Points and Authorities in Support of Motion to Adjudicate the Rights of Counsel for Enforceme

Motion

Order

Notice of Entry of Order

Answer and Counterclaim

Initial Appearance Fee Disclosure

Defendant's Reply in Support of Motion to Dismiss

Plaintiffs Substitution of Attorney

Plaintiffs Demand for Trial by Jury

Errata to Answer and Counterclaim

Reply to Counterclaim

Three Day Notice of Intent to Take Default

Three Day Notice of Intent to Take Default

Certificate of Service (Amended) for Reply to Counterclaim and Demand for Jury Trial

Notice of Early Case Conference

Joint Case Conference Report

Scheduling Order

Order Setting Civil Jury Trial, Pre-Trial, and Calendar Call

Defendant/Counterclaimant Rosemere Estates Property Owners' Association's Motion for Summary Judgment

Notice of Hearing

Opposition to Motion for Summary Judgment

Defendant/Counterclaimant Rosemere Estates Property Owners' Association's Reply to Plaintiff/Counterclaimant's Motion for Summary Judgment

Plaintiffs Supplement to Opposition to Defendant's Motion for Summary Judgment

Motion for Summary Judgment

Stipulation and Order to Continue Hearing on Defendants' Motion to Dismiss

Recorder's Transcript of Defendant/Counterclaimant Rosemere Estates Property Owners' Association'

Order Granting Defendants/Counterclaimant Motion for Summary Judgment

Notice of Entry Order Granting Defendant/Counterclaimant's Motion for Summary Judgment

Verified Memorandum of Costs

Plaintiffs' Motion for Relief from Judgment or Order pursuant to NRCP 60, to Alter or Amend Judgment

Receipt of Copy

Defendant/Counterclaimant's Application to Confirm Arbitrator's Decision and Award and Motion for A

Errata to Defendant/Counterclaimants Application to Confirm Arbitrator's Decision and Award and Motion

Notice of Hearing

Defendant/Counterclaimant Rosemere Estates Property Owners' Association's Omnibus Opposition to Plaintiff's Motion for Summary Judgment

Reply in Support of Plaintiffs' Motion (1) For Relief from Judgment or Order (NRCP 60); (2) to Alter or Amend Judgment

Plaintiffs Opposition to Defendant's Motion to Confirm Arbitrator's Decision and Award and Motion

Supplement to Plaintiffs' Reply in Support of Motion for Relief from Judgment or Order pursuant to

Supplement to Plaintiffs Opposition to Defendant's Motion to Confirm Arbitrator's Decision and Awa

Reply in Support of Motion to Confirm Arbitrator's Award and Motion for Attorneys' Fees & Oppositio

Objection to and Motion to Strike Improper First Supplement Motion for Relief

All Pending Motions

Recorder's Transcript of:All Pending MotionsJanuary 30, 2012

Supplemental Briefing in Support of Award of Attorneys' Fees, Costs and Damages

Order Denying Plaintiff/CounterDefendant's Motion (1) For Relief from Judgment or Order (NRCP 60);

Notice of Entry Order Denying Plaintiff/ Counterdefendant's Motion: (1) For Relief from Judgment or

John Allen Lytle and Trudi Lee Lytle, as Trustees of the Lytle Trust, Substitution of Counsel

John Allen Lytle and Trudi Lee Lytle, as Trustees of the Lytle Trust, Ex Parte Motion to Continue H

Notice of Appeal (Lytle Trust)

Case Appeal Statement (Lytle Trust)

John Allen Lytle and Trudi Lee Lytle, as Trustees of the Lytle Trust's, Opposition to Supplemental

Request for Judicial Notice in Support of Opposition to Motion for Attorneys Fees, Costs and Damage

Certificate of Service

Reply to Plaintiffs Opposition to Supplemental Briefing inn Support of Award of Attorneys' Fees, C

Evidentiary Hearing

Supplemental Briefing in Support of Award of Attorneys' Fees and Costs Post February 27, 2012

Plaintiffs Request for Written Findings of Fact and Conclusions of Law

Plaintiffs' Objections to Rosemere Estates Property Owners Assocation's Proposed Order Awarding Att

John Allen Lytle and Trudi Lee Lytle, as Trustees of the Lytle Trust's, Opposition to Defendant 's

Order (1) Denying Defendant's Application to Confirm Arbitrator's Decision and Award Without Prejud

Notice of Entry of Order (1) Denying Defendant's Application to Confirm Arbitrator's Decision and A

Order Awarding Attorneys' Fees and Damages

Notice of Entry of Order Awarding Attorneys' Fees and Damages

Transcript of Proceedings - Evidentiary Hearing - April 27, 2012

Plaintiff John Lytle and Trudi Lytle's Motion to Stay Proceedings to Enforce Judgment and Request t

Amended Notice of Appeal

Amended Case Appeal Statement

Minute Order

Cash Bond Posted

Decision

Plaintiffs' Objections to Rosemere Estates Property Owners Association's Proposed Supplemental Orde

Supplemental Order Awarding Attorneys' Fees

Notice of Entry of Supplemental Order Awarding Attorneys' Fees

Order Granting John Allen Lytle and Trudi Lytle's Motion to Stay Proceedings to Enforce Judgment an

Notice of Entry of Order Granting John Allen Lytle and Trudi Lytle's Motion to Stay Proceedings to

Notice of Motion to 1) Correct, Alter, Amend and/or Vacate Judgment/Order Pursuant to NRCP Rule 59(

Defendant's Opposition to (1) Plaintiffs Motion to Correct, Alter or Vacate Judgment Pursuant to NR

Plaintiff John Allen Lytle and Trudi Lytle, as Trustees of The Lytle Trust, Reply in Support of Mot

Plaintiff John Allen Lytle and Trudi Lee Lytle's as Trustees of The Lytle Trust, Motion for Leave t

Certificate of Mailing Plaintiff John Allen Lytle and Trudi Lee Lytle's, as Trustees of the Lytle T

Affidavit of Trudi Lee Lytle in Support of John Allen Lytle and Trudi Lee Lytle, as Trustees of the

Affidavit of John Allen Lytle in Support of John Allen Lytle and Trudi Lee Lytle, as Trustees of th

Affidavit of Richard Haskin, Esq. In Support of Opposition to Rosemere's Motion for Summary Judgmen

John Allen Lytle and Trudi Lee Lytle's Objections to Evidence Offered in Support of Rosemere Estat

Motion to Amend

Order Denying: 1) Motion to Correct, Alter, Amend and/or Vacate Judgment/Order Pursuant to NRCP 59(

Notice of Entry of Order Denying: 1) Motion to Correct, Alter, Amend and/or Vacate Judgment/Order P

Second Amended Notice of Appeal

Second Amended Case Appeal Statement

Plaintiffs' / Counter-Defendants' First Supplemental Appendix of Exhibits

Plaintiffs' / Counter-Defendants' Motion for Relief From Judgment and Special Order After Judgment

Amended Certificate of Service

Opposition to Plaintiffs' Counter-Defendants' Motion for Relief from Judgment and Special Order Aft



Appendix to Opposition to Plaintiffs'/Counter-Defendants' Motion for Relief from Judgment and Speci

The Lyles' Notice of Objections to Rosemere's Non-Conforming Appendix to Opposition to Plaintiffs'

Reply in Support of Plaintiffs' / Counter-Defendants' Motion for Relief From Judgment and Special O

Motion for Relief

Order Denying Plaintiffs'/Counter-Defendants Motion for Relief from Judgment and Special Order Afte

Notice of Entry of Order

Notice of Appeal

Case Appeal Statement

Recorder's Transcript of Proceedings: Plaintiffs' / Counter-Defendants' Motion for Relief From Judg

Motion to Withdraw as Attorney of Record on Order Shortening Time

Receipt of Copy of Motion to Withdraw as Attorney of Record on Order Shortening Time

Minute Order

Affidavit of Service

NV Supreme Court Clerks Certificate/Judgment - Affirmed

NV Supreme Court Clerks Certificate/Judgment -Remanded

John Allen Lytle and Trudi Lee Lytle, as Trustees of the Lytle Trust's Ex Parte Motion for Release

Notice of Errata Re: John Allen Lytle and Trudi Lee Lytle, as Trustees of the Lytle Trust's Ex Part

Order Granting Motion to Withdraw as Attorney of Record on Order Shortening Time

Notice of Entry of Order Granting Motion to Withdraw as Attorney of Record on Order Shortening Time

Order Releasing Cash Bond in the Amount of \$123,000.00 to Plaintiffs John Allen Lytle and Trudi Lyt

Notice of Entry of Order Releasing Cash Bond in the Amount of \$123,000.00

Plaintiff John Allen Lytle and Trudi Lee Lytle's, as Trustees of the Lytle Trust, Motion for Leave

Notice of Non-Opposition to Plaintiff John Allen Lytle and Trudi Lee Lytle's, as Trustees of the Ly

Minute Order

Order Granting Plaintiff John Allen Lytle and Trudi Lee Lytle's, as Trustees of the Lytle Trust, Mo

Notice of Entry of Order Granting Motion for Leave to File First Amended Complaint

Plaintiff John Allen Lytle and Trudi Lee Lytle's, as Trustees of The Lytle Trust, Motion for Summar

Declaration of Trudi Lee Lytle in Support of Motion for Summary Judgment

Notice of Non-Opposition to Plaintiff John Allen Lytle and Trudi Lee Lytle's, as Trustees of The Ly

Motion for Summary Judgment

Order Granting Plaintiff John Allen Lytle and Trudi Lee Lytle's, as Trustees of the Lytle Trust, Mo

Notice of Entry of Order Granting Motion for Summary Judgment

Verified Memorandum of Costs

Affidavit of Richard Haskin in Support of Motion for Attorneys' Fees

Plaintiff John Allen Lytle and Trudi Lee Lytle, as Trustees of the Lytle Trust, Motion for Attorney

Declaration of Beau Sterling in Support of Motion for Attorneys' Fees

Request for Judicial Notice in Support of Motion for Attorneys' Fees

Civil Order To Statistically Close Case

Minute Order

Notice of Non-Opposition to Plaintiff John Allen Lytle and Trudi Lee Lytle's, as Trustees of the Ly

Plaintiff John Allen Lytle and Trudi Lee Lytle's, As Trustees of The Lytle Trust, Motion for Damage

Affidavit of Richard Haskin in Support of Motion for Damages

Declaration of Trudi Lee Lytle in Support of Motion for Damages

Minute Order

Amended Affidavit of Richard Haskin in Support of Motion for Damages

All Pending Motions

Minute Order

Order Granting Plaintiff John Allen Lytle and Trudi Lee Lytle's, as Trustees of the Lytle Trust, Mo

Notice of Entry of Order Granting Motion for Attorneys' Fees

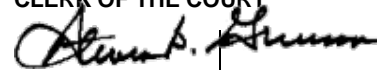
Prove Up

Order Granting - ORDG

Notice of Entry of Order - NEOJ

Abstract of Judgment - AOJ

Ex Parte Motion for Order Allowing Examination of Judgment - EXPM



**MEMO**  
**CHRISTENSEN JAMES & MARTIN**

KEVIN B. CHRISTENSEN, ESQ.

Nevada Bar No. 175

WESLEY J. SMITH, ESQ.

Nevada Bar No. 11871

LAURA J. WOLFF, ESQ.

Nevada Bar No. 6869

7440 W. Sahara Avenue

Las Vegas, Nevada 89117

Tel.: (702) 255-1718

Facsimile: (702) 255-0871

Email: kbc@cjmlv.com; wes@cjmlv.com; ljw@cjmlv.com

*Attorneys for September Trust, Zobrist Trust, Sandoval Trust  
and Dennis & Julie Gegen*

**EIGHTH JUDICIAL DISTRICT COURT**

**CLARK COUNTY, NEVADA**

MARJORIE B. BOULDEN, TRUSTEE OF  
THE MARJORIE B. BOULDEN TRUST,  
LINDA LAMOTHE AND JACQUES  
LAMOTHE, TRUSTEES OF THE  
JACQUES & LINDA LAMOTHE LIVING  
TRUST,

Plaintiffs,

vs.

TRUDI LEE LYTLE, JOHN ALLEN  
LYTLE, THE LYTLE TRUST, DOES I  
through X, and ROE CORPORATIONS I  
through X,

Defendants.

Case No.: A-16-747800-C  
Dept. No.: XVIII

**MEMORANDUM OF COSTS AND  
DISBURSEMENTS**

Date:  
Time:

AND ALL RELATED COUNTERCLAIMS  
AND CROSS-CLAIMS

SEPTEMBER TRUST, DATED MARCH 23,  
1972; GERRY R. ZOBRIST AND JOLIN G.  
ZOBRIST, AS TRUSTEES OF THE GERRY  
R. ZOBRIST AND JOLIN G. ZOBRIST  
FAMILY TRUST; RAYNALDO G.  
SANDOVAL AND JULIE MARIE  
SANDOVAL GEGEN, AS TRUSTEES OF  
THE RAYNALDO G. AND EVELYN A.  
SANDOVAL JOINT LIVING AND

Case No.: A-17-765372-C  
Dept. No.: XXVIII

CHRISTENSEN JAMES & MARTIN  
7440 WEST SAHARA AVE., LAS VEGAS, NEVADA 89117  
PH: (702) 255-1718 & FAX: (702) 255-0871

1 DEVOLUTION TRUST DATED MAY 27,  
2 1992; and DENNIS A. GEGEN AND JULIE  
3 S. GEGEN, HUSBAND AND WIFE, AS  
4 JOINT TENANTS,

5  
6 Plaintiffs,

7 vs.

8 TRUDI LEE LYTLE AND JOHN ALLEN  
9 LYTLE, AS TRUSTEES OF THE LYTLE  
10 TRUST; JOHN DOES I through V; and ROE  
11 ENTITIES I through V, inclusive,

12 Defendants.

13  
14 **MEMORANDUM OF COSTS AND DISBURSEMENTS**

15 Court Download Document Fee . . . . . \$ 30.04  
16 Parking Fee . . . . . \$ 12.00  
17 Court Filing Fees . . . . . \$ 704.12  
18 Westlaw Research Fees. . . . . \$1,260.44  
19 **Total through May 31, 2018 . . . . . \$2,006.60**

20 STATE OF NEVADA)

21 :ss.

22 COUNTY OF CLARK)

23 WESLEY J. SMITH, ESQ., being duly sworn, states:

- 24 1. That affiant is the attorney for Plaintiffs and has personal knowledge of the above  
25 costs and disbursements expended; that the items contained in the above  
26 memorandum are true and correct to the best of this affiant's knowledge and  
27 belief; and that the said disbursements have been necessarily incurred and paid in  
28 this action.
- 29 2. That said Plaintiffs are submitting this Verified Memorandum of Costs and  
30 Disbursements in conjunction with Plaintiffs' Motion for Attorney's Fees and  
31 Costs pursuant to the Court's Order Granting Motion for Summary Judgment or,

1 in the Alternative, Motion for Judgment on the Pleadings and Denying  
2 Countermotion for Summary Judgment.

- 3 3. Attached to the Motion as Exhibits 2A, 2B, 2C, and 2D are copies of Christensen  
4 James & Martin's Billing Statements to each of the Plaintiffs evidencing all of  
5 the costs.  
6  
7 4. Further your Affiant sayeth naught.

8 I declare under penalty of perjury under the law of the State of Nevada that the  
9 foregoing is true and correct.

10 By: Wesley J. Smith

11 Wesley J. Smith, Esq.

12 **SUBSCRIBED AND SWORN** to before me this  
13 4 day of June, 2018.

14 N. Saville  
15 Notary Public



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**CERTIFICATE OF SERVICE**

I am an employee of Christensen James & Martin. On June 4th, 2018, I caused a true and correct copy of the foregoing MEMORANDUM OF COSTS AND DISBURSEMENTS, to be served in the following manner:

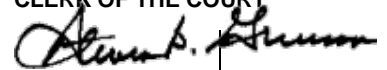
☒ **ELECTRONIC SERVICE:** electronic transmission (E-Service) through the Court's electronic filing system pursuant to Rule 8.05 of the Rules of Practice for the Eighth Judicial District Court of the State of Nevada.

☐ **UNITED STATES MAIL:** depositing a true and correct copy of the above-referenced document into the United States Mail with prepaid first-class postage, addressed to the parties at their last-known mailing address(es):

☐ **FACSIMILE:** By sending the above-referenced document via facsimile as follows:

☐ **E-MAIL:** electronic transmission by email to the following address(es):

/s/ Natalie Saville  
Natalie Saville



1 **MAFC**  
2 **CHRISTENSEN JAMES & MARTIN**  
3 KEVIN B. CHRISTENSEN, ESQ.  
Nevada Bar No. 175  
4 WESLEY J. SMITH, ESQ.  
Nevada Bar No. 11871  
5 LAURA J. WOLFF, ESQ.  
Nevada Bar No. 6869  
6 7440 W. Sahara Avenue  
Las Vegas, Nevada 89117  
7 Tel.: (702) 255-1718  
Facsimile: (702) 255-0871  
8 Email: kbc@cjmlv.com; wes@cjmlv.com; ljw@cjmlv.com  
*Attorneys for September Trust, Zobrist Trust, Sandoval Trust*  
9 *and Dennis & Julie Gegen*

10 **EIGHTH JUDICIAL DISTRICT COURT**

11 **CLARK COUNTY, NEVADA**

12 MARJORIE B. BOULDEN, TRUSTEE OF  
13 THE MARJORIE B. BOULDEN TRUST,  
14 LINDA LAMOTHE AND JACQUES  
LAMOTHE, TRUSTEES OF THE  
JACQUES & LINDA LAMOTHE LIVING  
TRUST,

15 Plaintiffs,

16 vs.

17 TRUDI LEE LYTLE, JOHN ALLEN  
18 LYTLE, THE LYTLE TRUST, DOES I  
through X, and ROE CORPORATIONS I  
19 through X,

20 Defendants.

21 AND ALL RELATED COUNTERCLAIMS  
22 AND CROSS-CLAIMS

23 SEPTEMBER TRUST, DATED MARCH 23,  
24 1972; GERRY R. ZOBRIST AND JOLIN G.  
25 ZOBRIST, AS TRUSTEES OF THE GERRY  
R. ZOBRIST AND JOLIN G. ZOBRIST  
26 FAMILY TRUST; RAYNALDO G.  
SANDOVAL AND JULIE MARIE  
27 SANDOVAL GEGEN, AS TRUSTEES OF  
THE RAYNALDO G. AND EVELYN A.  
28 SANDOVAL JOINT LIVING AND

Case No.: A-16-747800-C  
Dept. No.: XVIII

**PLAINTIFFS' MOTION FOR**  
**ATTORNEY'S FEES AND COSTS**

Date:  
Time:

Case No.: A-17-765372-C  
Dept. No.: XXVIII

CHRISTENSEN JAMES & MARTIN  
7440 WEST SAHARA AVE., LAS VEGAS, NEVADA 89117  
Ph: (702) 255-1718 & Fax: (702) 255-0871

1 DEVOLUTION TRUST DATED MAY 27,  
2 1992; and DENNIS A. GEGEN AND JULIE  
3 S. GEGEN, HUSBAND AND WIFE, AS  
4 JOINT TENANTS,

5 Plaintiffs,

6 vs.

7 TRUDI LEE LYTLE AND JOHN ALLEN  
8 LYTLE, AS TRUSTEES OF THE LYTLE  
9 TRUST; JOHN DOES I through V; and ROE  
10 ENTITIES I through V, inclusive,

11 Defendants.

12 September Trust, dated March 23, 1972 ("September Trust"), Gerry R. Zobrist and  
13 Jolin G. Zobrist, as Trustees of the Gerry R. Zobrist and Jolin G. Zobrist Family Trust  
14 ("Zobrist Trust"), Raynaldo G. Sandoval and Julie Marie Sandoval Gegen, as Trustees of the  
15 Raynaldo G. and Evelyn A. Sandoval Joint Living and Devolution Trust Dated May 27,  
16 1992 ("Sandoval Trust"), and Dennis A. Gegen and Julie S. Gegen, Husband and Wife, as  
17 Joint Tenants ("Gegen") (hereafter September Trust, Zobrist Trust, Sandoval Trust and  
18 Gegen may be collectively referred to as "Plaintiffs"), by and through their attorneys,  
19 Christensen James & Martin, hereby move this Court to enter Judgment for Plaintiffs'  
20 attorney's fees and costs. This Motion is based upon the following Points and Authorities,  
21 Declaration and Exhibits filed herewith, and the pleadings and papers on file.

22 DATED this 4th day of June, 2018.

CHRISTENSEN JAMES & MARTIN

23 By: /s/ Laura J. Wolff, Esq.

24 Laura J. Wolff, Esq.

25 Nevada Bar No. 6869

26 7440 W. Sahara Avenue

27 Las Vegas, NV 89117

28 Tel.: (702) 255-1718

Fax: (702) 255-0871

*Attorneys for September Trust, Zobrist  
Trust, Sandoval Trust and Gegen*



1  
2 **NOTICE OF MOTION**

3 To: All Interested Parties; and

4 To: Their Attorneys of Record herein.

5 YOU AND EACH OF YOU WILL PLEASE TAKE NOTICE that PLAINTIFFS'  
6 MOTION FOR ATTORNEY'S FEES AND COSTS will be heard by the above captioned  
7 court in Department XVIII, Phoenix Building Courtroom 11th Floor, on the **11** day of  
8 **JULY**, 2018 at the hour of **9:00A**.  
9 \_\_\_\_\_

10 **MEMORANDUM OF POINTS AND AUTHORITIES**

11 **I.**

12 **INTRODUCTION**

13  
14 Plaintiffs bring the instant Motion for Attorneys' Fees and Costs after prevailing on  
15 all of their claims against Defendants Trudi Lee Lytle and John Allen Lytle, as Trustees of  
16 the Lytle Trust ("Lytle Trust") as set forth in the Order Granting Motion for Summary  
17 Judgment or, in the Alternative, Motion for Judgment on the Pleadings and Denying  
18 Countermotion for Summary Judgment signed by the Judge on May 22, 2018 and entered by  
19 the Court on May 24, 2018 ("Summary Judgment Order"). *See* Notice of Entry of Order  
20 filed on May 25, 2018, attached hereto as **Exhibit 1**. The Summary Judgment Order declares  
21 that all of the Abstracts of Judgment filed by the Lytle Trust against the Plaintiffs' properties  
22 were wrongfully recorded and must be expunged. As the prevailing party, the Plaintiffs now  
23 seek an award of attorney's fees and costs pursuant to the express fee shifting provisions in  
24 the Original CC&Rs and pursuant to NRS 18.020, 18.050 and 18.010(2)(b). The Plaintiffs  
25 request an award of attorneys' fees and costs incurred during and in conjunction with the  
26 filing of this suit and all related matters, in the following amounts:  
27  
28

Plaintiff	Attorney's Fees	Costs	Total
September Trust	\$17,699.50	\$501.65	\$18,019.25
Zobrist Trust	\$17,881.50	\$501.65	\$18,201.25
Sandoval Trust	\$16,659.50	\$501.65	\$16,979.25
Gegen	\$16,685.50	\$501.65	\$17,005.25
Totals	\$68,926.00	\$2,006.60	\$70,932.60

Attached hereto as **Exhibits 2A, 2B, 2C, and 2D** are billing statements from Christensen James & Martin ("CJ&M") to the Plaintiffs September Trust, Zobrist Trust, Sandoval Trust and Gegen, respectively, which detail the tasks performed and attorney's fees and costs incurred. These Statements are supported by the concurrently filed Declaration of Wesley J. Smith, Esq. ("Smith Decl."), Plaintiffs' counsel, which documents the costs and fees requested and swears that the costs and fees were actually and necessarily incurred and are reasonable. The Plaintiffs submit that the amount of fees requested is consistent with the *Brunzell* factors.

## II.

### SUMMARY OF THE CASE

This case pertains to abstracts of judgment wrongfully recorded by the Lytle Trust, against parcels of real estate in a small residential community known as Rosemere Estates subdivision ("Rosemere Subdivision" or "Subdivision") in Las Vegas, Nevada, containing only nine (9) lots and/or properties. The Subdivision is subject to the Original CC&Rs, a true and correct copy of which is attached hereto as **Exhibit 3**.

The September Trust is the owner of the residential property in Clark County, Nevada known as 1861 Rosemere Court, Las Vegas, Nevada 89117, Assessor's Parcel No. 163-03-313-004 ("September Property"). The Zobrist Trust is the owner of the residential

1 property in Clark County, Nevada known as 1901 Rosemere Court, Las Vegas, Nevada  
2 89117, Assessor's Parcel No. 163-03-313-005 ("Zobrist Property"). The Sandoval Trust is  
3 the owner of the residential property in Clark County, Nevada known as 1860 Rosemere  
4 Court, Las Vegas, Nevada 89117, Assessor's Parcel No. 163-03-313-001 ("Sandoval  
5 Property"). Gegen is the owner of the residential property in Clark County, Nevada known  
6 as 1831 Rosemere Court, Las Vegas, Nevada 89117, Assessor's Parcel No. 163-03-313-003  
7 ("Gegen Property") (hereafter September Property, Zobrist Property, Sandoval Property and  
8 Gegen Property may be collectively referred to as the "Plaintiffs' Properties").  
9

10  
11 In August and September of 2016, the Lytles recorded with the Clark County  
12 Recorder's office four (4) abstracts of the Final Judgment ("Abstracts of Judgment")  
13 obtained against the Association on August 16, 2016 in Case No. A-09-593497-C,  
14 Department XII. On or about December 8, 2016, a case was filed against the Lytle Trust by  
15 the Bouldens, who own Parcel No. 163-03-313-008, 1960 Rosemere Court, and the  
16 Lamothes, who own Parcel No. 163-03-313-002, 1830 Rosemere Court, each located in the  
17 Rosemere Subdivision, to remove the Abstracts of Judgment and plead causes of action for  
18 Quiet Title, Declaratory Relief and Slander of Title. On February 24, 2017, the Bouldens  
19 and Lamothes filed a Motion for Partial Summary Judgment, which the Court granted on  
20 July 25, 2017 ("Order").  
21

22  
23 In its Order, the Court found that, among other things, the Abstracts of Judgment  
24 were improperly recorded and must be expunged and stricken from the record. Following  
25 the Court's direction in the Order, the Lytle Trust released its liens against the Boulden and  
26 Lamothe properties. *See* Ex.1, pg. 7 ¶ 27.  
27  
28

1           On or about September 26, 2017, Plaintiffs sent a demand letter to Defendant's  
2 attorney requesting that the Abstracts of Judgment be expunged from Plaintiffs' Properties  
3 as well, based on the Court's Order and the identical factual and legal circumstances of the  
4 Plaintiffs' properties. A true and correct copy of the demand letter is attached hereto as  
5 **Exhibit 4**. On several occasions, Plaintiffs' attorneys also spoke to the Lytle Trust's attorney  
6 requesting that the Abstracts of Judgment be removed. Smith Decl. ¶ 8. However, the Lytle  
7 Trust refused to release the Abstracts of Judgment despite the Order requiring them to do so.  
8 Therefore, on November 30, 2017, the Plaintiffs filed a Complaint and Motion for Summary  
9 Judgment in Case No. A-17-765372-C, Department 28, requesting that the Lytle Trust's  
10 Abstracts of Judgment be removed from their Properties, just as the Court had ordered for  
11 the Bouldens and Lamothes.  
12

13  
14           After the Complaint was filed, Plaintiffs reached out to the parties to request  
15 consolidation of their case with Case No. A-16-747900-C, since both cases involved the  
16 same parties, the same and substantially similar facts, and the same legal issues. However,  
17 not all parties would agree to the consolidation. Smith Decl. ¶ 9. Thereafter, on January 16,  
18 2018, Plaintiffs filed a Motion to Consolidate the First and Second Case. After several  
19 changes of Departments and continuances, the Motion to Consolidate was set for hearing. At  
20 the first hearing, the Lytle Trust's attorney orally objected to the Motion (for the first time,  
21 despite extensive time to file written objections) and the Court granted Defendant time to  
22 file an Opposition. However, no Opposition was filed. Thereafter, on February 21, 2018, at  
23 the second hearing of the matter, this Court granted the Motion to Consolidate.  
24

25  
26           On February 9, 2018, the Defendants filed an Opposition to Motion for Summary  
27 Judgment, Or, In the Alternative, Motion for Judgment on the Pleadings and Countermotion  
28

1 for Summary Judgment (“Counter-motion”). On February 21, 2018, Plaintiffs filed a Reply  
2 to the Opposition and an Opposition to the Counter-motion. On March 14, 2018, Defendants  
3 filed a Reply to the Plaintiffs’ Opposition to the Counter-motion. The Motion and  
4 Counter-motion came on for hearing on March 21, 2018 and May 2, 2018, where the Court  
5 decided in the favor of the Plaintiffs citing “law of the case” as one of the reasons that it  
6 entered judgment in favor of the Plaintiffs, Ex. 1, pg. 7, Conclusions of Law, ¶1, thus  
7 confirming that the Defendants should have released the Abstracts of Judgment against all  
8 properties in the Rosemere Subdivision.  
9  
10

### 11 III.

### 12 ARGUMENT

13 Plaintiffs have brought this Motion requesting that this Court award them attorney’s  
14 fees and costs as the prevailing parties and for having to litigate this matter when it should  
15 have been easily resolved by the Lytle Trust without litigation.

#### 16 A. Plaintiffs Should be Awarded Their Costs as the Prevailing Party.

17 The Statements attached hereto as Exhibits 2A, 2B, 2C, and 2D show the costs  
18 incurred by each Plaintiff in the amount of \$449.75, for total costs in the amount of  
19 \$1,799.00. “Costs **must be allowed** of course to the prevailing party against any adverse  
20 party against whom judgment is rendered...in an action for the recovery of real property or a  
21 possessory right thereto.” NRS 18.020 (1) (Emphasis added). Thus, Plaintiffs’ costs must be  
22 allowed since this **entire litigation** has been about recovering their possessory rights to their  
23 Properties by having the Lytle Trust’s liens expunged. Further, NRS 18.020 and 18.050 give  
24 this court wide discretion to award costs to the Plaintiffs as the prevailing parties. The only  
25 factor that must be proven is that the costs are reasonable, necessary, and actually incurred.  
26 *Cadle Co. v. Woods & Erickson, LLP*, 131 Nev. Adv. Op. 15, 345 P.3d 1049, 1054 (2015);  
27  
28

1 *see also Bobby Berosini, Ltd. v. PETA*, 114 Nev. 1348, 1352, 971 P.2d 383, 385 (1998)  
2 (Costs awarded must be reasonable).

