STATE OF NEVADA

CERTIFICATION OF VITAL RECORD

DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF HEALTH – VITAL STATISTICS

CERTIFICATE OF DEATH

2014014091
STATE FILE NUMBER

TYPE OR PRINT IN PERMANENT BLACK INK

DECEDENT

1a. DECEASED NAME (FIRST, MIDDLE, LAST, SUFFIX): Theodore Ernest SCHEIDE JR
2. DATE OF DEATH (Mo/Day/Year): August 17, 2014
3a. COUNTY OF DEATH: Clark
3b. CITY, TOWN, OR LOCATION OF DEATH: Las Vegas
3c. HOSPITAL OR OTHER INSTITUTION - Name (If not either, give street and number): Summerlin Hospital Medical Center
3e. If Hosp. or Inst. indicate DOA, OP, Emer. Rm, Inpatient (Specify): Inpatient
4. SEX: Male
5. RACE (Specify): White
Hispanic Origin? Specify: No - Non-Hispanic
7a. AGE - Last birthday (Years): 86
7b. UNDER 1 YEAR: MOS. DAYS
7c. UNDER 1 DAY: HOURS MINS
8. DATE OF BIRTH (Mo/Day/Yr): August 27, 1927

IF DEATH OCCURRED IN INSTITUTION SEE HANDBOOK REGARDING COMPLETION OF RESIDENCE ITEMS

9a. STATE OF BIRTH (If not U.S.A., name country): Pennsylvania
9b. CITIZEN OF WHAT COUNTRY: United States
10. EDUCATION: 12
11. MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (Specify): Divorced
12. SURVIVING SPOUSE (If wife, give maiden name):
13. SOCIAL SECURITY NUMBER:
14a. USUAL OCCUPATION (Give Kind of Work Done During Most of Working Life, Even If Retired): Laborer
14b. KIND OF BUSINESS OR INDUSTRY: Construction
Ever in US Armed Forces? Yes
15a. RESIDENCE - STATE: Nevada
15b. COUNTY: Clark
15c. CITY, TOWN OR LOCATION: Las Vegas
15d. STREET AND NUMBER: 80 Alerion Street
15e. INSIDE CITY LIMITS (Specify Yes or No): Yes

PARENTS

16. FATHER/PARENT - NAME (First Middle Last Suffix): Theodore Ernest SCHEIDE SR
17. MOTHER/PARENT - NAME (First Middle Last Suffix): Stella SARVER

18a. INFORMANT - NAME (Type or Print): Nevada Guardian SERVICES
18b. MAILING ADDRESS (Street or R.F.D. No, City or Town, State, Zip): 6625 South Valley View Blvd., Ste 216 Las Vegas, Nevada 89118

DISPOSITION

19a. BURIAL, CREMATION, REMOVAL, OTHER (Specify): Cremation
19b. CEMETERY OR CREMATORY - NAME: Palm Crematory
19c. LOCATION City or Town State: Las Vegas Nevada 89101
20a. FUNERAL DIRECTOR - SIGNATURE (Or Person Acting as Such): BART BURTON
SIGNATURE AUTHENTICATED
20b. FUNERAL DIRECTOR LICENSE: 60
20c. NAME AND ADDRESS OF FACILITY: Palm Mortuary-Downtown, 1325 North Main Street Las Vegas NV 89101

TRADE CALL

TRADE CALL - NAME AND ADDRESS

CERTIFIER

To Be Completed by CERTIFYING PHYSICIAN

21a. To the best of my knowledge, death occurred at the time, date and place and due to the cause(s) stated. (Signature & Title) SIGNATURE AUTHENTICATED
WESTBROOK KAPLAN MD
21b. DATE SIGNED (Mo/Day/Yr): September 03, 2014
21c. HOUR OF DEATH: 12:26
21d. NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print):

To Be Completed by CORONER'S OFFICE

22a. On the basis of examination and/or investigation, in my opinion death occurred at the time, date and place and due to the cause(s) stated. (Signature & Title)
22b. DATE SIGNED (Mo/Day/Yr):
22c. HOUR OF DEATH:
22d. PRONOUNCED DEAD (Mo/Day/Yr):
22e. PRONOUNCED DEAD AT (Hour):

23a. NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, ATTENDING PHYSICIAN, MEDICAL EXAMINER, OR CORONER) (Type or Print): WESTBROOK KAPLAN MD 5380 S Rainbow Las Vegas, NV 89118
23b. LICENSE NUMBER: 11016

REGISTRAR

24a. REGISTRAR (Signature): MARY WILSON
SIGNATURE AUTHENTICATED
24b. DATE RECEIVED BY REGISTRAR (Mo/Day/Yr): September 03, 2014
24c. DEATH DUE TO COMMUNICABLE DISEASE: YES ☐ NO ☒

CAUSE OF DEATH

CONDITIONS IF ANY WHICH GAVE RISE TO IMMEDIATE CAUSE → STATING THE UNDERLYING CAUSE LAST

25. IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (a), (b), AND (c).)

PART I
(a) Respiratory failure — Interval between onset and death:
DUE TO, OR AS A CONSEQUENCE OF:
(b) Sepsis — Interval between onset and death:
DUE TO, OR AS A CONSEQUENCE OF:
(c) Abdominal abscess (non traumatic, category III per family) — Interval between onset and death:
DUE TO, OR AS A CONSEQUENCE OF:
(d) — Interval between onset and death:

PART II OTHER SIGNIFICANT CONDITIONS - Conditions contributing to death but not resulting in the underlying cause given in Part 1.
26. AUTOPSY (Specify Yes or No): No
27. WAS CASE REFERRED TO CORONER (Specify Yes or No): No

28a. ACC., SUICIDE, HOM., UNDET. OR PENDING INVEST. (Specify):
28b. DATE OF INJURY (Mo/Day/Yr):
28c. HOUR OF INJURY:
28d. DESCRIBE HOW INJURY OCCURRED:
28e. INJURY AT WORK (Specify Yes or No):
28f. PLACE OF INJURY - At home, farm, street, factory, office building, etc. (Specify):
28g. LOCATION STREET OR R.F.D. No. CITY OR TOWN STATE:

STATE REGISTRAR

37889574

VR0-Rev-20120521a

"CERTIFIED TO BE A TRUE AND CORRECT COPY OF THE DOCUMENT ON FILE WITH THE REGISTRAR OF VITAL STATISTICS, STATE OF NEVADA." This copy was issued by the Southern Nevada Health District from State certified documents authorized by the State Board of Health pursuant to NRS 440.175.

B000094558 OCT 28 2014
DATE ISSUED:

Registrar of Vital Statistics
By: Brenda Rao

This Copy not valid unless prepared on engraved border displaying date, seal and signature of Registrar.
SOUTHERN NEVADA HEALTH DISTRICT • P.O. Box 3902 • Las Vegas, NV 89127 • 702-759-1010 • Tax ID # 88-0151573

Electronically Filed
05/26/2015 06:54:44 PM

CLERK OF THE COURT

ORDR
KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
(702) 255-2000
E-Mail: kimboyer@elderlawnv.com
Attorney for Estate

DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased.	Case No.: P-14-082619-E **ORDER ON PETITION FOR INSTRUCTIONS**

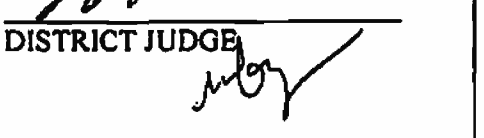
The Petition of SUSAN M. HOY for Instructions from the Court for the Estate of the above-named Decedent having this date come on for hearing before the undersigned, it appearing to the Court that notice of the hearing on the Petition was duly given; the Court finding that the Decedent at the time of his death left an estate in Clark County, Nevada, and was then a resident of Clark County, Nevada, good cause appearing therefor, it is hereby

ORDERED that the Petitioner be appointed Administrator of the intestate Estate of the Decedent and that Letters of Administration be issued to the Petitioner.

ORDERED that in the event the estate assets are liquidated, they be placed in the Durham Jones & Pinegar Trust Account.

ORDERED that no bond be required.

DATED this 22nd day of May, 2015.



DISTRICT JUDGE

LV_315624.1

KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
(702) 255-2000
Attorney for the Estate

Last Will and Testament
of
THEODORE E. SCHEIDE

I, THEODORE E. SCHEIDE, a resident of Clark County, Nevada, being of sound mind and disposing memory, hereby revoke any prior wills and codicils made by me and declare this to be my Last Will and Testament.

Article One
Family Information

I am unmarried.

I have one child, THEODORE E. SCHEIDE, III.

However, I am specifically disinheriting THEODORE E. SCHEIDE, III and his descendants. Therefore, for the purposes of my Will, THEODORE E. SCHEIDE, III and his descendants will be deemed to have predeceased me.

Article Two
Specific and General Gifts

Section 2.01 Disposition of Tangible Personal Property

I give all my tangible personal property, together with any insurance policies covering the property and any claims under those policies in accordance with a "Memorandum for Distribution of Personal Property" or other similar writing directing the disposition of the property. Any writing prepared according to this provision must be dated and signed by me.

If I leave multiple written memoranda that conflict as to the disposition of any item of tangible personal property, the memorandum with the most recent date will control as to those items that are in conflict.

If the memorandum with the most recent date conflicts with a provision of this Will as to the specific distribution of any item of tangible personal property, the provisions of the memorandum with the most recent date control as to those items that are in conflict.

I intend that the writing qualify to distribute my tangible personal property under applicable state law.

Section 2.02 Contingent Distribution of Tangible Personal Property

Any tangible personal property not disposed of by a written memorandum, or if I choose not to leave a written memorandum, all my tangible personal property will be distributed as part of my residuary estate.

Section 2.03 Definition of Tangible Personal Property

For purposes of this Article, the term "tangible personal property" includes but is not limited to my household furnishings, appliances and fixtures, works of art, motor vehicles, pictures, collectibles, personal wearing apparel and jewelry, books, sporting goods, and hobby paraphernalia. The term does not include any tangible property that my Executor, in its sole and absolute discretion, determines to be part of any business or business interest that I own at my death.

Section 2.04 Ademption

If property to be distributed under this Article becomes part of my probate estate in any manner after my death, then the gift will not adeem simply because it was not a part of my probate estate at my death. My Executor will distribute the property as a specific gift in accordance with this Article. But if property to be distributed under this Article is not part of my probate estate at my death and does not subsequently become part of my probate estate, then the specific gift made in this Article is null and void, without any legal or binding effect.

Section 2.05 Incidental Expenses and Encumbrances

Until property distributed in accordance with this Article is delivered to the appropriate beneficiary or to the beneficiary's legal representative, my Executor will pay the reasonable expenses of securing, storing, insuring, packing, transporting, and otherwise caring for the property as an administration expense. Except as otherwise provided in my Will, my Executor will distribute property under this Article subject to all liens, security interests, and other encumbrances on the property.

Article Three
My Residuary Estate

Section 3.01 Definition of My Residuary Estate

All the remainder of my estate, including property referred to above that is not effectively disposed of, will be referred to in my Will as my "residuary estate."

Section 3.02 Disposition of My Residuary Estate

I give my residuary estate to VELMA G. SHAY, if she survives me.

If VELMA G. SHAY predeceases me, then I give my residuary estate to ST. JUDE CHILDREN'S HOSPITAL located in Memphis, Tennessee.

Article Four
Remote Contingent Distribution

If, at any time after my death, there is no person or entity then qualified to receive final distribution of my estate or any part of it under the foregoing provisions of my Will, then the portion of my estate with respect to which the failure of qualified recipients has occurred shall be distributed to those persons who would inherit it had I then died intestate owning the property, as determined and in the proportions provided by the laws of Nevada then in effect (other than THEODORE E. SCHEIDE, III and his descendants).

Article Five
Designation of Executor

Section 5.01 Executor

I name KAREN HOAGLAND as my Executor. If KAREN HOAGLAND fails or ceases to act as my Executor, I name NEVADA STATE BANK as my Executor.

Section 5.02 Guardian for Testator

If I should become mentally incompetent to handle my affairs prior to my demise, I request that KAREN HOAGLAND be appointed guardian of my estate and my person, to serve without bond. In the event that she is unable or unwilling to serve, then I request that a representative from NEVADA STATE BANK be appointed guardian of my estate and my person, to serve without bond.

Article Six
General Administrative Provisions

The provisions of this Article apply to my probate estate.

Section 6.01 No Bond

No Fiduciary is required to furnish any bond for the faithful performance of the Fiduciary's duties, unless required by a court of competent jurisdiction and only if the court finds that a bond is needed to protect the interests of the beneficiaries. No surety is required on any bond required by any law or rule of court, unless the court specifies that a surety is necessary.

Section 6.02 Distributions to Incapacitated Persons and Persons Under Twenty-One Years of Age

If my Executor is directed to distribute any share of my probate estate to any beneficiary who is under the age of 21 years or is in the opinion of my Executor, under any form of incapacity that renders such beneficiary unable to administer distributions properly when the distribution is to be made, my Executor may, as Trustee, in my Executor's discretion, continue to hold such beneficiary's share as a separate trust until the beneficiary reaches the age of 21 or overcomes the incapacity. My Executor shall then distribute such beneficiary's trust to him or her.

While any trust is being held under this Section, my Independent Trustee may pay to the beneficiary for whom the trust is held such amounts of the net income and principal as the Trustee determines to be necessary or advisable for any purpose. If there is no Independent Trustee, my Trustee shall pay to the beneficiary for whom the trust is held such amounts of the net income and

principal as the fiduciary determines to be necessary or advisable for the beneficiary's health, education, maintenance or support.

Upon the death of the beneficiary, my Trustee shall distribute any remaining property in the trust, including any accrued and undistributed income, to such persons as such beneficiary appoints by his or her Will. This general power may be exercised in favor of the beneficiary, the beneficiary's estate, the beneficiary's creditors, or the creditors of the beneficiary's estate. To the extent this general power of appointment is not exercised, on the death of the beneficiary, the trust property is to be distributed to the beneficiary's then living descendants, *per stirpes*, or, if none, *per stirpes* to the living descendants of the beneficiary's nearest lineal ancestor who was a descendant of mine, or if no such descendant is then living, to my then living descendants, *per stirpes*. If I have no then living descendants the property is to be distributed under the provisions of Article Four entitled "Remote Contingent Distribution."

Section 6.03 Maximum Term for Trusts

Notwithstanding any other provision of my Will to the contrary, unless terminated earlier under other provisions of my Will, each trust created under my Will will terminate 21 years after the last to die of the descendants of my maternal and paternal grandparents who are living at the time of my death.

At that time, the remaining trust property will vest in and be distributed to the persons entitled to receive mandatory distributions of net income of the trust and in the same proportions. If no beneficiary is entitled to mandatory distributions of net income, the remaining trust property will vest in and be distributed to the beneficiaries entitled to receive discretionary distributions of net income of the trust, in equal shares *per stirpes*.

Section 6.04 Representative of a Beneficiary

The guardian of the person of a beneficiary may act for such beneficiary for all purposes under my Will or may receive information on behalf of such beneficiary.

Section 6.05 Ancillary Administration

In the event ancillary administration is required or desired and my domiciliary Executor is unable or unwilling to act as an ancillary fiduciary, my domiciliary Executor will have the power to designate, compensate, and remove the ancillary fiduciary. The ancillary fiduciary may be either a natural person or a

corporation. My domiciliary Executor may delegate to such ancillary fiduciary such powers granted to my original Executor as my Executor may deem proper, including the right to serve without bond or surety on bond. The net proceeds of the ancillary estate are to be paid over to the domiciliary Executor.

Section 6.06 Delegation of Authority; Power of Attorney

Any Fiduciary may, by an instrument in writing, delegate to any other Fiduciary the right to exercise any power, including a discretionary power, granted the Fiduciary in my Will. During the time a delegation under this Section is in effect, the Fiduciary to whom the delegation was made may exercise the power to the same extent as if the delegating Fiduciary had personally joined in the exercise of the power. The delegating Fiduciary may revoke the delegation at any time by giving written notice to the Fiduciary to whom the power was delegated.

The Fiduciary may execute and deliver a revocable or irrevocable power of attorney appointing any individual or corporation to transact any and all business on behalf of the trust. The power of attorney may grant to the attorney-in-fact all of the rights, powers, and discretion that the Fiduciary could have exercised.

Section 6.07 Merger of Corporate Fiduciary

If any corporate fiduciary acting as my Fiduciary under my Will is merged with or transfers substantially all of its trust assets to another corporation or if a corporate fiduciary changes its name, the successor shall automatically succeed to the position of my Fiduciary as if originally named my Fiduciary. No document of acceptance of the position of my Fiduciary shall be required.

Article Seven
Powers of My Fiduciaries

Section 7.01 Fiduciaries' Powers Act

My Fiduciaries may, without prior authority from any court, exercise all powers conferred by my Will or by common law or by Nevada Revised Statutes or other statute of the State of Nevada or any other jurisdiction whose law applies to my Will. My Executor has absolute discretion in exercising these powers. Except as

specifically limited by my Will, these powers extend to all property held by my fiduciaries until the actual distribution of the property.

Section 7.02 Powers Granted by State Law

In addition to all of the above powers, my Executor may, without prior authority from any court, exercise all powers conferred by my Will; by common law; by the laws of the State of Nevada, including, without limitation by reason of this enumeration, each and every power enumerated in NRS 163.265 to 163.410, inclusive; or any other jurisdiction whose law applies to my Will. My Executor has absolute discretion in exercising these powers. Except as specifically limited by my Will, these powers extend to all property held by my fiduciaries until the actual distribution of the property.

Section 7.03 Alternative Distribution Methods

My Fiduciary may make any payment provided for under my Will as follows:

Directly to the beneficiary;

In any form allowed by applicable state law for gifts or transfers to minors or persons under a disability;

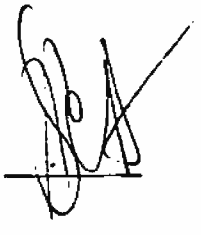
To the beneficiary's guardian, conservator, agent under a durable power of attorney or caregiver for the benefit of the beneficiary; or

By direct payment of the beneficiary's expenses, made in a manner consistent with the proper exercise of the fiduciary's duties hereunder. A receipt by the recipient for any such distribution fully discharges my Fiduciary.

Article Eight
Provisions for Payment of Debts, Expenses and Taxes

Section 8.01 Payment of Debts and Expenses

I direct that all my legally enforceable debts, secured and unsecured, be paid as soon as practicable after my death.



Section 8.02 No Apportionment

Except as otherwise provided in this Article or elsewhere in my will, my Executor shall provide for payment of all estate, inheritance and succession taxes payable by reason of my death ("death taxes") from my residuary estate as an administrative expense without apportionment and will not seek contribution toward or recovery of any death tax payments from any individual.

For the purposes of this Article, however, the term "death taxes" does not include any additional estate tax imposed by Section 2031(c)(5)(C), Section 2032A(c) or Section 2057(f) of the Internal Revenue Code or any other comparable taxes imposed by any other taxing authority. Nor does the term include any generation-skipping transfer tax, other than a direct skip.

Section 8.03 Protection of Exempt Property

Death taxes are not to be allocated to or paid from any assets that are not included in my gross estate for federal estate tax purposes. In addition, to the extent practicable, my Trustee should not pay any death taxes from assets that are exempt for generation-skipping transfer tax purposes.

Section 8.04 Protection of the Charitable Deduction

Death taxes are not to be allocated to or paid from any assets passing to any organization that qualifies for the federal estate tax charitable deduction, or from any assets passing to a split-interest charitable trust, unless my Executor has first used all other assets available to my Executor to pay the taxes.

Section 8.05 Property Passing Outside of My Will

Death taxes imposed with respect to property included in my gross estate for purposes of computing the tax and passing other than by my Will are to be apportioned among the persons and entities benefited in the proportion that the taxable value of the property or interest bears to the total taxable value of the property and interests received by all persons benefited. The values to be used for the apportionment are the values as finally determined under federal, state, or local law as the case may be.

Section 8.06 No Apportionment Between Current and Future Interests

No interest in income and no estate for years or for life or other temporary interest in any property or trust is to be subject to apportionment as between the

temporary interest and the remainder. The tax on the temporary interest and the tax, if any, on the remainder are chargeable against the corpus of the property or trust subject to the temporary interest and remainder.

Section 8.07 Tax Elections

In exercising any permitted elections regarding taxes, my fiduciaries may make any decisions that they deem to be appropriate in any circumstances, and my fiduciaries are not required to make any compensatory adjustment as a consequence of any election. My Executor may also pay taxes or interest and deal with any tax refunds, interest, or credits as my Executor deems to be necessary or advisable in the interest of my estate.

My Executor, in his or her sole and absolute discretion, may make any adjustments to the basis of my assets authorized by law, including but not limited to increasing the basis of any property included in my gross estate, whether or not passing under my Will, by allocating any amount by which the basis of my assets may be increased. My Executor is not required to allocate basis increase exclusively, primarily or at all to assets passing under my Will as opposed to other property included in my gross estate. My Executor may elect, in his or her sole and absolute discretion, to allocate basis increase to one or more assets that my Executor receives or in which my Executor has a personal interest, to the partial or total exclusion of other assets with respect to which such allocation could be made. My Executor may not be held liable to any person for the exercise of his or her discretion under this Section.

Article Nine
Definitions and General Provisions

Section 9.01 Cremation Instructions

I wish that my remains be cremated and buried in accordance with my pre-paid funeral arrangements with Palm Mortuary in Las Vegas, Nevada.

Section 9.02 Definitions

For purposes of my Will and for the purposes of any trust established under my Will, the following definitions apply:

(a) Adopted and Afterborn Persons

A legally adopted person in any generation and his or her descendants, including adopted descendants, will have the same rights and will be treated in the same manner under my Will as natural children of the adopting parent, provided the person is legally adopted before attaining the age of 18 years. A person will be deemed to be legally adopted if the adoption was legal in the jurisdiction in which it occurred at the time that it occurred.

A fetus *in utero* that is later born alive will be considered a person in being during the period of gestation.

(b) Descendants

The term "descendants" means any one or more person who follows in direct descent (as opposed to collateral descent) from a person, such as a person's children, grandchildren, or other descended individuals of any generation.

(c) Fiduciary

"Fiduciary" or "Fiduciaries" refer to my Executor. My "Executor" includes any executor, ancillary executor, administrator, or ancillary administrator, whether local or foreign, and whether of all or part of my estate, multiple Executors, and their successors.

Except as otherwise provided in this Last Will and Testament, a fiduciary has no liability to any party for action (or inaction) taken in good faith.

(d) Good Faith

For the purposes of this Last Will and Testament, a fiduciary has acted in good faith if (i) its action or inaction is not a result of intentional wrongdoing, (ii) the fiduciary did not make the decision with reckless indifference to the interests of the beneficiaries, and (iii) its action or inaction does not result in an improper personal pecuniary benefit to the fiduciary.

(e) Incapacity

Except as otherwise provided in my Will, a person is deemed to be incapacitated in any of the following circumstances.

(1) The Opinion of Two Licensed Physicians

An individual is deemed to be incapacitated whenever, in the opinion of two licensed physicians, the individual is unable to effectively manage his or her property or financial affairs, whether as a result of age, illness, use of prescription medications, drugs or other substances, or any other cause.

An individual is deemed to be restored to capacity whenever the individual's personal or attending physician provides a written opinion that the individual is able to effectively manage his or her property and financial affairs.

(2) Court Determination

An individual is deemed to be incapacitated if a court of competent jurisdiction has declared the individual to be disabled, incompetent or legally incapacitated.

(3) Detention, Disappearance or Absence

An individual is deemed to be incapacitated whenever he or she cannot effectively manage his or her property or financial affairs due to the individual's unexplained disappearance or absence for more than 30 days, or whenever he or she is detained under duress.

An individual's disappearance, absence or detention under duress may be established by an affidavit of any fiduciary. The affidavit must describe the circumstances of an individual's detention under duress, disappearance, or absence and may be relied upon by any third party dealing in good faith with my fiduciary in reliance upon the affidavit.

An individual's disappearance, absence, or detention under duress may be established by an affidavit of my Executor.

(f) Internal Revenue Code

References to the "Internal Revenue Code" or to its provisions are to the Internal Revenue Code of 1986, as amended from time to time, and the corresponding Treasury Regulations, if any. References to the "Treasury Regulations," are to the Treasury Regulations under the Internal Revenue Code in effect from time to time. If a particular provision of the Internal Revenue Code is renumbered, or the Internal Revenue Code is superseded by a subsequent federal tax law, any reference will be deemed to be made to the renumbered provision or to the corresponding provision of the subsequent law, unless to do so would clearly be contrary to my intent as expressed in my Will. The same rule applies to references to the Treasury Regulations.

(g) Legal Representative

As used in my Will, the term "legal representative" means a person's guardian, conservator, personal representative, executor, administrator, Trustee, or any other person or entity personally representing a person or the person's estate.

(h) Per Stirpes

Whenever a distribution is to be made to a person's descendants *per stirpes*, the distribution will be divided into as many equal shares as there are then-living children of that person and deceased children of that person who left then-living descendants. Each then-living child will receive one share and the share of each deceased child will be divided among the deceased child's then-living descendants in the same manner.

(i) Primary Beneficiary

The Primary Beneficiary of a trust created under this agreement is the oldest Income Beneficiary of that trust unless some other individual is specifically designated as the Primary Beneficiary of that separate trust.

(j) Shall and May

Unless otherwise specifically provided in my Will or by the context in which used, I use the word "shall" in my Will to command, direct or require, and the word "may" to allow or permit, but not

require. In the context of my Trustee, when I use the word "may" I intend that my Trustee may act in its sole and absolute discretion unless otherwise stated in my Will.

(k) Trust

The term "trust," refers to any trusts created under the terms of my Will.

(l) Trustee

The term "my Trustee" refers to any person or entity that is from time to time acting as the Trustee and includes each Trustee individually, multiple Trustees, and their successors.

(m) Other Definitions

Except as otherwise provided in my Will, terms shall be as defined in Nevada Revised Statutes as amended after the date of my Will and after my death.

Section 9.03 Contest Provision

If any beneficiary of my Will or any trust created under the terms of my Will, alone or in conjunction with any other person engages in any of the following actions, the right of the beneficiary to take any interest given to the beneficiary under my Will or any trust created under the terms of my Will will be determined as it would have been determined as if the beneficiary predeceased me without leaving any surviving descendants.

Contests by a claim of undue influence, fraud, menace, duress, or lack of testamentary capacity, or otherwise objects in any court to the validity of (a) my Will, (b) any trust created under the terms of my Will, or (c) any beneficiary designation of an annuity, retirement plan, IRA, Keogh, pension or profit sharing plan, or insurance policy signed by me, (collectively referred to hereafter in this Section as "Document" or "Documents") or any amendments or codicils to any Document;

Seeks to obtain an adjudication in any court proceeding that a Document or any of its provisions is void, or otherwise seeks to void, nullify, or set aside a Document or any of its provisions;

Files suit on a creditor's claim filed in a probate of my estate, against my estate, or any other Document, after rejection or lack of action by the respective fiduciary;

Files a petition or other pleading to change the character (community, separate, joint tenancy, partnership, domestic partnership, real or personal, tangible or intangible) of property already so characterized by a Document;

Files a petition to impose a constructive trust or resulting trust on any assets of my estate; or

Participates in any of the above actions in a manner adverse to my estate, such as conspiring with or assisting any person who takes any of the above actions.

My Executor may defend, at the expense of my estate, any violation of this Section. A "contest" includes any action described above in an arbitration proceeding, but does not include any action described above solely in a mediation not preceded by a filing of a contest with a court.

Section 9.04 Survivorship Presumption

If any beneficiary is living at my death, but dies within 90 days thereafter, then the beneficiary will be deemed to have predeceased me for all purposes of my Will.

Section 9.05 General Provisions

The following general provisions and rules of construction apply to my Will:

(a) Singular and Plural; Gender

Unless the context requires otherwise, words denoting the singular may be construed as plural and words of the plural may be construed as denoting the singular. Words of one gender may be construed as denoting another gender as is appropriate within the context. The word "or" when used in a list of more than two items may function as both a conjunction and a disjunction as the context requires or permits.

(b) Headings of Articles, Sections, and Subsections

The headings of Articles, Sections, and subsections used within my Will are included solely for the convenience and reference of the reader. They have no significance in the interpretation or construction of my Will.

(c) Governing State Law

My Will shall be governed, construed and administered according to the laws of Nevada as from time to time amended. Questions of administration of any trust established under my Will are to be determined by the laws of the situs of administration of that trust.

(d) Notices

Unless otherwise stated, whenever my Will calls for notice, the notice will be in writing and will be personally delivered with proof of delivery, or mailed postage prepaid by certified mail, return receipt requested, to the last known address of the party requiring notice. Notice will be effective on the date personally delivered or on the date of the return receipt. If a party giving notice does not receive the return receipt but has proof that he or she mailed the notice, notice will be effective on the date it would normally have been received via certified mail. If notice is required to be given to a minor or incapacitated individual, notice will be given to the parent or legal representative of the minor or incapacitated individual.

(e) Severability

The invalidity or unenforceability of any provision of my Will does not affect the validity or enforceability of any other provision of my Will. If a court of competent jurisdiction determines that any provision is invalid, the remaining provisions of my Will are to be interpreted and construed as if any invalid provision had never been included in my Will.

REST OF PAGE INTENTIONALLY LEFT BLANK

I, THEODORE E. SCHEIDE, sign my name to this instrument consisting of sixteen (16) pages on June 8, 2012, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my Last Will and Testament, that I sign it willingly, that I execute it as my free and voluntary act for the purposes therein expressed, and that I am eighteen years of age or older, of sound mind, and under no constraint or undue influence.

THEODORE E. SCHEIDE, Testator

Under penalty of perjury pursuant to the law of the State of Nevada, the undersigned, Kristin U. Tyler and Diane L. DeWalt, declare that the following is true of their own knowledge: That they witnessed the execution of the foregoing will of the testator, THEODORE E. SCHEIDE; that the testator subscribed the will and declared it to be his last will and testament in their presence; that they thereafter subscribed the will as witnesses in the presence of the testator and in the presence of each other and at the request of the testator; and that the testator at the time of the execution of the will appeared to them to be of full age and of sound mind and memory.

Dated this 8 day of June, 2012.

Declarant 1

Residing at:

541 Sierra Morena St

Las Vegas, NV 89144

Declarant 2

Residing at:

8209 Jo Marcy Drive

Las Vegas, NV 89131

Electronically Filed
05/25/2016 01:06:10 PM

CLERK OF THE COURT

NOTC
KIM BOYER, ESQ.
Nevada Bar #5587
DURHAM JONES & PINEGAR
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
(702) 255-2000
E-mail: kimboyer@elderlawnv.com
Attorney for the Estate

DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased.	Case No.: P-14-082619-E **NOTICE OF HEARING ON PETITION FOR PROOF OF WILL AND FOR ISSUANCE OF LETTERS TESTAMENTARY UNDER FULL ADMINISTRATION, PETITION TO APPOINT PERSONAL REPRESENTATIVE, AND PETITION TO DISTRIBUTE AND CLOSE ESTATE**

PLEASE TAKE NOTICE that SUSAN M. HOY filed with the Court a **PETITION FOR PROOF OF WILL AND FOR ISSUANCE OF LETTERS TESTAMENTARY UNDER FULL ADMINISTRATION, PETITION TO APPOINT PERSONAL REPRESENTATIVE, AND PETITION TO DISTRIBUTE AND CLOSE ESTATE** for the estate of the above-named decedent; that a hearing on the Petition has been set for the 10th day of June, 2016, at the hour of 9:30 a.m., in Department PC1 of the above-entitled Court which is located at the Regional Justice Center, Courtroom 3F, 200 Lewis Avenue, Las Vegas, Nevada 89155. Further details concerning this Petition can be obtained by reviewing the Court file at the Office of the County Clerk, or by contacting the Petitioner or the attorney for the Petitioner whose name, address and telephone number is: KIM BOYER, ESQ., 10785 West Twain Avenue, Suite 200, Las Vegas, Nevada 89135, (702) 255-2000.

PLEASE NOTE you do not need to appear at the hearing unless you want to enter an objection.

DATED this 24th day of May, 2016.

KIM BOYER, ESQ.
Nevada Bar #5587
DURHAM JONES & PINEGAR
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
(702) 255-2000
Attorney for the Estate

Electronically Filed
05/25/2016 06:42:19 PM

CLERK OF THE COURT

FFAR
KIM BOYER, ESQ.
Nevada Bar #5587
DURHAM JONES & PINEGAR
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
E-Mail: kimboyer@elderlawnv.com
(702) 255-2000
Attorney for Estate

DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased.	))))))	Case No.: P-14-082619-E

AMENDED FIRST AND FINAL ACCOUNT, REPORT OF ADMINISTRATION AND PETITION FOR FINAL DISTRIBUTION AND APPROVAL OF COSTS AND FEES

SUSAN M. HOY, renders to the court her Amended First and Final Account, Report of Administration and Petition for Final Distribution and Approval of Costs and Fees for the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., and represents as follows:

1. On or about August 17, 2014, the decedent died testate in Clark County, Nevada, leaving an interest in and to certain personal property located in Las Vegas, Nevada, the nature and extent of which is as described by the Inventory, Appraisal and Record of Value on file with the court.

2. Since the filing of the Inventory, Appraisal and Record of Value, no gains or losses have occurred to the estate except as described below.

3. Petitioner was appointed Administrator. Thereafter, a Will was tendered and it is anticipated she will be appointed as Personal Representative of said decedent's estate.

4. Petitioner has been since May 26, 2015, and now is, the duly appointed and qualified Administrator of said estate.

5. Notice to Creditors was duly published as required by law, as appears from the affidavit of publication on file herein and more than 90 days have elapsed since the first publication thereof.

6. The time for presentation of claims against said estate expired on or about August 26, 2015, and all claims presented have been paid.

7. The accounting for the estate is as follows:

INCOME TO ESTATE:

a)	Accrued income on Charles Schwab #X3691	$14,081.93
b)	Accrued income on Charles Schwab #X6113	$4,975.89
c)	Income to Wells Fargo Guardianship Account	$3,265.31
	TOTAL INCOME:	$22,323.13

CHANGES IN VALUE OF ASSETS LISTED ON INVENTORY:

a)	The Charles Schwab Account #X3691 and the Charles Schwab Account #X6113 were stated on the Inventory at a total value of $2,328,780.19; those two accounts were combined into an estate account and the total current value is $2,549,768.84 (an increase of $220,988.65)	$220,988.65
b)	The Wells Fargo Guardianship Account was listed on the Inventory at $27,993.37; the amount received from the guardian was $17,092.46 (a decrease of $10,900.91)	($ 10,900.91)
	TOTAL CHANGES:	$210,087.74

EXPENSES TO ESTATE:

a)	United States Treasury – 2014 Form 1041	($447.00)
b)	Gamett and King – tax preparation for 2014	($1,800.00)
	TOTAL EXPENSES:	($2,247.00)

RECAPITULATION

NET VALUE OF ESTATE PER INVENTORY AND RECORD OF VALUE	$2,356,773.56
INCOME OF ESTATE	$ 22,323.13
CHANGES IN VALUE OF ASSETS LISTED ON INVENTORY	$ 210,087.74
EXPENSES OF ESTATE	($ 2,247.00)
CURRENT NET VALUE OF ESTATE	$2,586,937.43

8. Susan M. Hoy is entitled to fees for services rendered in administering the estate in the amount of $52,933.69 as and for compensation, calculated as follows:

Net value of estate per Inventory:	$2,356,773.56
Income of estate:	$ 22,323.13
Changes in value:	$ 210,087.74
Total Assets:	$2,589,184.43
$15,000.00 x .04 =	$ 600.00
$85,000.00 x .03 =	$ 2,550.00
$2,489,184.43 x .02 =	$ 49,783.69
Total Administrative fee:	$ 52,933.69.

9. DURHAM JONES & PINEGAR, as attorneys for the estate, have performed all legal services in connection with the administration of the estate, for which services your petitioner has agreed to pay from the assets of the estate a fee as follows: for the first $100,000, at the rate of 4 percent; for the next $100,000, at the rate of 3 percent; for the next $800,000, at the rate of 2 percent; for the next $9,000,000, at the rate of 1 percent; for the next

$15,000,000, at the rate of 0.5 percent; and for all amounts above $25,000,000, a reasonable amount to be determined by the court, calculated as follows:

Net value of estate per Inventory:	$2,356,773.56
Income of estate:	$ 22,323.13
Changes in value:	$ 210,087.74
Total Assets:	$2,589,184.43
$100,000.00 x .04 =	$ 4,000.00
$100,000.00 x .03 =	$ 3,000.00
$800,000.00 x .02 =	$ 16,000.00
$1,589,184.43 x .01 =	$ 15,891.84
Total Attorney's fee:	$ 38,891.84,

which amount is $38,891.84, plus costs. The amount of $38,891.84 plus costs, is due. The attorney has expended costs of administration as follows:

Filing Fees	$597.17
Certified Copies	$ 30.00
Postage	$ 3.84
Anticipated Filing Fees	$ 28.00
Publication Fees	$ 70.00
Total Costs:	$729.01

Petitioner requests that she be authorized to pay the attorney's fees and costs.

10. The law firm of DURHAM JONES & PINEGAR will incur costs in closing the decedent's estate including, but not limited to, mailing costs, certification costs, and other closing costs and winding up expenses, which have not yet been calculated. Therefore, Petitioner would request authority to reimburse these costs, not to exceed $100.00.

11. All notices and requirements of statute have been duly and regularly had and taken prior to the filing of this account, report and petition for distribution, and the estate is now in condition to be finally settled and distributed.

12. No estate tax return is required to be filed for the estate, and none has been filed.

13. Petitioner requests that a reserve of $1,000.00 be held in the attorney's trust account for any possible tax that may be due from filing the 2014 tax return and for any tax return that may be due for 2015.

14. That Velma G. Shay predeceased the decedent.

15. That upon the Will being admitted to probate, that distribution be made pursuant to the terms and provisions of the Last Will and Testament of the decedent, and the decedent devised and bequeathed all of his properties to ST. JUDE CHILDREN'S HOSPITAL located in Memphis, Tennessee, the only beneficiary of the decedent's estate.