3 NRS 18.110(1) requires a party to file and serve “a memorandum [of costs] ...  
4 verified by the oath of the party ... stating that to the best of his or her knowledge and belief  
5 the items are correct, and that the costs have been necessarily incurred in the action or  
6 proceeding.” The Plaintiffs have filed concurrently herewith a verified Memorandum of  
7 Costs, with a sworn statement by counsel that all the costs are reasonable, necessary and  
8 actually incurred. Therefore, this Court should find that all the costs are reasonable,  
9 necessary and actually incurred and should be awarded to the Plaintiffs as the prevailing  
10 party.  
11

12 B. Plaintiffs Should be Awarded Their Attorney’s Fees.

13 NRCP 54(d)(2)(A) provides that a claim for attorney fees must be made by motion  
14 and may be decided by the district court “despite the existence of a pending appeal from the  
15 underlying final judgment.” Therefore, even if the Lytle Trust appeals the Summary  
16 Judgment Order, this Court can still decide this Motion.

17 NRCP 54(d)(2)(B) provides that a motion for attorney’s fees must: 1. Be filed no  
18 later than 20 days after notice of entry of judgment is served; 2. Specify the judgment and  
19 the statute, rule, or other grounds entitling the award; 3. State the amount sought; 4. Provide  
20 documentation regarding the amount of the fees; and 5. Include counsel’s affidavit swearing  
21 that the fees were actually and necessarily incurred and were reasonable. The Plaintiffs have  
22 complied with each of these requirements by bringing this Motion and attaching the Smith  
23 Declaration and the CJM billing statements.

24 “The decision whether to award attorney’s fees is within the sound discretion of the  
25 district court.” *Thomas v. City of N. Las Vegas*, 122 Nev. 82, 90, 127 P.3d 1057, 1063  
26 (2006). The long-standing rule in Nevada is that attorney fees should be awarded when  
27 authorized by statute, rule, or agreement. *Elwardt v. Elwardt*, No. 69638, 2017 WL 2591349  
28

1 \*2 (Nev. Ct. App. June 9, 2017) (unpublished disposition) (*citing First Interstate Bank of*  
2 *Nev. v. Green*, 101 Nev. 113, 116, 694 P.2d 496, 498 (1985). This court should exercise its  
3 discretion and award attorney's fees to the Plaintiffs, because it is authorized to do so  
4 pursuant to the terms of the Original CC&Rs and NRS 18.010.

5  
6 *1. The Plaintiffs Are Entitled to Attorney's Fees Pursuant to the Terms of the*  
7 *Original CC&RS.*

8 NRS 18.010(1) provides that, "[t]he compensation of an attorney and counselor for  
9 his services is governed by agreement, express or implied, which is not restrained by law."  
10 A prevailing party is entitled to an award of attorney's fees pursuant to NRS 18.010(1) when  
11 the contract between the parties provides for an award of fees to the prevailing party.  
12 *Semenza v. Caughlin Crafted Homes*, 111 Nev. 1089, 1097–98, 901 P.2d 684, 689 (1995);  
13 *Cleverley v. Ballantyne*, No. 2:12-CV-00444-GMN, 2014 WL 317775, at \*2 (D. Nev. Jan.  
14 28, 2014).

15 Section 25 of the Original CC&Rs contains a provision that requires the losing party  
16 to pay attorney fees reasonably incurred by the prevailing party in any action brought to  
17 enforce the CC&RS or to **restrain their violation**, as follows:

18  
19 In any legal or equitable proceeding for the enforcement of or to restrain the  
20 violation of the Declaration of Covenants, Conditions and Restrictions or any  
21 provision thereof, the losing party or parties shall pay in such amount as may be  
fixed by the court in such proceeding.

22 In the instant case, the Plaintiffs restrained violation of the Original CC&R's by  
23 requiring the Lytle Trust to expunge the Abstracts of Judgment improperly recorded against  
24 their Properties, because the Defendants relied on the Original CC&Rs as alleged  
25 authorization for recording the liens. Specifically, the Defendants argued that the terms of  
26 the Original CC&Rs allowed a lien or judgment against the Association to attach to each lot  
27 within the Association. *See* Countermotion, Section E, pp. 19-22. The Lytle Trust argued,  
28

1 “[t]he attorneys’ fee award in both the NRED 1 and NRED 2 Litigation, in relevant part,  
2 specifically find the Lytles’ lien or judgment is established under the Original CC&Rs”  
3 (citations omitted). *Id.* p. 21:17-21. Further, the Defendants argued that the language in the  
4 Original CC&Rs allowed them to file their liens against the homeowners. *See Reply to*  
5 *Opposition*, pp. 7-8. Clearly, the Defendants relied on the alleged authority of the Original  
6 CC&R’s in recording their Abstracts of Judgment against the Plaintiffs’ properties.  
7

8         Thus, this litigation was made necessary to restrain violation of the Original CC&Rs.  
9 In bringing this case, the Plaintiffs asserted that the Abstracts of Judgment obtained against  
10 the Association could not be recorded against the individual homeowners pursuant to the  
11 terms of the Original CC&Rs. Further, the Plaintiffs prevailed in enforcing the Original  
12 CC&Rs by obtaining injunctive relief prohibiting the Defendants from recording any  
13 Judgments against Plaintiffs’ properties obtained against the Association. Accordingly, the  
14 Plaintiffs are entitled to an award of attorney fees, pursuant to the terms of the Original  
15 CC&Rs.  
16  
17

18         “Courts are bound by language which is clear and free from ambiguity and cannot,  
19 using the guise of interpretation, distort the plain meaning of an agreement.” *Watson v.*  
20 *Watson*, 95 Nev. 495, 497, 596 P.2d 507, 508 (1979) (citing *Reno Club v. Young Investment*  
21 *Co.*, 64 Nev. 312, 323-324, 182 P.2d 1011, 1016-1017 (1947)); *Talbot v. Nevada Fire Ins.*  
22 *Co.* 52 Nev. 145, 149, 283 P. 404, 405 (1930). The Court should not interpret a contract so  
23 as to render any provision meaningless, and when at all possible the Court “should give  
24 effect to every word in the contract.” *Caldwell v. Consol. Realty & Mgmt. Co.*, 99 Nev. 635,  
25 639, 668 P.2d 284, 287 (1983). Language that is clear and free of ambiguity is binding.  
26 *Dickenson v. Department of Wildlife*, 110 Nev. 934, 937, 877 P.2d 1059, 1061 (1994). The  
27  
28



1 language in the Original CC&Rs is clear - Plaintiffs should be awarded their attorney's fees  
2 as they have prevailed in restraining the Defendants' violation(s) of the Original CC&Rs.  
3 Thus, the Plaintiffs should be awarded their attorney's fees.

4  
5 2. *The Plaintiffs Are Entitled to Attorney's Fees Because the Countermotion and*  
6 *Opposition Were Brought Without Reasonable Grounds or to Harass the*  
7 *Plaintiffs.*

8 NRS 18.010(2) provides that:

9 the court may make an allowance of attorney's fees to a prevailing party: ...  
10 (b) Without regard to the recovery sought, when the court finds that the claim,  
11 counterclaim, or defense of the opposing party was brought or maintained  
12 without reasonable ground or to harass the prevailing party. It is the intent of  
13 the Legislature that the court award attorney's fees pursuant to this paragraph  
14 and impose sanctions pursuant to Rule 11 of the Nevada Rules of Civil  
15 Procedure in all appropriate situations to punish for and deter frivolous or  
16 vexatious claims and defenses because such claims and defenses overburden  
17 limited judicial resources, hinder the timely resolution of meritorious claims  
18 and increase the costs of engaging in business and providing professional  
19 services to the public.

20 Courts must liberally construe this provision in favor of awarding attorney fees "in all  
21 appropriate situations." *Prestige of Beverly Hills, Inc. v. Weber*, 2012 WL 991696, at \* 8 (D.  
22 Nev. March 21, 2012). A claim is groundless if "the allegations in the complaint ... are not  
23 supported by any credible evidence at trial." *Allianz Ins. Co. v. Gagnon*, 109 Nev. 990, 996,  
24 860 P.2d 720, 724 (1993) (quoting *Western United Realty, Inc. v. Isaacs*, 679 P.2d 1063,  
25 1069 (Colo. 1984)). The prosecution of one colorable claim does not excuse the prosecution  
26 of five groundless claims. *Trus Joist Corp. v. Safeco Ins. Co. of Am.*, 153 Ariz. 95, 735 P.2d  
27 125, 140 (Ct.App.1986) (case remanded for trial court to apportion attorney's fees between  
28 grounded and groundless claims). The court may exercise its discretion in determining the  
amount to award to the prevailing party and may allocate fees between the grounded and  
groundless claims. *Bergmann v. Boyce*, 109 Nev. 670, 676, 856 P.2d 560 (1993).

1 Plaintiffs approached the Lytles on several occasions and through several different  
2 means prior to filing this lawsuit requesting resolution based on the Order that required the  
3 Defendants to remove the Abstracts of Judgment against the Boulden and Lamothe  
4 properties. The Plaintiffs were similarly situated to the Bouldens and Lamothes; there were  
5 no material differences between the parties between the Plaintiffs and the Bouldens and  
6 Lamothes, they just owned different lots on the same residential street. After the Order was  
7 entered, the Lytles' defenses were groundless because the District Court had already decided  
8 that the Abstracts of Judgment should be removed. There were no facts relevant to the  
9 Plaintiffs that would justify a different result. In fact, this Court found in favor of the  
10 Plaintiffs based on law of the case (Ex. 1, p. 7, ¶ 1), the same doctrine that the Plaintiffs  
11 relied on when they approached the Lytles and requested that the Abstracts of Judgment be  
12 removed from the Plaintiffs' properties in the same manner as they were removed from the  
13 Lamothes' and Bouldens' properties. Further, at the first hearing, the Lytle Trust orally  
14 opposed the Motion to Consolidate, though it never filed a written opposition, again  
15 presenting groundless arguments to apparently harass the Plaintiffs and try to prolong this  
16 litigation and in turn increase the attorney's fees and costs expended. This Court should find  
17 that all of the defenses asserted by the Lytle Trust were groundless.  
18

19 C. Plaintiffs' Attorney's Fees are Reasonable and Appropriate.

20 In *Brunzell v. Golden Gate Nat'l Bank*, 85 Nev. 345, 349, 455 P.2d 31, 33 (1969),  
21 the Nevada Supreme Court identified four factors a court should apply when assessing  
22 requests for attorney's fees: (1) the qualities of the attorney, including his ability, training,  
23 education, experience, professional standing and skill; (2) the kind of work to be performed  
24 including its difficulty, its intricacy, its importance, time and skill required and the  
25 responsibility imposed; (3) the work actually performed by the attorney including the skill,  
26 time and attention given to the work; and (4) whether the attorney was successful and any  
27 benefits that were derived. However, the trial court may exercise its discretion when  
28

1 determining the value of legal services and is not required to make findings on each factor.  
2 *Logan v. Abe*, 131 Nev. Adv. Op. 31, 350 P.3d 1139, 1143 (2015). “Instead, the district  
3 court need only demonstrate that it considered the required factors, and the award must be  
4 supported by substantial evidence.” *Id.* (citing *Uniroyal Goodrich Tire Co. v. Mercer*, 111  
5 Nev. 318, 323, 890 P.2d 785, 789 (1995)).

6  
7 *1. The Professional Qualities of the Advocate.*

8 The Plaintiffs’ lead counsel, Mr. Smith, is a shareholder in Christensen James &  
9 Martin, Chtd. He has practiced law continuously since 2009. He is a member of the State  
10 Bar of Nevada (2010 Admission), the Utah State Bar (2009 Admission), and the Washington  
11 State Bar (2017 Admission) and is authorized to practice law in the respective state and  
12 federal courts. He is also admitted to practice before the United States Supreme Court and  
13 Ninth Circuit Court of Appeals. He directs and actively participates in litigation and appeals  
14 cases before many of the listed courts, including business litigation, property encumbrance  
15 and lien enforcement and defense, prosecuting claims under the Employee Retirement  
16 Income Security Act (ERISA) on behalf of multiemployer health, welfare, and pension  
17 plans, apprenticeship-training trust funds, labor management committees, and certain union  
18 locals, and representation of creditors in bankruptcy matters.

19 Kevin B. Christensen, Esq., also performed work on the case and is a shareholder  
20 with 36 years of legal practice in Nevada. In addition, Laura J. Wolff, Esq, is a well-  
21 qualified associate attorney with 13 years of experience, and also helped with preparing the  
22 pleadings and papers in this matter. All attorneys are billed at the same rate to this client.

23 *2. The Nature of the Work Performed.*

24 The Plaintiffs filed this lawsuit after approaching the Lytles on several occasions  
25 requesting that the Abstracts of Judgment be expunged from their properties. The Lytles  
26 refused, requiring the Plaintiffs to file this lawsuit and the Motion for Summary Judgment at  
27 great expense. The Plaintiffs would not have been required to incur the legal fees but for the  
28

1 Lytles unlawfully recording the Abstracts of Judgment and then vehemently refusing to  
2 remove the unlawful liens, despite no law on point allowing such action and a clear Order  
3 from this Court putting them on notice of the impropriety of the liens.  
4

5 The lawsuit involved a complex procedural history, not only with the Lamothe and  
6 Boulden litigation, but with several previous cases between the Lytles and the Association  
7 that ultimately gave rise to the Abstracts of Judgment. This procedural history had a direct  
8 and substantial impact on the course and outcome of this case. The lawsuit involved  
9 questions of law surrounding Nevada's Common Interest Community Act, NRS 116, and  
10 the validity of the Original CC&Rs and the Amended CC&Rs. These questions of law were  
11 complex and novel in that the Lytles had taken actions, both procedural and legally, that  
12 were highly unusual and complicated. This case has been very important to the Plaintiffs  
13 because their Properties have been clouded by the unlawful Abstracts of Judgment for over  
14 1 ½ years. The stakes were high for the Plaintiffs because these properties are their primary  
15 residences.

### 16 *3. The Work Performed.*

17 The Lytles' actions resulted in time, energy and effort expended by the Plaintiffs'  
18 attorneys. The work actually performed required much skill and attention. The Plaintiffs  
19 were required to file a Complaint, a Motion for Consolidation, a Motion for Summary  
20 Judgment, an Opposition to Countermotion for Summary Judgment, several Reply briefs, an  
21 Amicus Brief setting forth the Plaintiffs' position with regard to the Court's decision in the  
22 Boulden and Lamothe case and now this Motion for Attorney's fees and costs. The Motion  
23 for Consolidation and the Motion for Summary Judgment required Plaintiffs' attorney to  
24 appear at two (2) hearings for each motion. Much time has been required to look into the  
25 facts and circumstances of the three (3) prior cases (Rosemere Litigation I, II and III) filed  
26 by the Lytles against the Association, as well as the history of the Lamothe and Boulden  
27 case.  
28

1 In its pleadings, the Lytles alleged facts and legal arguments that required significant  
2 research and analysis. Although a favorable Order had already been issued, the Plaintiffs had  
3 to verify and vet the legal conclusions and evaluate the viability of the Defendants'  
4 arguments. The Plaintiffs then had to synthesize their arguments and conclusions, providing  
5 complete and thorough argument to the Court that justified the relief requested independent  
6 of the prior Order.  
7

8 *4. The Result Obtained.*

9 As this Court is aware, the result obtained has been favorable for the Plaintiffs. They  
10 prevailed on the Motion for Consolidation and the Motion for Summary Judgment and  
11 accomplished all objectives and received all relief sought in this Case. Plaintiffs derive a  
12 great benefit by having the Abstracts of Judgment removed from their Properties. This result  
13 has achieved the purpose of this lawsuit.

14 *5. The Hourly Rates Charged and Amount of Time Spent are Reasonable.*

15 The law firm's hourly rates of \$260.00 per hour are reasonable. *See Chemeon*  
16 *Surface Tech., LLC v. Metalast Int'l, Inc.*, No. 3:15-CV-00294-MMD-VPC, 2017 WL  
17 2434296, at \*1 (D. Nev. June 5, 2017) (surveying cases for market rates and finding  
18 reasonable \$375 for a partner, \$250 for an associate, and \$125 for a paralegal); *John Bryant*  
19 *Lawson v. William M. Lawson, Jr.*, No. 3:14-CV-00345-WGC, 2016 WL 1171010, at \*4 (D.  
20 Nev. Mar. 24, 2016) (finding \$275.00 per hour for an attorney with 10 years of experience,  
21 \$325.00 per hour for an attorney with 12 years of experience, \$235.00 per hour for a first  
22 year associate, and \$175.00 per hour for a paralegal reasonable market rates). Moreover, the  
23 Nevada Supreme Court upheld a \$250.00 per hour rate as reasonable 11 years ago. *See*  
24 *Cuzze v. Univ. & Cmty. Coll. Sys. of Nevada*, 123 Nev. 598, 607, 172 P.3d 131, 137 (2007).  
25 Therefore, the hourly rate of \$260.00 would also be considered reasonable considering the  
26 experience and skill of Plaintiffs' counsel.  
27  
28

These hourly rates allow for better work product through effective briefing and the proper vetting of legal theories and case law. The hours expended are reasonable and justified because they reflect detailed and accurate work. The Plaintiffs' counsel did not just throw something together to get in front of the Court. The Plaintiffs' counsel proceeded thoughtfully, judiciously and thoroughly.

Plaintiffs' filing of this case and the subsequent motion practice should not have been necessary. This litigation was avoidable. The Plaintiffs approached the Lytles via letters, emails and phone calls to cooperate and remove the unlawful liens as the Court had already ordered them to do for the Lamothes and Bouldens. Plaintiffs should be paid their attorney's fees and costs for having to file this lawsuit to protect their property rights.

Finally, the fees incurred in bringing this Motion should also be recoverable. “Fees incurred in litigating the award of fees are recoverable.” *Serrano v. Unruh*, 32 Cal.3d 621, 639, 652 P.2d 985 (Cal. 1982). The amount stated includes the time necessary to prepare this Motion. However, Plaintiffs also request reasonable fees for any reply brief and subsequent briefing, as well as preparing for and attending any hearing on the Motion.

## CONCLUSION

The Court should award attorney's fees and costs to the Plaintiffs in the following amounts:

Plaintiff	Attorney's Fees	Costs	Total
September Trust	\$17,699.50	\$501.65	\$18,019.25
Zobrist Trust	\$17,881.50	\$501.65	\$18,201.25
Sandoval Trust	\$16,659.50	\$501.65	\$16,979.25
Gegen	\$16,685.50	\$501.65	\$17,005.25
Totals	\$68,926.00	\$2,006.60	\$70,932.60

1 The Court should Order that all monies be paid within 30 days of the Notice of Entry of  
2 Order filed with the Court.

3 DATED this 4th day of June, 2018.

4  
5 CHRISTENSEN JAMES & MARTIN

6 By: /s/ Laura J. Wolff, Esq.

7 Laura J. Wolff, Esq.

8 Nevada Bar No. 6869

9 7440 W. Sahara Avenue

10 Las Vegas, NV 89117

11 Tel.: (702) 255-1718

12 Fax: (702) 255-0871

13 *Attorneys for September Trust, Zobrist*  
14 *Trust, Sandoval Trust and Gegen*

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**CERTIFICATE OF SERVICE**

I am an employee of Christensen James & Martin. On June 4, 2018, I caused a true and correct copy of the foregoing PLAINTIFFS' MOTION FOR ATTORNEY'S FEES AND COSTS, to be served in the following manner:

☒ ELECTRONIC SERVICE: electronic transmission (E-Service) through the Court's electronic filing system pursuant to Rule 8.05 of the Rules of Practice for the Eighth Judicial District Court of the State of Nevada.

☐ UNITED STATES MAIL: depositing a true and correct copy of the above-referenced document into the United States Mail with prepaid first-class postage, addressed to the parties at their last-known mailing address(es):

☐ FACSIMILE: By sending the above-referenced document via facsimile as follows:

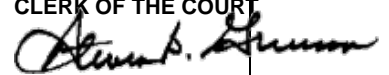
☐ E-MAIL: electronic transmission by email to the following address(es):

/s/ Natalie Saville  
Natalie Saville



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# EXHIBIT 1



1 **NEOJ**  
2 **CHRISTENSEN JAMES & MARTIN**  
3 KEVIN B. CHRISTENSEN, ESQ.  
Nevada Bar No. 175  
4 WESLEY J. SMITH, ESQ.  
Nevada Bar No. 11871  
5 LAURA J. WOLFF, ESQ.  
Nevada Bar No. 6869  
6 7440 W. Sahara Avenue  
Las Vegas, Nevada 89117  
7 Tel.: (702) 255-1718  
Facsimile: (702) 255-0871  
8 Email: kbc@cjmlv.com; wes@cjmlv.com; ljw@cjmlv.com  
*Attorneys for September Trust, Zobrist Trust, Sandoval Trust*  
9 *and Dennis & Julie Gegen*

10 **EIGHTH JUDICIAL DISTRICT COURT**

11 **CLARK COUNTY, NEVADA**

12 MARJORIE B. BOULDEN, TRUSTEE OF  
13 THE MARJORIE B. BOULDEN TRUST,  
14 LINDA LAMOTHE AND JACQUES  
LAMOTHE, TRUSTEES OF THE  
JACQUES & LINDA LAMOTHE LIVING  
TRUST,

15 Plaintiffs,

16 vs.

17 TRUDI LEE LYTLE, JOHN ALLEN  
18 LYTLE, THE LYTLE TRUST, DOES I  
19 through X, and ROE CORPORATIONS I  
through X,

20 Defendants.

21 AND ALL RELATED COUNTERCLAIMS  
22 AND CROSS-CLAIMS

23 SEPTEMBER TRUST, DATED MARCH 23,  
24 1972; GERRY R. ZOBRIST AND JOLIN G.  
25 ZOBRIST, AS TRUSTEES OF THE GERRY  
26 R. ZOBRIST AND JOLIN G. ZOBRIST  
FAMILY TRUST; RAYNALDO G.  
SANDOVAL AND JULIE MARIE  
27 SANDOVAL GEGEN, AS TRUSTEES OF  
THE RAYNALDO G. AND EVELYN A.  
28 SANDOVAL JOINT LIVING AND

Case No.: A-16-747800-C  
Dept. No.: XVIII

**NOTICE OF ENTRY OF ORDER  
GRANTING MOTION FOR  
SUMMARY JUDGMENT OR, IN THE  
ALTERNATIVE, MOTION FOR  
JUDGMENT ON THE PLEADINGS  
AND DENYING COUNTERMOTION  
FOR SUMMARY JUDGMENT**

Date: May 2, 2018  
Time: 9:00 a.m.

Case No.: A-17-765372-C  
Dept. No.: XXVIII

CHRISTENSEN JAMES & MARTIN  
7440 WEST SAHARA AVE., LAS VEGAS, NEVADA 89117  
PH: (702) 255-1718 & FAX: (702) 255-0871

1 DEVOLUTION TRUST DATED MAY 27,  
2 1992; and DENNIS A. GEGEN AND JULIE  
3 S. GEGEN, HUSBAND AND WIFE, AS  
4 JOINT TENANTS,

5 Plaintiffs,

6 vs.

7 TRUDI LEE LYTLE AND JOHN ALLEN  
8 LYTLE, AS TRUSTEES OF THE LYTLE  
9 TRUST; JOHN DOES I through V; and ROE  
10 ENTITIES I through V, inclusive,

11 Defendants.

12 PLEASE TAKE NOTICE that an **ORDER GRANTING MOTION FOR**  
13 **SUMMARY JUDGMENT OR, IN THE ALTERNATIVE, MOTION FOR**  
14 **JUDGMENT ON THE PLEADINGS AND DENYING COUNTERMOTION FOR**  
15 **SUMMARY JUDGMENT** was filed with the Court on May 24, 2018, a true and correct  
16 copy of which is attached hereto.

17 Dated this 25th day of May, 2018.

18 **CHRISTENSEN JAMES & MARTIN**

19 By: /s/ Wesley J Smith, Esq.

20 Wesley J. Smith, Esq.

21 Nevada Bar No. 11871

22 Laura J. Wolff, Esq.

23 Nevada Bar No. 6869

24 7440 W. Sahara Ave.

25 Las Vegas, NV 89117

26 Attorneys for Plaintiffs September Trust,

27 Zobrist Trust, Sandoval Trust, and

28 Dennis & Julie Gegen

1 **CERTIFICATE OF SERVICE**

2 I am an employee of Christensen James & Martin. On May 25, 2018, I caused a true  
3 and correct copy of the foregoing **NOTICE OF ENTRY OF ORDER GRANTING**  
4 **MOTION FOR SUMMARY JUDGMENT OR, IN THE ALTERNATIVE, MOTION**  
5 **FOR JUDGMENT ON THE PLEADINGS AND DENYING COUNTERMOTION**  
6 **FOR SUMMARY JUDGMENT**, to be served in the following manner:

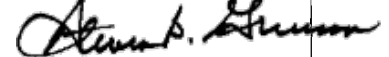
7 ☒ **ELECTRONIC SERVICE**: electronic transmission (E-Service) through the Court's  
8 electronic filing system pursuant to Rule 8.05 of the Rules of Practice for the Eighth  
9 Judicial District Court of the State of Nevada.

10 ☐ **UNITED STATES MAIL**: depositing a true and correct copy of the above-  
11 referenced document into the United States Mail with prepaid first-class postage, addressed  
12 to the parties at their last-known mailing address(es):

13 ☐ **FACSIMILE**: By sending the above-referenced document via facsimile as follows:

14 ☐ **E-MAIL**: electronic transmission by email to the following address(es):  
15

16 /s/ Natalie Saville  
17 Natalie Saville  
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CHRISTENSEN JAMES & MARTIN  
7440 WEST SAHARA AVE., LAS VEGAS, NEVADA 89117  
PH: (702) 255-1718 & FAX: (702) 255-0871

1 **ORDR**  
2 **CHRISTENSEN JAMES & MARTIN**  
3 KEVIN B. CHRISTENSEN, ESQ.  
Nevada Bar No. 175  
4 WESLEY J. SMITH, ESQ.  
Nevada Bar No. 11871  
5 LAURA J. WOLFF, ESQ.  
Nevada Bar No. 6869  
6 7440 W. Sahara Avenue  
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7 Tel.: (702) 255-1718  
Facsimile: (702) 255-0871  
8 Email: kbc@cjmlv.com; wes@cjmlv.com; ljw@cjmlv.com  
*Attorneys for September Trust, Zobrist Trust, Sandoval Trust*  
*and Dennis & Julie Gegen*

9 **EIGHTH JUDICIAL DISTRICT COURT**

10 **CLARK COUNTY, NEVADA**

11 MARJORIE B. BOULDEN, TRUSTEE OF  
12 THE MARJORIE B. BOULDEN TRUST,  
13 LINDA LAMOTHE AND JACQUES  
14 LAMOTHE, TRUSTEES OF THE  
JACQUES & LINDA LAMOTHE LIVING  
TRUST,

15 Plaintiffs,

16 vs.

17 TRUDI LEE LYTLE, JOHN ALLEN  
18 LYTLE, THE LYTLE TRUST, DOES I  
through X, and ROE CORPORATIONS I  
through X,

19 Defendants.

20 AND ALL RELATED COUNTERCLAIMS  
21 AND CROSS-CLAIMS

Case No.: A-16-747800-C  
Dept. No.: XVIII

**ORDER GRANTING MOTION FOR  
SUMMARY JUDGMENT OR, IN THE  
ALTERNATIVE, MOTION FOR  
JUDGMENT ON THE PLEADINGS  
AND DENYING COUNTERMOTION  
FOR SUMMARY JUDGMENT**

Date: May 2, 2018  
Time: 9:00 a.m.

22 SEPTEMBER TRUST, DATED MARCH 23,  
23 1972; GERRY R. ZOBRIST AND JOLIN G.  
24 ZOBRIST, AS TRUSTEES OF THE GERRY  
R. ZOBRIST AND JOLIN G. ZOBRIST  
25 FAMILY TRUST; RAYNALDO G.  
SANDOVAL AND JULIE MARIE  
26 SANDOVAL GEGEN, AS TRUSTEES OF  
THE RAYNALDO G. AND EVELYN A.  
27 SANDOVAL JOINT LIVING AND

Case No.: A-17-765372-C  
Dept. No.: XXVIII

1 DEVOLUTION TRUST DATED MAY 27,  
2 1992; and DENNIS A. GEGEN AND JULIE  
3 S. GEGEN, HUSBAND AND WIFE, AS  
4 JOINT TENANTS,

5 Plaintiffs,

6 vs.

7 TRUDI LEE LYTLE AND JOHN ALLEN  
8 LYTLE, AS TRUSTEES OF THE LYTLE  
9 TRUST; JOHN DOES I through V; and ROE  
10 ENTITIES I through V, inclusive,

11 Defendants.

12 Presently before the Court is Plaintiffs' Motion for Summary Judgment or, in the  
13 Alternative, Motion for Judgment on the Pleadings filed by the September Trust, dated March  
14 23, 1972 ("September Trust"), Gerry R. Zobrist and Jolin G. Zobrist, as Trustees of the Gerry R.  
15 Zobrist and Jolin G. Zobrist Family Trust ("Zobrist Trust"), Raynaldo G. Sandoval and Julie  
16 Marie Sandoval Gegen, as Trustees of the Raynaldo G. and Evelyn A. Sandoval Joint Living and  
17 Devolution Trust dated May 27, 1992 ("Sandoval Trust"), and Dennis A. Gegen and Julie S.  
18 Gegen, Husband and Wife, as Joint Tenants ("Dennis & Julie Gegen") (collectively the  
19 "Plaintiffs") in Case No. A-17-765372-C, and Defendants' Countermotion for Summary  
20 Judgment filed by Trudi Lee Lytle and John Allen Lytle, as Trustees of the Lytle Trust ("Lytle  
21 Trust") in Case No. A-17-765372-C, which came on for hearing on March 21, 2018 at 9:00 a.m.  
22 and May 2, 2018 at 9:00 a.m. in Department XVIII of the Eighth Judicial District Court, Clark  
23 County, Nevada.

24 Wesley J. Smith, Esq. of Christensen James & Martin appeared on behalf of the Plaintiffs  
25 September Trust, Zobrist Trust, Sandoval Trust, and Dennis & Julie Gegen. Richard Haskin,  
26 Esq. of Gibbs Giden Locher Turner Senet & Wittbrodt LLP appeared on behalf of the Lytle  
27 Trust. Daniel T. Foley, Esq. of Foley & Oakes, PC appeared on behalf of Marjorie B. Boulden,  
28 Trustee of the Marjorie B. Boulden Trust, amended and restated dated July 17, 1996 ("Boulden

1 Trust”) and Linda Lamothe and Jacques Lamothe, Trustees of the Jacques and Linda Lamothe  
2 Living Trust (“Lamothe Trust”). Christina H. Wang, Esq. of Fidelity Law Group appeared on  
3 behalf of Robert Z. Disman and Yvonne A. Disman (“Robert & Yvonne Disman”).

4 The Court having considered the Motions and exhibits, having heard the arguments of  
5 counsel, for all the reasons contained in the Plaintiffs’ Motion for Summary Judgment or, in the  
6 Alternative, Motion for Judgment on the Pleadings, and with good cause appearing therefore, the  
7 Court hereby enters the following Order:

8  
9 **FINDINGS OF FACT**

10 1. The September Trust is the owner of the residential property in Clark County,  
11 Nevada known as 1861 Rosemere Court, Las Vegas, Nevada 89117, Assessor’s Parcel No. 163-  
12 03-313-004 (“September Property”).

13 2. The Zobrist Trust is the owner of the residential property in Clark County,  
14 Nevada known as 1901 Rosemere Court, Las Vegas, Nevada 89117, Assessor’s Parcel No. 163-  
15 03-313-005 (“Zobrist Property”).

16 3. The Sandoval Trust is the owner of the residential property in Clark County,  
17 Nevada known as 1860 Rosemere Court, Las Vegas, Nevada 89117, Assessor’s Parcel No. 163-  
18 03-313-001 (“Sandoval Property”).

19 4. Dennis & Julie Gegen are the owner of the residential property in Clark County,  
20 Nevada known as 1831 Rosemere Court, Las Vegas, Nevada 89117, Assessor’s Parcel No. 163-  
21 03-313-003 (“Gegen Property”) (hereafter September Property, Zobrist Property, Sandoval  
22 Property and Gegen Property may be collectively referred to as “Plaintiffs’ Properties”).  
23

24 5. The Plaintiffs’ Properties are located in the Rosemere Estates subdivision  
25 (“Rosemere Subdivision” or “Subdivision”) and are subject to the CC&R’s recorded January 4,  
26 1994 (the “CC&Rs”).  
27  
28

1           6.     John Allen Lytle and Trudi Lee Lytle are the Trustees of the Lytle Trust  
2 (collectively "Lytle Trust") which owns that certain residential property known as parcel number  
3 163-03-313-009 (the "Lytle Property"), also located in the Rosemere Subdivision.

4           7.     In 2009, the Lytles filed suit against the Rosemere Association directly in the  
5 Eighth Judicial District Court, Case No. A-09-593497-C ("Rosemere Litigation I").

6           8.     None of the Plaintiffs were ever parties in the Rosemere Litigation I.

7           9.     None of the Plaintiffs were a "losing party" in the Rosemere Litigation I as that  
8 term is found in Section 25 of the Original CC&Rs.  
9

10          10.    The Lytles obtained a Summary Judgment for Declaratory Relief from the District  
11 Court in the Rosemere Litigation I, which found and ruled as follows:

12           a.    The Association is a limited purpose association under NRS 116.1201, is not a  
13 Chapter 116 "unit-owners' association," and is relegated to only those specific  
14 duties and powers set forth in Paragraph 21 of the Original CC&Rs and NRS  
116.1201.

15           b.    The Association did not have any powers beyond those of the "property owners  
16 committee" designation in the Original CC&Rs - simply to care for the  
17 landscaping and other common elements of Rosemere Estates as set forth in  
Paragraph 21 of the Original CC&Rs.

18           c.    Consistent with the absence of a governing body, the Developer provided each  
19 homeowner the right to independently enforce the Original CC&Rs against one  
another.

20           d.    The Amended and Restated CC&Rs recorded with the Clark County Recorder's  
21 Office as Instrument No. 20070703-0001934 (the "Amended CC&Rs") are  
invalid, and the Amended CC&Rs have no force and effect.

22          11.    Pursuant to NRS 116.1201(2) much of NRS Chapter 116 does not apply to the  
23 Association because it is a limited purpose association that is not a rural agricultural residential  
24 community.  
25

26          12.    After obtaining Summary Judgment in the Rosemere Litigation I, the Lytle Trust  
27 filed a Motion for Attorneys' Fees and Costs against the Association, and conducted a prove-up  
28



1 hearing on damages. After hearing all matters, a Final Judgment was entered in the Lytle Trust's  
2 favor against the Association for \$361,238.59, which includes damages, attorneys' fees and costs  
3 (the "Final Judgment").

4 13. After obtaining the Attorneys' Fees Judgment, the Lytle Trust, on August 16,  
5 2016, recorded with the Clark County Recorder's office an Abstract of Judgment referencing the  
6 Final Judgment against the Association, recorded as Instrument No. 20160818-0001198 (the  
7 "First Abstract of Judgment").  
8

9 14. In the First Abstract of Judgment, the Lytle Trust listed the parcel numbers for all  
10 of the Plaintiffs' Properties as properties to which the First Abstract of Judgment and Final  
11 Judgment was to attach.

12 15. On September 2, 2016, the Lytle Trust recorded with the Clark County Recorder's  
13 office an Abstract of Judgment referencing the Final Judgment against the Association, recorded  
14 as Instrument No. 20160902-0002685 (the "Second Abstract of Judgment"). The Second  
15 Abstract of Judgment listed the parcel number of the Gegen Property only as the property to  
16 which the Judgment was to attach.  
17

18 16. On September 2, 2016, the Lytle Trust recorded with the Clark County Recorder's  
19 office an Abstract of Judgment referencing the Final Judgment against the Association, recorded  
20 as Instrument No. 20160902-0002686 (the "Third Abstract of Judgment"). The Third Abstract of  
21 Judgment listed the parcel number of the September Trust Property only as the property to which  
22 the Judgment was to attach.  
23

24 17. On September 2, 2016, the Lytle Trust recorded with the Clark County Recorder's  
25 office an Abstract of Judgment referencing the Final Judgment against the Association, recorded  
26 as Instrument No. 20160902-0002687 (the "Fourth Abstract of Judgment"). The Fourth Abstract  
27  
28

1 of Judgment listed the parcel number of the Zobrist Trust Property only as the property to which  
2 the Judgment was to attach.

3 18. In 2010, the Lytle Trust filed another suit against the Rosemere Association  
4 directly in Case No. A-10-631355-C ("Rosemere Litigation II"). The Lytle Trust did not name  
5 the Plaintiffs as Defendants in the Rosemere Litigation II.

6 19. On or about November 14, 2016, the Lytle Trust was granted Summary Judgment  
7 against the Rosemere Association.

8 20. On or about July 20, 2017, the District Court signed an Abstract of Judgment in  
9 the amount of \$1,103,158.12. ("Rosemere Judgment II").

10 21. The Plaintiffs were not named parties in the Rosemere II Litigation.

11 22. On or about April 2, 2015, the Lytle Trust filed a third case (Case No. A-15-  
12 716420-C) against the Association and named as Defendants Sherman L. Kearn ("Kearn") and  
13 Gerry G. Zobrist ("Zobrist") ("Rosemere Litigation III"). On April 8, 2015, the Lytles filed an  
14 Errata to the Complaint amending it so that all references to Kearn and Zobrist were taken out of  
15 the Complaint.  
16

17 23. On or about September 13, 2017, the Court in the entered its Order granting  
18 Summary Judgment for Declaratory Relief as against the Association ("Rosemere Judgment III").  
19 On November 8, 2017, the Rosemere Litigation III Court granted a Motion for Attorney's Fees  
20 and Costs.  
21

22 24. On February 24, 2017, the Boulden Trust, owner of Parcel No. 163-03-313-008 in  
23 the Rosemere Subdivision, and the Lamothe Trust, owner of Parcel No. 163-03-313-002 in the  
24 Rosemere Subdivision, filed a Motion for Partial Summary Judgment in this Court in this Case,  
25 Case No. A-16-747900-C.  
26  
27  
28

1           25.     This Court granted the Boulden Trust's and Lamothe Trust's Motion for Partial  
2 Summary Judgment, and on July 25, 2017, entered its Order Granting Motion to Alter or Amend  
3 Findings of Fact and Conclusions of Law ("Order").

4           26.     In its Order, the Court found that, among other things, the Association is not  
5 subject to NRS 116.3117, the Boulden Trust and Lamothe Trust were not parties to the  
6 Rosemere Litigation, the Rosemere Judgment I (referred to as the "Rosemere LP Litigation" in  
7 the Order) is not an obligation or debt of the Boulden Trust or the Lamothe Trust and that the  
8 Abstracts of Judgment were improperly recorded against their properties and must be expunged  
9 and stricken from the record.  
10

11           27.     After the Court issued its Order, the Lytles released their liens against the  
12 Boulden Trust and Lamothe Trust properties.

13           28.     On February 21, 2018, Case No. A-17-765372-C was consolidated with Case No.  
14 A-16-747900-C.  
15

16                                   **CONCLUSIONS OF LAW**

17           1.     The Court's prior Order with respect to Boulden Trust's and Lamothe Trust's  
18 Motion for Partial Summary Judgment, Case No. A-16-747900-C, is the law of the case, to the  
19 extent applicable to Plaintiffs' claims.

20           2.     The Association is a "limited purpose association" as referenced in NRS  
21 116.1201(2).

22           3.     As a limited purpose association, NRS 116.3117 is not applicable to the  
23 Association.  
24

25           4.     As a result of the Rosemere Litigation I, the Amended CC&Rs were judicially  
26 declared to have been improperly adopted and recorded, the Amended CC&Rs are invalid and  
27 have no force and effect and were declared *void ab initio*.  
28

1           5.     The Plaintiffs were not parties to the Rosemere Litigation I, Rosemere Litigation  
2     II or Rosemere Litigation III.

3           6.     The Plaintiffs were not “losing parties” in the Rosemere Litigation I, Rosemere  
4     Litigation II or Rosemere Litigation III as per Section 25 of the Original CC&Rs.

5           7.     Rosemere Judgments I, II and III in favor of the Lytle Trust, are not against, and  
6     are not an obligation of the Plaintiffs to the Lytle Trust.

7           8.     Rosemere Judgments I, II and III are against the Association and are not an  
8     obligation or debt owed by the Plaintiffs to the Lytle Trust.

9           9.     The First Abstract of Judgment recorded as Instrument No. 20160818-0001198  
10     was improperly recorded against the Plaintiffs’ Properties and constitutes a cloud against each of  
11     the Plaintiffs’ Properties.

12           10.    The Second Abstract of Judgment recorded as Instrument No. 20160902-0002685  
13     was improperly recorded against the Gegen Property and constitutes a cloud against the Gegen  
14     Property.

15           11.    The Third Abstract of Judgment recorded as Instrument No. 20160902-0002686  
16     was improperly recorded against the September Trust Property and constitutes a cloud against  
17     the September Trust Property.

18           12.    The Fourth Abstract of Judgment recorded as Instrument No. 20160902-0002687  
19     was improperly recorded against the Zobrist Trust Property and constitutes a cloud against the  
20     Zobrist Trust Property.

21     ///

22     ///

23     ///

24     ///

**ORDER**

Based upon the Findings of Fact and Conclusions of Law above, and good cause appearing therefore,

**IT IS HEREBY ORDERED ADJUDGED AND DECREED** that Plaintiffs' Motion for Summary Judgment is GRANTED.

**IT IS HEREBY FURTHER ORDERED ADJUDGED AND DECREED** that the Lytle Trust's Countermotion for Summary Judgment is DENIED.

**IT IS HEREBY FURTHER ORDERED ADJUDGED AND DECREED** that the Lytle Trust improperly clouded the title to the September Property.

**IT IS HEREBY FURTHER ORDERED ADJUDGED AND DECREED** that the Lytle Trust improperly clouded the title to the Zobrist Property.

**IT IS HEREBY FURTHER ORDERED ADJUDGED AND DECREED** that the Lytle Trust improperly clouded the title to the Sandoval Property.

**IT IS HEREBY FURTHER ORDERED ADJUDGED AND DECREED** that the Lytle Trust improperly clouded the title to the Gegen Property.

**IT IS HEREBY FURTHER ORDERED ADJUDGED AND DECREED** that the First Abstract of Judgment recorded as Instrument No. 20160818-0001198 in the Clark County Recorder's Office is hereby expunged and stricken from the records of the Clark County Recorder's Office.

**IT IS HEREBY FURTHER ORDERED ADJUDGED AND DECREED** that the Second Abstract of Judgment recorded as Instrument No. 20160902-0002685 in the Clark County Recorder's Office is hereby expunged and stricken from the records of the Clark County Recorder's Office.

1           **IT IS HEREBY FURTHER ORDERED ADJUDGED AND DECREED** that the  
2 Third Abstract of Judgment recorded as Instrument No. 20160902-0002686 in the Clark County  
3 Recorder's Office is hereby expunged and stricken from the records of the Clark County  
4 Recorder's Office.

5           **IT IS HEREBY FURTHER ORDERED ADJUDGED AND DECREED** that the  
6 Fourth Abstract of Judgment recorded as Instrument No. 20160902-0002687 in the Clark County  
7 Recorder's Office is hereby expunged and stricken from the records of the Clark County  
8 Recorder's Office.  
9

10          **IT IS HEREBY FURTHER ORDERED ADJUDGED AND DECREED** that the  
11 Lytle Trust is permanently enjoined from recording and enforcing the Judgments obtained from  
12 the Rosemere Litigation I, Rosemere Litigation II and Rosemere Litigation III, or any other  
13 judgments obtained against the Association, against the September Property, Zobrist Property,  
14 Sandoval Property or Gegen Property.  
15

16          **IT IS HEREBY FURTHER ORDERED ADJUDGED AND DECREED** that the  
17 Lytle Trust is permanently enjoined from taking any action in the future directly against the  
18 Plaintiffs or their properties based upon the Rosemere Litigation I, Rosemere Litigation II or  
19 Rosemere Litigation III.

20          **IT IS HEREBY FURTHER ORDERED ADJUDGED AND DECREED** that the  
21 Lytle Trust is hereby ordered to release the First Abstract of Judgment, the Second Abstract of  
22 Judgment, the Third Abstract of Judgment and the Fourth Abstract of Judgment recorded with  
23 the Clark County Recorder within ten (10) days after the date of Notice of Entry of this Order.  
24

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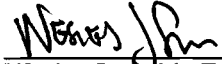
**IT IS SO ORDERED.**

Dated this \_\_\_\_ day of May, 2018.

\_\_\_\_\_  
DISTRICT COURT JUDGE

Submitted by:

**CHRISTENSEN JAMES & MARTIN**



\_\_\_\_\_  
Wesley J. Smith, Esq.  
Nevada Bar No. 11871  
Laura J. Wolff, Esq.  
Nevada Bar No. 6869  
7440 W. Sahara Ave.  
Las Vegas, NV 89117  
Attorneys for Plaintiffs September Trust,  
Zobrist Trust, Sandoval Trust, and  
Dennis & Julie Gegen

**Approved as to Form and Content by:**

**FIDELITY NATIONAL LAW GROUP**

**FOLEY & OAKES, P.C.**

\_\_\_\_\_  
**CHRISTINA H. WANG, ESQ.**

Nevada Bar No. 9713  
8363 W. Sunset Road, Suite 120  
Las Vegas, Nevada 89113  
Attorneys for Counter-Defendants/Cross-  
Claimants Robert & Yvonne Disman

**GIBBS GIDEN LOCHER TURNER**

**SENET & WITTBRODT LLP**

\_\_\_\_\_  
**DANIEL T. FOLEY, ESQ.**

Nevada Bar No. 1078  
626 S. 8<sup>th</sup> Street  
Las Vegas, Nevada 89101  
Attorneys for Plaintiffs/Counter-  
Defendants/Cross-Defendants Boulden Trust  
and Lamothe Trust

\_\_\_\_\_  
**RICHARD E. HASKIN, ESQ.**

Nevada Bar No. 11592  
**TIMOTHY P. ELSON, ESQ.**  
Nevada Bar No. 11559  
1140 N. Town Center Drive, Suite 300  
Las Vegas, Nevada 89144  
Attorneys for Defendants/Counter-  
Claimants Lytle Trust

1           **IT IS SO ORDERED.**

2  
3           Dated this \_\_\_\_ day of May, 2018.

4  
5  
6           \_\_\_\_\_  
DISTRICT COURT JUDGE

7 Submitted by:

8           **CHRISTENSEN JAMES & MARTIN**

9           \_\_\_\_\_  
Wesley J. Smith, Esq.  
10 Nevada Bar No. 11871  
Laura J. Wolff, Esq.  
11 Nevada Bar No. 6869  
7440 W. Sahara Ave.  
12 Las Vegas, NV 89117  
Attorneys for Plaintiffs September Trust,  
13 Zobrist Trust, Sandoval Trust, and  
Dennis & Julie Gegen  
14

15           **Approved as to Form and Content by:**

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17           \_\_\_\_\_  
CHRISTINA H. WANG, ESQ.  
18 Nevada Bar No. 9713  
8363 W. Sunset Road, Suite 120  
19 Las Vegas, Nevada 89113  
Attorneys for Counter-Defendants/Cross-  
20 Claimants Robert & Yvonne Dismar

21 GIBBS GIDEN LOCHER TURNER  
SENET & WITTBRODT LLP

22           \_\_\_\_\_  
RICHARD E. HASKIN, ESQ.  
23 Nevada Bar No. 11592  
TIMOTHY P. ELSON, ESQ.  
24 Nevada Bar No. 11559  
1140 N. Town Center Drive, Suite 300  
25 Las Vegas, Nevada 89144  
Attorneys for Defendants/Counter-  
26 Claimants Lytle Trust  
27  
28

FOLEY & OAKES, P.C.

\_\_\_\_\_  
DANIEL T. FOLEY, ESQ.  
Nevada Bar No. 1078  
626 S. 8<sup>th</sup> Street  
Las Vegas, Nevada 89101  
Attorneys for Plaintiffs/Counter-  
Defendants/Cross-Defendants Boulden Trust  
and Lamothe Trust



Case Number: A-16-747800-C  
Case Name: Marjorie B. Boulden  
v. Trust: Lee Lytle

1 **IT IS SO ORDERED.**

2  
3 Dated this 22 day of May, 2018.

4  
5 \_\_\_\_\_  
DISTRICT COURT JUDGE

6 Submitted by:

L. L.

7  
8 **CHRISTENSEN JAMES & MARTIN**

9 \_\_\_\_\_  
10 Wesley J. Smith, Esq.  
Nevada Bar No. 11871  
11 Laura J. Wolff, Esq.  
Nevada Bar No. 6869  
12 7440 W. Sahara Ave.  
Las Vegas, NV 89117  
13 Attorneys for Plaintiffs September Trust,  
Zobrist Trust, Sandoval Trust, and  
Dennis & Julie Gegen

14  
15 **Approved as to Form and Content by:**

16 **FIDELITY NATIONAL LAW GROUP**

17 \_\_\_\_\_  
18 CHRISTINA H. WANG, ESQ.  
Nevada Bar No. 9713  
19 8363 W. Sunset Road, Suite 120  
Las Vegas, Nevada 89113  
20 Attorneys for Counter-Defendants/Cross-  
Claimants Robert & Yvonne Disman

21 **GIBBS GIDEN LOCHER TURNER**  
**SENET & WITTBRODT LLP**

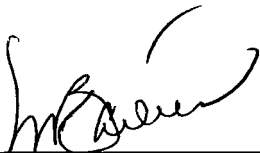
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23 RICHARD E. HASKIN, ESQ.  
Nevada Bar No. 11592  
24 TIMOTHY P. ELSON, ESQ.  
Nevada Bar No. 11559  
25 1140 N. Town Center Drive, Suite 300  
Las Vegas, Nevada 89144  
26 Attorneys for Defendants/Counter-  
Claimants Lytle Trust

FOLEY & OAKES, P.C.

\_\_\_\_\_  
DANIEL T. FOLEY, ESQ.  
Nevada Bar No. 1078  
626 S. 8<sup>th</sup> Street  
Las Vegas, Nevada 89101  
Attorneys for Plaintiffs/Counter-  
Defendants/Cross-Defendants Boulden Trust  
and Lamothe Trust

1           **IT IS SO ORDERED.**

2  
3           Dated this 20 day of May, 2018.



DISTRICT COURT JUDGE

6 Submitted by:

8 **CHRISTENSEN JAMES & MARTIN**

9 \_\_\_\_\_  
10 Wesley J. Smith, Esq.  
11 Nevada Bar No. 11871  
12 Laura J. Wolff, Esq.  
13 Nevada Bar No. 6869  
14 7440 W. Sahara Ave.  
15 Las Vegas, NV 89117  
16 Attorneys for Plaintiffs September Trust,  
17 Zobrist Trust, Sandoval Trust, and  
18 Dennis & Julie Gegen

15 **Approved as to Form and Content by:**

16 FIDELITY NATIONAL LAW GROUP

FOLEY & OAKES, P.C.

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18 CHRISTINA H. WANG, ESQ.  
19 Nevada Bar No. 9713  
20 8363 W. Sunset Road, Suite 120  
21 Las Vegas, Nevada 89113  
22 Attorneys for Counter-Defendants/Cross-  
23 Claimants Robert & Yvonne Disman

21 ~~GIBBS GIDEN LOCHER TURNER~~  
22 ~~SENÉT & WILTBRODT LLP~~

23 \_\_\_\_\_  
24 RICHARD E. HASKIN, ESQ.  
25 Nevada Bar No. 11592  
26 TIMOTHY P. ELSON, ESQ.  
27 Nevada Bar No. 11559  
28 1140 N. Town Center Drive, Suite 300  
Las Vegas, Nevada 89144  
Attorneys for Defendants/Counter-  
Claimants Lytle Trust

\_\_\_\_\_

DANIEL T. FOLEY, ESQ.  
Nevada Bar No. 1078  
626 S. 8<sup>th</sup> Street  
Las Vegas, Nevada 89101  
Attorneys for Plaintiffs/Counter-  
Defendants/Cross-Defendants Boulden Trust  
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# EXHIBIT 2A

# STATEMENT

Christensen James & Martin

## History of Billing

7440 W. Sahara Ave.  
Las Vegas, NV 89117  
702/255-1718  
702/255-0871 Fax  
Carma@CJMLV.com

September Trust, Dated March 23, 1972

1861 Rosemere Ct.  
Las Vegas, NV 89117

May 24, 2018

### Professional Services

		<u>Hrs/Rate</u>	<u>Amount</u>
9/6/2017 - KBC	Review Foley Pleadings; telephone call to Attorney for Boldin and LaMothe regarding Complaint, Court Orders and Appeal; request Pleadings; telephone call to Client; emails to and from Equity Title regarding Preliminary Title Report	0.30 260.00/hr	78.00
9/18/2017 - KBC	Telephone calls to and from Client regarding [REDACTED]	0.10 260.00/hr	26.00
9/22/2017 - KBC	Conference with Attorney regarding [REDACTED]	0.10 260.00/hr	26.00
9/25/2017 - LJW	Review files and Case Pleadings; emails to and from K Christensen; preparation of Demand Letter	1.30 260.00/hr	338.00
9/26/2017 - LJW	Research property records; emails to and from K Christensen; preparation of Demand letter	0.80 260.00/hr	208.00
9/27/2017 - KBC	Telephone call to and emails to and from Client; revise Demand Letter; calendar Due Date	0.10 260.00/hr	26.00
10/5/2017 - KBC	Review Title Company email and Escrow Report	0.03 260.00/hr	6.50
10/9/2017 - LJW	E-mails to and from K Christensen	0.03 260.00/hr	6.50
- KBC	Telephone calls to and from and conference with Client; review 2015 Case Notices; telephone call to opposing counsel; emails to and from L Wolff [REDACTED] review related Case Orders from Equity Title and Case Docket	0.10 260.00/hr	26.00

RA0089

		<u>Hrs/Rate</u>	<u>Amount</u>
10/10/2017	- LJW Conference with K Christensen and W Smith regarding [REDACTED]	0.10 260.00/hr	26.00
	- WJS Conference with K Christensen; teleconference with K Christensen and L Wolff [REDACTED] review Clark County GIS and Property Records for Rosemere	0.40 260.00/hr	104.00
	- KBC Conference with Attorneys; preparation of Complaint and Motion for Injunction and Extraordinary Relief; review Case files and Orders	0.10 260.00/hr	26.00
10/11/2017	- LJW Review all Cases filed against Rosemere Association; preparation of Complaint; email to K Christensen	0.98 260.00/hr	253.50
10/12/2017	- LJW E-mails to and from K Christensen	0.03 260.00/hr	6.50
	- KBC Telephone calls to and from opposing counsel regarding Demand and email to Attorney regarding Removal of Encumbrances	0.10 260.00/hr	26.00
10/16/2017	- LJW E-mails to and from K Christensen	0.03 260.00/hr	6.50
	- KBC Telephone calls to Clients; conference with W Smith regarding [REDACTED] conference with K Kearl; emails to and from D Foley and Clients regarding Case Joinder and Relief	0.50 260.00/hr	130.00
10/17/2017	- WJS Conference with K Christensen; review Property Records	0.25 260.00/hr	65.00
	- LJW E-mails to and from K Christensen	0.03 260.00/hr	6.50
10/18/2017	- KBC Email and telephone calls to and from D Foley regarding Lytle Counsel Request	0.10 260.00/hr	26.00
10/19/2017	- ELJ Conference with W Smith regarding [REDACTED]	0.15 260.00/hr	39.00
	- WJS Emails to and from D Foley and Haskins; review Pleadings and records from prior Cases	0.60 260.00/hr	156.00
	- LJW E-mails to and from K Christensen	0.05 260.00/hr	13.00
	- KBC Telephone call from D Foley regarding Stipulation, Joinder, Relief and Appeal Order regarding Injunction; conference with W Smith regarding [REDACTED] emails to Attorneys and Clients	0.30 260.00/hr	78.00
10/23/2017	- WJS E-mails to and from Haskin and Foley	0.05 260.00/hr	13.00

		<u>Hrs/Rate</u>	<u>Amount</u>
10/23/2017	- KBC Review Court email regarding Stipulation/Order; email to Attorney; teleconference with opposing counsel and D Foley regarding Stipulation and Relief Options requests; file notes	0.15 260.00/hr	39.00
10/25/2017	- WJS Conference with K Christensen regarding [REDACTED] review Order from Boulden Case; email to R Haskin	0.25 260.00/hr	65.00
	- KBC Telephone call to opposing counsel regarding Stipulation and Release; conference with W Smith regarding [REDACTED] review emails to and from opposing counsel	0.10 260.00/hr	26.00
10/26/2017	- KBC Emails to and from opposing counsel regarding Judgment Release Negotiations	0.05 260.00/hr	13.00
10/27/2017	- KBC Email to attorney and conference with opposing counsel regarding Malpractice Action; Research Chapter 116	0.10 260.00/hr	26.00
10/30/2017	- WJS Conference with K Christensen regarding preparation of documents for filing, [REDACTED] and Statute Research	0.08 260.00/hr	19.50
10/31/2017	- WJS Conference with L Wolff regarding [REDACTED]	0.08 260.00/hr	19.50
	- LJW Telephone call with W Smith regarding [REDACTED]	0.05 260.00/hr	13.00
11/1/2017	- LJW Telephone call with W Smith	0.05 260.00/hr	13.00
11/2/2017	- WJS Conference with L Wolff and K Christensen regarding [REDACTED]	0.10 260.00/hr	26.00
	- KBC Teleconference with L Wolff regarding [REDACTED]	0.10 260.00/hr	26.00
	- LJW Telephone call with W Smith; preparation of Complaint; Research Properties	0.45 260.00/hr	117.00
11/3/2017	- LJW Review documents and preparation of TRO Motion	0.18 260.00/hr	45.50
11/7/2017	- LJW Preparation of Complaint and Motion for TRO	0.53 260.00/hr	136.50
11/8/2017	- LJW Preparation of Complaint and Motion for TRO	0.75 260.00/hr	195.00
11/9/2017	- WJS Telephone call from L Wolff regarding [REDACTED]	0.10 260.00/hr	26.00
	- LJW Preparation of Complaint and Motion for TRO and Motion for Summary Judgment; telephone call to W Smith and K Christensen	1.10 260.00/hr	286.00

		<u>Hrs/Rate</u>	<u>Amount</u>
11/10/2017 -	LJW Research and preparation of Motion for Summary Judgment: revise Complaint	0.95 260.00/hr	247.00
11/13/2017 -	WJS Review and redline draft Complaint; conference with Motion for Summary Judgment; review Declaration; conference with K Christensen; email to L Wolff	0.38 260.00/hr	97.50
-	LJW Preparation and Research Motion for Summary Judgment; revisions to Complaint; preparation of Declaration; email to W Smith	0.80 260.00/hr	208.00
11/14/2017 -	WJS Telephone call from L Wolff; review and redline draft Declaration	0.15 260.00/hr	39.00
-	LJW Revisions to Motion for Summary Judgment; revisions to Complaint; preparation of Owner Declarations; preparation of Summary Judgment Exhibits; emails to and from W Smith; telephone call with W Smith; email to K Christensen	0.75 260.00/hr	195.00
11/27/2017 -	LJW E-mails to and from opposing counsel and K Christensen; email to Clerk	0.05 260.00/hr	13.00
11/29/2017 -	LJW Telephone calls to and from Clerk; preparation of Motion, Affidavits, Declaration and Exhibits; preparation of Cover Sheet and other Pleadings; emails to and from Attorneys	0.38 260.00/hr	97.50
11/30/2017 -	WJS Review Notices from Court; review filed documents; telephone call from K Christensen; conference with L Wolff regarding [REDACTED] [REDACTED] Consolidate Cases and Entry of Orders for Relief	0.20 260.00/hr	52.00
-	LJW Telephone call with W Smith; review Court emails; telephone call to opposing counsel	0.10 260.00/hr	26.00
12/1/2017 -	LJW E-mail to opposing counsel regarding Stipulation	0.08 260.00/hr	19.50
12/4/2017 -	LJW Calendar Summary Judgment Motion Hearing; preparation of Summons; email to Clerk	0.15 260.00/hr	39.00
12/5/2017 -	WJS Teleconference with L Wolff regarding [REDACTED] [REDACTED]	0.05 260.00/hr	13.00
-	LJW E-mails to and from D Foley; telephone call to W Smith; email to R Haskin	0.18 260.00/hr	45.50
12/6/2017 -	LJW E-mails to and from R Haskin	0.08 260.00/hr	19.50
12/7/2017 -	LJW E-mails to and from opposing counsel	0.03 260.00/hr	6.50
12/13/2017 -	LJW E-mails to opposing counsel	0.03 260.00/hr	6.50