WHEREFORE, Petitioner prays as follows:

1. That the foregoing account be approved, allowed and settled.

2. That Susan M. Hoy pay the sum of $52,933.69 to Susan M. Hoy from the estate as the Administrative fee.

3. That Susan M. Hoy pay the sum of $38,891.84 to DURHAM JONES & PINEGAR as and for attorney's fees, plus $729.01 for costs from the estate, plus closing costs not to exceed $100.00.

4. That a reserve of $1,000.00 be held in the attorney's trust account for any possible tax that may be due from filing the 2014 tax return and for any tax return that may be due for 2015.

5. That Susan M. Hoy distribute all of the rest, residue and remainder of said estate, whether described herein or not, outright to ST. JUDE CHILDREN'S HOSPITAL located in Memphis, Tennessee, as the sole beneficiary of the estate.

6. That on the filing of appropriate receipts, petitioner be discharged from further responsibilities, and that the estate be then closed.

///

///

7. For such other and further relief as to the court may seem just and proper in the premises.

DATED this 24 day of May, 2016.

SUSAN M. HOY

Submitted by:

KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
Attorney for Estate

VERIFICATION

STATE OF NEVADA

COUNTY OF CLARK

SUSAN M. HOY, under penalties of perjury, being first duly sworn deposes and says:

That she is the petitioner named in the foregoing Amended First and Final Account, Report of Administration, and Petition for Distribution and knows the contents thereof; that the petition is true of her own knowledge, except as to those matters stated on information and belief, and that as to those matters she believes it to be true.

SUSAN M. HOY

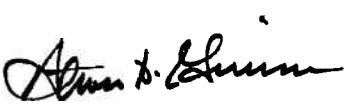
SUBSCRIBED AND SWORN TO before me
this 24th day of May, 2016
by Susan M. Hoy

NOTARY PUBLIC

ANN MORRIS
Notary Public State of Nevada
No. 14-14733-1
My Appt. Exp. Aug. 20, 2018

LV_404683.1

Electronically Filed
05/31/2016 01:46:58 PM



CLERK OF THE COURT

SUPP
KIM BOYER, ESQ.
Nevada Bar #5587
DURHAM JONES & PINEGAR
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
E-mail: kimboyer@elderlawnv.com
(702) 255-2000
Attorney for Petitioner

DISTRICT COURT

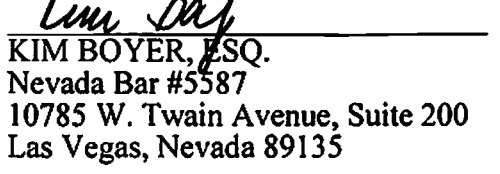
CLARK COUNTY, NEVADA

In the Matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased.	Case No. P-14-082619-E Dept No. PC1

LAST WILL AND TESTAMENT OF THEODORE E. SCHEIDE

DATED this 31st day of May, 2016.

Respectfully submitted,



KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135

W-16-010344

Electronically Filed
05/20/2016
CLERK OF THE COURT

Last Will and Testament of THEODORE E. SCHEIDE

I, THEODORE E. SCHEIDE, a resident of Clark County, Nevada, being of sound mind and disposing memory, hereby revoke any prior wills and codicils made by me and declare this to be my Last Will and Testament.

Article One
Family Information

I am unmarried.

I have one child, THEODORE E. SCHEIDE, III.

However, I am specifically disinheriting THEODORE E. SCHEIDE, III and his descendants. Therefore, for the purposes of my Will, THEODORE E. SCHEIDE, III and his descendants will be deemed to have predeceased me.

Article Two
Specific and General Gifts

Section 2.01 Disposition of Tangible Personal Property

I give all my tangible personal property, together with any insurance policies covering the property and any claims under those policies in accordance with a "Memorandum for Distribution of Personal Property" or other similar writing directing the disposition of the property. Any writing prepared according to this provision must be dated and signed by me.

If I leave multiple written memoranda that conflict as to the disposition of any item of tangible personal property, the memorandum with the most recent date will control as to those items that are in conflict.

If the memorandum with the most recent date conflicts with a provision of this Will as to the specific distribution of any item of tangible personal property, the provisions of the memorandum with the most recent date control as to those items that are in conflict.

I intend that the writing qualify to distribute my tangible personal property under applicable state law.

Section 2.02 Contingent Distribution of Tangible Personal Property

Any tangible personal property not disposed of by a written memorandum, or if I choose not to leave a written memorandum, all my tangible personal property will be distributed as part of my residuary estate.

Section 2.03 Definition of Tangible Personal Property

For purposes of this Article, the term "tangible personal property" includes but is not limited to my household furnishings, appliances and fixtures, works of art, motor vehicles, pictures, collectibles, personal wearing apparel and jewelry, books, sporting goods, and hobby paraphernalia. The term does not include any tangible property that my Executor, in its sole and absolute discretion, determines to be part of any business or business interest that I own at my death.

Section 2.04 Ademption

If property to be distributed under this Article becomes part of my probate estate in any manner after my death, then the gift will not adeem simply because it was not a part of my probate estate at my death. My Executor will distribute the property as a specific gift in accordance with this Article. But if property to be distributed under this Article is not part of my probate estate at my death and does not subsequently become part of my probate estate, then the specific gift made in this Article is null and void, without any legal or binding effect.

Section 2.05 Incidental Expenses and Encumbrances

Until property distributed in accordance with this Article is delivered to the appropriate beneficiary or to the beneficiary's legal representative, my Executor will pay the reasonable expenses of securing, storing, insuring, packing, transporting, and otherwise caring for the property as an administration expense. Except as otherwise provided in my Will, my Executor will distribute property under this Article subject to all liens, security interests, and other encumbrances on the property.

Article Three
My Residuary Estate

Section 3.01 Definition of My Residuary Estate

All the remainder of my estate, including property referred to above that is not effectively disposed of, will be referred to in my Will as my "residuary estate."

Section 3.02 Disposition of My Residuary Estate

I give my residuary estate to VELMA G. SHAY, if she survives me.

If VELMA G. SHAY predeceases me, then I give my residuary estate to ST. JUDE CHILDREN'S HOSPITAL located in Memphis, Tennessee.

Article Four
Remote Contingent Distribution

If, at any time after my death, there is no person or entity then qualified to receive final distribution of my estate or any part of it under the foregoing provisions of my Will, then the portion of my estate with respect to which the failure of qualified recipients has occurred shall be distributed to those persons who would inherit it had I then died intestate owning the property, as determined and in the proportions provided by the laws of Nevada then in effect (other than THEODORE E. SCHEIDE, III and his descendants).

Article Five
Designation of Executor

Section 5.01 Executor

I name KAREN HOAGLAND as my Executor. If KAREN HOAGLAND fails or ceases to act as my Executor, I name NEVADA STATE BANK as my Executor.

Section 5.02 Guardian for Testator

If I should become mentally incompetent to handle my affairs prior to my demise, I request that KAREN HOAGLAND be appointed guardian of my estate and my person, to serve without bond. In the event that she is unable or unwilling to serve, then I request that a representative from NEVADA STATE BANK be appointed guardian of my estate and my person, to serve without bond.

Article Six
General Administrative Provisions

The provisions of this Article apply to my probate estate.

Section 6.01 No Bond

No Fiduciary is required to furnish any bond for the faithful performance of the Fiduciary's duties, unless required by a court of competent jurisdiction and only if the court finds that a bond is needed to protect the interests of the beneficiaries. No surety is required on any bond required by any law or rule of court, unless the court specifies that a surety is necessary.

Section 6.02 Distributions to Incapacitated Persons and Persons Under Twenty-One Years of Age

If my Executor is directed to distribute any share of my probate estate to any beneficiary who is under the age of 21 years or is in the opinion of my Executor, under any form of incapacity that renders such beneficiary unable to administer distributions properly when the distribution is to be made, my Executor may, as Trustee, in my Executor's discretion, continue to hold such beneficiary's share as a separate trust until the beneficiary reaches the age of 21 or overcomes the incapacity. My Executor shall then distribute such beneficiary's trust to him or her.

While any trust is being held under this Section, my Independent Trustee may pay to the beneficiary for whom the trust is held such amounts of the net income and principal as the Trustee determines to be necessary or advisable for any purpose. If there is no Independent Trustee, my Trustee shall pay to the beneficiary for whom the trust is held such amounts of the net income and

principal as the fiduciary determines to be necessary or advisable for the beneficiary's health, education, maintenance or support.

Upon the death of the beneficiary, my Trustee shall distribute any remaining property in the trust, including any accrued and undistributed income, to such persons as such beneficiary appoints by his or her Will. This general power may be exercised in favor of the beneficiary, the beneficiary's estate, the beneficiary's creditors, or the creditors of the beneficiary's estate. To the extent this general power of appointment is not exercised, on the death of the beneficiary, the trust property is to be distributed to the beneficiary's then living descendants, *per stirpes*, or, if none, *per stirpes* to the living descendants of the beneficiary's nearest lineal ancestor who was a descendant of mine, or if no such descendant is then living, to my then living descendants, *per stirpes*. If I have no then living descendants the property is to be distributed under the provisions of Article Four entitled "Remote Contingent Distribution."

Section 6.03 Maximum Term for Trusts

Notwithstanding any other provision of my Will to the contrary, unless terminated earlier under other provisions of my Will, each trust created under my Will will terminate 21 years after the last to die of the descendants of my maternal and paternal grandparents who are living at the time of my death.

At that time, the remaining trust property will vest in and be distributed to the persons entitled to receive mandatory distributions of net income of the trust and in the same proportions. If no beneficiary is entitled to mandatory distributions of net income, the remaining trust property will vest in and be distributed to the beneficiaries entitled to receive discretionary distributions of net income of the trust, in equal shares *per stirpes*.

Section 6.04 Representative of a Beneficiary

The guardian of the person of a beneficiary may act for such beneficiary for all purposes under my Will or may receive information on behalf of such beneficiary.

Section 6.05 Ancillary Administration

In the event ancillary administration is required or desired and my domiciliary Executor is unable or unwilling to act as an ancillary fiduciary, my domiciliary Executor will have the power to designate, compensate, and remove the ancillary fiduciary. The ancillary fiduciary may be either a natural person or a

corporation. My domiciliary Executor may delegate to such ancillary fiduciary such powers granted to my original Executor as my Executor may deem proper, including the right to serve without bond or surety on bond. The net proceeds of the ancillary estate are to be paid over to the domiciliary Executor.

Section 6.06 Delegation of Authority; Power of Attorney

Any Fiduciary may, by an instrument in writing, delegate to any other Fiduciary the right to exercise any power, including a discretionary power, granted the Fiduciary in my Will. During the time a delegation under this Section is in effect, the Fiduciary to whom the delegation was made may exercise the power to the same extent as if the delegating Fiduciary had personally joined in the exercise of the power. The delegating Fiduciary may revoke the delegation at any time by giving written notice to the Fiduciary to whom the power was delegated.

The Fiduciary may execute and deliver a revocable or irrevocable power of attorney appointing any individual or corporation to transact any and all business on behalf of the trust. The power of attorney may grant to the attorney-in-fact all of the rights, powers, and discretion that the Fiduciary could have exercised.

Section 6.07 Merger of Corporate Fiduciary

If any corporate fiduciary acting as my Fiduciary under my Will is merged with or transfers substantially all of its trust assets to another corporation or if a corporate fiduciary changes its name, the successor shall automatically succeed to the position of my Fiduciary as if originally named my Fiduciary. No document of acceptance of the position of my Fiduciary shall be required.

Article Seven
Powers of My Fiduciaries

Section 7.01 Fiduciaries' Powers Act

My Fiduciaries may, without prior authority from any court, exercise all powers conferred by my Will or by common law or by Nevada Revised Statutes or other statute of the State of Nevada or any other jurisdiction whose law applies to my Will. My Executor has absolute discretion in exercising these powers. Except as

specifically limited by my Will, these powers extend to all property held by my fiduciaries until the actual distribution of the property.

Section 7.02 Powers Granted by State Law

In addition to all of the above powers, my Executor may, without prior authority from any court, exercise all powers conferred by my Will; by common law; by the laws of the State of Nevada, including, without limitation by reason of this enumeration, each and every power enumerated in NRS 163.265 to 163.410, inclusive; or any other jurisdiction whose law applies to my Will. My Executor has absolute discretion in exercising these powers. Except as specifically limited by my Will, these powers extend to all property held by my fiduciaries until the actual distribution of the property.

Section 7.03 Alternative Distribution Methods

My Fiduciary may make any payment provided for under my Will as follows:

Directly to the beneficiary;

In any form allowed by applicable state law for gifts or transfers to minors or persons under a disability;

To the beneficiary's guardian, conservator, agent under a durable power of attorney or caregiver for the benefit of the beneficiary; or

By direct payment of the beneficiary's expenses, made in a manner consistent with the proper exercise of the fiduciary's duties hereunder. A receipt by the recipient for any such distribution fully discharges my Fiduciary.

Article Eight
Provisions for Payment of Debts, Expenses and Taxes

Section 8.01 Payment of Debts and Expenses

I direct that all my legally enforceable debts, secured and unsecured, be paid as soon as practicable after my death.

Section 8.02 No Apportionment

Except as otherwise provided in this Article or elsewhere in my will, my Executor shall provide for payment of all estate, inheritance and succession taxes payable by reason of my death ("death taxes") from my residuary estate as an administrative expense without apportionment and will not seek contribution toward or recovery of any death tax payments from any individual.

For the purposes of this Article, however, the term "death taxes" does not include any additional estate tax imposed by Section 2031(c)(5)(C), Section 2032A(c) or Section 2057(f) of the Internal Revenue Code or any other comparable taxes imposed by any other taxing authority. Nor does the term include any generation-skipping transfer tax, other than a direct skip.

Section 8.03 Protection of Exempt Property

Death taxes are not to be allocated to or paid from any assets that are not included in my gross estate for federal estate tax purposes. In addition, to the extent practicable, my Trustee should not pay any death taxes from assets that are exempt for generation-skipping transfer tax purposes.

Section 8.04 Protection of the Charitable Deduction

Death taxes are not to be allocated to or paid from any assets passing to any organization that qualifies for the federal estate tax charitable deduction, or from any assets passing to a split-interest charitable trust, unless my Executor has first used all other assets available to my Executor to pay the taxes.

Section 8.05 Property Passing Outside of My Will

Death taxes imposed with respect to property included in my gross estate for purposes of computing the tax and passing other than by my Will are to be apportioned among the persons and entities benefited in the proportion that the taxable value of the property or interest bears to the total taxable value of the property and interests received by all persons benefited. The values to be used for the apportionment are the values as finally determined under federal, state, or local law as the case may be.

Section 8.06 No Apportionment Between Current and Future Interests

No interest in income and no estate for years or for life or other temporary interest in any property or trust is to be subject to apportionment as between the

temporary interest and the remainder. The tax on the temporary interest and the tax, if any, on the remainder are chargeable against the corpus of the property or trust subject to the temporary interest and remainder.

Section 8.07 Tax Elections

In exercising any permitted elections regarding taxes, my fiduciaries may make any decisions that they deem to be appropriate in any circumstances, and my fiduciaries are not required to make any compensatory adjustment as a consequence of any election. My Executor may also pay taxes or interest and deal with any tax refunds, interest, or credits as my Executor deems to be necessary or advisable in the interest of my estate.

My Executor, in his or her sole and absolute discretion, may make any adjustments to the basis of my assets authorized by law, including but not limited to increasing the basis of any property included in my gross estate, whether or not passing under my Will, by allocating any amount by which the basis of my assets may be increased. My Executor is not required to allocate basis increase exclusively, primarily or at all to assets passing under my Will as opposed to other property included in my gross estate. My Executor may elect, in his or her sole and absolute discretion, to allocate basis increase to one or more assets that my Executor receives or in which my Executor has a personal interest, to the partial or total exclusion of other assets with respect to which such allocation could be made. My Executor may not be held liable to any person for the exercise of his or her discretion under this Section.

Article Nine
Definitions and General Provisions

Section 9.01 Cremation Instructions

I wish that my remains be cremated and buried in accordance with my pre-paid funeral arrangements with Palm Mortuary in Las Vegas, Nevada.

Section 9.02 Definitions

For purposes of my Will and for the purposes of any trust established under my Will, the following definitions apply:

(a) Adopted and Afterborn Persons

A legally adopted person in any generation and his or her descendants, including adopted descendants, will have the same rights and will be treated in the same manner under my Will as natural children of the adopting parent, provided the person is legally adopted before attaining the age of 18 years. A person will be deemed to be legally adopted if the adoption was legal in the jurisdiction in which it occurred at the time that it occurred.

A fetus *in utero* that is later born alive will be considered a person in being during the period of gestation.

(b) Descendants

The term "descendants" means any one or more person who follows in direct descent (as opposed to collateral descent) from a person, such as a person's children, grandchildren, or other descended individuals of any generation.

(c) Fiduciary

"Fiduciary" or "Fiduciaries" refer to my Executor. My "Executor" includes any executor, ancillary executor, administrator, or ancillary administrator, whether local or foreign, and whether of all or part of my estate, multiple Executors, and their successors.

Except as otherwise provided in this Last Will and Testament, a fiduciary has no liability to any party for action (or inaction) taken in good faith.

(d) Good Faith

For the purposes of this Last Will and Testament, a fiduciary has acted in good faith if (i) its action or inaction is not a result of intentional wrongdoing, (ii) the fiduciary did not make the decision with reckless indifference to the interests of the beneficiaries, and (iii) its action or inaction does not result in an improper personal pecuniary benefit to the fiduciary.

(e) Incapacity

Except as otherwise provided in my Will, a person is deemed to be incapacitated in any of the following circumstances.

(1) The Opinion of Two Licensed Physicians

An individual is deemed to be incapacitated whenever, in the opinion of two licensed physicians, the individual is unable to effectively manage his or her property or financial affairs, whether as a result of age, illness, use of prescription medications, drugs or other substances, or any other cause.

An individual is deemed to be restored to capacity whenever the individual's personal or attending physician provides a written opinion that the individual is able to effectively manage his or her property and financial affairs.

(2) Court Determination

An individual is deemed to be incapacitated if a court of competent jurisdiction has declared the individual to be disabled, incompetent or legally incapacitated.

(3) Detention, Disappearance or Absence

An individual is deemed to be incapacitated whenever he or she cannot effectively manage his or her property or financial affairs due to the individual's unexplained disappearance or absence for more than 30 days, or whenever he or she is detained under duress.

An individual's disappearance, absence or detention under duress may be established by an affidavit of any fiduciary. The affidavit must describe the circumstances of an individual's detention under duress, disappearance, or absence and may be relied upon by any third party dealing in good faith with my fiduciary in reliance upon the affidavit.

An individual's disappearance, absence, or detention under duress may be established by an affidavit of my Executor.