		<u>Hrs/Rate</u>	<u>Amount</u>
12/14/2017 - LJW	E-mails to and from opposing counsel	0.03 260.00/hr	6.50
12/15/2017 - LJW	Telephone call with opposing counsel	0.03 260.00/hr	6.50
12/18/2017 - LJW	Preparation of Acceptance of Service; preparation of Motion to Consolidate	0.58 260.00/hr	149.50
12/19/2017 - LJW	Review Pleadings; preparation of Motion to Consolidate	0.40 260.00/hr	104.00
12/20/2017 - LJW	Preparation of Motion to Consolidate	0.08 260.00/hr	19.50
12/21/2017 - LJW	E-mail to opposing counsel regarding Briefing Schedule	0.03 260.00/hr	6.50
12/22/2017 - LJW	Preparation of Motion to Consolidate; emails to and from opposing counsel	0.13 260.00/hr	32.50
12/26/2017 - LJW	Preparation of Motion to Consolidate	0.13 260.00/hr	32.50
12/28/2017 - LJW	Telephone call with opposing counsel regarding Summary Judgment Briefing Schedule	0.03 260.00/hr	6.50
12/29/2017 - LJW	Preparation of Notice to Court; email to Clerk	0.20 260.00/hr	52.00
1/3/2018 - LJW	Preparation of Consolidation Motion; review Pleadings; calendar Hearing Date; emails to Clerk; emails to K Christensen	0.23 260.00/hr	58.50
1/5/2018 - WJS	Conference with L Wolff	0.08 260.00/hr	19.50
- LJW	Telephone call with W Smith; Research [REDACTED]	0.13 260.00/hr	32.50
1/9/2018 - LJW	E-mail to Clients regarding [REDACTED] Research [REDACTED] [REDACTED] of Motion to Consolidate	0.55 260.00/hr	143.00
1/10/2018 - LJW	Review Stipulation; review Answer; emails to and from W Smith; Research [REDACTED]	0.25 260.00/hr	65.00
1/11/2018 - LJW	Preparation of Motion to Consolidate	0.33 260.00/hr	84.50
1/12/2018 - LJW	Preparation of Motion to Consolidate; Research [REDACTED] email to W Smith	0.43 260.00/hr	110.50
- WJS	Review Motion to Consolidate and redline changes; emails to and from L Wolff	0.48 260.00/hr	123.50



		<u>Hrs/Rate</u>	<u>Amount</u>
1/15/2018	- LJW E-mails to and from W Smith	0.03 260.00/hr	6.50
1/16/2018	- WJS Conference with Attorneys regarding Motion to Consolidate [REDACTED]	0.10 260.00/hr	26.00
	- KBC Conference with Attorneys regarding [REDACTED]	0.08 260.00/hr	19.50
	- LJW Final revisions and preparation of Motion to Consolidate and Exhibits; email to Clerk; telephone call to Clerk	0.30 260.00/hr	78.00
1/17/2018	- WJS E-mail from D Foley regarding [REDACTED] review Dockets; telephone call to L Wolff; conference with K Christensen; telephone call to D Foley; emails to and from D Foley and K Christensen; review Cases from D Foley; emails to Attorneys	0.55 260.00/hr	143.00
	- KBC Conference with W Smith regarding [REDACTED] letter to Judges regarding Reassignment of Case and Consolidation Motion; email to Attorney	0.18 260.00/hr	45.50
	- LJW Preparation of Motion for Order Shortening Time and Order Shortening Time; telephone call to W Smith; emails to and from W Smith; emails to and from Clerk; emails to and from Court Clerk; telephone call to Clerk	0.58 260.00/hr	149.50
1/18/2018	- LJW Review Pleadings; telephone call to W Smith regarding [REDACTED] email from opposing counsel	0.10 260.00/hr	26.00
	- WJS Review Notices from Court; review Dockets; emails to and from D Foley; conference with K Christensen; telephone call from L Wolff	0.18 260.00/hr	45.50
	- KBC Conference with Attorney regarding Case Assignment; calendar Hearing for Consolidation Motion; emails to and from Attorney, [REDACTED] review [REDACTED]	0.13 260.00/hr	32.50
1/19/2018	- LJW E-mails to and from opposing counsel; telephone call to W Smith; emails to and from W Smith; review Local Rules	0.23 260.00/hr	58.50
	- WJS Telephone calls and emails to and from L Wolff regarding [REDACTED]	0.08 260.00/hr	19.50
1/23/2018	- LJW Preparation of Notice of Entry of Order; review Pleadings; telephone call to Clerk; review documents	0.25 260.00/hr	65.00
1/24/2018	- LJW Review documents and preparation of Arguments for Summary Judgment Motion and Appeal; preparation of Amended Order; emails to and from W Smith; telephone call to Clerk; emails to and from Clerk	0.88 260.00/hr	227.50
1/25/2018	- WJS Emails from D Foley; review Appellate Brief; Research [REDACTED] emails to and from L Wolff regarding [REDACTED] review Notices from Court regarding Case	0.33 260.00/hr	84.50

			<u>Hrs/Rate</u>	<u>Amount</u>
		Assignments and Rescheduled Motion to Consolidate Hearing; calendar Hearing		
1/25/2018	- KBC	Review Appeal Record and Brief; review emails regarding Amicus Request; conference with W Smith regarding [REDACTED]	0.05 260.00/hr	13.00
	- LJW	Review Pleadings and Order; emails to and from W Smith	0.13 260.00/hr	32.50
1/26/2018	- LJW	Review Appeal Brief	0.20 260.00/hr	52.00
1/29/2018	- LJW	Review Appeal Brief; preparation of Notice of Hearing; emails to and from W Smith; Research	0.70 260.00/hr	182.00
1/30/2018	- LJW	Research [REDACTED] Doctrine; emails to and from W Smith; email to Clients; emails to and from K Christensen	0.83 260.00/hr	214.50
	- WJS	Review Lytle Appeal Brief; emails to and from L Wolff and D Foley	0.30 260.00/hr	78.00
1/31/2018	- LJW	Research	0.35 260.00/hr	91.00
	- WJS	Research and review Arguments in Lytle Appeal Brief; file notes; email to L Wolff	0.78 260.00/hr	201.50
2/1/2018	- WJS	Conference call with L Wolff to discuss Lytle [REDACTED] [REDACTED] prepare for call with Clients; conference call with L Wolff, [REDACTED] [REDACTED]	0.38 260.00/hr	97.50
	- LJW	Telephone call with W Smith regarding Briefs; telephone call to Clients; Research NRS 116; emails to and from K Christensen	0.93 260.00/hr	240.50
2/2/2018	- WJS	Preparation for Meeting with D Foley; telephone call to L Wolff; conference call with E James and D Foley regarding [REDACTED] [REDACTED]	0.30 260.00/hr	78.00
	- LJW	Telephone call with W Smith and Attorney for Bouldens; Research [REDACTED]	0.83 260.00/hr	214.50
2/5/2018	- LJW	Preparation of Notice of Entry of Order; emails to and from opposing counsel; emails to and from W Smith; Research [REDACTED] [REDACTED]	0.53 260.00/hr	136.50
	- WJS	Research [REDACTED] notes to file; emails to and from L Wolff	1.10 260.00/hr	286.00
2/6/2018	- LJW	E-mails to and from opposing counsel regarding Hearing and Summary Judgment Motion; emails to and from W Smith; calendar Hearing dates	0.13 260.00/hr	32.50

		<u>Hrs/Rate</u>	<u>Amount</u>
2/6/2018	- WJS E-mails to and from L Wolff regarding [REDACTED] Briefing Schedule; review Motion to Consolidate; prepare for Hearing; review Dockets	0.28 260.00/hr	71.50
2/7/2018	- KBC Conference with W Smith regarding Hearing, Answer, Appeal and potential Countermotion for Summary Judgment	0.10 260.00/hr	26.00
	- WJS Preparation for Hearing; Appear at Hearing on Motion to Consolidate, present Argument; conference with other Counsel following Hearing; telephone call to L Wolff; conferences with E James and K Christensen [REDACTED] [REDACTED] Research [REDACTED] [REDACTED]	0.93 260.00/hr	240.50
	- LJW Telephone call with W Smith regarding Hearing and Motion; emails to and from opposing counsel	0.10 260.00/hr	26.00
2/8/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment	0.23 260.00/hr	58.50
2/9/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment; preparation of Request for Hearing; emails to and from Clerk and W Smith	0.60 260.00/hr	156.00
	- WJS Review Request for Continuance; emails to and from L Wolff	0.05 260.00/hr	13.00
2/12/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment	0.50 260.00/hr	130.00
2/13/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment; email to W Smith	0.28 260.00/hr	71.50
	- WJS Review Notices from Court; review Lytle Opposition and Countermotion; emails to and from L Wolff	0.20 260.00/hr	52.00
2/14/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment; Research [REDACTED] telephone call to W Smith	0.98 260.00/hr	253.50
	- WJS Review Notice from Court Rescheduling Hearing, calendar new Hearing Date; conference with L Wolff [REDACTED] [REDACTED]	0.18 260.00/hr	45.50
2/15/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment: Research [REDACTED] email to W Smith	0.93 260.00/hr	240.50
2/16/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment; Research [REDACTED] Research [REDACTED] [REDACTED]	1.00 260.00/hr	260.00
2/19/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment; Research [REDACTED] Research [REDACTED] [REDACTED]	1.73 260.00/hr	448.50

		<u>Hrs/Rate</u>	<u>Amount</u>
2/20/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment; email to W Smith; email to opposing counsel	1.08 260.00/hr	279.50
	- WJS Telephone call from Counsel for Dismans; review and redline Reply/Opposition regarding Summary Judgment Motion and Research; emails to and from L Wolff; review Dockets and prepare for Consolidation Hearing	1.43 260.00/hr	370.50
2/21/2018	- WJS Preparation for and Appearance at Hearing on Motion to Consolidate; conference with K Christensen regarding [REDACTED] [REDACTED] telephone call to L Wolff regarding [REDACTED] [REDACTED]	0.63 260.00/hr	162.50
	- LJW Revisions to Opposition to Countermotion for Summary Judgment; telephone call to W Smith; telephone call with Clerk; email and telephone call with Clerk; preparation of Exhibits; preparation of L Wolff Declaration	1.03 260.00/hr	266.50
2/22/2018	- LJW Preparation of Amicus Brief; telephone call with W Smith; preparation of Consolidation Order; emails to and from opposing counsel regarding 16.1 Conference and Order; Research [REDACTED]	0.93 260.00/hr	240.50
	- WJS Revisions to proposed Order on Motion to Consolidate; emails to and from L Wolff	0.20 260.00/hr	52.00
2/23/2018	- LJW Preparation of Amicus Brief; telephone call to W Smith	0.83 260.00/hr	214.50
2/26/2018	- LJW Review Pleadings; email to W Smith	0.05 260.00/hr	13.00
2/27/2018	- LJW E-mail to W Smith; telephone call to Clerk; telephone call to Court	0.05 260.00/hr	13.00
2/28/2018	- LJW E-mails to and from Court; email to W Smith; email to Clerk	0.05 260.00/hr	13.00
3/1/2018	- LJW Preparation of Request for Hearing and Notice of Entry of Order; preparation of 16.1 Conference Documents; emails to and from W Smith; emails to and from Clerk	0.38 260.00/hr	97.50
3/2/2018	- WJS Review Notices from Court; review Court Registers regarding Consolidation	0.05 260.00/hr	13.00
	- LJW Review emails from Court regarding Filings; preparation of Notice of Appearance; emails to and from Clerk; preparation of 16.1 Conference Documents	0.30 260.00/hr	78.00
3/5/2018	- LJW E-mails to and from Court regarding Filings; emails to and from Clerk; preparation of 16.1 List of Witnesses and Disclosures	0.38 260.00/hr	97.50
3/6/2018	- WJS E-mails to and from D Foley and L Wolff regarding [REDACTED] [REDACTED]	0.10 260.00/hr	26.00

		<u>Hrs/Rate</u>	<u>Amount</u>
3/6/2018 - LJW	Preparation of 16.1 List of Witnesses and Disclosures; preparation of Disclosures; emails to and from W Smith and Dan Foley; Research [REDACTED]	0.55 260.00/hr	143.00
3/7/2018 - LJW	E-mails to Client regarding [REDACTED]	0.05 260.00/hr	13.00
3/8/2018 - LJW	Preparation of Amicus Brief	0.40 260.00/hr	104.00
3/9/2018 - LJW	Review Respondent's Brief	0.18 260.00/hr	45.50
3/12/2018 - LJW	Review Respondent's Brief and preparation of Amicus Brief; emails to and from opposing counsel; emails to and from W Smith	1.00 260.00/hr	260.00
3/13/2018 - KBC	Conference with Attorneys regarding [REDACTED]	0.10 260.00/hr	26.00
- WJS	Conference with Counsel [REDACTED] email to D Foley	0.18 260.00/hr	45.50
- LJW	Preparation of Amicus Brief	0.73 260.00/hr	188.50
3/14/2018 - LJW	Preparation of Amicus Brief; emails to and from D Foley; emails to and from W Smith; preparation of Exhibits	1.05 260.00/hr	273.00
- WJS	Review Reply Brief filed by Lytles; email from D Foley; emails to and from L Wolff regarding [REDACTED]	0.20 260.00/hr	52.00
3/15/2018 - LJW	Preparation of Amicus Brief; emails to and from W Smith; emails to and from Clerk	1.10 260.00/hr	286.00
- WJS	Telephone call from L Wolff; review and revise Amicus Brief; Research; emails and telephone calls to and from L Wolff regarding [REDACTED] review Lytle Reply Brief	0.70 260.00/hr	182.00
3/16/2018 - LJW	Preparation of Amicus Brief; emails to and from W Smith; preparation of Exhibits; Research [REDACTED]	0.75 260.00/hr	195.00
- WJS	Review and revise Amicus Brief, Certificates and prepare for filing; telephone calls to and from Supreme Court regarding filing of Brief	0.45 260.00/hr	117.00
3/19/2018 - WJS	Telephone call from Supreme Court Docketing Clerk regarding Amicus Brief; preparation for Summary Judgment Hearing and Argument; review Summary Judgment Motion and files	0.55 260.00/hr	143.00
3/20/2018 - WJS	Preparation for Hearing; review Briefing and Exhibits on Motion for Summary Judgment and Appellate Briefs; prepare outline of Oral Argument; Oral Argument practice; emails to and from D Foley; review Transcripts of prior Summary Judgment Hearing	1.55 260.00/hr	403.00

		<u>Hrs/Rate</u>	<u>Amount</u>
3/21/2018 - WJS	Preparation for Hearing; Appearance at Hearing and Argue Motion for Summary Judgment; conference with D Foley; telephone call to L Wolff; email to Clients [REDACTED] conference with K Christensen	0.63 260.00/hr	162.50
3/29/2018 - LJW	E-mail to Court; telephone call to W Smith	0.03 260.00/hr	6.50
4/4/2018 - WJS	E-mails to and from D Foley; check Docket; telephone call from Court Clerk regarding Hearing Date	0.05 260.00/hr	13.00
4/10/2018 - WJS	E-mails to and from L Wolff regarding [REDACTED] telephone call from Courtroom Administrator regarding Hearing, calendar Hearing	0.05 260.00/hr	13.00
- LJW	E-mails to and from W Smith; review Pleadings; Research [REDACTED]	0.28 260.00/hr	71.50
- KBC	Conference with W Smith and L Wolff regarding [REDACTED]	0.05 260.00/hr	13.00
4/17/2018 - LJW	Review emails from opposing counsel	0.03 260.00/hr	6.50
4/20/2018 - LJW	E-mail from opposing counsel; email to W Smith	0.03 260.00/hr	6.50
4/23/2018 - WJS	Emails to and from opposing counsel regarding Hearing conflict	0.03 260.00/hr	6.50
4/25/2018 - LJW	Calendar Hearing; review emails	0.03 260.00/hr	6.50
5/1/2018 - WJS	Emails to and from L Wolff regarding [REDACTED] review Cases and new Argument	0.08 260.00/hr	19.50
- LJW	Review Lytle Appellate Response; [REDACTED] emails to and from W Smith	0.55 260.00/hr	143.00
5/2/2018 - WJS	Appearance at Hearing on Motions for Summary Judgment; conference with Co-Counsel (Foley & Wang) following Hearing; telephone call to L Wolff; review notes regarding Decision and instructions regarding Order; email to Clients regarding Hearing; conference with K Christensen; review Statute; email to L Wolff regarding [REDACTED]	0.73 260.00/hr	188.50
- KBC	Conference with W Smith; review Decisions; Research Motion for Fees; conference with Attorneys [REDACTED]	0.10 260.00/hr	26.00
- LJW	Teleconference with K Christensen; teleconference W Smith	0.03 260.00/hr	6.50
5/3/2018 - LJW	Preparation of Summary Judgment Order; Research on Motion for Fees and Costs; emails to W Smith	0.95 260.00/hr	247.00

		<u>Hrs/Rate</u>	<u>Amount</u>
5/4/2018	- LJW E-mails to and from W Smith; preparation of Summary Judgment Order; preparation of Motion for Fees and Costs	0.23 260.00/hr	58.50
	- WJS Review and revise draft Order; emails to and from L Wolff; emails to and from D Foley; revisions to Order; emails to and from opposing counsel regarding draft Order	0.33 260.00/hr	84.50
5/9/2018	- LJW Research [REDACTED] preparation of Motion for Attorneys fees	0.98 260.00/hr	253.50
5/10/2018	- LJW Research [REDACTED] preparation of Motion for Attorneys fees	0.48 260.00/hr	123.50
5/11/2018	- WJS Emails to and from R Haskin, D Foley and C Wang regarding draft Order on Motions for Summary Judgment	0.15 260.00/hr	39.00
5/14/2018	- LJW Research [REDACTED] preparation of Motion for Attorneys fees	0.65 260.00/hr	169.00
	- WJS Redline revision to draft Order; emails to and from R Haskin and Counsel for other parties; prepare final version of Order for signature and circulate	0.23 260.00/hr	58.50
5/15/2018	- WJS Emails to and from D Foley; execute and prepare final Order; conference with Clerk regarding gathering signatures and delivering Order to Court Chambers	0.05 260.00/hr	13.00
5/16/2018	- LJW Preparation of Motion for Attorneys fees	0.25 260.00/hr	65.00
	- WJS Telephone call from Counsel for Lytle regarding submitting proposed Order	0.03 260.00/hr	6.50
5/18/2018	- LJW Preparation of Motion for Attorneys Fees	0.20 260.00/hr	52.00
5/21/2018	- LJW Preparation of Motion for Attorneys Fees	0.98 260.00/hr	253.50
5/22/2018	- LJW Preparation of Motion for Attorneys Fees	0.05 260.00/hr	13.00
5/23/2018	- LJW Preparation of Memorandum of Costs	0.43 260.00/hr	110.50
5/24/2018	- LJW Conference with W Smith regarding [REDACTED] review bills to redact privileged information; conference with Clerk	0.48 260.00/hr	123.50
	- WJS Email from L Wolff regarding [REDACTED] review signed Order; conference with Clerk regarding filing Order; preparation of Notice of Entry of Order; review draft Notice of Entry; conference with L Wolff regarding [REDACTED]	0.25 260.00/hr	65.00

		<u>Hrs/Rate</u>	<u>Amount</u>
5/28/2018	- LJW E-mails to and from Clerk regarding Notice	0.03 260.00/hr	6.50
5/29/2018	- LJW Preparation of Motion for Fees; preparation of Declaration for Fees; preparation of Exhibits	0.63 260.00/hr	162.50
5/30/2018	- LJW Preparation of Declaration for Fees; preparation of Exhibits for Motion; review billings for privilege; telephone call to Clerk regarding redaction of privileged information; preparation of spreadsheet calculating fees and costs	0.58 260.00/hr	149.50
5/31/2018	- DEM Preparation of documents for Disclosure in Motion for Fees; conference with W Smith	0.13 260.00/hr	32.50
	- LJW Preparation of Declaration for Fees; preparation of Exhibits for Motion; preparation of spreadsheet calculating fees and costs	0.38 260.00/hr	97.50
	- WJS Review redacted fee statements; prepare for filing; review and redline draft Motion for Fees, associated research and citation checking; review and redline Declaration in Support of Fee Motion	1.38 260.00/hr	357.50
For professional services rendered		68.08	\$17,699.50

## Additional Charges :

		<u>Qty/Price</u>	
10/11/2017	- N Clark County District Court Document Download Fee - Plaintiff's Errata to Complaint for Declaratory Relief	0.25 2.00	0.50
	- N Clark County District Court Document Download Fee - Order Granting Summary Judgment	0.25 5.00	1.25
	- N Clark County District Court Document Download Fee - Complaint for Declaratory Relief	0.25 5.50	1.38
11/13/2017	- N District Court Document Download Fee - Order Granting Motion for Attorney's Fees (11/8/17)	1 0.75	0.75
	- N District Court Document Download Fee - Order Granting Motion for Summary Judgment (11/15/16)	1 2.13	2.13
11/29/2017	- N District Court Filing Fee - Complaint	405.2 0.25	101.30
11/30/2017	- N District Court Filing Fee - Motion for Summary Judgment	209.5 0.25	52.38
	- N Research - November 2017	0.25 56.74	14.19
12/5/2017	- N District Court Filing Fee - Summons	0.25 3.50	0.88



		<u>Qty/Price</u>	<u>Amount</u>
12/18/2017 - N	District Court Filing Fee - Acceptance of Service	0.25 3.50	0.88
12/29/2017 - N	District Court Filing Fee - Request for Change of Hearing Date on Motion for Summary Judgment or, in the Alternative, Motion for Judgment on the Pleadings	0.25 3.50	0.88
1/3/2018 - N	District Court Filing Fee - Certificate of Mailing	0.25 3.50	0.88
1/9/2018 - N	District Court Document Download Fee - Answer (A-16-747800-C)	0.25 6.00	1.50
1/16/2018 - N	District Court Filing Fee - Motion to Consolidate Case No. A-16-747800-C	0.25 3.50	0.88
- N	District Court Filing Fee - Motion to Consolidate Case No. A-17-765372-C	0.25 3.50	0.88
1/23/2018 - N	District Court Filing Fee - Plaintiffs' Ex Parte Motion for Order Shortening Time	0.25 3.50	0.88
1/25/2018 - N	District Court Filing Fee - Order Awarding Plaintiffs Damages Following Prove-Up Hearing	0.25 2.00	0.50
- N	District Court Filing Fee - Order Awarding Costs	0.25 17.00	4.25
1/29/2018 - N	District Court Filing Fee - Notice of Change of Hearing (A-16-747800-C)	0.25 3.50	0.88
- N	District Court Filing Fee - Notice of Change of Hearing (A-17-765372-C)	0.25 3.50	0.88
1/31/2018 - N	WestLaw Research	0.25 515.85	128.96
2/1/2018 - N	Clark County District Court - Amended Order Granting Order Shortening Time (A-16-747800)	0.25 3.50	0.88
2/5/2018 - N	District Court Filing Fee - Notice of Entry of Amended Order Granting Order Shortening Time	0.25 3.50	0.88
2/9/2018 - N	Clark County District Court - Request for Change of Hearing Date on Motion for Summary Judgment or, in the Alternative Motion for Judgment on the Pleadings	0.25 3.50	0.88
2/21/2018 - N	Parking Fee for Hearing on Motion to Consolidate	0.25 4.00	1.00
- N	Clark County District Court - Opposition and Counter-Motion	0.25 3.50	0.88

		<u>Qty/Price</u>	<u>Amount</u>
2/28/2018	- N Clark County District Court - Order Granting Motion to Consolidate	0.25 3.50	0.88
- N	WestLaw Research February 2018	0.25 402.36	100.59
3/1/2018	- N Clark County District Court - Request to Set Hearing Date on motion for Summary Judgment or, in the Alternative, Motion for Judgment on the Pleadings	0.25 3.50	0.88
3/2/2018	- N Clark County District Court - Order Granting Motion to Consolidate	0.25 3.50	0.88
3/5/2018	- N Clark County District Court - Notice of Entry of Order Granting Motion to Consolidate (Case No. A-17-765372-C)	0.25 3.50	0.88
- N	Clark County District Court - Notice of Entry of Order Granting Motion to Consolidate (Case No. A-16-747800-C)	0.25 3.50	0.88
3/21/2018	- N Parking Fee - Motion for Summary Judgment Hearing	0.25 8.00	2.00
3/31/2018	- N WestLaw Research - 3/1-3/31/18	0.25 84.91	21.23
5/24/2018	- LJW District Court Filing Fee - Order Granting Motion for Summary Judgment	0.25 3.50	0.88
5/25/2018	- LJW District Court Filing Fee - Notice of Entry of Order Granting Motion for Summary Judgment	0.25 3.50	0.88
5/31/2018	- N WestLaw Research 5/1-5/31/2018	0.25 200.54	50.14
Total costs			<u>\$501.65</u>
For professional services rendered		<u>68.08</u>	<u>\$18,201.15</u>

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# EXHIBIT 2B

# STATEMENT

Christensen James & Martin

## History of Billing

7440 W. Sahara Ave.  
Las Vegas, NV 89117  
702/255-1718  
702/255-0871 Fax  
Carma@CJMLV.com

Gerry R. Zobrist and Jolin G. Zobrist Family Trust

1901 Rosemere Court  
Las Vegas, NV 89117  
Attn: Gerry R. Zobrist

May 24, 2018

### Professional Services

		<u>Hrs/Rate</u>	<u>Amount</u>
9/5/2017 - KBC	Conference with Clients regarding [REDACTED] file notes regarding Court Order, Preliminary Title Report and Lien; Property Research; email to Equity Title for Preliminary Title Report	0.90 260.00/hr	234.00
9/6/2017 - KBC	Review Foley Pleadings; telephone call to Attorney for Boldin and LaMothe regarding Complaint, Court Orders and Appeal; request Pleadings; telephone call to Client; emails to and from Equity Title regarding Preliminary Title Report	0.30 260.00/hr	78.00
9/18/2017 - KBC	Telephone calls to and from Client regarding [REDACTED]	0.10 260.00/hr	26.00
9/22/2017 - KBC	Conference with Attorney regarding [REDACTED]	0.10 260.00/hr	26.00
9/25/2017 - LJW	Review files and Case Pleadings; emails to and from K Christensen; preparation of Demand Letter	1.30 260.00/hr	338.00
9/26/2017 - LJW	Research property records; emails to and from K Christensen; preparation of Demand letter	0.80 260.00/hr	208.00
9/27/2017 - KBC	Telephone call to and emails to and from Client; revise Demand Letter; calendar Due Date	0.10 260.00/hr	26.00
10/5/2017 - KBC	Review Title Company email and Escrow Report	0.03 260.00/hr	6.50
10/9/2017 - LJW	E-mails to and from K Christensen	0.03 260.00/hr	6.50

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		<u>Hrs/Rate</u>	<u>Amount</u>
10/9/2017	- KBC Telephone calls to and from and conference with Client; review 2015 Case Notices; telephone call to opposing counsel; emails to and from L Wolff [REDACTED] review related Case Orders from Equity Title and Case Docket	0.10 260.00/hr	26.00
10/10/2017	- LJW Conference with K Christensen and W Smith regarding [REDACTED]	0.10 260.00/hr	26.00
	- WJS Conference with K Christensen; teleconference with K Christensen and L Wolff [REDACTED] review Clark County GIS and Property Records for Rosemere	0.40 260.00/hr	104.00
	- KBC Conference with Attorneys; preparation of Complaint and Motion for Injunction and Extraordinary Relief; review Case files and Orders	0.10 260.00/hr	26.00
10/11/2017	- LJW Review all Cases filed against Rosemere Association; preparation of Complaint; email to K Christensen	0.98 260.00/hr	253.50
10/12/2017	- LJW E-mails to and from K Christensen	0.03 260.00/hr	6.50
	- KBC Telephone calls to and from opposing counsel regarding Demand and email to Attorney regarding Removal of Encumbrances	0.10 260.00/hr	26.00
10/16/2017	- LJW E-mails to and from K Christensen	0.03 260.00/hr	6.50
	- KBC Telephone calls to Clients; conference with W Smith regarding [REDACTED] conference with K Kearl; emails to and from D Foley and Clients regarding Case Joinder and Relief	0.30 260.00/hr	78.00
10/17/2017	- WJS Conference with K Christensen; review Property Records	0.25 260.00/hr	65.00
	- LJW E-mails to and from K Christensen	0.03 260.00/hr	6.50
10/18/2017	- KBC Email and telephone calls to and from D Foley regarding Lytle Counsel Request	0.10 260.00/hr	26.00
10/19/2017	- WJS Emails to and from D Foley and Haskins; review Pleadings and records from prior Cases	0.60 260.00/hr	156.00
	- ELJ Conference with W Smith regarding [REDACTED]	0.15 260.00/hr	39.00
	- LJW E-mails to and from K Christensen	0.05 260.00/hr	13.00
	- KBC Telephone call from D Foley regarding Stipulation, Joinder, Relief and Appeal Order regarding Injunction; conference with W Smith regarding [REDACTED] emails to Attorneys and Clients	0.30 260.00/hr	78.00