(f) **Internal Revenue Code**

References to the "Internal Revenue Code" or to its provisions are to the Internal Revenue Code of 1986, as amended from time to time, and the corresponding Treasury Regulations, if any. References to the "Treasury Regulations," are to the Treasury Regulations under the Internal Revenue Code in effect from time to time. If a particular provision of the Internal Revenue Code is renumbered, or the Internal Revenue Code is superseded by a subsequent federal tax law, any reference will be deemed to be made to the renumbered provision or to the corresponding provision of the subsequent law, unless to do so would clearly be contrary to my intent as expressed in my Will. The same rule applies to references to the Treasury Regulations.

(g) **Legal Representative**

As used in my Will, the term "legal representative" means a person's guardian, conservator, personal representative, executor, administrator, Trustee, or any other person or entity personally representing a person or the person's estate.

(h) **Per Stirpes**

Whenever a distribution is to be made to a person's descendants *per stirpes*, the distribution will be divided into as many equal shares as there are then-living children of that person and deceased children of that person who left then-living descendants. Each then-living child will receive one share and the share of each deceased child will be divided among the deceased child's then-living descendants in the same manner.

(i) **Primary Beneficiary**

The Primary Beneficiary of a trust created under this agreement is the oldest Income Beneficiary of that trust unless some other individual is specifically designated as the Primary Beneficiary of that separate trust.

(j) **Shall and May**

Unless otherwise specifically provided in my Will or by the context in which used, I use the word "shall" in my Will to command, direct or require, and the word "may" to allow or permit, but not

require. In the context of my Trustee, when I use the word "may" I intend that my Trustee may act in its sole and absolute discretion unless otherwise stated in my Will.

(k) **Trust**

The term "trust," refers to any trusts created under the terms of my Will.

(l) **Trustee**

The term "my Trustee" refers to any person or entity that is from time to time acting as the Trustee and includes each Trustee individually, multiple Trustees, and their successors.

(m) **Other Definitions**

Except as otherwise provided in my Will, terms shall be as defined in Nevada Revised Statutes as amended after the date of my Will and after my death.

Section 9.03 Contest Provision

If any beneficiary of my Will or any trust created under the terms of my Will, alone or in conjunction with any other person engages in any of the following actions, the right of the beneficiary to take any interest given to the beneficiary under my Will or any trust created under the terms of my Will will be determined as it would have been determined as if the beneficiary predeceased me without leaving any surviving descendants.

Contests by a claim of undue influence, fraud, menace, duress, or lack of testamentary capacity, or otherwise objects in any court to the validity of (a) my Will, (b) any trust created under the terms of my Will, or (c) any beneficiary designation of an annuity, retirement plan, IRA, Keogh, pension or profit sharing plan, or insurance policy signed by me, (collectively referred to hereafter in this Section as "Document" or "Documents") or any amendments or codicils to any Document;

Seeks to obtain an adjudication in any court proceeding that a Document or any of its provisions is void, or otherwise seeks to void, nullify, or set aside a Document or any of its provisions;

Files suit on a creditor's claim filed in a probate of my estate, against my estate, or any other Document, after rejection or lack of action by the respective fiduciary;

Files a petition or other pleading to change the character (community, separate, joint tenancy, partnership, domestic partnership, real or personal, tangible or intangible) of property already so characterized by a Document;

Files a petition to impose a constructive trust or resulting trust on any assets of my estate; or

Participates in any of the above actions in a manner adverse to my estate, such as conspiring with or assisting any person who takes any of the above actions.

My Executor may defend, at the expense of my estate, any violation of this Section. A "contest" includes any action described above in an arbitration proceeding, but does not include any action described above solely in a mediation not preceded by a filing of a contest with a court.

Section 9.04 Survivorship Presumption

If any beneficiary is living at my death, but dies within 90 days thereafter, then the beneficiary will be deemed to have predeceased me for all purposes of my Will.

Section 9.05 General Provisions

The following general provisions and rules of construction apply to my Will:

(a) Singular and Plural; Gender

Unless the context requires otherwise, words denoting the singular may be construed as plural and words of the plural may be construed as denoting the singular. Words of one gender may be construed as denoting another gender as is appropriate within the context. The word "or" when used in a list of more than two items may function as both a conjunction and a disjunction as the context requires or permits.

(b) Headings of Articles, Sections, and Subsections

The headings of Articles, Sections, and subsections used within my Will are included solely for the convenience and reference of the reader. They have no significance in the interpretation or construction of my Will.

(c) Governing State Law

My Will shall be governed, construed and administered according to the laws of Nevada as from time to time amended. Questions of administration of any trust established under my Will are to be determined by the laws of the situs of administration of that trust.

(d) Notices

Unless otherwise stated, whenever my Will calls for notice, the notice will be in writing and will be personally delivered with proof of delivery, or mailed postage prepaid by certified mail, return receipt requested, to the last known address of the party requiring notice. Notice will be effective on the date personally delivered or on the date of the return receipt. If a party giving notice does not receive the return receipt but has proof that he or she mailed the notice, notice will be effective on the date it would normally have been received via certified mail. If notice is required to be given to a minor or incapacitated individual, notice will be given to the parent or legal representative of the minor or incapacitated individual.

(e) Severability

The invalidity or unenforceability of any provision of my Will does not affect the validity or enforceability of any other provision of my Will. If a court of competent jurisdiction determines that any provision is invalid, the remaining provisions of my Will are to be interpreted and construed as if any invalid provision had never been included in my Will.

REST OF PAGE INTENTIONALLY LEFT BLANK

I, THEODORE E. SCHEIDE, sign my name to this instrument consisting of sixteen (16) pages on June 8, 2012, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my Last Will and Testament, that I sign it willingly, that I execute it as my free and voluntary act for the purposes therein expressed, and that I am eighteen years of age or older, of sound mind, and under no constraint or undue influence.

THEODORE E. SCHEIDE, Testator

Under penalty of perjury pursuant to the law of the State of Nevada, the undersigned, Kristin M. Tyler and DIANE L. DeWAH, declare that the following is true of their own knowledge: That they witnessed the execution of the foregoing will of the testator, THEODORE E. SCHEIDE; that the testator subscribed the will and declared it to be his last will and testament in their presence; that they thereafter subscribed the will as witnesses in the presence of the testator and in the presence of each other and at the request of the testator; and that the testator at the time of the execution of the will appeared to them to be of full age and of sound mind and memory.

Dated this 8 day of June, 2012.

Declarant 1

Residing at:

541 Sierra Morena St

Las Vegas, NV 89144

Declarant 2

Residing at:

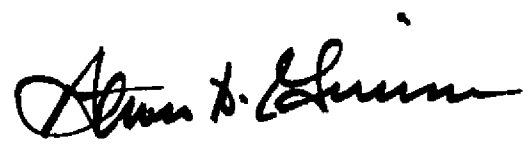
8209 Jo Marcy Drive

Las Vegas, NV 89131

MAY 20 2016

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

Electronically Filed
07/13/2016 06:10:44 PM



CLERK OF THE COURT

CERT
KIM BOYER, ESQ.
Nevada Bar #5587
DURHAM JONES & PINEGAR
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
E-mail: kimboyer@elderlawnv.com
(702) 255-2000

DISTRICT COURT

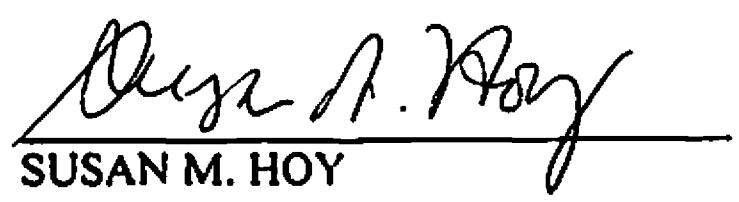
CLARK COUNTY, NEVADA

In the Matter of the Estate of	)	Case No.: P-14-082619-E
	)	Dept. No.: PC1
THEODORE E. SCHEIDE JR. aka	)	
THEODORE ERNEST SCHEIDE JR.,	)	
	)	
Deceased.	)	

NOTICE OF WITHDRAWAL OF PETITION FOR PROOF OF WILL AND FOR ISSUANCE OF LETTERS TESTAMENTARY UNDER FULL ADMINISTRATION, PETITION TO APPOINT PERSONAL REPRESENTATIVE, AND PETITION TO DISTRIBUTE AND CLOSE ESTATE

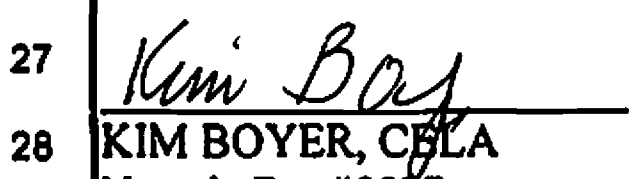
NOTICE IS HEREBY GIVEN that SUSAN M. HOY, Administrator of the above-named estate, hereby withdraws her Petition for Proof of Will and for Issuance of Letters Testamentary Under Full Administration, Petition to Appoint Personal Representative, and Petition to Distribute and Close Estate, filed on May 25, 2016.

DATED this 11 day of July, 2016.



SUSAN M. HOY

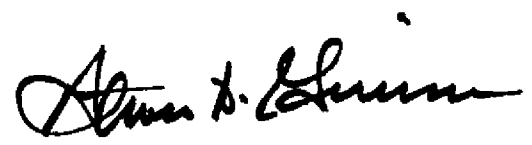
Submitted by:



KIM BOYER, CELA
Nevada Bar #5587

LV_424626.1

Electronically Filed
07/13/2016 06:12:35 PM



CLERK OF THE COURT

CERT
KIM BOYER, ESQ.
Nevada Bar #5587
DURHAM JONES & PINEGAR
10785 W. Twain Avenue. Suite 200
Las Vegas, Nevada 89135
E-mail: kimboyer@elderlawnv.com
(702) 255-2000

DISTRICT COURT

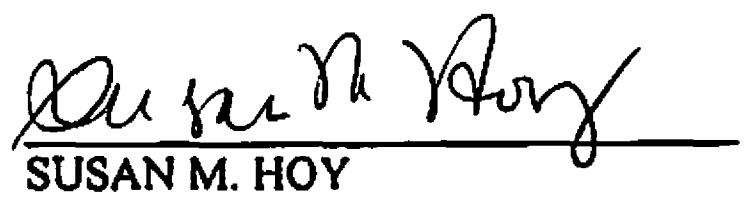
CLARK COUNTY, NEVADA

In the Matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased.	))))))	Case No.: P-14-082619-E Dept. No.: PC1

NOTICE OF WITHDRAWAL OF AMENDED FIRST AND FINAL ACCOUNT, REPORT OF ADMINISTRATION AND PETITION FOR FINAL DISTRIBUTION AND APPROVAL OF COSTS AND FEES

NOTICE IS HEREBY GIVEN that SUSAN M. HOY. Administrator of the above-named estate, hereby withdraws her Amended First and Final Account, Report of Administration and Petition for Final Distribution and Approval of Costs and Fees, filed on May 25, 2016.

DATED this 12 day of July, 2016.



SUSAN M. HOY

Submitted by:

KIM BOYER, CELA
Nevada Bar #5587

LV_424630.1

Electronically Filed
08/29/2016 10:14:58 AM

CLERK OF THE COURT

NOH
CARY COLT PAYNE, ESQ.
Nevada Bar No. 4357
CARY COLT PAYNE, CHTD.
700 South Eighth Street
Las Vegas, Nevada 89101
(702) 383-9010
carycoltpaynechtd@yahoo.com
Attorney for Theodore E. Scheide III

DISTRICT COURT
CLARK COUNTY, NEVADA

In the Matter of the Estate of THEODORE E. SCHEIDE JR. a/k/a THEODORE ERNEST SCHEIDE JR. Deceased.	)	Case No.: P-14-082619-E Dept. No.: PC-1

RE-NOTICE OF HEARING

NOTICE IS HEREBY GIVEN to all persons interested in the above mentioned Estate that on the **16th day of September, 2016**, at the hour of 9:30 a.m. in Dept. PC-1 (Probate-Courtroom 3F) of the above entitled Court which is located at 200 Lewis Avenue, Las Vegas, Nevada is hereby set as the time and place by the Court for the hearing on **FIRST AND FINAL ACCOUNTT, REPORT OF ADMINISTRATION AND PETITION FOR FINAL DISTRIBUTION AND APPROVAL OF COSTS AND FEES** originally filed by Kim Boyer, Esq. on May 18, 2016, for the Estate (copy attached), at which all times persons interested in said matter are notified and there to appear and show cause, if any they have, why said petition should not be granted. Further details concerning this Petition can be had by reviewing the Court file at the office of the County Clerk, Clark County Courthouse, or by contacting the undersigned.

YOU DO NOT NEED APPEAR UNLESS YOU WISH TO FILE AN OBJECTION.

Dated: August 26, 2016.

CARY C. PAYNE, ESQ.
Nevada Bar #004357
CARY COLT PAYNE, CHTD.
700 S. Eighth Street
Las Vegas, Nevada 89101

CARY COLT PAYNE, CHTD.
700 South Eighth Street
Las Vegas, Nevada 89101
Tel: 702. 383.9010 • Fax 702. 383.9049

CERTIFICATE OF SERVICE

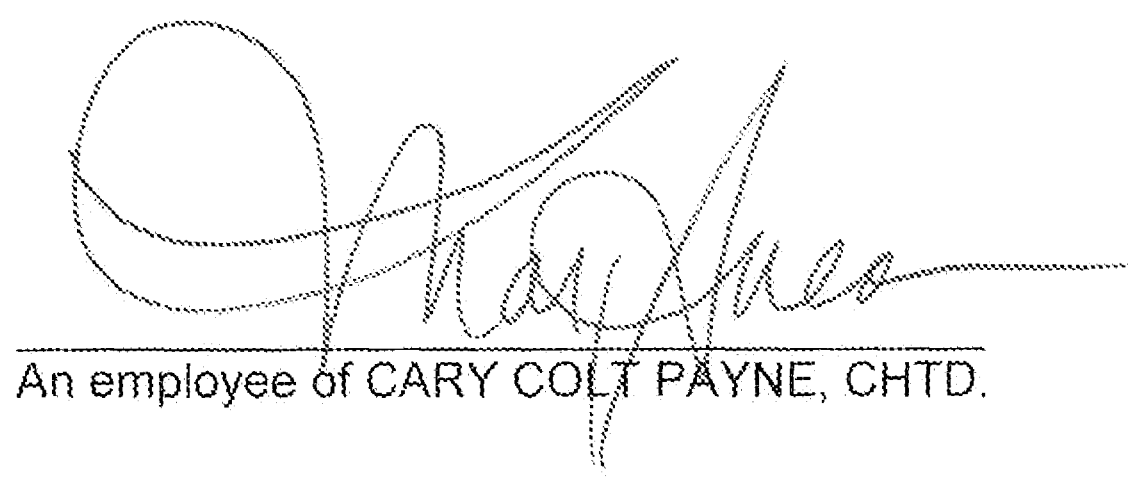
The undersigned hereby certifies that on August 29, 2016, a true and correct copy of the foregoing was served to the following at the their last known address(es), facsimile numbers and/or e-mail/other electronic means, pursuant to:

___ **BY MAIL:** N.R.C.P 5(b), I deposited for first class United States mailing, postage prepaid at Las Vegas, Nevada;

X **BY E-MAIL AND/OR ELECTRONIC MEANS:** Pursuant to Eighth Judicial District Court Administrative Order 14-2, Effective June 1, 2014, as identified in Rule 9 of the N.E.F.C.R. as having consented to electronic service, I served via e-mail or other electronic means (Wiznet) to the e-mail address(es) of the addressee(s).

KIM BOYER, ESQ.
10785 W. Twain Avenue, Suite 200
Las Vegas, NV 89135
Email: kimboyer@elderlawnv.com
Attorney for Estate

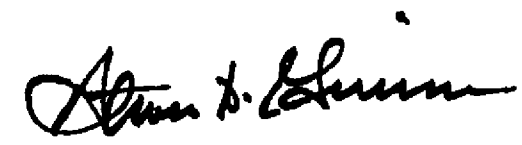
Russel J. Geist, Esq.
Email: rgeist@hutchlegal.com
HUTCHINSON & STEFFEN
Peccole Professional Park
10080 W. Alta Drive, Suite 200
Las Vegas, NV 89145



An employee of CARY COLT PAYNE, CHTD.

CARY COLT PAYNE, CHTD.
700 South Eighth Street
Las Vegas, Nevada 89101
Tel: 702.383.9010 • Fax 702.383.9049

Electronically Filed
05/18/2016 03:46:43 PM



CLERK OF THE COURT

FFAR
KIM BOYER, ESQ.
Nevada Bar #5587
DURHAM JONES & PINEGAR
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
E-Mail: kimboyer@elderlawnv.com
(702) 255-2000
Attorney for Estate

DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased.	))))))	Case No.: P-14-082619-E

FIRST AND FINAL ACCOUNT, REPORT OF ADMINISTRATION AND PETITION FOR FINAL DISTRIBUTION AND APPROVAL OF COSTS AND FEES

SUSAN M. HOY, Administrator of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., deceased, renders to the court her First and Final Account, Report of Administration and Petition for Final Distribution and Approval of Costs and Fees, and represents as follows:

1. On or about August 17, 2014, the decedent died intestate in Clark County, Nevada, leaving an interest in and to certain personal property located in Las Vegas, Nevada, the nature and extent of which is as described by the Inventory, Appraisal and Record of Value on file with the court.

2. Since the filing of the Inventory, Appraisal and Record of Value, no gains or losses have occurred to the estate except as described below.

3. By an order of this court, duly made and entered on May 26, 2015, petitioner was appointed as Administrator of said decedent's estate, and Letters of Administration were thereafter issued to her.

4. Petitioner has been since that date, and now is, the duly appointed and qualified Administrator of said estate.

5. Notice to Creditors was duly published as required by law, as appears from the affidavit of publication on file herein and more than 90 days have elapsed since the first publication thereof.

6. The time for presentation of claims against said estate expired on or about August 26, 2015, and all claims presented have been paid.

7. The accounting for the estate is as follows:

INCOME TO ESTATE:

a)	Accrued income on Charles Schwab #X3691	$14,081.93
b)	Accrued income on Charles Schwab #X6113	$4,975.89
c)	Income to Wells Fargo Guardianship Account	$3,265.31
	TOTAL INCOME:	$22,323.13

CHANGES IN VALUE OF ASSETS LISTED ON INVENTORY:

a)	The Charles Schwab Account #X3691 and the Charles Schwab Account #X6113 were stated on the Inventory at a total value of $2,328,780.19; those two accounts were combined into an estate account and the total current value is $2,549,768.84 (an increase of $220,988.65)	$220,988.65
b)	The Wells Fargo Guardianship Account was listed on the Inventory at $27,993.37; the amount received from the guardian was $17,092.46 (a decrease of $10,900.91)	($ 10,900.91)
	TOTAL CHANGES:	$210,087.74

EXPENSES TO ESTATE:

a)	United States Treasury – 2014 Form 1041	($447.00)
b)	Gamett and King – tax preparation for 2014	($1,800.00)
	TOTAL EXPENSES:	($2,247.00)

RECAPITULATION

NET VALUE OF ESTATE PER INVENTORY AND RECORD OF VALUE	$2,356,773.56
INCOME OF ESTATE	$ 22,323.13
CHANGES IN VALUE OF ASSETS LISTED ON INVENTORY	$ 210,087.74
EXPENSES OF ESTATE	($ 2,247.00)
CURRENT NET VALUE OF ESTATE	$2,586,937.43

8. The Administrator is entitled to fees for services rendered as Administrator in the amount of $52,933.69 as and for compensation, calculated as follows:

Net value of estate per Inventory:	$2,356,773.56
Income of estate:	$ 22,323.13
Changes in value:	$ 210,087.74
Total Assets:	$2,589,184.43
$15,000.00 x .04 =	$ 600.00
$85,000.00 x .03 =	$ 2,550.00
$2,489,184.43 x .02 =	$ 49,783.69
Total Administrator's fee:	$ 52,933.69.