		<u>Hrs/Rate</u>	<u>Amount</u>
10/23/2017	- WJS E-mails to and from Haskin and Foley	0.05 260.00/hr	13.00
	- KBC Review Court email regarding Stipulation/Order; email to Attorney; teleconference with opposing counsel and D Foley regarding Stipulation and Relief Options requests; file notes	0.15 260.00/hr	39.00
10/25/2017	- WJS Conference with K Christensen regarding [REDACTED] review Order from Boulden Case; email to R Haskin	0.25 260.00/hr	65.00
	- KBC Telephone call to opposing counsel regarding Stipulation and Release; conference with W Smith regarding [REDACTED] review emails to and from opposing counsel	0.10 260.00/hr	26.00
10/26/2017	- KBC Emails to and from opposing counsel regarding Judgment Release Negotiations	0.05 260.00/hr	13.00
10/27/2017	- KBC Email to attorney and conference with opposing counsel regarding Malpractice Action; Research Chapter 116	0.10 260.00/hr	26.00
10/30/2017	- WJS Conference with K Christensen regarding preparation of documents for filing, [REDACTED] and Statute Research	0.08 260.00/hr	19.50
10/31/2017	- WJS Conference with L Wolff regarding [REDACTED]	0.08 260.00/hr	19.50
	- LJW Telephone call with W Smith regarding [REDACTED]	0.05 260.00/hr	13.00
11/1/2017	- LJW Telephone call with W Smith	0.05 260.00/hr	13.00
11/2/2017	- WJS Conference with L Wolff and K Christensen regarding [REDACTED]	0.10 260.00/hr	26.00
	- KBC Teleconference with L Wolff regarding [REDACTED]	0.10 260.00/hr	26.00
	- LJW Telephone call with W Smith; preparation of Complaint; Research Properties	0.45 260.00/hr	117.00
11/3/2017	- LJW Review documents and preparation of TRO Motion	0.18 260.00/hr	45.50
11/7/2017	- LJW Preparation of Complaint and Motion for TRO	0.53 260.00/hr	136.50
11/8/2017	- LJW Preparation of Complaint and Motion for TRO	0.75 260.00/hr	195.00
11/9/2017	- WJS Telephone call from L Wolff regarding [REDACTED]	0.10 260.00/hr	26.00

		<u>Hrs/Rate</u>	<u>Amount</u>
11/9/2017 -	LJW Preparation of Complaint and Motion for TRO and Motion for Summary Judgment; telephone call to W Smith and K Christensen	1.10 260.00/hr	286.00
11/10/2017 -	LJW Research and preparation of Motion for Summary Judgment: revise Complaint	0.95 260.00/hr	247.00
11/13/2017 -	WJS Review and redline draft Complaint; conference with Motion for Summary Judgment; review Declaration; conference with K Christensen; email to L Wolff	0.38 260.00/hr	97.50
-	LJW Preparation and Research Motion for Summary Judgment; revisions to Complaint; preparation of Declaration; email to W Smith	0.80 260.00/hr	208.00
11/14/2017 -	WJS Telephone call from L Wolff; review and redline draft Declaration	0.15 260.00/hr	39.00
-	LJW Revisions to Motion for Summary Judgment; revisions to Complaint; preparation of Owner Declarations; preparation of Summary Judgment Exhibits; emails to and from W Smith; telephone call with W Smith; email to K Christensen	0.75 260.00/hr	195.00
11/27/2017 -	LJW E-mails to and from opposing counsel and K Christensen; email to Clerk	0.05 260.00/hr	13.00
11/29/2017 -	LJW Telephone calls to and from Clerk; preparation of Motion, Affidavits, Declaration and Exhibits; preparation of Cover Sheet and other Pleadings; emails to and from Attorneys	0.38 260.00/hr	97.50
11/30/2017 -	WJS Review Notices from Court; review filed documents; telephone call from K Christensen; conference with L Wolff regarding [REDACTED] [REDACTED] Consolidate Cases and Entry of Orders for Relief	0.20 260.00/hr	52.00
-	LJW Telephone call with W Smith; review Court emails; telephone call to opposing counsel	0.10 260.00/hr	26.00
12/1/2017 -	LJW E-mail to opposing counsel regarding Stipulation	0.08 260.00/hr	19.50
12/4/2017 -	LJW Calendar Summary Judgment Motion Hearing; preparation of Summons; email to Clerk	0.15 260.00/hr	39.00
12/5/2017 -	WJS Teleconference with L Wolff regarding [REDACTED] [REDACTED]	0.05 260.00/hr	13.00
-	LJW E-mails to and from D Foley; telephone call to W Smith; email to R Haskin	0.18 260.00/hr	45.50
12/6/2017 -	LJW E-mails to and from R Haskin	0.08 260.00/hr	19.50
12/7/2017 -	LJW E-mails to and from opposing counsel	0.03 260.00/hr	6.50

		<u>Hrs/Rate</u>	<u>Amount</u>
12/13/2017 -	LJW E-mails to opposing counsel	0.03 260.00/hr	6.50
12/14/2017 -	LJW E-mails to and from opposing counsel	0.03 260.00/hr	6.50
12/15/2017 -	LJW Telephone call with opposing counsel	0.03 260.00/hr	6.50
12/18/2017 -	LJW Preparation of Acceptance of Service; preparation of Motion to Consolidate	0.58 260.00/hr	149.50
12/19/2017 -	LJW Review Pleadings; preparation of Motion to Consolidate	0.40 260.00/hr	104.00
12/20/2017 -	LJW Preparation of Motion to Consolidate	0.08 260.00/hr	19.50
12/21/2017 -	LJW E-mail to opposing counsel regarding Briefing Schedule	0.03 260.00/hr	6.50
12/22/2017 -	LJW Preparation of Motion to Consolidate; emails to and from opposing counsel	0.13 260.00/hr	32.50
12/26/2017 -	LJW Preparation of Motion to Consolidate	0.13 260.00/hr	32.50
12/28/2017 -	LJW Telephone call with opposing counsel regarding Summary Judgment Briefing Schedule	0.03 260.00/hr	6.50
12/29/2017 -	LJW Preparation of Notice to Court; email to Clerk	0.20 260.00/hr	52.00
1/3/2018 -	LJW Preparation of Consolidation Motion; review Pleadings; calendar Hearing Date; emails to Clerk; emails to K Christensen	0.23 260.00/hr	58.50
1/5/2018 -	WJS Conference with L Wolff	0.08 260.00/hr	19.50
-	LJW Telephone call with W Smith; [REDACTED]	0.13 260.00/hr	32.50
1/9/2018 -	LJW E-mail to Clients regarding [REDACTED] Research [REDACTED] [REDACTED] preparation of Motion to Consolidate	0.55 260.00/hr	143.00
1/10/2018 -	LJW Review Stipulation; review Answer; emails to and from W Smith; Research [REDACTED]	0.25 260.00/hr	65.00
1/11/2018 -	LJW Preparation of Motion to Consolidate	0.33 260.00/hr	84.50
1/12/2018 -	LJW Preparation of Motion to Consolidate; Research [REDACTED] email to W Smith	0.43 260.00/hr	110.50



		<u>Hrs/Rate</u>	<u>Amount</u>
1/12/2018	- WJS Review Motion to Consolidate and redline changes; emails to and from L Wolff	0.48 260.00/hr	123.50
1/15/2018	- LJW E-mails to and from W Smith	0.03 260.00/hr	6.50
1/16/2018	- WJS Conference with Attorneys regarding Motion to Consolidate [REDACTED]	0.10 260.00/hr	26.00
	- KBC Conference with Attorneys regarding [REDACTED]	0.08 260.00/hr	19.50
	- LJW Final revisions and preparation of Motion to Consolidate and Exhibits; email to Clerk; telephone call to Clerk	0.30 260.00/hr	78.00
1/17/2018	- WJS E-mail from D Foley regarding [REDACTED]; review Dockets; telephone call to L Wolff; conference with K Christensen; telephone call to D Foley; emails to and from D Foley and K Christensen; review Cases from D Foley; emails to Attorneys	0.55 260.00/hr	143.00
	- KBC Conference with W Smith regarding [REDACTED] letter to Judges regarding Reassignment of Case and Consolidation Motion; email to Attorney	0.18 260.00/hr	45.50
	- LJW Preparation of Motion for Order Shortening Time and Order Shortening Time; telephone call to W Smith; emails to and from W Smith; emails to and from Clerk; emails to and from Court Clerk; telephone call to Clerk	0.58 260.00/hr	149.50
1/18/2018	- LJW Review Pleadings; telephone call to W Smith regarding [REDACTED] email from opposing counsel	0.10 260.00/hr	26.00
	- WJS Review Notices from Court; review Dockets; emails to and from D Foley; conference with K Christensen; telephone call from L Wolff	0.18 260.00/hr	45.50
	- KBC Conference with Attorney regarding Case Assignment; calendar Hearing for Consolidation Motion; emails to and from Attorney [REDACTED] review [REDACTED]	0.13 260.00/hr	32.50
1/19/2018	- LJW E-mails to and from opposing counsel; telephone call to W Smith; emails to and from W Smith; review Local Rules	0.23 260.00/hr	58.50
	- WJS Telephone calls and emails to and from L Wolff regarding [REDACTED]	0.08 260.00/hr	19.50
1/23/2018	- LJW Preparation of Notice of Entry of Order; review Pleadings; telephone call to Clerk; review documents	0.25 260.00/hr	65.00
1/24/2018	- LJW Review documents and preparation of Arguments for Summary Judgment Motion and Appeal; preparation of Amended Order; emails to and from W Smith; telephone call to Clerk; emails to and from Clerk	0.88 260.00/hr	227.50

		<u>Hrs/Rate</u>	<u>Amount</u>
1/25/2018	- WJS Emails from D Foley; review Appellate Brief; Research [REDACTED] [REDACTED] emails to and from L Wolff regarding [REDACTED] review Notices from Court regarding Case Assignments and Rescheduled Motion to Consolidate Hearing; calendar Hearing	0.33 260.00/hr	84.50
	- KBC Review Appeal Record and Brief; review emails regarding Amicus Request; conference with W Smith regarding [REDACTED]	0.05 260.00/hr	13.00
	- LJW Review Pleadings and Order; emails to and from W Smith	0.13 260.00/hr	32.50
1/26/2018	- LJW Review Appeal Brief	0.20 260.00/hr	52.00
1/29/2018	- LJW Review Appeal Brief; preparation of Notice of Hearing; emails to and from W Smith; Research	0.70 260.00/hr	182.00
1/30/2018	- LJW Research [REDACTED] emails to and from W Smith; email to Clients; emails to and from K Christensen	0.83 260.00/hr	214.50
	- WJS Review Lytle Appeal Brief; emails to and from L Wolff and D Foley	0.30 260.00/hr	78.00
1/31/2018	- LJW Research	0.35 260.00/hr	91.00
	- WJS Research and review Arguments in Lytle Appeal Brief; file notes; email to L Wolff	0.78 260.00/hr	201.50
2/1/2018	- WJS Conference call with L Wolff to discuss Lytle [REDACTED] [REDACTED] prepare for call with Clients; conference call with L Wolff [REDACTED] [REDACTED]	0.38 260.00/hr	97.50
	- LJW Telephone call with W Smith regarding Briefs; telephone call to Clients; Research NRS 116; emails to and from K Christensen	0.93 260.00/hr	240.50
2/2/2018	- WJS Preparation for Meeting with D Foley; telephone call to L Wolff; conference call with E James and D Foley regarding [REDACTED] [REDACTED]	0.30 260.00/hr	78.00
	- LJW Telephone call with W Smith and Attorney for Bouldens; Research [REDACTED]	0.83 260.00/hr	214.50
2/5/2018	- LJW Preparation of Notice of Entry of Order; emails to and from opposing counsel; emails to and from W Smith; Research [REDACTED] [REDACTED]	0.53 260.00/hr	136.50
	- WJS Research [REDACTED] notes to file; emails to and from L Wolff	1.10 260.00/hr	286.00

		<u>Hrs/Rate</u>	<u>Amount</u>
2/6/2018	- LJW E-mails to and from opposing counsel regarding Hearing and Summary Judgment Motion; emails to and from W Smith; calendar Hearing dates	0.13 260.00/hr	32.50
	- WJS E-mails to and from L Wolff regarding [REDACTED] Briefing Schedule; review Motion to Consolidate; prepare for Hearing; review Dockets	0.28 260.00/hr	71.50
2/7/2018	- KBC Conference with W Smith regarding Hearing, Answer, Appeal and potential Countermotion for Summary Judgment	0.10 260.00/hr	26.00
	- WJS Preparation for Hearing; Appear at Hearing on Motion to Consolidate, present Argument; conference with other Counsel following Hearing; telephone call to L Wolff; conferences with E James and K Christensen [REDACTED] Research [REDACTED]	0.93 260.00/hr	240.50
	- LJW Telephone call with W Smith regarding Hearing and Motion; emails to and from opposing counsel	0.10 260.00/hr	26.00
2/8/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment	0.23 260.00/hr	58.50
2/9/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment; preparation of Request for Hearing; emails to and from Clerk and W Smith	0.60 260.00/hr	156.00
	- WJS Review Request for Continuance; emails to and from L Wolff	0.05 260.00/hr	13.00
2/12/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment	0.50 260.00/hr	130.00
2/13/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment; email to W Smith	0.28 260.00/hr	71.50
	- WJS Review Notices from Court; review Lytle Opposition and Countermotion; emails to and from L Wolff	0.20 260.00/hr	52.00
2/14/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment; Research [REDACTED] telephone call to W Smith	0.98 260.00/hr	253.50
	- WJS Review Notice from Court Rescheduling Hearing, calendar new Hearing Date; conference with L Wolff [REDACTED]	0.18 260.00/hr	45.50
2/15/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment; Research [REDACTED] email to W Smith	0.93 260.00/hr	240.50
2/16/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment; Research [REDACTED] Research [REDACTED]	1.00 260.00/hr	260.00

		<u>Hrs/Rate</u>	<u>Amount</u>
2/19/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment; Research [REDACTED] Research [REDACTED] [REDACTED]	1.73 260.00/hr	448.50
2/20/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment; email to W Smith; email to opposing counsel	1.08 260.00/hr	279.50
	- WJS Telephone call from Counsel for Dismans; review and redline Reply/Opposition regarding Summary Judgment Motion and Research; emails to and from L Wolff; review Dockets and prepare for Consolidation Hearing	1.43 260.00/hr	370.50
2/21/2018	- WJS Preparation for and Appearance at Hearing on Motion to Consolidate; conference with K Christensen regarding [REDACTED] [REDACTED] telephone call to L Wolff regarding [REDACTED] [REDACTED]	0.63 260.00/hr	162.50
	- LJW Revisions to Opposition to Countermotion for Summary Judgment; telephone call to W Smith; telephone call with Clerk; email and telephone call with Clerk; preparation of Exhibits; preparation of L Wolff Declaration	1.03 260.00/hr	266.50
2/22/2018	- LJW Preparation of Amicus Brief; telephone call with W Smith; preparation of Consolidation Order; emails to and from opposing counsel regarding 16.1 Conference and Order; Research [REDACTED]	0.93 260.00/hr	240.50
	- WJS Revisions to proposed Order on Motion to Consolidate; emails to and from L Wolff	0.20 260.00/hr	52.00
2/23/2018	- LJW Preparation of Amicus Brief; telephone call to W Smith	0.83 260.00/hr	214.50
2/26/2018	- LJW Review Pleadings; email to W Smith	0.05 260.00/hr	13.00
2/27/2018	- LJW E-mail to W Smith; telephone call to Clerk; telephone call to Court	0.05 260.00/hr	13.00
2/28/2018	- LJW E-mails to and from Court; email to W Smith; email to Clerk	0.05 260.00/hr	13.00
3/1/2018	- LJW Preparation of Request for Hearing and Notice of Entry of Order; preparation of 16.1 Conference Documents; emails to and from W Smith; emails to and from Clerk	0.38 260.00/hr	97.50
3/2/2018	- WJS Review Notices from Court; review Court Registers regarding Consolidation	0.05 260.00/hr	13.00
	- LJW Review emails from Court regarding Filings; preparation of Notice of Appearance; emails to and from Clerk; preparation of 16.1 Conference Documents	0.30 260.00/hr	78.00
3/5/2018	- LJW E-mails to and from Court regarding Filings; emails to and from Clerk; preparation of 16.1 List of Witnesses and Disclosures	0.38 260.00/hr	97.50

		<u>Hrs/Rate</u>	<u>Amount</u>
3/6/2018	- WJS E-mails to and from D Foley and L Wolff regarding [REDACTED] [REDACTED]	0.10 260.00/hr	26.00
	- LJW Preparation of 16.1 List of Witnesses and Disclosures; preparation of Disclosures; emails to and from W Smith and Dan Foley; Research [REDACTED]	0.55 260.00/hr	143.00
3/7/2018	- LJW E-mails to Client regarding [REDACTED]	0.05 260.00/hr	13.00
3/8/2018	- LJW Preparation of Amicus Brief	0.40 260.00/hr	104.00
3/9/2018	- LJW Review Respondent's Brief	0.18 260.00/hr	45.50
3/12/2018	- LJW Review Respondent's Brief and preparation of Amicus Brief; emails to and from opposing counsel; emails to and from W Smith	1.00 260.00/hr	260.00
3/13/2018	- KBC Conference with Attorneys regarding [REDACTED] [REDACTED]	0.10 260.00/hr	26.00
	- WJS Conference with Counsel [REDACTED] [REDACTED] email to D Foley	0.18 260.00/hr	45.50
	- LJW Preparation of Amicus Brief	0.73 260.00/hr	188.50
3/14/2018	- LJW Preparation of Amicus Brief; emails to and from D Foley; emails to and from W Smith; preparation of Exhibits	1.05 260.00/hr	273.00
	- WJS Review Reply Brief filed by Lytles; email from D Foley; emails to and from L Wolff regarding [REDACTED]	0.20 260.00/hr	52.00
3/15/2018	- LJW Preparation of Amicus Brief; emails to and from W Smith; emails to and from Clerk	1.10 260.00/hr	286.00
	- WJS Telephone call from L Wolff; review and revise Amicus Brief; Research; emails and telephone calls to and from L Wolff regarding [REDACTED] review Lytle Reply Brief	0.70 260.00/hr	182.00
3/16/2018	- LJW Preparation of Amicus Brief; emails to and from W Smith; preparation of Exhibits; Research [REDACTED]	0.75 260.00/hr	195.00
	- WJS Review and revise Amicus Brief, Certificates and prepare for filing; telephone calls to and from Supreme Court regarding filing of Brief	0.45 260.00/hr	117.00
3/19/2018	- WJS Telephone call from Supreme Court Docketing Clerk regarding Amicus Brief; preparation for Summary Judgment Hearing and Argument; review Summary Judgment Motion and files	0.55 260.00/hr	143.00

		<u>Hrs/Rate</u>	<u>Amount</u>
3/20/2018	- WJS Preparation for Hearing; review Briefing and Exhibits on Motion for Summary Judgment and Appellate Briefs; prepare outline of Oral Argument; Oral Argument practice; emails to and from D Foley; review Transcripts of prior Summary Judgment Hearing	1.55 260.00/hr	403.00
3/21/2018	- WJS Preparation for Hearing; Appearance at Hearing and Argue Motion for Summary Judgment; conference with D Foley; telephone call to L Wolff; email to Clients [REDACTED] conference with K Christensen	0.63 260.00/hr	162.50
3/29/2018	- LJW E-mail to Court; telephone call to W Smith	0.03 260.00/hr	6.50
4/4/2018	- WJS E-mails to and from D Foley; check Docket; telephone call from Court Clerk regarding Hearing Date	0.05 260.00/hr	13.00
4/10/2018	- WJS E-mails to and from L Wolff regarding [REDACTED] telephone call from Courtroom Administrator regarding Hearing, calendar Hearing	0.05 260.00/hr	13.00
	- LJW E-mails to and from W Smith; review Pleadings; Research [REDACTED]	0.28 260.00/hr	71.50
	- KBC Conference with W Smith and L Wolff regarding [REDACTED]	0.05 260.00/hr	13.00
4/17/2018	- LJW Review emails from opposing counsel	0.03 260.00/hr	6.50
4/20/2018	- LJW E-mail from opposing counsel; email to W Smith	0.03 260.00/hr	6.50
4/23/2018	- WJS Emails to and from opposing counsel regarding Hearing conflict	0.03 260.00/hr	6.50
4/25/2018	- LJW Calendar Hearing; review emails	0.03 260.00/hr	6.50
5/1/2018	- WJS Emails to and from L Wolff regarding [REDACTED] review Cases and new Argument	0.08 260.00/hr	19.50
	- LJW Review Lytle Appellate Response; Research on [REDACTED] emails to and from W Smith	0.55 260.00/hr	143.00
5/2/2018	- WJS Appearance at Hearing on Motions for Summary Judgment; conference with Co-Counsel (Foley & Wang) following Hearing; telephone call to L Wolff; review notes regarding Decision and instructions regarding Order; email to Clients regarding Hearing; conference with K Christensen; review Statute; email to L Wolff regarding [REDACTED]	0.73 260.00/hr	188.50
	- KBC Conference with W Smith; review Decisions; Research Motion for Fees; conference with [REDACTED]	0.10 260.00/hr	26.00

		<u>Hrs/Rate</u>	<u>Amount</u>
5/2/2018	- LJW Teleconference with K Christensen; teleconference W Smith	0.03 260.00/hr	6.50
5/3/2018	- LJW Preparation of Summary Judgment Order; Research on Motion for Fees and Costs; emails to W Smith	0.95 260.00/hr	247.00
5/4/2018	- LJW E-mails to and from W Smith; preparation of Summary Judgment Order; preparation of Motion for Fees and Costs	0.23 260.00/hr	58.50
	- WJS Review and revise draft Order; emails to and from L Wolff; emails to and from D Foley; revisions to Order; emails to and from opposing counsel regarding draft Order	0.33 260.00/hr	84.50
5/9/2018	- LJW Research on [REDACTED] preparation of Motion for Attorneys fees	0.98 260.00/hr	253.50
5/10/2018	- LJW Research on [REDACTED] preparation of Motion for Attorneys fees	0.48 260.00/hr	123.50
5/11/2018	- WJS Emails to and from R Haskin, D Foley and C Wang regarding draft Order on Motions for Summary Judgment	0.15 260.00/hr	39.00
5/14/2018	- LJW Research on [REDACTED] preparation of Motion for Attorneys fees	0.65 260.00/hr	169.00
	- WJS Redline revision to draft Order; emails to and from R Haskin and Counsel for other parties; prepare final version of Order for signature and circulate	0.23 260.00/hr	58.50
5/15/2018	- WJS Emails to and from D Foley; execute and prepare final Order; conference with Clerk regarding gathering signatures and delivering Order to Court Chambers	0.05 260.00/hr	13.00
5/16/2018	- LJW Preparation of Motion for Attorneys fees	0.25 260.00/hr	65.00
	- WJS Telephone call from Counsel for Lytle regarding submitting proposed Order	0.03 260.00/hr	6.50
5/18/2018	- LJW Preparation of Motion for Attorneys Fees	0.20 260.00/hr	52.00
5/21/2018	- LJW Preparation of Motion for Attorneys Fees	0.98 260.00/hr	253.50
5/22/2018	- LJW Preparation of Motion for Attorneys Fees	0.05 260.00/hr	13.00
5/23/2018	- LJW Preparation of Memorandum of Costs	0.43 260.00/hr	110.50
5/24/2018	- LJW Conference with W Smith regarding [REDACTED] review bills to redact privileged information; conference with Clerk	0.48 260.00/hr	123.50

		<u>Hrs/Rate</u>	<u>Amount</u>
5/24/2018	- WJS Email from L Wolff regarding [REDACTED] review signed Order; conference with Clerk regarding filing Order; preparation of Notice of Entry of Order; review draft Notice of Entry; conference with L Wolff regarding [REDACTED]	0.25 260.00/hr	65.00
5/28/2018	- LJW E-mails to and from Clerk regarding Notice	0.03 260.00/hr	6.50
5/29/2018	- LJW Preparation of Motion for Fees; preparation of Declaration for Fees; preparation of Exhibits	0.63 260.00/hr	162.50
5/30/2018	- LJW Preparation of Declaration for Fees; preparation of Exhibits for Motion; review billings for privilege; telephone call to Clerk regarding redaction of privileged information; preparation of spreadsheet calculating fees and costs	0.58 260.00/hr	149.50
5/31/2018	- DEM Preparation of documents for Disclosure in Motion for Fees; conference with W Smith	0.13 260.00/hr	32.50
	- LJW Preparation of Declaration for Fees; preparation of Exhibits for Motion; preparation of spreadsheet calculating fees and costs	0.38 260.00/hr	97.50
	- WJS Review redacted fee statements; prepare for filing; review and redline draft Motion for Fees, associated research and citation checking; review and redline Declaration in Support of Fee Motion	1.38 260.00/hr	357.50
For professional services rendered		68.78	\$17,881.50
Additional Charges :			
		<u>Qty/Price</u>	
10/11/2017	- N Clark County District Court Document Download Fee - Plaintiff's Errata to Complaint for Declaratory Relief	0.25 2.00	0.50
	- N Clark County District Court Document Download Fee - Order Granting Summary Judgment	0.25 5.00	1.25
	- N Clark County District Court Document Download Fee - Complaint for Declaratory Relief	0.25 5.50	1.38
11/13/2017	- N District Court Document Download Fee - Order Granting Motion for Attorney's Fees (11/8/17)	1 0.75	0.75
	- N District Court Document Download Fee - Order Granting Motion for Summary Judgment (11/15/16)	1 2.13	2.13
11/29/2017	- N District Court Filing Fee - Complaint	405.2 0.25	101.30
11/30/2017	- N District Court Filing Fee - Motion for Summary Judgment	209.5 0.25	52.38



		<u>Qty/Price</u>	<u>Amount</u>
11/30/2017	- N Research - November 2017	0.25 56.74	14.19
12/5/2017	- N District Court Filing Fee - Summons	0.25 3.50	0.88
12/18/2017	- N District Court Filing Fee - Acceptance of Service	0.25 3.50	0.88
12/29/2017	- N District Court Filing Fee - Request for Change of Hearing Date on Motion for Summary Judgment or, in the Alternative, Motion for Judgment on the Pleadings	0.25 3.50	0.88
1/3/2018	- N District Court Filing Fee - Certificate of Mailing	0.25 3.50	0.88
1/9/2018	- N District Court Document Download Fee - Answer (A-16-747800-C)	0.25 6.00	1.50
1/16/2018	- N District Court Filing Fee - Motion to Consolidate Case No. A-16-747800-C	0.25 3.50	0.88
	- N District Court Filing Fee - Motion to Consolidate Case No. A-17-765372-C	0.25 3.50	0.88
1/23/2018	- N District Court Filing Fee - Plaintiffs' Ex Parte Motion for Order Shortening Time	0.25 3.50	0.88
1/25/2018	- N District Court Filing Fee - Order Awarding Plaintiffs Damages Following Prove-Up Hearing	0.25 2.00	0.50
	- N District Court Filing Fee - Order Awarding Costs	0.25 17.00	4.25
1/29/2018	- N District Court Filing Fee - Notice of Change of Hearing (A-16-747800-C)	0.25 3.50	0.88
	- N District Court Filing Fee - Notice of Change of Hearing (A-17-765372-C)	0.25 3.50	0.88
1/31/2018	- N WestLaw Research	0.25 515.85	128.96
2/1/2018	- N Clark County District Court - Amended Order Granting Order Shortening Time (A-16-747800)	0.25 3.50	0.88
2/5/2018	- N District Court Filing Fee - Notice of Entry of Amended Order Granting Order Shortening Time	0.25 3.50	0.88
2/9/2018	- N Clark County District Court - Request for Change of Hearing Date on Motion for Summary Judgment or, in the Alternative Motion for Judgment on the Pleadings	0.25 3.50	0.88

		<u>Qty/Price</u>	<u>Amount</u>
2/21/2018	- N Parking Fee for Hearing on Motion to Consolidate	0.25 4.00	1.00
	- N Clark County District Court - Opposition and Counter-Motion	0.25 3.50	0.88
2/28/2018	- N Clark County District Court - Order Granting Motion to Consolidate	0.25 3.50	0.88
	- N WestLaw Research February 2018	0.25 402.36	100.59
3/1/2018	- N Clark County District Court - Request to Set Hearing Date on motion for Summary Judgment or, in the Alternative, Motion for Judgment on the Pleadings	0.25 3.50	0.88
3/2/2018	- N Clark County District Court - Order Granting Motion to Consolidate	0.25 3.50	0.88
3/5/2018	- N Clark County District Court - Notice of Entry of Order Granting Motion to Consolidate	0.25 3.50	0.88
	- N Clark County District Court - Notice of Entry of Order Granting Motion to Consolidate (Case No. A-16-747800-C)	0.25 3.50	0.88
3/21/2018	- N Parking Fee - Motion for Summary Judgment Hearing	0.25 8.00	2.00
3/31/2018	- N WestLaw Research - 3/1-3/31/18	0.25 84.91	21.23
5/24/2018	- LJW District Court Filing Fee - Order Granting Motion for Summary Judgment	0.25 3.50	0.88
5/25/2018	- LJW District Court Filing Fee - Notice of Entry of Order Granting Motion for Summary Judgment	0.25 3.50	0.88
5/31/2018	- N WestLaw Research 5/1-5/31/2018	0.25 200.54	50.14
Total costs			<u>\$501.65</u>
For professional services rendered		<u>68.78</u>	<u>\$18,383.15</u>

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# EXHIBIT 2C

# STATEMENT

Christensen James & Martin

## History of Billing

7440 W. Sahara Ave.  
Las Vegas, NV 89117  
702/255-1718  
702/255-0871 Fax  
Carma@CJMLV.com

Raynaldo G. Evelyn A. Sandoval Jt Living & Devolution Trust  
1860 Rosemere Court  
Las Vegas, NV 89117

May 24, 2018

### Professional Services

		<u>Hrs/Rate</u>	<u>Amount</u>
10/5/2017 - KBC	Review Title Company email and Escrow Report	0.03 260.00/hr	6.50
10/9/2017 - LJW	E-mails to and from K Christensen	0.03 260.00/hr	6.50
- KBC	Telephone calls to and from and conference with Client; review 2015 Case Notices; telephone call to opposing counsel; emails to and from L Wolff [REDACTED] review related Case Orders from Equity Title and Case Docket	0.10 260.00/hr	26.00
10/10/2017 - LJW	Conference with K Christensen and W Smith regarding [REDACTED]	0.10 260.00/hr	26.00
- WJS	Conference with K Christensen; teleconference with K Christensen and L Wolff [REDACTED] review Clark County GIS and Property Records for Rosemere	0.40 260.00/hr	104.00
- KBC	Conference with Attorneys; preparation of Complaint and Motion for Injunction and Extraordinary Relief; review Case files and Orders	0.10 260.00/hr	26.00
10/11/2017 - LJW	Review all Cases filed against Rosemere Association; preparation of Complaint; email to K Christensen	0.98 260.00/hr	253.50
10/12/2017 - LJW	E-mails to and from K Christensen	0.03 260.00/hr	6.50
- KBC	Telephone calls to and from opposing counsel regarding Demand and email to Attorney regarding Removal of Encumbrances	0.10 260.00/hr	26.00
10/16/2017 - LJW	E-mails to and from K Christensen	0.03 260.00/hr	6.50

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		<u>Hrs/Rate</u>	<u>Amount</u>
10/17/2017	- LJW E-mails to and from K Christensen	0.03 260.00/hr	6.50
10/19/2017	- WJS Review pleadings from Board Election Case; email to J Gegen regarding [REDACTED]	0.10 260.00/hr	26.00
	- ELJ Conference with W Smith regarding [REDACTED]	0.15 260.00/hr	39.00
	- KBC Telephone call from D Foley regarding Stipulation, Joinder, Relief and Appeal Order regarding Injunction; conference with W Smith regarding [REDACTED] emails to Attorneys and Clients	0.30 260.00/hr	78.00
10/20/2017	- WJS Telephone call to J Gegen regarding [REDACTED]	0.10 260.00/hr	26.00
10/23/2017	- WJS Emails to K Christensen regarding [REDACTED]	0.05 260.00/hr	13.00
	- KBC Review Court email regarding Stipulation/Order; email to Attorney; teleconference with opposing counsel and D Foley regarding Stipulation and Relief Options requests; file notes	0.15 260.00/hr	39.00
10/25/2017	- WJS Conference with K Christensen regarding [REDACTED] [REDACTED] telephone call from and messages to and from J Gegen; review Order from Boulden Case; email to R Haskin	0.30 260.00/hr	78.00
	- KBC Telephone call to opposing counsel regarding Stipulation and Release; conference with W Smith regarding [REDACTED] [REDACTED] review emails to and from opposing counsel	0.10 260.00/hr	26.00
10/27/2017	- KBC Email to attorney and conference with opposing counsel regarding Malpractice Action; Research Chapter 116	0.10 260.00/hr	26.00
10/30/2017	- WJS Conference with K Christensen regarding preparation of documents for filing, [REDACTED] and Statute Research	0.08 260.00/hr	19.50
10/31/2017	- WJS Conference with L Wolff regarding [REDACTED]	0.08 260.00/hr	19.50
	- LJW Telephone call with W Smith regarding [REDACTED]	0.05 260.00/hr	13.00
11/1/2017	- LJW Telephone call with W Smith	0.05 260.00/hr	13.00
11/2/2017	- WJS Conference with L Wolff and K Christensen regarding [REDACTED] [REDACTED]	0.10 260.00/hr	26.00
	- KBC Teleconference with L Wolff regarding [REDACTED] [REDACTED]	0.10 260.00/hr	26.00

		<u>Hrs/Rate</u>	<u>Amount</u>
11/2/2017 - LJW	Telephone call with W Smith; preparation of Complaint; Research Properties	0.45 260.00/hr	117.00
11/3/2017 - LJW	Review documents and preparation of TRO Motion	0.18 260.00/hr	45.50
11/7/2017 - LJW	Preparation of Complaint and Motion for TRO	0.53 260.00/hr	136.50
11/8/2017 - LJW	Preparation of Complaint and Motion for TRO	0.75 260.00/hr	195.00
11/9/2017 - WJS	Telephone call from L Wolff regarding [REDACTED]	0.10 260.00/hr	26.00
- LJW	Preparation of Complaint and Motion for TRO and Motion for Summary Judgment; telephone call to W Smith and K Christensen	1.10 260.00/hr	286.00
11/10/2017 - LJW	Research and preparation of Motion for Summary Judgment: revise Complaint	0.95 260.00/hr	247.00
11/13/2017 - WJS	Review and redline draft Complaint; conference with Motion for Summary Judgment; review Declaration; conference with K Christensen; email to L Wolff	0.38 260.00/hr	97.50
- LJW	Preparation and Research Motion for Summary Judgment; revisions to Complaint; preparation of Declaration; email to W Smith	0.80 260.00/hr	208.00
11/14/2017 - WJS	Telephone call from L Wolff; review and redline draft Declaration	0.15 260.00/hr	39.00
- LJW	Revisions to Motion for Summary Judgment; revisions to Complaint; preparation of Owner Declarations; preparation of Summary Judgment Exhibits; emails to and from W Smith; telephone call with W Smith; email to K Christensen	0.75 260.00/hr	195.00
11/27/2017 - LJW	E-mails to and from opposing counsel and K Christensen; email to Clerk	0.05 260.00/hr	13.00
11/29/2017 - LJW	Telephone calls to and from Clerk; preparation of Motion, Affidavits, Declaration and Exhibits; preparation of Cover Sheet and other Pleadings; emails to and from Attorneys	0.38 260.00/hr	97.50
11/30/2017 - WJS	Review Notices from Court; review filed documents; telephone call from K Christensen; conference with L Wolff regarding [REDACTED] [REDACTED] Consolidate Cases and Entry of Orders for Relief	0.20 260.00/hr	52.00
- LJW	Telephone call with W Smith; review Court emails; telephone call to opposing counsel	0.10 260.00/hr	26.00
12/1/2017 - LJW	E-mail to opposing counsel regarding Stipulation	0.08 260.00/hr	19.50

		<u>Hrs/Rate</u>	<u>Amount</u>
12/4/2017 -	LJW Calendar Summary Judgment Motion Hearing; preparation of Summons; email to Clerk	0.15 260.00/hr	39.00
12/5/2017 -	WJS Teleconference with L Wolff regarding [REDACTED]	0.05 260.00/hr	13.00
-	LJW E-mails to and from D Foley; telephone call to W Smith; email to R Haskin	0.18 260.00/hr	45.50
12/6/2017 -	LJW E-mails to and from R Haskin	0.08 260.00/hr	19.50
12/7/2017 -	LJW E-mails to and from opposing counsel	0.03 260.00/hr	6.50
12/13/2017 -	LJW E-mails to opposing counsel	0.03 260.00/hr	6.50
12/14/2017 -	LJW E-mails to and from opposing counsel	0.03 260.00/hr	6.50
12/15/2017 -	LJW Telephone call with opposing counsel	0.03 260.00/hr	6.50
12/18/2017 -	LJW Preparation of Acceptance of Service; preparation of Motion to Consolidate	0.58 260.00/hr	149.50
12/19/2017 -	LJW Review Pleadings; preparation of Motion to Consolidate	0.40 260.00/hr	104.00
12/20/2017 -	LJW Preparation of Motion to Consolidate	0.08 260.00/hr	19.50
12/21/2017 -	LJW E-mail to opposing counsel regarding Briefing Schedule	0.03 260.00/hr	6.50
12/22/2017 -	LJW Preparation of Motion to Consolidate; emails to and from opposing counsel	0.13 260.00/hr	32.50
12/26/2017 -	LJW Preparation of Motion to Consolidate	0.13 260.00/hr	32.50
12/28/2017 -	LJW Telephone call with opposing counsel regarding Summary Judgment Briefing Schedule	0.03 260.00/hr	6.50
12/29/2017 -	LJW Preparation of Notice to Court; email to Clerk	0.20 260.00/hr	52.00
1/3/2018 -	LJW Preparation of Consolidation Motion; review Pleadings; calendar Hearing Date; emails to Clerk; emails to K Christensen	0.23 260.00/hr	58.50
1/5/2018 -	WJS Conference with L Wolff	0.08 260.00/hr	19.50

		<u>Hrs/Rate</u>	<u>Amount</u>
1/5/2018	- LJW Telephone call with W Smith; Research [REDACTED]	0.13 260.00/hr	32.50
1/9/2018	- LJW E-mail to Clients regarding [REDACTED] Research [REDACTED] [REDACTED] preparation of Motion to Consolidate	0.55 260.00/hr	143.00
1/10/2018	- LJW Review Stipulation; review Answer; emails to and from W Smith; Research [REDACTED]	0.25 260.00/hr	65.00
1/11/2018	- LJW Preparation of Motion to Consolidate	0.33 260.00/hr	84.50
1/12/2018	- LJW Preparation of Motion to Consolidate; Research [REDACTED] email to W Smith	0.43 260.00/hr	110.50
	- WJS Review Motion to Consolidate and redline changes; emails to and from L Wolff	0.48 260.00/hr	123.50
1/15/2018	- LJW E-mails to and from W Smith	0.03 260.00/hr	6.50
1/16/2018	- WJS Conference with Attorneys regarding Motion to Consolidate [REDACTED] [REDACTED]	0.10 260.00/hr	26.00
	- KBC Conference with Attorneys regarding [REDACTED] [REDACTED]	0.08 260.00/hr	19.50
	- LJW Final revisions and preparation of Motion to Consolidate and Exhibits; email to Clerk; telephone call to Clerk	0.30 260.00/hr	78.00
1/17/2018	- WJS E-mail from D Foley regarding [REDACTED]; review Dockets; telephone call to L Wolff; conference with K Christensen; telephone call to D Foley; emails to and from D Foley and K Christensen; review Cases from D Foley; emails to Attorneys	0.55 260.00/hr	143.00
	- KBC Conference with W Smith regarding [REDACTED] letter to Judges regarding Reassignment of Case and Consolidation Motion; email to Attorney	0.18 260.00/hr	45.50
	- LJW Preparation of Motion for Order Shortening Time and Order Shortening Time; telephone call to W Smith; emails to and from W Smith; emails to and from Clerk; emails to and from Court Clerk; telephone call to Clerk	0.58 260.00/hr	149.50
1/18/2018	- LJW Review Pleadings; telephone call to W Smith regarding [REDACTED] email from opposing counsel	0.10 260.00/hr	26.00
	- WJS Review Notices from Court; review Dockets; emails to and from D Foley; conference with K Christensen; telephone call from L Wolff	0.18 260.00/hr	45.50
	- KBC Conference with Attorney regarding Case Assignment; calendar Hearing for Consolidation Motion; emails to and from Attorney, [REDACTED] [REDACTED] review [REDACTED] [REDACTED]	0.13 260.00/hr	32.50



		<u>Hrs/Rate</u>	<u>Amount</u>
1/19/2018	- LJW E-mails to and from opposing counsel; telephone call to W Smith; emails to and from W Smith; review Local Rules	0.23 260.00/hr	58.50
	- WJS Telephone calls and emails to and from L Wolff regarding [REDACTED]	0.08 260.00/hr	19.50
1/23/2018	- LJW Preparation of Notice of Entry of Order; review Pleadings; telephone call to Clerk; review documents	0.25 260.00/hr	65.00
1/24/2018	- LJW Review documents and preparation of Arguments for Summary Judgment Motion and Appeal; preparation of Amended Order; emails to and from W Smith; telephone call to Clerk; emails to and from Clerk	0.88 260.00/hr	227.50
1/25/2018	- WJS Emails from D Foley; review Appellate Brief; Research [REDACTED] emails to and from L Wolff regarding [REDACTED] review Notices from Court regarding Case Assignments and Rescheduled Motion to Consolidate Hearing; calendar Hearing	0.33 260.00/hr	84.50
	- KBC Review Appeal Record and Brief; review emails regarding Amicus Request; conference with W Smith regarding [REDACTED]	0.05 260.00/hr	13.00
	- LJW Review Pleadings and Order; emails to and from W Smith	0.13 260.00/hr	32.50
1/26/2018	- LJW Review Appeal Brief	0.20 260.00/hr	52.00
1/29/2018	- LJW Review Appeal Brief; preparation of Notice of Hearing; emails to and from W Smith; Research	0.70 260.00/hr	182.00
1/30/2018	- LJW Research [REDACTED] Doctrine; emails to and from W Smith; email to Clients; emails to and from K Christensen	0.83 260.00/hr	214.50
	- WJS Review Lytle Appeal Brief; emails to and from L Wolff and D Foley	0.30 260.00/hr	78.00
1/31/2018	- LJW Research	0.35 260.00/hr	91.00
	- WJS Research and review Arguments in Lytle Appeal Brief; file notes; email to L Wolff	0.78 260.00/hr	201.50
2/1/2018	- WJS Conference call with L Wolff to discuss Lytle [REDACTED] prepare for call with Clients; conference call with L Wolff, [REDACTED]	0.38 260.00/hr	97.50
	- LJW Telephone call with W Smith regarding Briefs; telephone call to Clients; Research NRS 116; emails to and from K Christensen	0.93 260.00/hr	240.50

		<u>Hrs/Rate</u>	<u>Amount</u>
2/2/2018	- WJS Preparation for Meeting with D Foley; telephone call to L Wolff; conference call with E James and D Foley regarding [REDACTED] [REDACTED]	0.30 260.00/hr	78.00
	- LJW Telephone call with W Smith and Attorney for Bouldens; Research [REDACTED] [REDACTED]	0.83 260.00/hr	214.50
2/5/2018	- LJW Preparation of Notice of Entry of Order; emails to and from opposing counsel; emails to and from W Smith; Research [REDACTED] [REDACTED]	0.53 260.00/hr	136.50
	- WJS Research [REDACTED] notes to file; emails to and from L Wolff	1.10 260.00/hr	286.00
2/6/2018	- LJW E-mails to and from opposing counsel regarding Hearing and Summary Judgment Motion; emails to and from W Smith; calendar Hearing dates	0.13 260.00/hr	32.50
	- WJS E-mails to and from L Wolff regarding [REDACTED] Briefing Schedule; review Motion to Consolidate; prepare for Hearing; review Dockets	0.28 260.00/hr	71.50
2/7/2018	- KBC Conference with W Smith regarding Hearing, Answer, Appeal and potential Countermotion for Summary Judgment	0.10 260.00/hr	26.00
	- WJS Preparation for Hearing; Appear at Hearing on Motion to Consolidate, present Argument; conference with other Counsel following Hearing; telephone call to L Wolff; conferences with E James and K Christensen [REDACTED] [REDACTED] Research [REDACTED] [REDACTED]	0.93 260.00/hr	240.50
	- LJW Telephone call with W Smith regarding Hearing and Motion; emails to and from opposing counsel	0.10 260.00/hr	26.00
2/8/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment	0.23 260.00/hr	58.50
2/9/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment; preparation of Request for Hearing; emails to and from Clerk and W Smith	0.60 260.00/hr	156.00
	- WJS Review Request for Continuance; emails to and from L Wolff	0.05 260.00/hr	13.00
2/12/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment	0.50 260.00/hr	130.00
2/13/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment; email to W Smith	0.28 260.00/hr	71.50
	- WJS Review Notices from Court; review Lytle Opposition and Countermotion; emails to and from L Wolff	0.20 260.00/hr	52.00

		<u>Hrs/Rate</u>	<u>Amount</u>
2/14/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment; Research [REDACTED] telephone call to W Smith	0.98 260.00/hr	253.50
	- WJS Review Notice from Court Rescheduling Hearing, calendar new Hearing Date; conference with L Wolff [REDACTED]	0.18 260.00/hr	45.50
2/15/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment; Research [REDACTED] email to W Smith	0.93 260.00/hr	240.50
2/16/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment; Research [REDACTED] Research [REDACTED]	1.00 260.00/hr	260.00
2/19/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment; Research [REDACTED] Research [REDACTED]	1.73 260.00/hr	448.50
2/20/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment; email to W Smith; email to opposing counsel	1.08 260.00/hr	279.50
	- WJS Telephone call from Counsel for Dismans; review and redline Reply/Opposition regarding Summary Judgment Motion and Research; emails to and from L Wolff; review Dockets and prepare for Consolidation Hearing	1.43 260.00/hr	370.50
2/21/2018	- WJS Preparation for and Appearance at Hearing on Motion to Consolidate; conference with K Christensen regarding [REDACTED] telephone call to L Wolff regarding [REDACTED]	0.63 260.00/hr	162.50
	- LJW Revisions to Opposition to Countermotion for Summary Judgment; telephone call to W Smith; telephone call with Clerk; email and telephone call with Clerk; preparation of Exhibits; preparation of L Wolff Declaration	1.03 260.00/hr	266.50
2/22/2018	- LJW Preparation of Amicus Brief; telephone call with W Smith; preparation of Consolidation Order; emails to and from opposing counsel regarding 16.1 Conference and Order; Research [REDACTED]	0.93 260.00/hr	240.50
	- WJS Revisions to proposed Order on Motion to Consolidate; emails to and from L Wolff	0.20 260.00/hr	52.00
2/23/2018	- LJW Preparation of Amicus Brief; telephone call to W Smith	0.83 260.00/hr	214.50
2/26/2018	- LJW Review Pleadings; email to W Smith	0.05 260.00/hr	13.00
2/27/2018	- LJW E-mail to W Smith; telephone call to Clerk; telephone call to Court	0.05 260.00/hr	13.00
2/28/2018	- LJW E-mails to and from Court; email to W Smith; email to Clerk	0.05 260.00/hr	13.00

		<u>Hrs/Rate</u>	<u>Amount</u>
3/1/2018	- LJW Preparation of Request for Hearing and Notice of Entry of Order; preparation of 16.1 Conference Documents; emails to and from W Smith; emails to and from Clerk	0.38 260.00/hr	97.50
3/2/2018	- WJS Review Notices from Court; review Court Registers regarding Consolidation	0.05 260.00/hr	13.00
	- LJW Review emails from Court regarding Filings; preparation of Notice of Appearance; emails to and from Clerk; preparation of 16.1 Conference Documents	0.30 260.00/hr	78.00
3/5/2018	- LJW E-mails to and from Court regarding Filings; emails to and from Clerk; preparation of 16.1 List of Witnesses and Disclosures	0.38 260.00/hr	97.50
3/6/2018	- WJS E-mails to and from D Foley and L Wolff regarding [REDACTED]	0.10 260.00/hr	26.00
	- LJW Preparation of 16.1 List of Witnesses and Disclosures; preparation of Disclosures; emails to and from W Smith and Dan Foley; Research [REDACTED]	0.55 260.00/hr	143.00
3/7/2018	- LJW E-mails to Client regarding [REDACTED]	0.05 260.00/hr	13.00
3/8/2018	- LJW Preparation of Amicus Brief	0.40 260.00/hr	104.00
3/9/2018	- LJW Review Respondent's Brief	0.18 260.00/hr	45.50
3/12/2018	- LJW Review Respondent's Brief and preparation of Amicus Brief; emails to and from opposing counsel; emails to and from W Smith	1.00 260.00/hr	260.00
3/13/2018	- KBC Conference with Attorneys regarding [REDACTED]	0.10 260.00/hr	26.00
	- WJS Conference with Counsel [REDACTED] email to D Foley	0.18 260.00/hr	45.50
	- LJW Preparation of Amicus Brief	0.73 260.00/hr	188.50
3/14/2018	- LJW Preparation of Amicus Brief; emails to and from D Foley; emails to and from W Smith; preparation of Exhibits	1.05 260.00/hr	273.00
	- WJS Review Reply Brief filed by Lytles; email from D Foley; emails to and from L Wolff regarding [REDACTED]	0.20 260.00/hr	52.00
3/15/2018	- LJW Preparation of Amicus Brief; emails to and from W Smith; emails to and from Clerk	1.10 260.00/hr	286.00
	- WJS Telephone call from L Wolff; review and revise Amicus Brief; Research; emails and telephone calls to and from L Wolff regarding [REDACTED] review Lytle Reply Brief	0.70 260.00/hr	182.00

		<u>Hrs/Rate</u>	<u>Amount</u>
3/16/2018	- LJW Preparation of Amicus Brief; emails to and from W Smith; preparation of Exhibits; Research [REDACTED]	0.75 260.00/hr	195.00
	- WJS Review and revise Amicus Brief, Certificates and prepare for filing; telephone calls to and from Supreme Court regarding filing of Brief	0.45 260.00/hr	117.00
3/19/2018	- WJS Telephone call from Supreme Court Docketing Clerk regarding Amicus Brief; preparation for Summary Judgment Hearing and Argument; review Summary Judgment Motion and files	0.55 260.00/hr	143.00
3/20/2018	- WJS Preparation for Hearing; review Briefing and Exhibits on Motion for Summary Judgment and Appellate Briefs; prepare outline of Oral Argument; Oral Argument practice; emails to and from D Foley; review Transcripts of prior Summary Judgment Hearing	1.55 260.00/hr	403.00
3/21/2018	- WJS Preparation for Hearing; Appearance at Hearing and Argue Motion for Summary Judgment; conference with D Foley; telephone call to L Wolff; email to Clients [REDACTED] conference with K Christensen	0.63 260.00/hr	162.50
3/29/2018	- LJW E-mail to Court; telephone call to W Smith	0.03 260.00/hr	6.50
4/4/2018	- WJS E-mails to and from D Foley; check Docket; telephone call from Court Clerk regarding Hearing Date	0.05 260.00/hr	13.00
4/10/2018	- WJS E-mails to and from L Wolff regarding [REDACTED] telephone call from Courtroom Administrator regarding Hearing, calendar Hearing	0.05 260.00/hr	13.00
	- LJW E-mails to and from W Smith; review Pleadings; Research [REDACTED]	0.28 260.00/hr	71.50
	- KBC Conference with W Smith and L Wolff regarding [REDACTED]	0.05 260.00/hr	13.00
4/17/2018	- LJW Review emails from opposing counsel	0.03 260.00/hr	6.50
4/20/2018	- LJW E-mail from opposing counsel; email to W Smith	0.03 260.00/hr	6.50
4/23/2018	- WJS Emails to and from opposing counsel regarding Hearing conflict	0.03 260.00/hr	6.50
4/25/2018	- LJW Calendar Hearing; review emails	0.03 260.00/hr	6.50
5/1/2018	- WJS Emails to and from L Wolff regarding [REDACTED] review Cases and new Argument	0.08 260.00/hr	19.50
	- LJW Review Lytle Appellate Response; Research on [REDACTED] emails to and from W Smith	0.55 260.00/hr	143.00

		<u>Hrs/Rate</u>	<u>Amount</u>
5/2/2018	- WJS Appearance at Hearing on Motions for Summary Judgment; conference with Co-Counsel (Foley & Wang) following Hearing; telephone call to L Wolff; review notes regarding Decision and instructions regarding Order; email to Clients regarding Hearing; conference with K Christensen; review Statute; email to L Wolff regarding [REDACTED]	0.73 260.00/hr	188.50
	- KBC Conference with W Smith; review Decisions; Research Motion for Fees; conference with Attorneys [REDACTED]	0.10 260.00/hr	26.00
	- LJW Teleconference with K Christensen; teleconference W Smith	0.03 260.00/hr	6.50
5/3/2018	- LJW Preparation of Summary Judgment Order; Research on Motion for Fees and Costs; emails to W Smith	0.95 260.00/hr	247.00
5/4/2018	- LJW E-mails to and from W Smith; preparation of Summary Judgment Order; preparation of Motion for Fees and Costs	0.23 260.00/hr	58.50
	- WJS Review and revise draft Order; emails to and from L Wolff; emails to and from D Foley; revisions to Order; emails to and from opposing counsel regarding draft Order	0.33 260.00/hr	84.50
5/9/2018	- LJW Research on [REDACTED] preparation of Motion for Attorneys fees	0.98 260.00/hr	253.50
5/10/2018	- LJW Research on [REDACTED] preparation of Motion for Attorneys fees	0.48 260.00/hr	123.50
5/11/2018	- WJS Emails to and from R Haskin, D Foley and C Wang regarding draft Order on Motions for Summary Judgment	0.15 260.00/hr	39.00
5/14/2018	- LJW Research on [REDACTED] preparation of Motion for Attorneys fees	0.65 260.00/hr	169.00
	- WJS Redline revision to draft Order; emails to and from R Haskin and Counsel for other parties; prepare final version of Order for signature and circulate	0.23 260.00/hr	58.50
5/15/2018	- WJS Emails to and from D Foley; execute and prepare final Order; conference with Clerk regarding gathering signatures and delivering Order to Court Chambers	0.05 260.00/hr	13.00
5/16/2018	- LJW Preparation of Motion for Attorneys fees	0.25 260.00/hr	65.00
	- WJS Telephone call from Counsel for Lytle regarding submitting proposed Order	0.03 260.00/hr	6.50
5/18/2018	- LJW Preparation of Motion for Attorneys Fees	0.20 260.00/hr	52.00
5/21/2018	- LJW Preparation of Motion for Attorneys Fees	0.98 260.00/hr	253.50

		<u>Hrs/Rate</u>	<u>Amount</u>
5/22/2018	- LJW Preparation of Motion for Attorneys Fees	0.05 260.00/hr	13.00
5/23/2018	- LJW Preparation of Memorandum of Costs	0.43 260.00/hr	110.50
5/24/2018	- LJW Conference with W Smith regarding [REDACTED] review bills to redact privileged information; conference with Clerk	0.48 260.00/hr	123.50
	- WJS Email from L Wolff regarding [REDACTED] review signed Order; conference with Clerk regarding filing Order; preparation of Notice of Entry of Order; review draft Notice of Entry; conference with L Wolff regarding [REDACTED]	0.25 260.00/hr	65.00
5/28/2018	- LJW E-mails to and from Clerk regarding Notice	0.03 260.00/hr	6.50
5/29/2018	- LJW Preparation of Motion for Fees; preparation of Declaration for Fees; preparation of Exhibits	0.63 260.00/hr	162.50
5/30/2018	- LJW Preparation of Declaration for Fees; preparation of Exhibits for Motion; review billings for privilege; telephone call to Clerk regarding redaction of privileged information; preparation of spreadsheet calculating fees and costs	0.58 260.00/hr	149.50
5/31/2018	- DEM Preparation of documents for Disclosure in Motion for Fees; conference with W Smith	0.13 260.00/hr	32.50
	- LJW Preparation of Declaration for Fees; preparation of Exhibits for Motion; preparation of spreadsheet calculating fees and costs	0.38 260.00/hr	97.50
	- WJS Review redacted fee statements; prepare for filing; review and redline draft Motion for Fees, associated research and citation checking; review and redline Declaration in Support of Fee Motion	1.38 260.00/hr	357.50
For professional services rendered		64.08	\$16,659.50

## Additional Charges :

		<u>Qty/Price</u>	
10/11/2017	- N Clark County District Court Document Download Fee - Plaintiff's Errata to Complaint for Declaratory Relief	0.25 2.00	0.50
	- N Clark County District Court Document Download Fee - Order Granting Summary Judgment	0.25 5.00	1.25
	- N Clark County District Court Document Download Fee - Complaint for Declaratory Relief	0.25 5.50	1.38
11/13/2017	- N District Court Document Download Fee - Order Granting Motion for Attorney's Fees (11/8/17)	1 0.75	0.75

		<u>Qty/Price</u>	<u>Amount</u>
11/13/2017 - N	District Court Document Download Fee - Order Granting Motion for Summary Judgment (11/15/16)	1 2.13	2.13
11/29/2017 - N	District Court Filing Fee - Complaint	405.2 0.25	101.30
11/30/2017 - N	District Court Filing Fee - Motion for Summary Judgment	209.5 0.25	52.38
- N	Research - November 2017	0.25 56.74	14.19
12/5/2017 - N	District Court Filing Fee - Summons	0.25 3.50	0.88
12/18/2017 - N	District Court Filing Fee - Acceptance of Service	0.25 3.50	0.88
12/29/2017 - N	District Court Filing Fee - Request for Change of Hearing Date on Motion for Summary Judgment or, in the Alternative, Motion for Judgment on the Pleadings	0.25 3.50	0.88
1/3/2018 - N	District Court Filing Fee - Certificate of Mailing	0.25 3.50	0.88
1/9/2018 - N	District Court Document Download Fee - Answer (A-16-747800-C)	0.25 6.00	1.50
1/16/2018 - N	District Court Filing Fee - Motion to Consolidate Case No. A-16-747800-C	0.25 3.50	0.88
- N	District Court Filing Fee - Motion to Consolidate Case No. A-17-765372-C	0.25 3.50	0.88
1/23/2018 - N	District Court Filing Fee - Plaintiffs' Ex Parte Motion for Order Shortening Time	0.25 3.50	0.88
1/25/2018 - N	District Court Filing Fee - Order Awarding Plaintiffs Damages Following Prove-Up Hearing	0.25 2.00	0.50
- N	District Court Filing Fee - Order Awarding Costs	0.25 17.00	4.25
1/29/2018 - N	District Court Filing Fee - Notice of Change of Hearing (A-16-747800-C)	0.25 3.50	0.88
- N	District Court Filing Fee - Notice of Change of Hearing (A-17-765372-C)	0.25 3.50	0.88
1/31/2018 - N	WestLaw Research	0.25 515.85	128.96
2/1/2018 - N	Clark County District Court - Amended Order Granting Order Shortening Time (A-16-747800)	0.25 3.50	0.88



		<u>Qty/Price</u>	<u>Amount</u>
2/5/2018 - N	District Court Filing Fee - Notice of Entry of Amended Order Granting Order Shortening Time	0.25 3.50	0.88
2/9/2018 - N	Clark County District Court - Request for Change of Hearing Date on Motion for Summary Judgment or, in the Alternative Motion for Judgment on the Pleadings	0.25 3.50	0.88
2/21/2018 - N	Parking Fee for Hearing on Motion to Consolidate	0.25 4.00	1.00
- N	Clark County District Court - Opposition and Counter-Motion	0.25 3.50	0.88
2/28/2018 - N	Clark County District Court - Order Granting Motion to Consolidate	0.25 3.50	0.88
- N	WestLaw Research February 2018	0.25 402.36	100.59
3/1/2018 - N	Clark County District Court - Request to Set Hearing Date on motion for Summary Judgment or, in the Alternative, Motion for Judgment on the Pleadings	0.25 3.50	0.88
3/2/2018 - N	Clark County District Court - Order Granting Motion to Consolidate	0.25 3.50	0.88
3/5/2018 - N	Clark County District Court - Notice of Entry of Order Granting Motion to Consolidate (Case No. A-17-765372-C)	0.25 3.50	0.88
- N	Clark County District Court - Notice of Entry of Order Granting Motion to Consolidate (Case No. A-16-747800-C)	0.25 3.50	0.88
3/21/2018 - N	Parking Fee - Motion for Summary Judgment Hearing	0.25 8.00	2.00
3/31/2018 - N	WestLaw Research - 3/1-3/31/18	0.25 84.91	21.23
5/24/2018 - LJW	District Court Filing Fee - Order Granting Motion for Summary Judgment	0.25 3.50	0.88
5/25/2018 - LJW	District Court Filing Fee - Notice of Entry of Order Granting Motion for Summary Judgment	0.25 3.50	0.88
5/31/2018 - N	WestLaw Research 5/1-5/31/2018	0.25 200.54	50.14
Total costs			<u>\$501.65</u>
For professional services rendered		<u>64.08</u>	<u>\$17,161.15</u>