9. DURHAM JONES & PINEGAR, as attorneys for the Administrator of the estate, have performed all legal services in connection with the administration of the estate, for which services your petitioner has agreed to pay from the assets of the estate a fee as follows: for the first $100,000, at the rate of 4 percent; for the next $100,000, at the rate of 3 percent; for the next $800,000, at the rate of 2 percent; for the next $9,000,000, at the rate of 1 percent; for the

next $15,000,000, at the rate of 0.5 percent; and for all amounts above $25,000,000, a reasonable amount to be determined by the court, calculated as follows:

Net value of estate per Inventory:	$2,356,773.56
Income of estate:	$ 22,323.13
Changes in value:	$ 210,087.74
Total Assets:	$2,589,184.43
$100,000.00 x .04 =	$ 4,000.00
$100,000.00 x .03 =	$ 3,000.00
$800,000.00 x .02 =	$ 16,000.00
$1,589,184.43 x .01 =	$ 15,891.84
Total Attorney's fee:	$ 38,891.84,

which amount is $38,891.84, plus costs. The amount of $38,891.84 plus costs, is due. The attorney has expended costs of administration as follows:

Filing Fees	$597.17
Certified Copies	$ 30.00
Postage	$ 3.84
Anticipated Filing Fees	$ 28.00
Publication Fees	$ 70.00
Total Costs:	$729.01

Petitioner requests that she be authorized to pay the attorney's fees and costs.

10. The law firm of DURHAM JONES & PINEGAR will incur costs in closing the decedent's estate including, but not limited to, mailing costs, certification costs, and other closing costs and winding up expenses, which have not yet been calculated. Therefore, Petitioners would request authority to reimburse these costs, not to exceed $100.00.

11. All notices and requirements of statute have been duly and regularly had and taken prior to the filing of this account, report and petition for distribution, and the estate is now in condition to be finally settled and distributed.

12. No estate tax return is required to be filed for the estate, and none has been filed.

13. Petitioner requests that a reserve of $1,000.00 be held in the attorney's trust account for any possible tax that may be due from filing the 2014 tax return and for any tax return that may be due for 2015.

14. Under the provisions of NRS 134.090, the decedent's property shall be distributed to THEODORE "CHIP" E. SCHEIDE, III, the decedent's only child.

WHEREFORE, petitioner prays as follows:

1. That the foregoing account be approved, allowed and settled.

2. That the Administrator pay the sum of $52,933.69 to Susan M. Hoy as an Administrator's fee.

3. That the Administrator pay the sum of $38,891.84 to DURHAM JONES & PINEGAR as and for attorney's fees, plus $729.01 for costs, plus closing costs not to exceed $100.00.

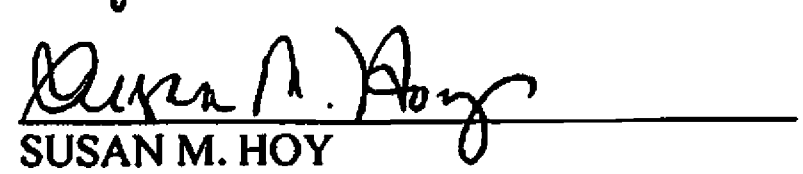
4. That a reserve of $1,000.00 be held in the attorney's trust account for any possible tax that may be due from filing the 2014 tax return and for any tax return that may be due for 2015.

5. That pursuant to NRS 134.090 the Administrator shall distribute all of the rest, residue and remainder of said estate, whether described herein or not, outright to THEODORE "CHIP" E. SCHEIDE, III, the decedent's only child.

6. That on the filing of appropriate receipts, petitioner be discharged from further responsibilities as such Administrator, and that the estate be then closed.

7. For such other and further relief as to the court may seem just and proper in the premises.

DATED this 11 day of May, 2016.



SUSAN M. HOY

LV_381952.1

Submitted by:

KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
Attorney for Estate

VERIFICATION

STATE OF NEVADA

COUNTY OF CLARK

SUSAN M. HOY, under penalties of perjury, being first duly sworn deposes and says:

That she is the petitioner named in the foregoing First and Final Account, Report of Administration, and Petition for Distribution and knows the contents thereof; that the petition is true of her own knowledge, except as to those matters stated on information and belief, and that as to those matters she believes it to be true.

SUSAN M. HOY

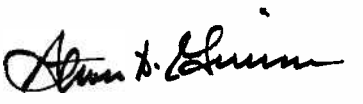
SUBSCRIBED AND SWORN TO before me
this 11 day of May, 2016.

NOTARY PUBLIC

ANN MORRIS
Notary Public State of Nevada
No. 14-14733-1
My Appt. Exp. Aug. 20, 2018

LV_381952.1

Electronically Filed
09/12/2016 03:24:04 PM



CLERK OF THE COURT

RSPN
KIM BOYER, ESQ.
Nevada Bar #5587
DURHAM JONES & PINEGAR
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
(702) 255-2000
E-Mail: kimboyer@elderlawnv.com
Attorney for Estate

DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased.	Case No.: P-14-082619-E

RESPONSE TO THEODORE E. SCHEIDE III'S RE-NOTICE OF HEARING ON THE FIRST AND FINAL ACCOUNT, REPORT OF ADMINISTRATION AND PETITION FOR FINAL DISTRIBUTION AND APPROVAL OF COSTS AND FEES

Petitioner, SUSAN M. HOY, of Las Vegas, Nevada, respectfully represents to the court as follows:

1. THEODORE SCHEIDE died on or about August 17, 2014 in Clark County, Nevada.

2. On October 6, 2014, the Court entered an Order appointing SUSAN M. HOY as Special Administrator. On May 26, 2015, the Court entered an Order appointing SUSAN M. HOY as Administrator. She administered the estate and it is in a position to close.

3. The Administrator is aware that there is or will be a will contest involving Theodore E. Scheide III (the decedent's son) and St. Jude Children's Research Hospital. Ms. Hoy takes no position regarding the will contest and awaits orders from this Court.

WHEREFORE, Petitioner prays:

1. That a time be fixed for the hearing of this petition.

2. For such other and further relief as the court deems appropriate.

DATED this 12 day of September, 2016.

SUSAN M. HOY

Submitted by:

KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
Attorney for Estate

VERIFICATION

STATE OF NEVADA

COUNTY OF CLARK

SUSAN M. HOY, under penalties of perjury, being first duly sworn deposes and says:

That she is the petitioner named in the foregoing Petition for Instructions Regarding Investments and knows the contents thereof; that the petition is true of her own knowledge, except as to those matters stated on information and belief, and that as to those matters she believes it to be true.

SUSAN M. HOY

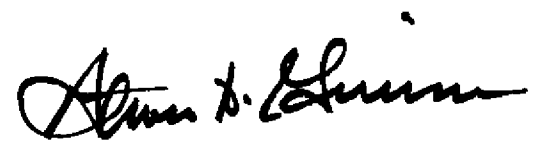
SUBSCRIBED AND SWORN to before me this 12th day of September, 2016 by Susan M. Hoy.

NOTARY PUBLIC

ANN MORRIS
Notary Public State of Nevada
No. 14-14733-1
My Appt. Exp. Aug. 20, 2018

LV_443217.1

Electronically Filed
09/13/2016 10:27:10 AM



CLERK OF THE COURT

PET
Todd L. Moody (5430)
Russel J. Geist (9030)
HUTCHISON & STEFFEN, LLC
Peccole Professional Park
10080 West Alta Drive, Suite 200
Las Vegas, Nevada 89145
(702) 385-2500
(702) 385-2086
rgeist@hutchlegal.com

Attorneys for St. Jude Children's Research Hospital

HUTCHISON & STEFFEN
A PROFESSIONAL LLC
PECCOLE PROFESSIONAL PARK
10080 WEST ALTA DRIVE, SUITE 200
LAS VEGAS, NV 89145

DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased.	Case No.: P-14-082619-E Dept No.: PCI

PETITION FOR PROBATE OF LOST WILL (NRS 136.240); REVOCATION OF LETTERS OF ADMINISTRATION (NRS 141.050); ISSUANCE OF LETTERS TESTAMENTARY (NRS 136.090)

Petitioner ST. JUDE CHILDREN'S RESEARCH HOSPITAL, INC. ("St. Jude Children's Research Hospital" or the "Petitioner") hereby petitions the court to admit a copy of the Last Will and Testament of THEODORE E. SCHEIDE JR., also known as THEODORE E. SCHEIDE, to probate pursuant to NRS 136.240 for administration pursuant to NRS 136 *et seq.*, and for issuance of letters testamentary, and in support of this petition respectfully states as follows:

BACKGROUND FACTS

Procedural History

1. THEODORE E. SCHEIDE JR., deceased (hereinafter "Decedent"), died on or about August 17, 2014, in Las Vegas, Nevada where he was a resident at the date of his death. A copy of the official death certificate has been filed previously with the **Ex Parte Petition for**

Appointment of Special Administrator, filed on October 12, 2014 in this matter.

2. In the **Ex Parte Petition for Appointment of Special Administrator**, SUSAN M. HOY, who was the guardian of the Decedent since February 18, 2014, indicated that a copy of the Decedent's Last Will and Testament dated October 2, 2012 was found, but that she was unable to find the original.[1] SUSAN M. HOY was appointed as the Special Administrator of the Decedent's Estate on October 2, 2014 with the authority to open the Decedent's safe deposit box and search for the original Last Will and Testament dated October 2, 2012 ("October 2012 Will"). A copy of the October 2012 Will is attached as **Exhibit 1**.

3. After searching for the Decedent's original October 2012 Will, SUSAN M. HOY petitioned the Court on January 29, 2015 to appoint her as the administrator of the Decedent's Estate with will annexed under full administration. However, the Petition was taken off calendar and withdrawn.

4. On May 6, 2015, SUSAN M. HOY petitioned the Court for instructions regarding the lack of original October 2012 Will, and alleged to the Court the following:

a) The safe deposit box was empty;

b) The drafting attorney gave the original October 2012 Will to the Decedent;

c) SUSAN M. HOY did not receive or find any original estate planning documents during the guardianship; and

d) "[SUSAN M. HOY] believes the Decedent destroyed any original estate planning documents he may have executed prior to his death."[2]

The matter was heard on May 22, 2015, and the Court specifically:

> ORDERED that the Petitioner [SUSAN M. HOY] be appointed Administrator of the intestate Estate of the Decedent and that Letters of Administration be issued to the Petitioner.

---

[1] *See* **Ex Parte Petition for Appointment of Special Administrator**, filed on October 12, 2014, page 1 at ¶ 3.

[2] *See* **Petition for Instructions**, filed on May 6, 2015, page 2 at ¶ 6.

HUTCHISON & STEFFEN
A PROFESSIONAL LLC
PECCOLE PROFESSIONAL PARK
10080 WEST ALTA DRIVE, SUITE 200
LAS VEGAS, NV 89145

ORDERED that in the event the estate assets are liquidated, they be placed in the Durham Jones & Pinegar Trust Account.

ORDERED that no bond be required.

5. SUSAN M. HOY filed her **First and Final Account, Report of Administration and Petition for Final Distribution and Approval of Costs and Fees** on May 18, 2016 and asked this Court to approve distribution of the Decedent's estate by intestate succession to the Decedent's sole heir, THEODORE SCHEIDE, III, the Decedent's estranged son whom the Decedent had specifically excluded.

Discovery of New Information About Decedent's Will

6. Upon information and belief, KRISTIN TYLER, the Decedent's estate planning attorney and the drafter of the October 2012 Will, discovered in or around May 2016 that the Court determined on May 22, 2015 that the Decedent died intestate and that the Decedent's estate was to be distributed to the Decedent's estranged son whom the Decedent had specifically excluded in his estate planning documents.

7. KRISTIN TYLER then contacted ST. JUDE CHILDREN'S RESEARCH HOSPITAL, INC. and informed ST. JUDE CHILDREN'S RESEARCH HOSPITAL, INC. that she recalled speaking with SUSAN M. HOY or her counsel after the Decedent's death about the original October 2012 Will. KRISTIN TYLER recalled informing SUSAN M. HOY or her counsel that the Decedent took the original with him, but that she had the original of the Decedent's prior Last Will and Testament dated June 8, 2012 ("June 2012 Will"), the original of which has been filed with the clerk of the court on May 20, 2016 pursuant to NRS 136.050.[3] A copy of the filed June 2012 Will is attached as **Exhibit 3**. The Decedent's June 2012 Will was the same as the October 2012 Will, except the Decedent had nominated Karen Hoagland as his Executor in the June 2012 Will, whereas he nominated Patricia Bowlin as his Executor in the October 2012 Will.

8. After being presented with this information, SUSAN M. HOY filed a Petition for

---

[3] *See* **Affidavit of Proof of Lost Will** signed by Kristin Tyler, a copy of which is attached as **Exhibit 2**.

HUTCHISON & STEFFEN
A PROFESSIONAL LLC
PECCOLE PROFESSIONAL PARK
10080 WEST ALTA DRIVE, SUITE 200
LAS VEGAS, NV 89145

Proof of Will and For Issuance of Letters Testamentary Under Full Administration, Petition to Appoint Personal Representative, and Petition to Distribute and Close Estate on May 25, 2016 asking the Court to admit the Decedent's June 2012 Will to probate. Concurrently, SUSAN M. HOY filed her **Amended First and Final Account, Report of Administration and Petition for Final Distribution and Approval of Costs and Fees** on May 25, 2016 and asked this Court to approve distribution of the Decedent's estate to ST. JUDE CHILDREN'S RESEARCH HOSPITAL, the ultimate beneficiary of the Decedent's will since Velma G. Shay had predeceased him.

9. Upon information and belief, counsel for THEODORE SHEIDE, III met with counsel for SUSAN M. HOY and contended that 1) that it was improper for SUSAN M. HOY to present such a petition arguing that SUSAN M. HOY, as the personal representative of the Estate, must remain neutral in any such determination, and 2) neither of the Decedent's Wills may be admitted to probate to permit such determination until the prior Order on Petition for Instructions is "set aside". Thereafter, in a joint meeting with counsel for ST. JUDE CHILDREN'S RESEARCH HOSPITAL, INC., the parties agreed that SUSAN M. HOY would withdraw her Petition for Probate and Petition for Distribution and counsel for ST. JUDE CHILDREN'S RESEARCH HOSPITAL, INC. would prepare a petition to admit Decedent's Last Will and Testament to probate.

LEGAL AUTHORITIES AND DISCUSSION

10. Jurisdiction is proper in this proceeding pursuant to NRS 136.010(2). At the date of death of the Decedent, the Decedent was a resident of Clark County, Nevada.

11. Petitioner is explicitly permitted under NRS 136.070(1) to file this Petition to have the Decedent's Will proved. ("A personal representative or devisee named in a will, or any other interested person, may, **at any time after the death of the testator**, petition the court having jurisdiction to have the will proved, whether the will is in the possession of that person or not, or is lost or destroyed, or is beyond the jurisdiction of the State.") NRS 141.050 also indicates that the Court may consider and allow the Decedent's Will to be proved, even after "after granting

HUTCHISON & STEFFEN
A PROFESSIONAL LLC
PECCOLE PROFESSIONAL PARK
10080 WEST ALTA DRIVE, SUITE 200
LAS VEGAS, NV 89145

letters of administration on the ground of intestacy." In such case, "the letters of administration must be revoked and the power of the administrator ceases." *Id.*

12. The Decedent left the October 2012 Will, which Petitioner believes and on that basis alleges, is the Last Will and Testament of the Decedent. Petitioner is informed and believes and on that basis alleges, that the Decedent's October 2012 Will was duly executed in all particulars as required by law, and at the time of execution of the Will, the Decedent was of sound mind, over the age of eighteen (18) years and was not acting under duress or undue influence.

13. The original Will has not been found, but Petitioner alleges that the October 2012 Will is merely lost by accident, and is entitled to be admitted to probate pursuant to NRS 136.240. To date, there has been no evidence that the Decedent revoked his will by destroying it. The only reference to the possible destruction of the Decedent's October 2012 Will is in the Petition for Instructions dated May 6, 2015, wherein the Administrator of the Estate opined that she "believes the Decedent destroyed any original estate planning documents he may have executed prior to his death."

14. NRS 133.120 provides the sole means of revoking a written will as follows:

> 1. A written will may only be revoked by:
>
> (a) Burning, tearing, cancelling or obliterating the will, with the intention of revoking it, by the testator, or by some person in the presence and at the direction of the testator; or
>
> (b) Another will or codicil in writing, executed as prescribed in this chapter.

A testator with capacity must intend to revoke a will in destroying the will. A will "lost by accident or destroyed by fraud without the knowledge of the testator" may still be proved as properly executed and valid, and the court may admit such will to probate. *See* NRS 136.230. ("If a will is lost by accident or destroyed by fraud without the knowledge of the testator, the court may take proof of the execution and validity of the will and establish it, after notice is given to all persons, as prescribed for proof of wills in other cases.").

15. In satisfaction of NRS 136.240(3), Petitioner presents the affidavits of DIANE L.

HUTCHISON & STEFFEN
A PROFESSIONAL LLC
PECCOLE PROFESSIONAL PARK
10080 WEST ALTA DRIVE, SUITE 200
LAS VEGAS, NV 89145

DeWALT and KRISTIN TYLER, witnesses to the October 2012 Will who both attest that to the best of their knowledge, "the Decedent did not intentionally destroy or revoke the Last Will, dated October 2, 2012."[4] KRISTIN TYLER, further declared that she "remained in contact with the Decedent after he executed his Last Will dated October 2, 2012, as his health and mental condition declined afterward." Additionally, KRISTIN TYLER, declared that she "continued to represent and advise the Decedent as his estate planning counsel until NEVADA GUARDIAN SERVICES, LLC was appointed his temporary guardian on February 18, 2014 and his general guardian over his person and estate on March 19, 2014."

16. Additionally, KRISTIN TYLER attested that "at no time after executing his Last Will dated October 2, 2012, did the Decedent express to [her] any intention to change the disposition of his residuary estate which was then designated to VELMA G. SHAY, if living, otherwise to ST. JUDE CHILDREN'S RESEARCH HOSPITAL."[5] She further attested that "to the best of [her] knowledge, the Last Will dated October 2, 2012, was in existence at the death of the Decedent."[6]

17. Although SUSAN M. HOY previously indicated in her **Petition for Instructions** that she believes the Decedent destroyed any original estate planning documents he may have executed prior to his death, no one has presented proof of destroyed estate planning documents to this Court. Furthermore, even if destroyed estate planning documents were found, there is no evidence:

1) that the Decedent actually destroyed his October 2012 Will or instructed someone to do destroy it on his behalf;

2) that the Decedent intended to revoke his October 2012 Will by any alleged destruction;

---

[4] **Exhibit 2**, page 2 at lines 21-22; *see also* **Affidavit of Proof of Lost Will** signed by Diane L. DeWalt, a copy of which is attached as **Exhibit 4**, page 2 at lines 1-2.