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# EXHIBIT 2D

# STATEMENT

Christensen James & Martin

## History of Billing

7440 W. Sahara Ave.  
Las Vegas, NV 89117  
702/255-1718  
702/255-0871 Fax  
Carma@CJMLV.com

Julie Marie Sandoval Gegan  
1831 Rosemere Ct.  
Las Vegas, NV 89117

May 24, 2018

### Professional Services

		<u>Hrs/Rate</u>	<u>Amount</u>
10/5/2017	- KBC Review Title Company email and Escrow Report	0.03 260.00/hr	6.50
10/9/2017	- LJW E-mails to and from K Christensen	0.03 260.00/hr	6.50
	- KBC Telephone calls to and from and conference with Client; review 2015 Case Notices; telephone call to opposing counsel; emails to and from L Wolff [REDACTED] review related Case Orders from Equity Title and Case Docket	0.10 260.00/hr	26.00
10/10/2017	- LJW Conference with K Christensen and W Smith regarding [REDACTED]	0.10 260.00/hr	26.00
	- WJS Conference with K Christensen; teleconference with K Christensen and L Wolff [REDACTED] review Clark County GIS and Property Records for Rosemere	0.40 260.00/hr	104.00
	- KBC Conference with Attorneys; preparation of Complaint and Motion for Injunction and Extraordinary Relief; review Case files and Orders	0.10 260.00/hr	26.00
10/11/2017	- LJW Review all Cases filed against Rosemere Association; preparation of Complaint; email to K Christensen	0.98 260.00/hr	253.50
10/12/2017	- LJW E-mails to and from K Christensen	0.03 260.00/hr	6.50
	- KBC Telephone calls to and from opposing counsel regarding Demand and email to Attorney regarding Removal of Encumbrances	0.10 260.00/hr	26.00
10/16/2017	- LJW E-mails to and from K Christensen	0.03 260.00/hr	6.50

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		<u>Hrs/Rate</u>	<u>Amount</u>
10/17/2017	- LJW E-mails to and from K Christensen	0.03 260.00/hr	6.50
10/19/2017	- ELJ Conference with W Smith regarding [REDACTED]	0.15 260.00/hr	39.00
	- KBC Telephone call from D Foley regarding Stipulation, Joinder, Relief and Appeal Order regarding Injunction; conference with W Smith regarding [REDACTED] emails to Attorneys and Clients	0.30 260.00/hr	78.00
10/20/2017	- WJS Telephone call to J Gegen regarding [REDACTED]	0.10 260.00/hr	26.00
10/23/2017	- WJS Emails to K Christensen regarding [REDACTED]	0.05 260.00/hr	13.00
	- KBC Review Court email regarding Stipulation/Order; email to Attorney; teleconference with opposing counsel and D Foley regarding Stipulation and Relief Options requests; file notes	0.15 260.00/hr	39.00
10/25/2017	- WJS Conference with K Christensen regarding [REDACTED] telephone call from and messages to and from J Gegen; review Order from Boulden Case; email to R Haskin	0.30 260.00/hr	78.00
	- KBC Telephone call to opposing counsel regarding Stipulation and Release; conference with W Smith regarding [REDACTED] review emails to and from opposing counsel	0.10 260.00/hr	26.00
10/26/2017	- KBC Emails to and from opposing counsel regarding Judgment Release Negotiations	0.20 260.00/hr	52.00
10/27/2017	- KBC Email to attorney and conference with opposing counsel regarding Malpractice Action; Research Chapter 116	0.10 260.00/hr	26.00
10/30/2017	- WJS Conference with K Christensen regarding preparation of documents for filing, [REDACTED] and Statute Research	0.08 260.00/hr	19.50
10/31/2017	- WJS Conference with L Wolff regarding [REDACTED]	0.08 260.00/hr	19.50
	- LJW Telephone call with W Smith regarding [REDACTED]	0.05 260.00/hr	13.00
11/1/2017	- LJW Telephone call with W Smith	0.05 260.00/hr	13.00
11/2/2017	- WJS Conference with L Wolff and K Christensen regarding [REDACTED]	0.10 260.00/hr	26.00
	- KBC Teleconference with L Wolff regarding [REDACTED]	0.10 260.00/hr	26.00

		<u>Hrs/Rate</u>	<u>Amount</u>
11/2/2017	- LJW Telephone call with W Smith; preparation of Complaint; Research Properties	0.45 260.00/hr	117.00
11/3/2017	- LJW Review documents and preparation of TRO Motion	0.18 260.00/hr	45.50
11/7/2017	- LJW Preparation of Complaint and Motion for TRO	0.53 260.00/hr	136.50
11/8/2017	- LJW Preparation of Complaint and Motion for TRO	0.75 260.00/hr	195.00
11/9/2017	- WJS Telephone call from L Wolff regarding [REDACTED]	0.10 260.00/hr	26.00
	- LJW Preparation of Complaint and Motion for TRO and Motion for Summary Judgment; telephone call to W Smith and K Christensen	1.10 260.00/hr	286.00
11/10/2017	- LJW Research and preparation of Motion for Summary Judgment: revise Complaint	0.95 260.00/hr	247.00
11/13/2017	- WJS Review and redline draft Complaint; conference with Motion for Summary Judgment; review Declaration; conference with K Christensen; email to L Wolff	0.38 260.00/hr	97.50
	- LJW Preparation and Research Motion for Summary Judgment; revisions to Complaint; preparation of Declaration; email to W Smith	0.80 260.00/hr	208.00
11/14/2017	- WJS Telephone call from L Wolff; review and redline draft Declaration	0.15 260.00/hr	39.00
	- LJW Revisions to Motion for Summary Judgment; revisions to Complaint; preparation of Owner Declarations; preparation of Summary Judgment Exhibits; emails to and from W Smith; telephone call with W Smith; email to K Christensen	0.75 260.00/hr	195.00
11/27/2017	- LJW E-mails to and from opposing counsel and K Christensen; email to Clerk	0.05 260.00/hr	13.00
11/29/2017	- LJW Telephone calls to and from Clerk; preparation of Motion, Affidavits, Declaration and Exhibits; preparation of Cover Sheet and other Pleadings; emails to and from Attorneys	0.38 260.00/hr	97.50
11/30/2017	- WJS Review Notices from Court; review filed documents; telephone call from K Christensen; conference with L Wolff regarding [REDACTED] [REDACTED] Consolidate Cases and Entry of Orders for Relief	0.20 260.00/hr	52.00
	- LJW Telephone call with W Smith; review Court emails; telephone call to opposing counsel	0.10 260.00/hr	26.00
12/1/2017	- LJW E-mail to opposing counsel regarding Stipulation	0.08 260.00/hr	19.50

		<u>Hrs/Rate</u>	<u>Amount</u>
12/4/2017 -	LJW Calendar Summary Judgment Motion Hearing; preparation of Summons; email to Clerk	0.15 260.00/hr	39.00
12/5/2017 -	WJS Teleconference with L Wolff regarding [REDACTED]	0.05 260.00/hr	13.00
-	LJW E-mails to and from D Foley; telephone call to W Smith; email to R Haskin	0.18 260.00/hr	45.50
12/6/2017 -	LJW E-mails to and from R Haskin	0.08 260.00/hr	19.50
12/7/2017 -	LJW E-mails to and from opposing counsel	0.03 260.00/hr	6.50
12/13/2017 -	LJW E-mails to opposing counsel	0.03 260.00/hr	6.50
12/14/2017 -	LJW E-mails to and from opposing counsel	0.03 260.00/hr	6.50
12/15/2017 -	LJW Telephone call with opposing counsel	0.03 260.00/hr	6.50
12/18/2017 -	LJW Preparation of Acceptance of Service; preparation of Motion to Consolidate	0.58 260.00/hr	149.50
12/19/2017 -	LJW Review Pleadings; preparation of Motion to Consolidate	0.40 260.00/hr	104.00
12/20/2017 -	LJW Preparation of Motion to Consolidate	0.08 260.00/hr	19.50
12/21/2017 -	LJW E-mail to opposing counsel regarding Briefing Schedule	0.03 260.00/hr	6.50
12/22/2017 -	LJW Preparation of Motion to Consolidate; emails to and from opposing counsel	0.13 260.00/hr	32.50
12/26/2017 -	LJW Preparation of Motion to Consolidate	0.13 260.00/hr	32.50
12/28/2017 -	LJW Telephone call with opposing counsel regarding Summary Judgment Briefing Schedule	0.03 260.00/hr	6.50
12/29/2017 -	LJW Preparation of Notice to Court; email to Clerk	0.20 260.00/hr	52.00
1/3/2018 -	LJW Preparation of Consolidation Motion; review Pleadings; calendar Hearing Date; emails to Clerk; emails to K Christensen	0.23 260.00/hr	58.50
1/5/2018 -	WJS Conference with L Wolff	0.08 260.00/hr	19.50

		<u>Hrs/Rate</u>	<u>Amount</u>
1/5/2018	- LJW Telephone call with W Smith; Research [REDACTED]	0.13 260.00/hr	32.50
1/9/2018	- LJW E-mail to Clients regarding [REDACTED] Research [REDACTED] [REDACTED] preparation of Motion to Consolidate	0.55 260.00/hr	143.00
1/10/2018	- LJW Review Stipulation; review Answer; emails to and from W Smith; Research [REDACTED]	0.25 260.00/hr	65.00
1/11/2018	- LJW Preparation of Motion to Consolidate	0.33 260.00/hr	84.50
1/12/2018	- LJW Preparation of Motion to Consolidate; Research [REDACTED] email to W Smith	0.43 260.00/hr	110.50
	- WJS Review Motion to Consolidate and redline changes; emails to and from L Wolff	0.48 260.00/hr	123.50
1/15/2018	- LJW E-mails to and from W Smith	0.03 260.00/hr	6.50
1/16/2018	- WJS Conference with Attorneys regarding Motion to Consolidate [REDACTED] [REDACTED]	0.10 260.00/hr	26.00
	- KBC Conference with Attorneys regarding [REDACTED] [REDACTED]	0.08 260.00/hr	19.50
	- LJW Final revisions and preparation of Motion to Consolidate and Exhibits; email to Clerk; telephone call to Clerk	0.30 260.00/hr	78.00
1/17/2018	- WJS E-mail from D Foley regarding [REDACTED]; review Dockets; telephone call to L Wolff; conference with K Christensen; telephone call to D Foley; emails to and from D Foley and K Christensen; review Cases from D Foley; emails to Attorneys	0.55 260.00/hr	143.00
	- KBC Conference with W Smith regarding [REDACTED] letter to Judges regarding Reassignment of Case and Consolidation Motion; email to Attorney	0.18 260.00/hr	45.50
	- LJW Preparation of Motion for Order Shortening Time and Order Shortening Time; telephone call to W Smith; emails to and from W Smith; emails to and from Clerk; emails to and from Court Clerk; telephone call to Clerk	0.58 260.00/hr	149.50
1/18/2018	- LJW Review Pleadings; telephone call to W Smith regarding [REDACTED] email from opposing counsel	0.10 260.00/hr	26.00
	- WJS Review Notices from Court; review Dockets; emails to and from D Foley; conference with K Christensen; telephone call from L Wolff	0.18 260.00/hr	45.50
	- KBC Conference with Attorney regarding Case Assignment; calendar Hearing for Consolidation Motion; emails to and from Attorney, [REDACTED] [REDACTED] review [REDACTED] [REDACTED]	0.13 260.00/hr	32.50

		<u>Hrs/Rate</u>	<u>Amount</u>
1/19/2018	- LJW E-mails to and from opposing counsel; telephone call to W Smith; emails to and from W Smith; review Local Rules	0.23 260.00/hr	58.50
	- WJS Telephone calls and emails to and from L Wolff regarding [REDACTED]	0.08 260.00/hr	19.50
1/23/2018	- LJW Preparation of Notice of Entry of Order; review Pleadings; telephone call to Clerk; review documents	0.25 260.00/hr	65.00
1/24/2018	- LJW Review documents and preparation of Arguments for Summary Judgment Motion and Appeal; preparation of Amended Order; emails to and from W Smith; telephone call to Clerk; emails to and from Clerk	0.88 260.00/hr	227.50
1/25/2018	- WJS Emails from D Foley; review Appellate Brief; Research [REDACTED] emails to and from L Wolff regarding [REDACTED] review Notices from Court regarding Case Assignments and Rescheduled Motion to Consolidate Hearing; calendar Hearing	0.33 260.00/hr	84.50
	- LJW Review Pleadings and Order; emails to and from W Smith	0.13 260.00/hr	32.50
	- KBC Review Appeal Record and Brief; review emails regarding Amicus Request; conference with W Smith regarding [REDACTED]	0.05 260.00/hr	13.00
1/26/2018	- LJW Review Appeal Brief	0.20 260.00/hr	52.00
1/29/2018	- LJW Review Appeal Brief; preparation of Notice of Hearing; emails to and from W Smith; Research	0.70 260.00/hr	182.00
1/30/2018	- LJW Research [REDACTED] emails to and from W Smith; email to Clients; emails to and from K Christensen	0.83 260.00/hr	214.50
	- WJS Review Lytle Appeal Brief; emails to and from L Wolff and D Foley	0.30 260.00/hr	78.00
1/31/2018	- LJW Research	0.35 260.00/hr	91.00
	- WJS Research and review Arguments in Lytle Appeal Brief; file notes; email to L Wolff	0.78 260.00/hr	201.50
2/1/2018	- WJS Conference call with L Wolff to discuss [REDACTED] prepare for call with Clients; conference call with L Wolff, [REDACTED]	0.38 260.00/hr	97.50
	- LJW Telephone call with W Smith regarding Briefs; telephone call to Clients; Research NRS 116; emails to and from K Christensen	0.93 260.00/hr	240.50



		<u>Hrs/Rate</u>	<u>Amount</u>
2/2/2018	- WJS Preparation for Meeting with D Foley; telephone call to L Wolff; conference call with E James and D Foley regarding [REDACTED] [REDACTED]	0.30 260.00/hr	78.00
	- LJW Telephone call with W Smith and Attorney for Bouldens; Research [REDACTED]	0.83 260.00/hr	214.50
2/5/2018	- LJW Preparation of Notice of Entry of Order; emails to and from opposing counsel; emails to and from W Smith; Research [REDACTED] [REDACTED]	0.53 260.00/hr	136.50
	- WJS Research [REDACTED] notes to file; emails to and from L Wolff	1.10 260.00/hr	286.00
2/6/2018	- LJW E-mails to and from opposing counsel regarding Hearing and Summary Judgment Motion; emails to and from W Smith; calendar Hearing dates	0.13 260.00/hr	32.50
	- WJS E-mails to and from L Wolff regarding [REDACTED] Briefing Schedule; review Motion to Consolidate; prepare for Hearing; review Dockets	0.28 260.00/hr	71.50
2/7/2018	- KBC Conference with W Smith regarding Hearing, Answer, Appeal and potential Countermotion for Summary Judgment	0.10 260.00/hr	26.00
	- WJS Preparation for Hearing; Appear at Hearing on Motion to Consolidate, present Argument; conference with other Counsel following Hearing; telephone call to L Wolff; conferences with E James and K Christensen [REDACTED] [REDACTED] Research [REDACTED] [REDACTED]	0.93 260.00/hr	240.50
	- LJW Telephone call with W Smith regarding Hearing and Motion; emails to and from opposing counsel	0.10 260.00/hr	26.00
2/8/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment	0.23 260.00/hr	58.50
2/9/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment; preparation of Request for Hearing; emails to and from Clerk and W Smith	0.60 260.00/hr	156.00
	- WJS Review Request for Continuance; emails to and from L Wolff	0.05 260.00/hr	13.00
2/12/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment	0.50 260.00/hr	130.00
2/13/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment; email to W Smith	0.28 260.00/hr	71.50
	- WJS Review Notices from Court; review Lytle Opposition and Countermotion; emails to and from L Wolff	0.20 260.00/hr	52.00

		<u>Hrs/Rate</u>	<u>Amount</u>
2/14/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment; Research [REDACTED] telephone call to W Smith	0.98 260.00/hr	253.50
	- WJS Review Notice from Court Rescheduling Hearing, calendar new Hearing Date; conference with L Wolff [REDACTED] [REDACTED]	0.18 260.00/hr	45.50
2/15/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment: Research [REDACTED] email to W Smith	0.93 260.00/hr	240.50
2/16/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment; Research [REDACTED] Research [REDACTED] [REDACTED]	1.00 260.00/hr	260.00
2/19/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment; Research [REDACTED] Research [REDACTED] [REDACTED]	1.73 260.00/hr	448.50
2/20/2018	- LJW Preparation of Opposition to Countermotion for Summary Judgment; email to W Smith; email to opposing counsel	1.08 260.00/hr	279.50
	- WJS Telephone call from Counsel for Dismans; review and redline Reply/Opposition regarding Summary Judgment Motion and Research; emails to and from L Wolff; review Dockets and prepare for Consolidation Hearing	1.43 260.00/hr	370.50
2/21/2018	- WJS Preparation for and Appearance at Hearing on Motion to Consolidate; conference with K Christensen regarding [REDACTED] [REDACTED] telephone call to L Wolff regarding [REDACTED] [REDACTED]	0.63 260.00/hr	162.50
	- LJW Revisions to Opposition to Countermotion for Summary Judgment; telephone call to W Smith; telephone call with Clerk; email and telephone call with Clerk; preparation of Exhibits; preparation of L Wolff Declaration	1.03 260.00/hr	266.50
2/22/2018	- LJW Preparation of Amicus Brief; telephone call with W Smith; preparation of Consolidation Order; emails to and from opposing counsel regarding 16.1 Conference and Order; Research [REDACTED]	0.93 260.00/hr	240.50
	- WJS Revisions to proposed Order on Motion to Consolidate; emails to and from L Wolff	0.20 260.00/hr	52.00
2/23/2018	- LJW Preparation of Amicus Brief; telephone call to W Smith	0.83 260.00/hr	214.50
2/26/2018	- LJW Review Pleadings; email to W Smith	0.05 260.00/hr	13.00
2/27/2018	- LJW E-mail to W Smith; telephone call to Clerk; telephone call to Court	0.05 260.00/hr	13.00
2/28/2018	- LJW E-mails to and from Court; email to W Smith; email to Clerk	0.05 260.00/hr	13.00

		<u>Hrs/Rate</u>	<u>Amount</u>
3/1/2018 - LJW	Preparation of Request for Hearing and Notice of Entry of Order; preparation of 16.1 Conference Documents; emails to and from W Smith; emails to and from Clerk	0.38 260.00/hr	97.50
3/2/2018 - LJW	Review emails from Court regarding Filings; preparation of Notice of Appearance; emails to and from Clerk; preparation of 16.1 Conference Documents	0.30 260.00/hr	78.00
- WJS	Review Notices from Court; review Court Registers regarding Consolidation	0.05 260.00/hr	13.00
3/5/2018 - LJW	E-mails to and from Court regarding Filings; emails to and from Clerk; preparation of 16.1 List of Witnesses and Disclosures	0.38 260.00/hr	97.50
3/6/2018 - WJS	E-mails to and from D Foley and L Wolff regarding [REDACTED]	0.10 260.00/hr	26.00
- LJW	Preparation of 16.1 List of Witnesses and Disclosures; preparation of Disclosures; emails to and from W Smith and Dan Foley; Research [REDACTED]	0.55 260.00/hr	143.00
3/7/2018 - LJW	E-mails to Client regarding [REDACTED]	0.05 260.00/hr	13.00
3/8/2018 - LJW	Preparation of Amicus Brief	0.40 260.00/hr	104.00
3/9/2018 - LJW	Review Respondent's Brief	0.18 260.00/hr	45.50
3/12/2018 - LJW	Review Respondent's Brief and preparation of Amicus Brief; emails to and from opposing counsel; emails to and from W Smith	1.00 260.00/hr	260.00
3/13/2018 - KBC	Conference with Attorneys regarding [REDACTED]	0.10 260.00/hr	26.00
- WJS	Conference with Counsel [REDACTED] email to D Foley	0.18 260.00/hr	45.50
- LJW	Preparation of Amicus Brief	0.73 260.00/hr	188.50
3/14/2018 - LJW	Preparation of Amicus Brief; emails to and from D Foley; emails to and from W Smith; preparation of Exhibits	1.05 260.00/hr	273.00
- WJS	Review Reply Brief filed by Lytles; email from D Foley; emails to and from L Wolff regarding [REDACTED]	0.20 260.00/hr	52.00
3/15/2018 - LJW	Preparation of Amicus Brief; emails to and from W Smith; emails to and from Clerk	1.10 260.00/hr	286.00
- WJS	Telephone call from L Wolff; review and revise Amicus Brief; Research; emails and telephone calls to and from L Wolff regarding [REDACTED] review Lytle Reply Brief	0.70 260.00/hr	182.00

		<u>Hrs/Rate</u>	<u>Amount</u>
3/16/2018	- LJW Preparation of Amicus Brief; emails to and from W Smith; preparation of Exhibits; Research [REDACTED]	0.75 260.00/hr	195.00
	- WJS Review and revise Amicus Brief, Certificates and prepare for filing; telephone calls to and from Supreme Court regarding filing of Brief	0.45 260.00/hr	117.00
3/19/2018	- WJS Telephone call from Supreme Court Docketing Clerk regarding Amicus Brief; preparation for Summary Judgment Hearing and Argument; review Summary Judgment Motion and files	0.55 260.00/hr	143.00
3/20/2018	- WJS Preparation for Hearing; review Briefing and Exhibits on Motion for Summary Judgment and Appellate Briefs; prepare outline of Oral Argument; Oral Argument practice; emails to and from D Foley; review Transcripts of prior Summary Judgment Hearing	1.55 260.00/hr	403.00
3/21/2018	- WJS Preparation for Hearing; Appearance at Hearing and Argue Motion for Summary Judgment; conference with D Foley; telephone call to L Wolff; email to Clients [REDACTED] conference with K Christensen	0.63 260.00/hr	162.50
3/29/2018	- LJW E-mail to Court; telephone call to W Smith	0.03 260.00/hr	6.50
4/4/2018	- WJS E-mails to and from D Foley; check Docket; telephone call from Court Clerk regarding Hearing Date	0.05 260.00/hr	13.00
4/10/2018	- WJS E-mails to and from L Wolff regarding [REDACTED] telephone call from Courtroom Administrator regarding Hearing, calendar Hearing	0.05 260.00/hr	13.00
	- LJW E-mails to and from W Smith; review Pleadings; Research [REDACTED]	0.28 260.00/hr	71.50
	- KBC Conference with W Smith and L Wolff regarding [REDACTED]	0.05 260.00/hr	13.00
4/17/2018	- LJW Review emails from opposing counsel	0.03 260.00/hr	6.50
4/20/2018	- LJW E-mail from opposing counsel; email to W Smith	0.03 260.00/hr	6.50
4/23/2018	- WJS Emails to and from opposing counsel regarding Hearing conflict	0.03 260.00/hr	6.50
4/25/2018	- LJW Calendar Hearing; review emails	0.03 260.00/hr	6.50
5/1/2018	- WJS Emails to and from L Wolff regarding [REDACTED] review Cases and new Argument	0.08 260.00/hr	19.50
	- LJW Review Lytle Appellate Response; Research [REDACTED] emails to and from W Smith	0.55 260.00/hr	143.00

		<u>Hrs/Rate</u>	<u>Amount</u>
5/2/2018	- WJS Appearance at Hearing on Motions for Summary Judgment; conference with Co-Counsel (Foley & Wang) following Hearing; telephone call to L Wolff; review notes regarding Decision and instructions regarding Order; email to Clients regarding Hearing; conference with K Christensen; review Statute; email to L Wolff regarding [REDACTED]	0.73 260.00/hr	188.50
	- KBC Conference with W Smith; review Decisions; Research Motion for Fees; conference with Attorneys [REDACTED]	0.10 260.00/hr	26.00
	- LJW Teleconference with K Christensen; teleconference W Smith	0.03 260.00/hr	6.50
5/3/2018	- LJW Preparation of Summary Judgment Order; Research on Motion for Fees and Costs; emails to W Smith	0.95 260.00/hr	247.00
5/4/2018	- LJW E-mails to and from W Smith; preparation of Summary Judgment Order; preparation of Motion for Fees and Costs	0.23 260.00/hr	58.50
	- WJS Review and revise draft Order; emails to and from L Wolff; emails to and from D.Foley; revisions to Order; emails to and from opposing counsel regarding draft Order	0.33 260.00/hr	84.50
5/9/2018	- LJW Research on [REDACTED] preparation of Motion for Attorneys fees	0.98 260.00/hr	253.50
5/10/2018	- LJW Research on [REDACTED] preparation of Motion for Attorneys fees	0.48 260.00/hr	123.50
5/11/2018	- WJS Emails to and from R Haskin, D Foley and C Wang regarding draft Order on Motions for Summary Judgment	0.15 260.00/hr	39.00
5/14/2018	- LJW Research on [REDACTED] preparation of Motion for Attorneys fees	0.65 260.00/hr	169.00
	- WJS Redline revision to draft Order; emails to and from R Haskin and Counsel for other parties; prepare final version of Order for signature and circulate	0.23 260.00/hr	58.50
5/15/2018	- WJS Emails to and from D Foley; execute and prepare final Order; conference with Clerk regarding gathering signatures and delivering Order to Court Chambers	0.05 260.00/hr	13.00
5/16/2018	- LJW Preparation of Motion for Attorneys fees	0.25 260.00/hr	65.00
	- WJS Telephone call from Counsel for Lytle regarding submitting proposed Order	0.03 260.00/hr	6.50
5/18/2018	- LJW Preparation of Motion for Attorneys Fees	0.20 260.00/hr	52.00
5/21/2018	- LJW Preparation of Motion for Attorneys Fees	0.98 260.00/hr	253.50

		<u>Hrs/Rate</u>	<u>Amount</u>
5/22/2018 - LJW	Preparation of Motion for Attorneys Fees	0.05 260.00/hr	13.00
5/23/2018 - LJW	Preparation of Memorandum of Costs	0.43 260.00/hr	110.50
5/24/2018 - LJW	Conference with W Smith regarding [REDACTED] review bills to redact privileged information; conference with Clerk	0.48 260.00/hr	123.50
- WJS	Email from L Wolff regarding [REDACTED] review signed Order; conference with Clerk regarding filing Order; preparation of Notice of Entry of Order; review draft Notice of Entry; conference with L Wolff regarding [REDACTED]	0.25 260.00/hr	65.00
5/28/2018 - LJW	E-mails to and from Clerk regarding Notice	0.03 260.00/hr	6.50
5/29/2018 - LJW	Preparation of Motion for Fees; preparation of Declaration for Fees; preparation of Exhibits	0.63 260.00/hr	162.50
5/30/2018 - LJW	Preparation of Declaration for Fees; preparation of Exhibits for Motion; review billings for privilege; telephone call to Clerk regarding redaction of privileged information; preparation of spreadsheet calculating fees and costs	0.58 260.00/hr	149.50
5/31/2018 - DEM	Preparation of documents for Disclosure in Motion for Fees; conference with W Smith	0.13 260.00/hr	32.50
- LJW	Preparation of Declaration for Fees; preparation of Exhibits for Motion; preparation of spreadsheet calculating fees and costs	0.38 260.00/hr	97.50
- WJS	Review redacted fee statements; prepare for filing; review and redline draft Motion for Fees, associated research and citation checking; review and redline Declaration in Support of Fee Motion	1.38 260.00/hr	357.50
For professional services rendered		64.18	\$16,685.50

## Additional Charges :

		<u>Qty/Price</u>	
10/11/2017 - N	Clark County District Court Document Download Fee - Plaintiff's Errata to Complaint for Declaratory Relief	0.25 2.00	0.50
- N	Clark County District Court Document Download Fee - Order Granting Summary Judgment	0.25 5.00	1.25
- N	Clark County District Court Document Download Fee - Complaint for Declaratory Relief	0.25 5.50	1.38
11/13/2017 - N	District Court Document Download Fee - Order Granting Motion for Attorney's Fees (11/8/17)	1 0.75	0.75

		<u>Qty/Price</u>	<u>Amount</u>
11/13/2017 - N	District Court Document Download Fee - Order Granting Motion for Summary Judgment (11/15/16)	1 2.13	2.13
11/29/2017 - N	District Court Filing Fee - Complaint	405.2 0.25	101.30
11/30/2017 - N	District Court Filing Fee - Motion for Summary Judgment	209.5 0.25	52.38
- N	Research - November 2017	0.25 56.74	14.19
12/5/2017 - N	District Court Filing Fee - Summons	0.25 3.50	0.88
12/18/2017 - N	District Court Filing Fee - Acceptance of Service	0.25 3.50	0.88
12/29/2017 - N	District Court Filing Fee - Request for Change of Hearing Date on Motion for Summary Judgment or, in the Alternative, Motion for Judgment on the Pleadings	0.25 3.50	0.88
1/3/2018 - N	District Court Filing Fee - Certificate of Mailing	0.25 3.50	0.88
1/9/2018 - N	District Court Document Download Fee - Answer (A-16-747800-C)	0.25 6.00	1.50
1/16/2018 - N	District Court Filing Fee - Motion to Consolidate Case No. A-16-747800-C	0.25 3.50	0.88
- N	District Court Filing Fee - Motion to Consolidate Case No. A-17-765372-C	0.25 3.50	0.88
1/23/2018 - N	District Court Filing Fee - Plaintiffs' Ex Parte Motion for Order Shortening Time	0.25 3.50	0.88
1/25/2018 - N	District Court Filing Fee - Order Awarding Plaintiffs Damages Following Prove-Up Hearing	0.25 2.00	0.50
- N	District Court Filing Fee - Order Awarding Costs	0.25 17.00	4.25
1/29/2018 - N	District Court Filing Fee - Notice of Change of Hearing (A-16-747800-C)	0.25 3.50	0.88
- N	District Court Filing Fee - Notice of Change of Hearing (A-17-765372-C)	0.25 3.50	0.88
1/31/2018 - N	WestLaw Research	0.25 515.85	128.96
2/1/2018 - N	Clark County District Court - Amended Order Granting Order Shortening Time (A-16-747800)	0.25 3.50	0.88

		<u>Qty/Price</u>	<u>Amount</u>
2/5/2018 - N	District Court Filing Fee - Notice of Entry of Amended Order Granting Order Shortening Time	0.25 3.50	0.88
2/9/2018 - N	Clark County District Court - Request for Change of Hearing Date on Motion for Summary Judgment or, in the Alternative Motion for Judgment on the Pleadings	0.25 3.50	0.88
2/21/2018 - N	Parking Fee for Hearing on Motion to Consolidate	0.25 4.00	1.00
- N	Clark County District Court - Opposition and Counter-Motion	0.25 3.50	0.88
2/28/2018 - N	Clark County District Court - Order Granting Motion to Consolidate	0.25 3.50	0.88
- N	WestLaw Research February 2018	0.25 402.36	100.59
3/1/2018 - N	Clark County District Court - Request to Set Hearing Date on motion for Summary Judgment or, in the Alternative, Motion for Judgment on the Pleadings	0.25 3.50	0.88
3/2/2018 - N	Clark County District Court - Order Granting Motion to Consolidate	0.25 3.50	0.88
3/5/2018 - N	Clark County District Court - Notice of Entry of Order Granting Motion to Consolidate (Case No. A-17-765372-C)	0.25 3.50	0.88
- N	Clark County District Court - Notice of Entry of Order Granting Motion to Consolidate (Case No. A-16-747800-C)	0.25 3.50	0.88
3/21/2018 - N	Parking Fee - Motion for Summary Judgment Hearing	0.25 8.00	2.00
3/31/2018 - N	WestLaw Research - 3/1-3/31/18	0.25 84.91	21.23
5/24/2018 - LJW	District Court Filing Fee - Order Granting Motion for Summary Judgment	0.25 3.50	0.88
5/25/2018 - LJW	District Court Filing Fee - Notice of Entry of Order Granting Motion for Summary Judgment	0.25 3.50	0.88
5/31/2018 - N	WestLaw Research 5/1-5/31/2018	0.25 200.54	50.14
Total costs			<u>\$501.65</u>
For professional services rendered		<u>64.18</u>	<u>\$17,187.15</u>



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# EXHIBIT 3

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
(CC and R's)

This Declaration of Covenants, Conditions and Restrictions made this 21<sup>st</sup> Day of Jan, 1974 by Baughman & Turner Pension Trust hereinafter referred to as "Subdivider", owner in fee simple of the land situated in the City of Las Vegas, County of Clark, State of Nevada, described as follows:

Lots 1 through 9 of Rosemere Court, a subdivision, recorded in Book 59 of Plats, Page 58, Clark County Records, Nevada.