[5] **Exhibit 2**, page 2 at lines 17-20.

[6] *Id.* at page 2 at lines 17-20.

HUTCHISON & STEFFEN
A PROFESSIONAL LLC
PECCOLE PROFESSIONAL PARK
10080 WEST ALTA DRIVE, SUITE 200
LAS VEGAS, NV 89145

> 3) that the Decedent was not incapacitated at the time of any alleged destruction of the October 2012 Will, since he was subsequently subject to a guardianship; and
>
> 4) that at the time of any alleged destruction of the October 2012 Will, the Decedent could not have had intent or ability to revoke the October 2012 Will due to his incapacity since he was under a guardianship.

Therefore, even if the October 2012 Will is alleged to have been destroyed, there is no proof that such destruction is a valid revocation of the October 2012 Will, nor can there be any proof of such.

18. If a person under a guardianship desires to change his estate plan, such change may only be done by the guardian with the approval of the guardianship court. *See* NRS 159.078(1) ("Before taking any of the following actions, the guardian shall petition the court for an order authorizing the guardian to: (a) Make or change the last will and testament of the ward. (b) Except as otherwise provided in this paragraph, make or change the designation of a beneficiary in a will, trust, insurance policy, bank account or any other type of asset of the ward which includes the designation of a beneficiary.") In order to authorize the guardian to make such change, the court must find by clear and convincing evidence that:

> (A) A reasonably prudent person or the ward, if competent, would take the proposed action and that a person has committed or is about to commit any act, practice or course of conduct which operates or would operate as a fraud or act of exploitation upon the ward or estate of the ward and that person:
>
> > (1) Is designated as a beneficiary in or otherwise stands to gain from an instrument which was executed by or on behalf of the ward; or
> >
> > (2) Will benefit from the lack of such an instrument; or
>
> (b) The proposed action is otherwise in the best interests of the ward for any other reason not listed in this section.

Without such finding and order granting the guardian authority, no change to the ward's last will and testament may be made.

19. At no such time during the guardianship of the Decedent did NEVADA GUARDIAN SERVICES, LLC petition the court to make a change to the Decedent's last will and testament. Additionally, although ultimately withdrawn upon agreement of the parties, SUSAN M. HOY asked this Court to admit the Decedent's October 2012 Will to probate in her verified

HUTCHISON & STEFFEN
A PROFESSIONAL LLC
PECCOLE PROFESSIONAL PARK
10080 WEST ALTA DRIVE, SUITE 200
LAS VEGAS, NV 89145

Petition dated May 25, 2016.

20. Therefore, based on the Affidavits of KRISTIN TYLER and DIANE L. DEWALT, Petitioner asks this Court to declare that the Decedent's October 2012 Will was more likely than not left unrevoked by the Decedent before his or her death, and order that the Decedent's October 2012 Will be admitted to probate.

21. Alternately, if the Court believes that the lost October 2012 Will is not admissible to probate, Petitioner presents the Decedent's June 2012 Will, the original of which has been filed with the clerk of the court, for admission to probate. Petitioner is informed and believes and on that basis alleges, that the Decedent's June 2012 Will was duly executed in all particulars as required by law, and at the time of execution of the Will, the Decedent was of sound mind, over the age of eighteen (18) years and was not acting under duress or undue influence.

22. Petitioner is the surviving beneficiary of the October 2012 Will and the June 2012 Will. Both the October 2012 Will and the June 2012 Will specifically disinherit the Decedent's son, THEODORE E. SCHEIDE, III, and his descendants. Additionally, both the October 2012 Will and the June 2012 instruct the executor to treat THEODORE E. SCHEIDE, III, and his descendants as if they predeceased the Decedent.

23. As administration of the Decedent's Estate has already occurred and is in fact nearly complete, Petitioner consents to SUSAN M. HOY continuing as the Personal Representative of the Estate to conclude administration and distribution of the Decedent's Estate pursuant to the Decedent's testamentary wishes.

24. The names, relationships, ages and residences of the heirs, next of kin, devisees and legatees of the Decedent so far is known to Petitioner are as follows:

Names/Addresses	Age/Relationship
Theodore "Chip" E. Scheide, III 6016 Wellesley Avenue Pittsburgh, Pennsylvania 15206 or/ 101 S. Lexington Ave. Pittsburgh, PA 15208	Adult/Son

HUTCHISON & STEFFEN
A PROFESSIONAL LLC
PECCOLE PROFESSIONAL PARK
10080 WEST ALTA DRIVE, SUITE 200
LAS VEGAS, NV 89145

Velma G. Shay	Deceased/Friend
St. Jude Children's Research Hospital 501 St. Jude Place Memphis, TN 38105	N/A / Beneficiary

25. Petitioner requests that letters testamentary be issued to SUSAN M. HOY and that she serve without bond pursuant to Section 6.01 of Article Six of the Decedent's Last Will and Testament.

WHEREFORE, petitioner prays:

A. That the Court admit a copy of the Decedent's Will dated October 2, 2012, to probate pursuant to NRS 136.230, or alternately that the Court admit the Decedent's original Will dated June 8, 2012 to probate pursuant to NRS 136.090;

B. That the Decedent's Estate be opened for General Administration pursuant to NRS 136 *et seq.*;

C. That Letters of Administration issued to SUSAN M. HOY be revoked and that Letters Testamentary be issued to SUSAN M. HOY, to serve without bond or other security being required of her; and

D. For such other and further relief as the Court deems just and proper.

Dated September 13, 2016.

HUTCHISON & STEFFEN

Todd L. Moody (5430)
Russel J. Geist (9030)
10080 W. Alta Dr., Ste 200
Las Vegas, NV 89145
(702) 385-2500
(702) 385-2086 Fax
tmoody@hutchlegal.com
rgeist@hutchlegal.com
Attorneys for St. Jude Children's Research Hospital

HUTCHISON & STEFFEN
A PROFESSIONAL LLC
PECCOLE PROFESSIONAL PARK
10080 WEST ALTA DRIVE, SUITE 200
LAS VEGAS, NV 89145

VERIFICATION

STATE OF TENNESSEE)
)ss
COUNTY OF SHELBY)

Fred E. Jones, Jr., on behalf of St. Jude Children's Research Hospital, being first duly sworn under penalty of perjury, declares the following: She/He is the agent or authorized representative for the petitioner herein; that she/he has read the foregoing petition and knows the contents thereof, and that the contents are true of her/his own knowledge, except for those matters stated on information and belief, and as to those matters she/he believes them to be true.

ST. JUDE CHILDREN'S RESEARCH HOSPITAL

By, Fred E. Jones, Jr.
(Print Name)

Its Director - Legal / ALSAC

HUTCHISON & STEFFEN
A PROFESSIONAL LLC
PECCOLE PROFESSIONAL PARK
10080 WEST ALTA DRIVE, SUITE 200
LAS VEGAS, NV 89145

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of HUTCHISON & STEFFEN, and that on this 13th day of September, 2016, I caused a true and correct copy of the above and foregoing **PETITION FOR PROBATE OF LOST WILL (NRS 136.240); REVOCATION OF LETTERS OF ADMINISTRATION (NRS 141.050); ISSUANCE OF LETTERS TESTAMENTARY (NRS 136.090)** to be served as follows:

☒ by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada; and/or

☐ pursuant to EDCR 7.26, to be sent **via facsimile**; and/or

☒ pursuant to EDCR 8.05(a) and 8.05(f), to be electronically served through the Eighth Judicial District Court's electronic filing system, with the date and time of the electronic service substituted for the date and place of deposit in the mail; and/or

☐ to be hand-delivered;

to the attorney(s) or parties listed below at the address and/or facsimile number indicated below:

Via E-Service
Kim Boyer, Esq.
Durham Jones & Pinegar
10785 W. Twain Ave., Ste. 200
Las Vegas, NV 89135
Attorney for the Estate

Via E-Service
Cary Colt Payne, Esq.
700 S. 8th Street
Las Vegas, NV 89101
Attorney for Theodore "Chip" E. Scheide, III

Via U.S. Mail
Medicaid Estate Recovery
1100 E. William Street, Ste. 109
Carson City, Nevada 89701

An Employee of Hutchison & Steffen, LLC

HUTCHISON & STEFFEN
A PROFESSIONAL LLC
PECCOLE PROFESSIONAL PARK
10080 WEST ALTA DRIVE, SUITE 200
LAS VEGAS, NV 89145

INTENTIONALLY LEFT BLANK
EXHIBIT PAGE ONLY

EXHIBIT 1

HUTCHISON & STEFFEN
A PROFESSIONAL LLC

OCTOBER 2, 2012
UP-DATED

Last Will and Testament
of
THEODORE E. SCHEIDE

I, THEODORE E. SCHEIDE, a resident of Clark County, Nevada, being of sound mind and disposing memory, hereby revoke any prior wills and codicils made by me and declare this to be my Last Will and Testament.

Article One
Family Information

I am unmarried.

I have one child, THEODORE E. SCHEIDE, III.

However, I am specifically disinheriting THEODORE E. SCHEIDE, III and his descendants. Therefore, for the purposes of my Will, THEODORE E. SCHEIDE, III and his descendants will be deemed to have predeceased me.

Article Two
Specific and General Gifts

Section 2.01 Disposition of Tangible Personal Property

I give all my tangible personal property, together with any insurance policies covering the property and any claims under those policies in accordance with a "Memorandum for Distribution of Personal Property" or other similar writing directing the disposition of the property. Any writing prepared according to this provision must be dated and signed by me.

If I leave multiple written memoranda that conflict as to the disposition of any item of tangible personal property, the memorandum with the most recent date will control as to those items that are in conflict.

NOTE: ORGAN DONOR ... RECORDED ON MY DRIVERS LICENSE

EXHIBIT "2"

If the memorandum with the most recent date conflicts with a provision of this Will as to the specific distribution of any item of tangible personal property, the provisions of the memorandum with the most recent date control as to those items that are in conflict.

I intend that the writing qualify to distribute my tangible personal property under applicable state law.

Section 2.02 Contingent Distribution of Tangible Personal Property

Any tangible personal property not disposed of by a written memorandum, or if I choose not to leave a written memorandum, all my tangible personal property will be distributed as part of my residuary estate.

Section 2.03 Definition of Tangible Personal Property

For purposes of this Article, the term "tangible personal property" includes but is not limited to my household furnishings, appliances and fixtures, works of art, motor vehicles, pictures, collectibles, personal wearing apparel and jewelry, books, sporting goods, and hobby paraphernalia. The term does not include any tangible property that my Executor, in its sole and absolute discretion, determines to be part of any business or business interest that I own at my death.

Section 2.04 Ademption

If property to be distributed under this Article becomes part of my probate estate in any manner after my death, then the gift will not adeem simply because it was not a part of my probate estate at my death. My Executor will distribute the property as a specific gift in accordance with this Article. But if property to be distributed under this Article is not part of my probate estate at my death and does not subsequently become part of my probate estate, then the specific gift made in this Article is null and void, without any legal or binding effect.

Section 2.05 Incidental Expenses and Encumbrances

Until property distributed in accordance with this Article is delivered to the appropriate beneficiary or to the beneficiary's legal representative, my Executor will pay the reasonable expenses of securing, storing, insuring, packing, transporting, and otherwise caring for the property as an administration expense. Except as otherwise provided in my Will, my Executor will distribute property under this Article subject to all liens, security interests, and other encumbrances on the property.

Article Three
My Residuary Estate

Section 3.01 Definition of My Residuary Estate

All the remainder of my estate, including property referred to above that is not effectively disposed of, will be referred to in my Will as my "residuary estate."

Section 3.02 Disposition of My Residuary Estate

I give my residuary estate to VELMA G. SHAY, if she survives me.

If VELMA G. SHAY predeceases me, then I give my residuary estate to ST. JUDE CHILDREN'S HOSPITAL located in Memphis, Tennessee.

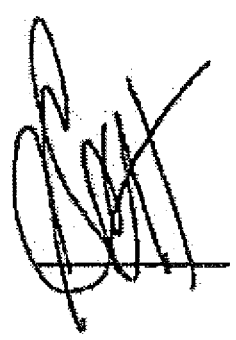
Article Four
Remote Contingent Distribution

If, at any time after my death, there is no person or entity then qualified to receive final distribution of my estate or any part of it under the foregoing provisions of my Will, then the portion of my estate with respect to which the failure of qualified recipients has occurred shall be distributed to those persons who would inherit it had I then died intestate owning the property, as determined and in the proportions provided by the laws of Nevada then in effect (other than THEODORE E. SCHEIDE, III and his descendants).

Article Five
Designation of Executor

Section 5.01 Executor

I name PATRICIA BOWLIN as my Executor. If PATRICIA BOWLIN fails or ceases to act as my Executor, I name NEVADA STATE BANK as my Executor.



Section 5.02 Guardian for Testator

If I should become mentally incompetent to handle my affairs prior to my demise, I request that PATRICIA BOWLIN be appointed guardian of my estate and my person, to serve without bond. In the event that she is unable or unwilling to serve, then I request that a representative from NEVADA STATE BANK be appointed guardian of my estate and my person, to serve without bond.

Article Six
General Administrative Provisions

The provisions of this Article apply to my probate estate.

Section 6.01 No Bond

No Fiduciary is required to furnish any bond for the faithful performance of the Fiduciary's duties, unless required by a court of competent jurisdiction and only if the court finds that a bond is needed to protect the interests of the beneficiaries. No surety is required on any bond required by any law or rule of court, unless the court specifies that a surety is necessary.

Section 6.02 Distributions to Incapacitated Persons and Persons Under Twenty-One Years of Age

If my Executor is directed to distribute any share of my probate estate to any beneficiary who is under the age of 21 years or is in the opinion of my Executor, under any form of incapacity that renders such beneficiary unable to administer distributions properly when the distribution is to be made, my Executor may, as Trustee, in my Executor's discretion, continue to hold such beneficiary's share as a separate trust until the beneficiary reaches the age of 21 or overcomes the incapacity. My Executor shall then distribute such beneficiary's trust to him or her.

While any trust is being held under this Section, my Independent Trustee may pay to the beneficiary for whom the trust is held such amounts of the net income and principal as the Trustee determines to be necessary or advisable for any purpose. If there is no Independent Trustee, my Trustee shall pay to the beneficiary for whom the trust is held such amounts of the net income and

principal as the fiduciary determines to be necessary or advisable for the beneficiary's health, education, maintenance or support.

Upon the death of the beneficiary, my Trustee shall distribute any remaining property in the trust, including any accrued and undistributed income, to such persons as such beneficiary appoints by his or her Will. This general power may be exercised in favor of the beneficiary, the beneficiary's estate, the beneficiary's creditors, or the creditors of the beneficiary's estate. To the extent this general power of appointment is not exercised, on the death of the beneficiary, the trust property is to be distributed to the beneficiary's then living descendants, *per stirpes*, or, if none, *per stirpes* to the living descendants of the beneficiary's nearest lineal ancestor who was a descendant of mine, or if no such descendant is then living, to my then living descendants, *per stirpes*. If I have no then living descendants the property is to be distributed under the provisions of Article Four entitled "Remote Contingent Distribution."

Section 6.03 Maximum Term for Trusts

Notwithstanding any other provision of my Will to the contrary, unless terminated earlier under other provisions of my Will, each trust created under my Will will terminate 21 years after the last to die of the descendants of my maternal and paternal grandparents who are living at the time of my death.

At that time, the remaining trust property will vest in and be distributed to the persons entitled to receive mandatory distributions of net income of the trust and in the same proportions. If no beneficiary is entitled to mandatory distributions of net income, the remaining trust property will vest in and be distributed to the beneficiaries entitled to receive discretionary distributions of net income of the trust, in equal shares *per stirpes*.

Section 6.04 Representative of a Beneficiary

The guardian of the person of a beneficiary may act for such beneficiary for all purposes under my Will or may receive information on behalf of such beneficiary.

Section 6.05 Ancillary Administration

In the event ancillary administration is required or desired and my domiciliary Executor is unable or unwilling to act as an ancillary fiduciary, my domiciliary Executor will have the power to designate, compensate, and remove the ancillary fiduciary. The ancillary fiduciary may be either a natural person or a

corporation. My domiciliary Executor may delegate to such ancillary fiduciary such powers granted to my original Executor as my Executor may deem proper, including the right to serve without bond or surety on bond. The net proceeds of the ancillary estate are to be paid over to the domiciliary Executor.

Section 6.06 Delegation of Authority; Power of Attorney

Any Fiduciary may, by an instrument in writing, delegate to any other Fiduciary the right to exercise any power, including a discretionary power, granted the Fiduciary in my Will. During the time a delegation under this Section is in effect, the Fiduciary to whom the delegation was made may exercise the power to the same extent as if the delegating Fiduciary had personally joined in the exercise of the power. The delegating Fiduciary may revoke the delegation at any time by giving written notice to the Fiduciary to whom the power was delegated.

The Fiduciary may execute and deliver a revocable or irrevocable power of attorney appointing any individual or corporation to transact any and all business on behalf of the trust. The power of attorney may grant to the attorney-in-fact all of the rights, powers, and discretion that the Fiduciary could have exercised.

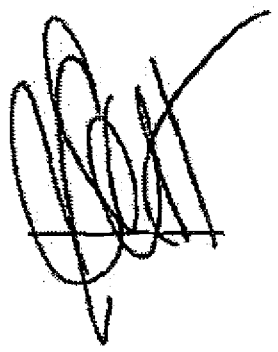
Section 6.07 Merger of Corporate Fiduciary

If any corporate fiduciary acting as my Fiduciary under my Will is merged with or transfers substantially all of its trust assets to another corporation or if a corporate fiduciary changes its name, the successor shall automatically succeed to the position of my Fiduciary as if originally named my Fiduciary. No document of acceptance of the position of my Fiduciary shall be required.

Article Seven
Powers of My Fiduciaries

Section 7.01 Fiduciaries' Powers Act

My Fiduciaries may, without prior authority from any court, exercise all powers conferred by my Will or by common law or by Nevada Revised Statutes or other statute of the State of Nevada or any other jurisdiction whose law applies to my Will. My Executor has absolute discretion in exercising these powers. Except as



specifically limited by my Will, these powers extend to all property held by my fiduciaries until the actual distribution of the property.

Section 7.02 Powers Granted by State Law

In addition to all of the above powers, my Executor may, without prior authority from any court, exercise all powers conferred by my Will; by common law; by the laws of the State of Nevada, including, without limitation by reason of this enumeration, each and every power enumerated in NRS 163.265 to 163.410, inclusive; or any other jurisdiction whose law applies to my Will. My Executor has absolute discretion in exercising these powers. Except as specifically limited by my Will, these powers extend to all property held by my fiduciaries until the actual distribution of the property.

Section 7.03 Alternative Distribution Methods

My Fiduciary may make any payment provided for under my Will as follows:

Directly to the beneficiary;

In any form allowed by applicable state law for gifts or transfers to minors or persons under a disability;

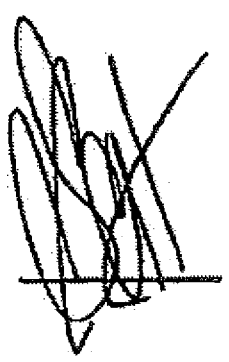
To the beneficiary's guardian, conservator, agent under a durable power of attorney or caregiver for the benefit of the beneficiary; or

By direct payment of the beneficiary's expenses, made in a manner consistent with the proper exercise of the fiduciary's duties hereunder. A receipt by the recipient for any such distribution fully discharges my Fiduciary.

Article Eight
Provisions for Payment of Debts, Expenses and Taxes

Section 8.01 Payment of Debts and Expenses

I direct that all my legally enforceable debts, secured and unsecured, be paid as soon as practicable after my death.



Section 8.02 No Apportionment

Except as otherwise provided in this Article or elsewhere in my will, my Executor shall provide for payment of all estate, inheritance and succession taxes payable by reason of my death ("death taxes") from my residuary estate as an administrative expense without apportionment and will not seek contribution toward or recovery of any death tax payments from any individual.

For the purposes of this Article, however, the term "death taxes" does not include any additional estate tax imposed by Section 2031(c)(5)(C), Section 2032A(c) or Section 2057(f) of the Internal Revenue Code or any other comparable taxes imposed by any other taxing authority. Nor does the term include any generation-skipping transfer tax, other than a direct skip.

Section 8.03 Protection of Exempt Property

Death taxes are not to be allocated to or paid from any assets that are not included in my gross estate for federal estate tax purposes. In addition, to the extent practicable, my Trustee should not pay any death taxes from assets that are exempt for generation-skipping transfer tax purposes.

Section 8.04 Protection of the Charitable Deduction

Death taxes are not to be allocated to or paid from any assets passing to any organization that qualifies for the federal estate tax charitable deduction, or from any assets passing to a split-interest charitable trust, unless my Executor has first used all other assets available to my Executor to pay the taxes.

Section 8.05 Property Passing Outside of My Will

Death taxes imposed with respect to property included in my gross estate for purposes of computing the tax and passing other than by my Will are to be apportioned among the persons and entities benefited in the proportion that the taxable value of the property or interest bears to the total taxable value of the property and interests received by all persons benefited. The values to be used for the apportionment are the values as finally determined under federal, state, or local law as the case may be.

Section 8.06 No Apportionment Between Current and Future Interests

No interest in income and no estate for years or for life or other temporary interest in any property or trust is to be subject to apportionment as between the

temporary interest and the remainder. The tax on the temporary interest and the tax, if any, on the remainder are chargeable against the corpus of the property or trust subject to the temporary interest and remainder.

Section 8.07 Tax Elections

In exercising any permitted elections regarding taxes, my fiduciaries may make any decisions that they deem to be appropriate in any circumstances, and my fiduciaries are not required to make any compensatory adjustment as a consequence of any election. My Executor may also pay taxes or interest and deal with any tax refunds, interest, or credits as my Executor deems to be necessary or advisable in the interest of my estate.

My Executor, in his or her sole and absolute discretion, may make any adjustments to the basis of my assets authorized by law, including but not limited to increasing the basis of any property included in my gross estate, whether or not passing under my Will, by allocating any amount by which the basis of my assets may be increased. My Executor is not required to allocate basis increase exclusively, primarily or at all to assets passing under my Will as opposed to other property included in my gross estate. My Executor may elect, in his or her sole and absolute discretion, to allocate basis increase to one or more assets that my Executor receives or in which my Executor has a personal interest, to the partial or total exclusion of other assets with respect to which such allocation could be made. My Executor may not be held liable to any person for the exercise of his or her discretion under this Section.

Article Nine
Definitions and General Provisions

Section 9.01 Cremation Instructions

I wish that my remains be cremated and buried in accordance with my pre-paid funeral arrangements with Palm Mortuary in Las Vegas, Nevada.

Section 9.02 Definitions

For purposes of my Will and for the purposes of any trust established under my Will, the following definitions apply:

(a) **Adopted and Afterborn Persons**

A legally adopted person in any generation and his or her descendants, including adopted descendants, will have the same rights and will be treated in the same manner under my Will as natural children of the adopting parent, provided the person is legally adopted before attaining the age of 18 years. A person will be deemed to be legally adopted if the adoption was legal in the jurisdiction in which it occurred at the time that it occurred.

A fetus *in utero* that is later born alive will be considered a person in being during the period of gestation.

(b) **Descendants**

The term "descendants" means any one or more person who follows in direct descent (as opposed to collateral descent) from a person, such as a person's children, grandchildren, or other descended individuals of any generation.

(c) **Fiduciary**

"Fiduciary" or "Fiduciaries" refer to my Executor. My "Executor" includes any executor, ancillary executor, administrator, or ancillary administrator, whether local or foreign, and whether of all or part of my estate, multiple Executors, and their successors.

Except as otherwise provided in this Last Will and Testament, a fiduciary has no liability to any party for action (or inaction) taken in good faith.

(d) **Good Faith**

For the purposes of this Last Will and Testament, a fiduciary has acted in good faith if (i) its action or inaction is not a result of intentional wrongdoing, (ii) the fiduciary did not make the decision with reckless indifference to the interests of the beneficiaries, and (iii) its action or inaction does not result in an improper personal pecuniary benefit to the fiduciary.

(e) **Incapacity**

Except as otherwise provided in my Will, a person is deemed to be incapacitated in any of the following circumstances.

(1) **The Opinion of Two Licensed Physicians**

An individual is deemed to be incapacitated whenever, in the opinion of two licensed physicians, the individual is unable to effectively manage his or her property or financial affairs, whether as a result of age, illness, use of prescription medications, drugs or other substances, or any other cause.

An individual is deemed to be restored to capacity whenever the individual's personal or attending physician provides a written opinion that the individual is able to effectively manage his or her property and financial affairs.

(2) **Court Determination**

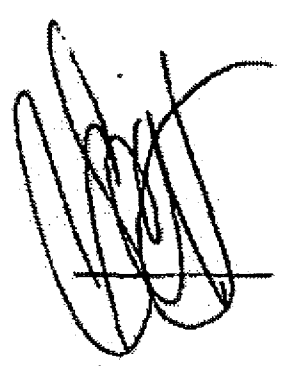
An individual is deemed to be incapacitated if a court of competent jurisdiction has declared the individual to be disabled, incompetent or legally incapacitated.

(3) **Detention, Disappearance or Absence**

An individual is deemed to be incapacitated whenever he or she cannot effectively manage his or her property or financial affairs due to the individual's unexplained disappearance or absence for more than 30 days, or whenever he or she is detained under duress.

An individual's disappearance, absence or detention under duress may be established by an affidavit of any fiduciary. The affidavit must describe the circumstances of an individual's detention under duress, disappearance, or absence and may be relied upon by any third party dealing in good faith with my fiduciary in reliance upon the affidavit.

An individual's disappearance, absence, or detention under duress may be established by an affidavit of my Executor.



(f) Internal Revenue Code

References to the "Internal Revenue Code" or to its provisions are to the Internal Revenue Code of 1986, as amended from time to time, and the corresponding Treasury Regulations, if any. References to the "Treasury Regulations," are to the Treasury Regulations under the Internal Revenue Code in effect from time to time. If a particular provision of the Internal Revenue Code is renumbered, or the Internal Revenue Code is superseded by a subsequent federal tax law, any reference will be deemed to be made to the renumbered provision or to the corresponding provision of the subsequent law, unless to do so would clearly be contrary to my intent as expressed in my Will. The same rule applies to references to the Treasury Regulations.

(g) Legal Representative

As used in my Will, the term "legal representative" means a person's guardian, conservator, personal representative, executor, administrator, Trustee, or any other person or entity personally representing a person or the person's estate.

(h) Per Stirpes

Whenever a distribution is to be made to a person's descendants *per stirpes*, the distribution will be divided into as many equal shares as there are then-living children of that person and deceased children of that person who left then-living descendants. Each then-living child will receive one share and the share of each deceased child will be divided among the deceased child's then-living descendants in the same manner.

(i) Primary Beneficiary

The Primary Beneficiary of a trust created under this agreement is the oldest Income Beneficiary of that trust unless some other individual is specifically designated as the Primary Beneficiary of that separate trust.

(j) Shall and May

Unless otherwise specifically provided in my Will or by the context in which used, I use the word "shall" in my Will to command, direct or require, and the word "may" to allow or permit, but not

require. In the context of my Trustee, when I use the word "may" I intend that my Trustee may act in its sole and absolute discretion unless otherwise stated in my Will.

(k) Trust

The term "trust," refers to any trusts created under the terms of my Will.

(l) Trustee

The term "my Trustee" refers to any person or entity that is from time to time acting as the Trustee and includes each Trustee individually, multiple Trustees, and their successors.

(m) Other Definitions

Except as otherwise provided in my Will, terms shall be as defined in Nevada Revised Statutes as amended after the date of my Will and after my death.

Section 9.03 Contest Provision

If any beneficiary of my Will or any trust created under the terms of my Will, alone or in conjunction with any other person engages in any of the following actions, the right of the beneficiary to take any interest given to the beneficiary under my Will or any trust created under the terms of my Will will be determined as it would have been determined as if the beneficiary predeceased me without leaving any surviving descendants.

Contests by a claim of undue influence, fraud, menace, duress, or lack of testamentary capacity, or otherwise objects in any court to the validity of (a) my Will, (b) any trust created under the terms of my Will, or (c) any beneficiary designation of an annuity, retirement plan, IRA, Keogh, pension or profit sharing plan, or insurance policy signed by me, (collectively referred to hereafter in this Section as "Document" or "Documents") or any amendments or codicils to any Document;

Seeks to obtain an adjudication in any court proceeding that a Document or any of its provisions is void, or otherwise seeks to void, nullify, or set aside a Document or any of its provisions;

Files suit on a creditor's claim filed in a probate of my estate, against my estate, or any other Document, after rejection or lack of action by the respective fiduciary;

Files a petition or other pleading to change the character (community, separate, joint tenancy, partnership, domestic partnership, real or personal, tangible or intangible) of property already so characterized by a Document;

Files a petition to impose a constructive trust or resulting trust on any assets of my estate; or

Participates in any of the above actions in a manner adverse to my estate, such as conspiring with or assisting any person who takes any of the above actions.

My Executor may defend, at the expense of my estate, any violation of this Section. A "contest" includes any action described above in an arbitration proceeding, but does not include any action described above solely in a mediation not preceded by a filing of a contest with a court.

Section 9.04 Survivorship Presumption

If any beneficiary is living at my death, but dies within 90 days thereafter, then the beneficiary will be deemed to have predeceased me for all purposes of my Will.

Section 9.05 General Provisions

The following general provisions and rules of construction apply to my Will:

(a) Singular and Plural; Gender

Unless the context requires otherwise, words denoting the singular may be construed as plural and words of the plural may be construed as denoting the singular. Words of one gender may be construed as denoting another gender as is appropriate within the context. The word "or" when used in a list of more than two items may function as both a conjunction and a disjunction as the context requires or permits.

(b) Headings of Articles, Sections, and Subsections

The headings of Articles, Sections, and subsections used within my Will are included solely for the convenience and reference of the reader. They have no significance in the interpretation or construction of my Will.

(c) Governing State Law

My Will shall be governed, construed and administered according to the laws of Nevada as from time to time amended. Questions of administration of any trust established under my Will are to be determined by the laws of the situs of administration of that trust.

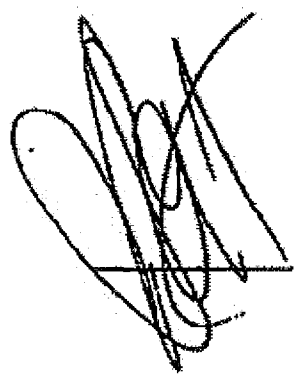
(d) Notices

Unless otherwise stated, whenever my Will calls for notice, the notice will be in writing and will be personally delivered with proof of delivery, or mailed postage prepaid by certified mail, return receipt requested, to the last known address of the party requiring notice. Notice will be effective on the date personally delivered or on the date of the return receipt. If a party giving notice does not receive the return receipt but has proof that he or she mailed the notice, notice will be effective on the date it would normally have been received via certified mail. If notice is required to be given to a minor or incapacitated individual, notice will be given to the parent or legal representative of the minor or incapacitated individual.

(e) Severability

The invalidity or unenforceability of any provision of my Will does not affect the validity or enforceability of any other provision of my Will. If a court of competent jurisdiction determines that any provision is invalid, the remaining provisions of my Will are to be interpreted and construed as if any invalid provision had never been included in my Will.

REST OF PAGE INTENTIONALLY LEFT BLANK



I, THEODORE E. SCHEIDE, sign my name to this instrument consisting of sixteen (16) pages on October 2, 2012, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my Last Will and Testament, that I sign it willingly, that I execute it as my free and voluntary act for the purposes therein expressed, and that I am eighteen years of age or older, of sound mind, and under no constraint or undue influence.

THEODORE E. SCHEIDE, Testator

Under penalty of perjury pursuant to the law of the State of Nevada, the undersigned, KRISTIN M. TYLER and DIANE L. DeWALT declare that the following is true of their own knowledge: That they witnessed the execution of the foregoing will of the testator, THEODORE E. SCHEIDE; that the testator subscribed the will and declared it to be his last will and testament in their presence; that they thereafter subscribed the will as witnesses in the presence of the testator and in the presence of each other and at the request of the testator; and that the testator at the time of the execution of the will appeared to them to be of full age and of sound mind and memory.

Dated this 2 day of October, 2012.

Declarant 1 – Kristin M. Tyler

Declarant 2 – Diane L. DeWalt

Residing at:

3960 Howard Hughes Parkway
9th Floor
Las Vegas, Nevada 89169

Residing at:

3960 Howard Hughes Parkway
9th Floor
Las Vegas, Nevada 89169

INTENTIONALLY LEFT BLANK
EXHIBIT PAGE ONLY

EXHIBIT 2

HUTCHISON & STEFFEN

A PROFESSIONAL LLC

AFF
Todd L. Moody (5430)
Russel J. Geist (9030)
HUTCHISON & STEFFEN, LLC
Peccole Professional Park
10080 West Alta Drive, Suite 200
Las Vegas, Nevada 89145
(702) 385-2500
(702) 385-2086
rgeist@hutchlegal.com

Attorneys for St. Jude Children's Research Hospital

DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased.	Case No.: P-14-082619-E Dept No.: PCI

AFFIDAVIT OF PROOF OF LOST WILL

I, KRISTIN M. TYLER, being first duly sworn, do hereby declare to the undersigned authority that I was a Witness to the Last Will and Testament dated October 2, 2012 ("Last Will") of THEODORE E. SCHEIDE, JR., also sometimes known as THEODORE E. SCHEIDE ("Decedent") , and did sign as a witness on that Last Will. I can further attest that the Decedent signed and executed the instrument as his Last Will on October 2, 2012, and that he signed it willingly, and that he executed it as his free and voluntary act for the purposes therein expressed and to the best of my knowledge the Decedent was at that time eighteen years of age or older, of sound mind and under no constraint or undue influence.

I further attest that the Decedent signed and executed the Last Will dated October 2, 2012 in the presence of myself and Diane DeWalt, and we both subscribed the Attestation to the Last Will in the presence of the Decedent.

I further attest that the Decedent contacted me as his estate planning counsel to

discuss changes in his wishes expressed in his previous Last Will and Testament dated June 8, 2012, which I had drafted as the attorney for the Decedent and was the Decedent's regular course of action when he wanted to change the wishes expressed in his prior estate planning documents. Specifically, the Decedent wanted to remove the nomination of KAREN HOAGLAND as the Executor under Article Five of the Last Will and Testament dated June 8, 2012, and instead appoint PATRICIA BOWLIN as the Executor.

I further attest that in discussing the preparation of Last Will dated October 2, 2012, the Decedent did not express any desire to change the disposition of his residuary estate which was then designated to VELMA G. SHAY, if living, otherwise to ST. JUDE CHILDREN'S RESEARCH HOSPITAL.

I further attest that I remained in contact with the Decedent after he executed his Last Will dated October 2, 2012, as his health and mental condition declined afterward, and

I further attest that I continued to represent and advise the Decedent as his estate planning counsel until NEVADA GUARDIAN SERVICES, LLC was appointed his temporary guardian on February 18, 2014 and his general guardian over his person and estate on March 19, 2014.

I can further attest that at no time after executing his Last Will dated October 2, 2012, did the Decedent express to me any intention to change the disposition of his residuary estate which was then designated to VELMA G. SHAY, if living, otherwise to ST. JUDE CHILDREN'S RESEARCH HOSPITAL.

I further attest that, to my knowledge, the Decedent did not intentionally destroy or revoke the Last Will dated October 2, 2012, and that to the best of my knowledge this was the Decedent's Last Will and Testament. I can further attest that, to the best of my knowledge, the Last Will dated October 2, 2012, was in existence at the death of the Decedent.

I further attest that, after the death of the Decedent, I was contacted by NEVADA GUARDIAN SERVICES, LLC or its counsel and asked if I had the original of

Last Will dated October 2, 2012. I informed NEVADA GUARDIAN SERVICES, LLC or its counsel that the Decedent chose to retain the original executed Last Will dated October 2, 2012, but that I had the original of the Decedent's Last Will and Testament dated June 8, 2012, which differed only in the nomination of the Executor. I was not asked for the original of the Decedent's Last Will and Testament dated June 8, 2012, nor was I contacted by NEVADA GUARDIAN SERVICES, LLC or its counsel regarding the Decedent's estate to provide an affidavit of lost will pursuant to NRS 136.240(4) regarding the Last Will dated October 2, 2012.

DATED this September 7, 2016.

KRISTIN M. TYLER

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

Subscribed and Sworn to before me this 7th day of September, 2016.

Notary Public

CAROLINE TOFANELLI
Notary Public-State of Nevada
APPT. NO. 15-2302-1
My App. Expires July 07, 2019

INTENTIONALLY LEFT BLANK
EXHIBIT PAGE ONLY

EXHIBIT 3

HUTCHISON & STEFFEN

A PROFESSIONAL LLC

EIGHTH JUDICIAL DISTRICT COURT
CLERK OF THE COURT
FAMILY DIVISION

FAMILY COURT & SERVICES CENTER
601 N. PECOS ROAD
LAS VEGAS, NEVADA 89101

Steven D. Grierson
Clerk of the Court

Kristina O'Conner
Court Division Administrator

5/20/2016

Case No.: W-16-010344

Filing of the Will of:
Theodore Scheide

Last Will and Testament of Theodore E. Scheide received by the Clerk of the Court

Submitted by:

Garman Turner Gordon

Signature of submitting party:

Valentina Ortega, Deputy Clerk of the Court

W-16-010344

Electronically Filed
05/20/2016
CLERK OF THE COURT

Last Will and Testament of THEODORE E. SCHEIDE

I, THEODORE E. SCHEIDE, a resident of Clark County, Nevada, being of sound mind and disposing memory, hereby revoke any prior wills and codicils made by me and declare this to be my Last Will and Testament.