WHEREAS, it is the desire and intention of Subdivider to sell the land described above and to impose on it mutual, beneficial covenants, conditions and restrictions under a general plan or scheme of improvement for the benefit of all the land described above and the future owners of the lots comprising said land,

NOW, THEREFORE, Subdivider hereby declares that all of the land described above is held and shall be held, conveyed, hypothecated or encumbered, leased, rented, used, occupied and improved subject to the following covenants, conditions and restrictions, all of which are declared and agreed to be in furtherance of a plan for the subdivision, improvement and sale of said land and are established and agreed upon for the attractiveness of said land and lots and every part thereof. All of such covenants, conditions and restrictions shall run with the land and shall be binding on the Subdivider and on all of its heirs, successors and assigns and on all other parties having or occupying any right, title, or interest in the described land or any part thereof, and on all of their heirs, successors and assigns.

A breach or violation of these CC & R's or any re-entry by reason of such breach or any liens established hereunder shall not defeat or render invalid or modify in any way the lien of any mortgage or deed of trust made in good faith and for value as to said lots or PROPERTY or any part thereof; that these CC & R's shall be binding and effective against any owner of said PROPERTY whose title thereof is acquired by foreclosure, trustee's sale or otherwise.

1. Lots shall be used for private one-family residential purposes exclusively. Customary out-buildings including guest house, hobby house, private garages or carports may be erected or maintained therein, consistent with City of Las Vegas Zoning Ordinances.

2. All lavatories and toilets shall be built indoors and be connected with the existing sewer system.

3. No antenna or other transmission or reception of television or radio signals shall be maintained on the roof of any structure within subdivision. In addition, no cooling or heating units shall be visible on the roof of any structure within subdivision.



4. No rubbish, brush, weeds, undergrowth or debris of any kind or character shall ever be placed or permitted to accumulate upon said lots so as to render said premises a fire hazard, unsanitary, unsightly, offensive or detrimental to any other property in the vicinity or the occupants thereof. Trash containers shall be visible on days of trash pick-up only. The Owner of the lot, for himself, his successors and assigns agrees to care for, cultivate, prune and maintain in good condition any and all trees, lawns and shrubs.

5. No odors shall be permitted to arise therefrom so as to render any such lot unsanitary, unsightly, offensive or detrimental to any other lot and no nuisance shall be permitted to exist or operate upon any lot so as to be offensive or detrimental to any other lot or to the occupants thereof; and without limiting the generality of any of the foregoing provisions, no horns, whistles, bells or other sound devices, except devices used exclusively for security purposes, shall be located, used or placed upon any lots. Stereo speakers may be used at reasonable volume levels.

No structure (including but not limited to dwelling units, garages, carports, walls and fences) shall be permitted to fall into disrepair and all structures shall at all times be kept in good condition and repair and adequately painted or otherwise finished. Any and all repairs, redecorations, modifications or additions, interior and exterior, shall fully comply with all restrictions.

7. No owner shall permit any thing or condition to exist upon any lot which shall induce, breed or harbor infectious plant disease or noxious insects.

8. For continuity of the neighborhood appearance, every single-family dwelling erected shall be of Spanish, Moorish, Mediterranean or similar-style architecture, and shall have a tile roof, face into the cul-de-sac and contain not less than 3,000 square feet of floor space for one-story homes and 3,500 square feet of floor space for two-story homes, exclusive of basements, porches, patios, garages, carports, guest or hobby houses.

9. Driveways for Lots 1 and 9 must enter the cul-de-sac and not the entrance street.

10. Building plans of residences to be erected shall be approved by Subdivider prior to start of construction.

11. Easements for installation and maintenance of utilities and drainage facilities have been conveyed as shown on the recorded subdivision plat and otherwise of record.

12. No billboards, signs, or advertising of any kind excepting a conventional "for sale" or "for rent" sign not larger than two feet by two feet shall be erected or maintained upon any of said lots without the written consent of Subdivider.

13. No animals or fowl, other than household pets, shall be kept or maintained on said property or any portion thereof. At any one time the total number of household pets shall not exceed four. No horses shall be allowed within the subdivision at any time.

14. Each Owner of a lot agrees for himself and his successors and assigns that he will not in any way interfere with the natural or established drainage of water over his lot from adjoining or other lots in said subdivision, or that he will make adequate provisions for proper drainage in the event it is necessary to change the natural or established flow of water drainage over his lot. For the purpose herein, natural drainage is defined as the drainage which occurred or which would occur at the time the overall grading of said subdivision, including the finish grading of each lot in said parcel was completed by the Subdivider.



15. Landscaping in front of a residence shall be completed within three (3) months from completion of construction of that residence. Landscaping shall meet or surpass VA and FHA standards.

16. No clotheslines shall be placed nor shall any clothes be hung in any manner whatsoever on any lot in a location visible from a public street.

16. No boat, trailer, mobile home, camper or commercial vehicles may be parked at any time within the private drive (street) area. In addition, no automobile, camper, mobile home, commercial vehicle, truck, boat or other equipment may be dismantled on any lot in an area visible from an adjoining property or the street area.

17. No boat, trailer, mobile home, camper, or commercial vehicle may be parked or stored at any time on any lot in an area visible from adjoining properties or streets. Additionally, no automobile, camper, mobile home, commercial vehicle, truck, boat or other equipment may be dismantled or stored on any lot in an area visible from adjoining properties or streets.

18. No commercial tools, equipment, commercial vehicles, structures or other commercial appurtenances shall be stored at any time on any lot.

19. Purchasers/Owners shall on an equal share basis, assume responsibility to maintain any and all off-site improvements which have been installed by Subdivider.

20. Purchasers/Owners or their successors in interest shall assume responsibility to maintain walls erected by Subdivider. Side and front walls shall be of the same type and color as presently installed and shall be erected within three months from completion of construction of house on said lot. Cost of side walls shall be agreed upon and equally shared by adjoining property owners. In the event side walls are already erected at time of purchase of lot, the Purchaser of that lot shall pay the adjoining lot owner who previously erected said wall one half (1/2) the cost as proven by his paid receipts. Payment shall be made within sixty (60) days from date of purchase of said lot.

21. A property owners committee shall be established by all owners of lots within the subdivision.

a. The committee shall determine the type and cost of landscaping on the four (4) exterior wall planters, and the entrance-way planters. The committee shall also determine the method and cost of watering and maintaining planters. All costs shall be equally shared by all owners of lots within the subdivision. In the event of any disagreement, the majority shall rule.

b. The exterior perimeter wall along the Oakley, Tanaya and El Parque frontage shall be maintained and/or repaired when appropriate, under the direction of the property owners committee. The costs to be equally shared by all 9 lot owners.

c. The Entrance Gate and it's related mechanical and electrical systems shall be maintained and/or repaired on an equal share basis by all lot owners.

d. The Private Drive (the interior street) used for ingress and egress purposes by all lots within the subdivision shall be maintained and/or repaired on an equal share basis by all owners of lots within the subdivision.

22. Construction trailers or mobile homes will not be permitted on any lot within the subdivision.

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23. Each of the provisions of these covenants, conditions and restrictions shall be deemed independent and severable and the invalidity or partial invalidity of any provision or portion thereof, shall not effect validity or enforceability of any other provision.

24. Except as otherwise provided herein, Subdivider or any owner or owners of any of the lots shall have the right to enforce any or all of the provisions of the covenants, conditions and restrictions upon any other owner or owners. In order to enforce said provision or provisions, any appropriate judicial proceeding in law or in equity may be initiated and prosecuted by any such lot owner or owners against any other owner or owners.

25. Attorney's Fees: In any legal or equitable proceeding for the enforcement of or to restrain the violation of the Declaration of Covenants, Conditions and Restrictions or any provision thereof, the losing party or parties shall pay in such amount as may be fixed by the court in such proceeding.

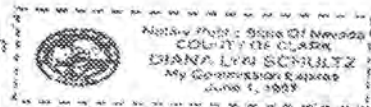
IN WITNESS WHEREOF, said Owner/Subdivider Baughman & Turner Pension Trust of Nevada, has herunto affixed their signatures.

Date: 1/4/94 Stephen F. Turner  
Owner/Subdivider/Trustee Stephen F. Turner

Date: 1-4-94 Richard J. Baughman  
Owner/Subdivider/Trustee Richard J. Baughman

On this 4th day of JANUARY, 1994,  
before me, the undersigned, a Notary Public in  
and for said County and State, Personally appeared

Stephen F. Turner & Richard J. Baughman



(this area for official seal)

Diana Lynn Schultz  
Notary Public in and for said County and State

When Recorded Mail To:  
Baughman & Turner, Inc.,  
1210 Ninson Street  
Las Vegas, NV 89102

4 of 4

CLARK COUNTY, NEVADA  
JOAN L. SWIFT, RECORDER  
RECORDED AT REQUEST OF:  
BAUGHMAN & TURNER INC  
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# EXHIBIT 4



KEVIN B. CHRISTENSEN  
EVAN L. JAMES \*†  
DARYL E. MARTIN  
WESLEY J. SMITH \*†

GIA MCGILLIVRAY †  
LAURA J. WOLFF \*  
KEVIN B. ARCHIBALD

\* ALSO LICENSED IN UTAH  
† ALSO LICENSED IN WASHINGTON



CHRISTENSEN JAMES & MARTIN CHTD.  
ATTORNEYS AT LAW

7440 W. SAHARA AVENUE  
LAS VEGAS, NEVADA 89117  
TEL 702 255 1718  
FAX 702 255 0871  
WWW.CJMLV.COM

**Writer's Email:** [ljw@cjmlv.com](mailto:ljw@cjmlv.com)

**Via Certified, Regular Mail and Email**

September 26, 2017

Richard E. Haskin, Esq.  
Gibbs Giden Locher Turner Senet & Wittbrodt LLP  
1140 N. Town Center Dr., Suite 300  
Las Vegas, NV 89144-0596  
[rhaskin@gibbsgiden.com](mailto:rhaskin@gibbsgiden.com)

Re: **Gerry R. Zobrist and Jolin G. Zobrist, Trustees of the Gerry R. Zobrist and Jolin G. Zobrist Family Trust and September Trust v. Trudi Lee Lytle and John Allen Lytle, as Trustees of the Lytle Trust – Revised Demand To Release Recorded Documents Clouding Title and Notice of Intent to File Lawsuit**

Dear Mr. Haskin:

This office has been retained by Gerry R. Zobrist and Jolin G. Zobrist as Trustees of the Gerry R. Zobrist and Jolin G. Zobrist Family Trust ("Zobrist Trust") and the September Trust, dated March 23, 1972 ("September Trust"), in regard to your clients Trudi Lee Lytle and John Allen Lytle, as Trustees of the Lytle Trust ("Lytle").

Gerry R. Zobrist and Jolin G. Zobrist are the Trustees of the Gerry R. Zobrist and Jolin G. Zobrist Family Trust which owns a residential property known as 1901 Rosemere Court, Las Vegas, Nevada 89117, Assessor's Parcel No. 163-03-313-005 ("Zobrist Property"). The September Trust owns a residential property known as 1861 Rosemere Court, Las Vegas, Nevada 89117, Assessor's Parcel No. 163-03-313-004 ("September Property"). The Zobrist Property and September Property are located in the Rosemere Court subdivision ("Subdivision"). As you know, in 2009, the Lytles sued the Rosemere Estates Property Owners Association ("the Association") in the Eighth Judicial District Court, Case No. A-09-593497-C ("Rosemere Litigation"). The Lytles obtained a Summary Judgment for Declaratory Relief, filed a Motion for Attorneys' Fees and Costs and received a Final Judgment against the Association for \$361,238.59 ("Final Judgment"). The Zobrist Trust and the September Trust were not parties to the Rosemere Litigation.


After obtaining the Final Judgment, the Lytles recorded several documents with the Clark County Recorder's Office referencing the Final Judgment against the Association. Some of these recorded documents listed the parcel number of the Zobrist Property and the September Property, as follows:

1. Abstract of Judgment recorded on August 18, 2016 as Instrument No. 20160818-0001198; and
2. Abstract of Judgment recorded on September 2, 2016 as Instrument No. 20160902-02687 (hereafter collectively "Abstracts").

Both of these Abstracts are on a Title Report of the Zobrist Property dated August 29, 2017 and a search of the Clark County Recorder's website shows that the Abstract dated September 2, 2016 was recorded against the September Property. By way of this letter, the Zobrist Trust and the September Trust are demanding that any document, including those just mentioned, that include their parcel number be released immediately since the Final Judgment does not include any claims against the Zobrist Property or the September Property.

As you are aware, the Bouldens (Parcel No. 163-03-313-008) and the Lamothes (Parcel No. 163-03-313-002) have already filed a lawsuit (Case No. A-16-747900-C) regarding this same issue ("BL Lawsuit"), because the Final Judgment was recorded against all the properties in the Subdivision except for the Lytle's property. On July 25, 2017, the Court issued its Order in the BL Lawsuit Granting Motion to Alter or Amend Findings of Fact and Conclusions of Law ("Order"). In its Order, the Court found that, among other things, the Association is not subject to NRS 116.3117, the Amended CC&R's were invalid, the Bouldens and Lamothes were not parties to the Rosemere Litigation, the Final Judgment is not an obligation or debt of the Bouldens or the Lamothes and that the Abstracts of Judgment were improperly recorded against such properties and must be expunged and stricken from the record. Since then, the Lytles have released their liens against these two (2) properties but have not released their liens against any of the other properties in the Subdivision.

As the Zobrist Trust and the September Trust are in the same position as the Bouldens and Lamothes, this **letter shall constitute the Zobrist Trust's and September Trust's demand that the Lytles immediately expunge and release any recorded documents clouding the Zobrist Property and the September Property.** Unless the Abstracts of Judgment are released from the Zobrist Property and the September Property, we have been instructed to file a lawsuit and seek all damages against the Lytles including our attorney's fees and costs for having to bring such an action. You have ten (10) days from the date of this letter, or until Friday, October 6, 2017, to comply with this demand. We look forward to your anticipated and immediate response to this final demand.

Sincerely,  
LAURA J. WOLFF  
  
Laura J. Wolff, Esq.

cc: Gerry R. Zobrist and Jolin G. Zobrist Family Trust  
September Trust, dated March 23, 1972  
Kevin B. Christensen, Esq.



CHRISTENSEN JAMES & MARTIN  
Laura J. Wolff, Esq.  
7440 W SAHARA AVE  
LAS VEGAS, NV 89117  
Re: Zobrist 9/26/17

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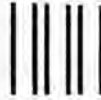
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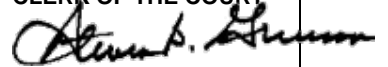
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CHRISTENSEN JAMES & MARTIN  
Laura J. Wolff, Esq.  
7440 W SAHARA AVE  
LAS VEGAS, NV 89117  
Re: Zobrist 9/26/17



1 **DECL**  
2 **CHRISTENSEN JAMES & MARTIN**  
3 KEVIN B. CHRISTENSEN, ESQ.  
Nevada Bar No. 175  
4 WESLEY J. SMITH, ESQ.  
Nevada Bar No. 11871  
5 LAURA J. WOLFF, ESQ.  
Nevada Bar No. 6869  
6 7440 W. Sahara Avenue  
Las Vegas, Nevada 89117  
7 Tel.: (702) 255-1718  
Facsimile: (702) 255-0871  
8 Email: kbc@cjmlv.com; wes@cjmlv.com; ljw@cjmlv.com  
*Attorneys for September Trust, Zobrist Trust, Sandoval Trust*  
*and Dennis & Julie Gegen*

9 **EIGHTH JUDICIAL DISTRICT COURT**

10 **CLARK COUNTY, NEVADA**

11 MARJORIE B. BOULDEN, TRUSTEE OF  
12 THE MARJORIE B. BOULDEN TRUST,  
13 LINDA LAMOTHE AND JACQUES  
14 LAMOTHE, TRUSTEES OF THE  
15 JACQUES & LINDA LAMOTHE LIVING  
16 TRUST,

17 Plaintiffs,

18 vs.

19 TRUDI LEE LYTLE, JOHN ALLEN  
20 LYTLE, THE LYTLE TRUST, DOES I  
21 through X, and ROE CORPORATIONS I  
22 through X,

23 Defendants.

Case No.: A-16-747800-C  
Dept. No.: XVIII

**DECLARATION OF COUNSEL IN**  
**SUPPORT OF PLAINTIFFS'**  
**MOTION FOR ATTORNEY'S FEES**  
**AND COSTS**

Date:  
Time:

24 AND ALL RELATED COUNTERCLAIMS  
25 AND CROSS-CLAIMS

26 SEPTEMBER TRUST, DATED MARCH 23,  
27 1972; GERRY R. ZOBRIST AND JOLIN G.  
28 ZOBRIST, AS TRUSTEES OF THE GERRY  
R. ZOBRIST AND JOLIN G. ZOBRIST  
FAMILY TRUST; RAYNALDO G.  
SANDOVAL AND JULIE MARIE  
SANDOVAL GEGEN, AS TRUSTEES OF  
THE RAYNALDO G. AND EVELYN A.  
SANDOVAL JOINT LIVING AND

Case No.: A-17-765372-C  
Dept. No.: XXVIII

CHRISTENSEN JAMES & MARTIN  
7440 WEST SAHARA AVE., LAS VEGAS, NEVADA 89117  
PH: (702) 255-1718 & FAX: (702) 255-0871

DEVOLUTION TRUST DATED MAY 27,  
1992; and DENNIS A. GEGEN AND JULIE  
S. GEGEN, HUSBAND AND WIFE, AS  
JOINT TENANTS,

Plaintiffs,

vs.

TRUDI LEE LYTLE AND JOHN ALLEN  
LYTLE, AS TRUSTEES OF THE LYTLE  
TRUST; JOHN DOES I through V; and ROE  
ENTITIES I through V, inclusive,

Defendants.

**DECLARATION OF WESLEY J. SMITH, ESQ.**

STATE OF NEVADA)

:ss.

COUNTY OF CLARK)

Wesley J. Smith, Esq., being first duly sworn and under penalty of perjury of the laws of  
the United States of America and the State of Nevada:

1. I am at least 18 years of age and of sound mind. I personally prepared this  
Declaration and I am familiar with all factual statements it contains, which I know to be true and  
correct, except for any statements made on information and belief, which statements I believe to  
be true. I am competent to testify to the same and would so testify if called upon as a witness.

2. I am an attorney licensed to practice before all state and federal courts of the State  
of Nevada.

3. I am a partner and shareholder in Christensen James & Martin, Chtd. ("CJM"),  
counsel for the Plaintiffs, September Trust, dated March 23, 1972 ("September Trust"), Gerry R.  
Zobrist and Jolin G. Zobrist, as Trustees of the Gerry R. Zobrist and Jolin G. Zobrist Family  
Trust ("Zobrist Trust"), Raynaldo G. Sandoval and Jule Marie Sandoval Gegen, as Trustees of  
the Raynaldo G. and Evelyn A. Sandoval Joint Living and Devolution Trust Dated May 27, 1992  
("Sandoval Trust"), and Dennis A. Gegen and Julie S. Gegen, Husband and Wife as Joint

1 Tenants (hereafter "Gegen") (hereafter September Trust, Zobrist Trust, Sandoval Trust and  
2 Gegen may be collectively referred to as "Plaintiffs") in the above-captioned case.

3 4. I make this Declaration in support of Plaintiffs' Motion for Attorney's Fees and  
4 Costs ("Motion").

5 5. A true and correct copy of the Notice of Entry of the Court's Order Granting  
6 Motion for Summary Judgment or, in the Alternative, Motion for Judgment on the Pleadings and  
7 Denying Countermotion for Summary Judgment is attached to the Motion as Exhibit 1.

8 6. True and correct copies of the CJM's billing statements to Plaintiffs September  
9 Trust, Zobrist Trust, Sandoval Trust and Gegen for the tasks performed and attorney's fees and  
10 costs incurred herein are attached to the Motion as Exhibits 2A, 2B, 2C, and 2D, respectively.

11 7. A true and correct copy of Original CC&Rs, which has not been disputed, is  
12 attached to the Motion as Exhibit 3.

13 8. On or about September 26, 2017, CJM sent a letter on behalf of Plaintiffs to  
14 Defendants' attorney requesting that the liens be expunged from Plaintiffs' Properties based on  
15 the Court's Order entered in the Boulden and Lamothe case.

16 9. A true and correct copy of the demand letter is attached the Motion as Exhibit 4.

17 10. Plaintiffs' attorneys also spoke to the Defendants' attorney on the telephone and  
18 via email on several occasions requesting that the Abstracts of Judgment be removed. However,  
19 the Defendants refused to do so.

20 11. After the Complaint was filed, Plaintiffs reached out to the parties to request  
21 consolidation of their case with Case No. A-16-747900-C, since both cases involved the same  
22 parties, the same and substantially similar facts, and the same legal issues. However, not all  
23 parties would agree to the consolidation.  
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12. In this case, the four Plaintiffs have shared the costs and expenses of the litigation equally. The sharing of fees and costs resulted in a cost saving and reduced the burden on the courts. If each property owner had retained separate counsel and initiated its own action, the fees would have been much higher. As of May 31, 2018, the total amount incurred in attorney's fees and costs is \$70,932.60, broken out between the Plaintiffs as follows:

Plaintiff	Attorney's Fees	Costs	Total
September Trust	\$17,699.50	\$501.65	\$18,019.25
Zobrist Trust	\$17,881.50	\$501.65	\$18,201.25
Sandoval Trust	\$16,659.50	\$501.65	\$16,979.25
Gegen	\$16,685.50	\$501.65	\$17,005.25
Totals	\$68,926.00	\$2,006.60	\$70,932.60

13. The time necessary to prepare the Motion are included in the above totals. The Plaintiffs also request that the Court award reasonable additional fees for preparation of a reply brief and appearance at a hearing.

14. I submit that the amount of attorney's fees requested is consistent with the factors as set forth *Brunzell v. Golden Gate Nat 'I Bank*, 85 Nev. 345, 349, 455 P.2d 31, 33 (1969), as follows:

a. *The Professional Qualities of the Advocate.* I acted a lead counsel for the Plaintiffs in this case. I have practiced law continuously since 2009. I am a member of the State Bar of Nevada (2010 Admission), the Utah State Bar (2009 Admission), and the Washington State Bar (2017 Admission) and I am authorized to practice law in the respective state and federal courts. I am also admitted to practice before the United States Supreme Court and Ninth Circuit Court of Appeals. I direct and actively participate in litigation and appeals before these courts, including business litigation, property encumbrance and lien enforcement and defense,

1 prosecuting claims under the Employee Retirement Income Security Act (ERISA) on behalf of  
2 multiemployer health, welfare, and pension plans, apprenticeship-training trust funds, labor  
3 management committees, and certain union locals, and representation of creditors in bankruptcy  
4 matters. Kevin B. Christensen, Esq., also performed work on this case and is a shareholder with  
5 36 years of legal practice in Nevada. In addition, Laura J. Wolff, Esq. is a well-qualified  
6 associate attorney with 13 years of experience, and also helped with preparing the pleadings and  
7 papers in this matter. All attorneys are billed at the same rate to this client.  
8

9           **b.       *The Nature of the Work Performed.*** The lawsuit involved a complex  
10 procedural history, not only with the Lamothe and Boulden litigation, but with several previous  
11 cases between the Lytles and the Association that ultimately gave rise to the Abstracts of  
12 Judgment. This procedural history had a direct and substantial impact on the course and outcome  
13 of this case, requiring CJM to become well-versed in the facts and circumstances of those  
14 matters. The lawsuit involved questions of law surrounding Nevada's Common Interest  
15 Community Act, NRS 116, and the validity of the Original CC&Rs and the Amended CC&Rs.  
16 These questions of law were complex and novel in that the Lytles had taken actions, both  
17 procedural and legally, that were highly unusual and complicated. This case has been very  
18 important to the Plaintiffs because their Properties have been clouded by the unlawful Abstracts  
19 of Judgment for over 1 ½ years. The stakes were high for the Plaintiffs because these properties  
20 are their primary residences.  
21

22           **c.       *The Work Performed.*** The Lytles' actions resulted in time, energy and  
23 effort expended by CJM. The work actually performed required much skill and attention. The  
24 Plaintiffs were required to file a Complaint, a Motion for Consolidation, a Motion for Summary  
25 Judgment, an Opposition to Countermotion for Summary Judgment, several Reply briefs, an  
26 Amicus Brief setting forth the Plaintiffs' position with regard to the Court's decision in the  
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1 Boulden and Lamothe case and now this Motion for Attorney's fees and costs. The Motion for  
2 Consolidation and the Motion for Summary Judgment required CJM to appear at two (2)  
3 hearings for each motion. Much time has been required to look into the facts and circumstances  
4 of the three (3) prior cases (Rosemere Litigation I, II and III) filed by the Lytles against the  
5 Association, as well as the history of the Lamothe and Boulden case. In their pleadings, the  
6 Lytles alleged facts and legal arguments that required significant research and analysis. Although  
7 a favorable Order had already been issued, the Plaintiffs had to verify and vet the legal  
8 conclusions and evaluate the viability of the Defendants' arguments. The Plaintiffs then had to  
9 synthesize their arguments and conclusions, providing complete and thorough argument to the  
10 Court that justified the relief requested independent of the prior Order.  
11

12           **d.**       *The Result Obtained.* As this Court is aware, the result obtained has been  
13 favorable for the Plaintiffs. They prevailed on the Motion for Consolidation and the Motion for  
14 Summary Judgment and accomplished all objectives and received all relief sought in this Case.  
15 Plaintiffs derive a great benefit by having the Abstracts of Judgment removed from their  
16 Properties. This result has achieved the purpose of this lawsuit.  
17

18           **e.**       *The Hourly Rates Charged and Amount of Time Spent are Reasonable.*  
19 CJM's hourly rates of \$260.00 per hour are reasonable. *See Chemeon Surface Tech., LLC v.*  
20 *Metalast Int'l, Inc.*, No. 3:15-CV-00294-MMD-VPC, 2017 WL 2434296, at \*1 (D. Nev. June 5,  
21 2017) (surveying cases for market rates and finding reasonable \$375 for a partner, \$250 for an  
22 associate, and \$125 for a paralegal); *John Bryant Lawson v. William M. Lawson, Jr.*, No. 3:14-  
23 CV-00345-WGC, 2016 WL 1171010, at \*4 (D. Nev. Mar. 24, 2016) (finding \$275.00 per hour  
24 for an attorney with 10 years of experience, \$325.00 per hour for an attorney with 12 years of  
25 experience, \$235.00 per hour for a first year associate, and \$175.00 per hour for a paralegal  
26 reasonable market rates). Moreover, the Nevada Supreme Court upheld a \$250.00 per hour rate  
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1 as reasonable 11 years ago. *See Cuzze v. Univ. & Cmty. Coll. Sys. of Nevada*, 123 Nev. 598, 607,  
2 172 P.3d 131, 137 (2007). Therefore, the hourly rate of \$260.00 would also be considered  
3 reasonable considering the experience and skill of CJM attorneys. These hourly rates allow for  
4 better work product through effective briefing and the proper vetting of legal theories and case  
5 law. The hours expended are reasonable and justified because they reflect detailed and accurate  
6 work. CJM did not just throw something together to get in front of the Court. CJM proceeded  
7 thoughtfully, judiciously and thoroughly.

8  
9 15. I submit that the attorney's fees and costs were actually and necessarily incurred  
10 and are reasonable.

11 16. To my knowledge, Trudi Lee Lytle and John Allen Lytle, as Trustees of the Lytle  
12 Trust, are not minors, incompetents or in the military service, or otherwise exempted under the  
13 Servicemembers' Civil Relief Act, 50 U.S.C. § 501, et seq.

14 Further your affiant sayeth naught.

15 DATED this 4th day of June, 2018.

16  
17 /s/ Wesley J. Smith  
18 Wesley J. Smith, Esq.  
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