Article One
Family Information

I am unmarried.

I have one child, THEODORE E. SCHEIDE, III.

However, I am specifically disinheriting THEODORE E. SCHEIDE, III and his descendants. Therefore, for the purposes of my Will, THEODORE E. SCHEIDE, III and his descendants will be deemed to have predeceased me.

Article Two
Specific and General Gifts

Section 2.01 Disposition of Tangible Personal Property

I give all my tangible personal property, together with any insurance policies covering the property and any claims under those policies in accordance with a "Memorandum for Distribution of Personal Property" or other similar writing directing the disposition of the property. Any writing prepared according to this provision must be dated and signed by me.

If I leave multiple written memoranda that conflict as to the disposition of any item of tangible personal property, the memorandum with the most recent date will control as to those items that are in conflict.

If the memorandum with the most recent date conflicts with a provision of this Will as to the specific distribution of any item of tangible personal property, the provisions of the memorandum with the most recent date control as to those items that are in conflict.

I intend that the writing qualify to distribute my tangible personal property under applicable state law.

Section 2.02 Contingent Distribution of Tangible Personal Property

Any tangible personal property not disposed of by a written memorandum, or if I choose not to leave a written memorandum, all my tangible personal property will be distributed as part of my residuary estate.

Section 2.03 Definition of Tangible Personal Property

For purposes of this Article, the term "tangible personal property" includes but is not limited to my household furnishings, appliances and fixtures, works of art, motor vehicles, pictures, collectibles, personal wearing apparel and jewelry, books, sporting goods, and hobby paraphernalia. The term does not include any tangible property that my Executor, in its sole and absolute discretion, determines to be part of any business or business interest that I own at my death.

Section 2.04 Ademption

If property to be distributed under this Article becomes part of my probate estate in any manner after my death, then the gift will not adeem simply because it was not a part of my probate estate at my death. My Executor will distribute the property as a specific gift in accordance with this Article. But if property to be distributed under this Article is not part of my probate estate at my death and does not subsequently become part of my probate estate, then the specific gift made in this Article is null and void, without any legal or binding effect.

Section 2.05 Incidental Expenses and Encumbrances

Until property distributed in accordance with this Article is delivered to the appropriate beneficiary or to the beneficiary's legal representative, my Executor will pay the reasonable expenses of securing, storing, insuring, packing, transporting, and otherwise caring for the property as an administration expense. Except as otherwise provided in my Will, my Executor will distribute property under this Article subject to all liens, security interests, and other encumbrances on the property.

Article Three
My Residuary Estate

Section 3.01 **Definition of My Residuary Estate**

All the remainder of my estate, including property referred to above that is not effectively disposed of, will be referred to in my Will as my "residuary estate."

Section 3.02 **Disposition of My Residuary Estate**

I give my residuary estate to VELMA G. SHAY, if she survives me.

If VELMA G. SHAY predeceases me, then I give my residuary estate to ST. JUDE CHILDREN'S HOSPITAL located in Memphis, Tennessee.

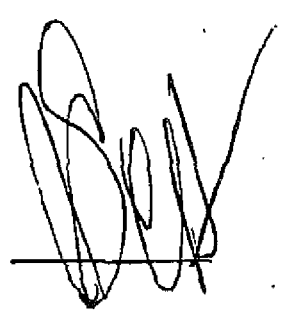
Article Four
Remote Contingent Distribution

If, at any time after my death, there is no person or entity then qualified to receive final distribution of my estate or any part of it under the foregoing provisions of my Will, then the portion of my estate with respect to which the failure of qualified recipients has occurred shall be distributed to those persons who would inherit it had I then died intestate owning the property, as determined and in the proportions provided by the laws of Nevada then in effect (other than THEODORE E. SCHEIDE, III and his descendants).

Article Five
Designation of Executor

Section 5.01 **Executor**

I name KAREN HOAGLAND as my Executor. If KAREN HOAGLAND fails or ceases to act as my Executor, I name NEVADA STATE BANK as my Executor.



Section 5.02 Guardian for Testator

If I should become mentally incompetent to handle my affairs prior to my demise, I request that KAREN HOAGLAND be appointed guardian of my estate and my person, to serve without bond. In the event that she is unable or unwilling to serve, then I request that a representative from NEVADA STATE BANK be appointed guardian of my estate and my person, to serve without bond.

Article Six
General Administrative Provisions

The provisions of this Article apply to my probate estate.

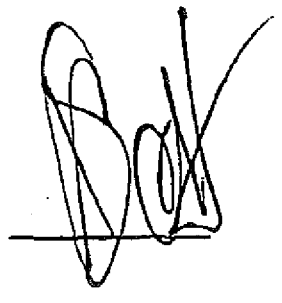
Section 6.01 No Bond

No Fiduciary is required to furnish any bond for the faithful performance of the Fiduciary's duties, unless required by a court of competent jurisdiction and only if the court finds that a bond is needed to protect the interests of the beneficiaries. No surety is required on any bond required by any law or rule of court, unless the court specifies that a surety is necessary.

Section 6.02 Distributions to Incapacitated Persons and Persons Under Twenty-One Years of Age

If my Executor is directed to distribute any share of my probate estate to any beneficiary who is under the age of 21 years or is in the opinion of my Executor, under any form of incapacity that renders such beneficiary unable to administer distributions properly when the distribution is to be made, my Executor may, as Trustee, in my Executor's discretion, continue to hold such beneficiary's share as a separate trust until the beneficiary reaches the age of 21 or overcomes the incapacity. My Executor shall then distribute such beneficiary's trust to him or her.

While any trust is being held under this Section, my Independent Trustee may pay to the beneficiary for whom the trust is held such amounts of the net income and principal as the Trustee determines to be necessary or advisable for any purpose. If there is no Independent Trustee, my Trustee shall pay to the beneficiary for whom the trust is held such amounts of the net income and



principal as the fiduciary determines to be necessary or advisable for the beneficiary's health, education, maintenance or support.

Upon the death of the beneficiary, my Trustee shall distribute any remaining property in the trust, including any accrued and undistributed income, to such persons as such beneficiary appoints by his or her Will. This general power may be exercised in favor of the beneficiary, the beneficiary's estate, the beneficiary's creditors, or the creditors of the beneficiary's estate. To the extent this general power of appointment is not exercised, on the death of the beneficiary, the trust property is to be distributed to the beneficiary's then living descendants, *per stirpes*, or, if none, *per stirpes* to the living descendants of the beneficiary's nearest lineal ancestor who was a descendant of mine, or if no such descendant is then living, to my then living descendants, *per stirpes*. If I have no then living descendants the property is to be distributed under the provisions of Article Four entitled "Remote Contingent Distribution."

Section 6.03 Maximum Term for Trusts

Notwithstanding any other provision of my Will to the contrary, unless terminated earlier under other provisions of my Will, each trust created under my Will will terminate 21 years after the last to die of the descendants of my maternal and paternal grandparents who are living at the time of my death.

At that time, the remaining trust property will vest in and be distributed to the persons entitled to receive mandatory distributions of net income of the trust and in the same proportions. If no beneficiary is entitled to mandatory distributions of net income, the remaining trust property will vest in and be distributed to the beneficiaries entitled to receive discretionary distributions of net income of the trust, in equal shares *per stirpes*.

Section 6.04 Representative of a Beneficiary

The guardian of the person of a beneficiary may act for such beneficiary for all purposes under my Will or may receive information on behalf of such beneficiary.

Section 6.05 Ancillary Administration

In the event ancillary administration is required or desired and my domiciliary Executor is unable or unwilling to act as an ancillary fiduciary, my domiciliary Executor will have the power to designate, compensate, and remove the ancillary fiduciary. The ancillary fiduciary may be either a natural person or a

corporation. My domiciliary Executor may delegate to such ancillary fiduciary such powers granted to my original Executor as my Executor may deem proper, including the right to serve without bond or surety on bond. The net proceeds of the ancillary estate are to be paid over to the domiciliary Executor.

Section 6.06 Delegation of Authority; Power of Attorney

Any Fiduciary may, by an instrument in writing, delegate to any other Fiduciary the right to exercise any power, including a discretionary power, granted the Fiduciary in my Will. During the time a delegation under this Section is in effect, the Fiduciary to whom the delegation was made may exercise the power to the same extent as if the delegating Fiduciary had personally joined in the exercise of the power. The delegating Fiduciary may revoke the delegation at any time by giving written notice to the Fiduciary to whom the power was delegated.

The Fiduciary may execute and deliver a revocable or irrevocable power of attorney appointing any individual or corporation to transact any and all business on behalf of the trust. The power of attorney may grant to the attorney-in-fact all of the rights, powers, and discretion that the Fiduciary could have exercised.

Section 6.07 Merger of Corporate Fiduciary

If any corporate fiduciary acting as my Fiduciary under my Will is merged with or transfers substantially all of its trust assets to another corporation or if a corporate fiduciary changes its name, the successor shall automatically succeed to the position of my Fiduciary as if originally named my Fiduciary. No document of acceptance of the position of my Fiduciary shall be required.

Article Seven
Powers of My Fiduciaries

Section 7.01 Fiduciaries' Powers Act

My Fiduciaries may, without prior authority from any court, exercise all powers conferred by my Will or by common law or by Nevada Revised Statutes or other statute of the State of Nevada or any other jurisdiction whose law applies to my Will. My Executor has absolute discretion in exercising these powers. Except as

specifically limited by my Will, these powers extend to all property held by my fiduciaries until the actual distribution of the property.

Section 7.02 Powers Granted by State Law

In addition to all of the above powers, my Executor may, without prior authority from any court, exercise all powers conferred by my Will; by common law; by the laws of the State of Nevada, including, without limitation by reason of this enumeration, each and every power enumerated in NRS 163.265 to 163.410, inclusive; or any other jurisdiction whose law applies to my Will. My Executor has absolute discretion in exercising these powers. Except as specifically limited by my Will, these powers extend to all property held by my fiduciaries until the actual distribution of the property.

Section 7.03 Alternative Distribution Methods

My Fiduciary may make any payment provided for under my Will as follows:

Directly to the beneficiary;

In any form allowed by applicable state law for gifts or transfers to minors or persons under a disability;

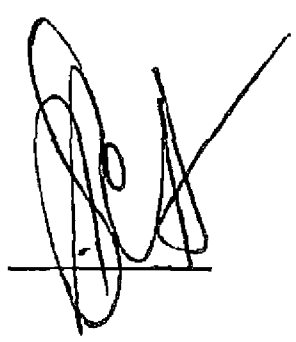
To the beneficiary's guardian, conservator, agent under a durable power of attorney or caregiver for the benefit of the beneficiary; or

By direct payment of the beneficiary's expenses, made in a manner consistent with the proper exercise of the fiduciary's duties hereunder. A receipt by the recipient for any such distribution fully discharges my Fiduciary.

Article Eight
Provisions for Payment of Debts, Expenses and Taxes

Section 8.01 Payment of Debts and Expenses

I direct that all my legally enforceable debts, secured and unsecured, be paid as soon as practicable after my death.



Section 8.02 No Apportionment

Except as otherwise provided in this Article or elsewhere in my will, my Executor shall provide for payment of all estate, inheritance and succession taxes payable by reason of my death ("death taxes") from my residuary estate as an administrative expense without apportionment and will not seek contribution toward or recovery of any death tax payments from any individual.

For the purposes of this Article, however, the term "death taxes" does not include any additional estate tax imposed by Section 2031(c)(5)(C), Section 2032A(c) or Section 2057(f) of the Internal Revenue Code or any other comparable taxes imposed by any other taxing authority. Nor does the term include any generation-skipping transfer tax, other than a direct skip.

Section 8.03 Protection of Exempt Property

Death taxes are not to be allocated to or paid from any assets that are not included in my gross estate for federal estate tax purposes. In addition, to the extent practicable, my Trustee should not pay any death taxes from assets that are exempt for generation-skipping transfer tax purposes.

Section 8.04 Protection of the Charitable Deduction

Death taxes are not to be allocated to or paid from any assets passing to any organization that qualifies for the federal estate tax charitable deduction, or from any assets passing to a split-interest charitable trust, unless my Executor has first used all other assets available to my Executor to pay the taxes.

Section 8.05 Property Passing Outside of My Will

Death taxes imposed with respect to property included in my gross estate for purposes of computing the tax and passing other than by my Will are to be apportioned among the persons and entities benefited in the proportion that the taxable value of the property or interest bears to the total taxable value of the property and interests received by all persons benefited. The values to be used for the apportionment are the values as finally determined under federal, state, or local law as the case may be.

Section 8.06 No Apportionment Between Current and Future Interests

No interest in income and no estate for years or for life or other temporary interest in any property or trust is to be subject to apportionment as between the

temporary interest and the remainder. The tax on the temporary interest and the tax, if any, on the remainder are chargeable against the corpus of the property or trust subject to the temporary interest and remainder.

Section 8.07 Tax Elections

In exercising any permitted elections regarding taxes, my fiduciaries may make any decisions that they deem to be appropriate in any circumstances, and my fiduciaries are not required to make any compensatory adjustment as a consequence of any election. My Executor may also pay taxes or interest and deal with any tax refunds, interest, or credits as my Executor deems to be necessary or advisable in the interest of my estate.

My Executor, in his or her sole and absolute discretion, may make any adjustments to the basis of my assets authorized by law, including but not limited to increasing the basis of any property included in my gross estate, whether or not passing under my Will, by allocating any amount by which the basis of my assets may be increased. My Executor is not required to allocate basis increase exclusively, primarily or at all to assets passing under my Will as opposed to other property included in my gross estate. My Executor may elect, in his or her sole and absolute discretion, to allocate basis increase to one or more assets that my Executor receives or in which my Executor has a personal interest, to the partial or total exclusion of other assets with respect to which such allocation could be made. My Executor may not be held liable to any person for the exercise of his or her discretion under this Section.

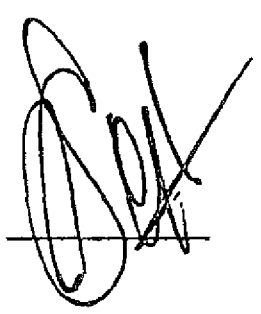
Article Nine
Definitions and General Provisions

Section 9.01 Cremation Instructions

I wish that my remains be cremated and buried in accordance with my pre-paid funeral arrangements with Palm Mortuary in Las Vegas, Nevada.

Section 9.02 Definitions

For purposes of my Will and for the purposes of any trust established under my Will, the following definitions apply:



(a) **Adopted and Afterborn Persons**

A legally adopted person in any generation and his or her descendants, including adopted descendants, will have the same rights and will be treated in the same manner under my Will as natural children of the adopting parent, provided the person is legally adopted before attaining the age of 18 years. A person will be deemed to be legally adopted if the adoption was legal in the jurisdiction in which it occurred at the time that it occurred.

A fetus *in utero* that is later born alive will be considered a person in being during the period of gestation.

(b) **Descendants**

The term "descendants" means any one or more person who follows in direct descent (as opposed to collateral descent) from a person, such as a person's children, grandchildren, or other descended individuals of any generation.

(c) **Fiduciary**

"Fiduciary" or "Fiduciaries" refer to my Executor. My "Executor" includes any executor, ancillary executor, administrator, or ancillary administrator, whether local or foreign, and whether of all or part of my estate, multiple Executors, and their successors.

Except as otherwise provided in this Last Will and Testament, a fiduciary has no liability to any party for action (or inaction) taken in good faith.

(d) **Good Faith**

For the purposes of this Last Will and Testament, a fiduciary has acted in good faith if (i) its action or inaction is not a result of intentional wrongdoing, (ii) the fiduciary did not make the decision with reckless indifference to the interests of the beneficiaries, and (iii) its action or inaction does not result in an improper personal pecuniary benefit to the fiduciary.

(e) **Incapacity**

Except as otherwise provided in my Will, a person is deemed to be incapacitated in any of the following circumstances.

(1) The Opinion of Two Licensed Physicians

An individual is deemed to be incapacitated whenever, in the opinion of two licensed physicians, the individual is unable to effectively manage his or her property or financial affairs, whether as a result of age, illness, use of prescription medications, drugs or other substances, or any other cause.

An individual is deemed to be restored to capacity whenever the individual's personal or attending physician provides a written opinion that the individual is able to effectively manage his or her property and financial affairs.

(2) Court Determination

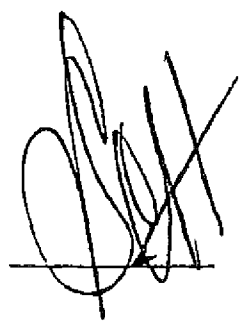
An individual is deemed to be incapacitated if a court of competent jurisdiction has declared the individual to be disabled, incompetent or legally incapacitated.

(3) Detention, Disappearance or Absence

An individual is deemed to be incapacitated whenever he or she cannot effectively manage his or her property or financial affairs due to the individual's unexplained disappearance or absence for more than 30 days, or whenever he or she is detained under duress.

An individual's disappearance, absence or detention under duress may be established by an affidavit of any fiduciary. The affidavit must describe the circumstances of an individual's detention under duress, disappearance, or absence and may be relied upon by any third party dealing in good faith with my fiduciary in reliance upon the affidavit.

An individual's disappearance, absence, or detention under duress may be established by an affidavit of my Executor.



(f) Internal Revenue Code

References to the "Internal Revenue Code" or to its provisions are to the Internal Revenue Code of 1986, as amended from time to time, and the corresponding Treasury Regulations, if any. References to the "Treasury Regulations," are to the Treasury Regulations under the Internal Revenue Code in effect from time to time. If a particular provision of the Internal Revenue Code is renumbered, or the Internal Revenue Code is superseded by a subsequent federal tax law, any reference will be deemed to be made to the renumbered provision or to the corresponding provision of the subsequent law, unless to do so would clearly be contrary to my intent as expressed in my Will. The same rule applies to references to the Treasury Regulations.

(g) Legal Representative

As used in my Will, the term "legal representative" means a person's guardian, conservator, personal representative, executor, administrator, Trustee, or any other person or entity personally representing a person or the person's estate.

(h) Per Stirpes

Whenever a distribution is to be made to a person's descendants *per stirpes*, the distribution will be divided into as many equal shares as there are then-living children of that person and deceased children of that person who left then-living descendants. Each then-living child will receive one share and the share of each deceased child will be divided among the deceased child's then-living descendants in the same manner.

(i) Primary Beneficiary

The Primary Beneficiary of a trust created under this agreement is the oldest Income Beneficiary of that trust unless some other individual is specifically designated as the Primary Beneficiary of that separate trust.

(j) Shall and May

Unless otherwise specifically provided in my Will or by the context in which used, I use the word "shall" in my Will to command, direct or require, and the word "may" to allow or permit, but not

require. In the context of my Trustee, when I use the word "may" I intend that my Trustee may act in its sole and absolute discretion unless otherwise stated in my Will.

(k) Trust

The term "trust," refers to any trusts created under the terms of my Will.

(l) Trustee

The term "my Trustee" refers to any person or entity that is from time to time acting as the Trustee and includes each Trustee individually, multiple Trustees, and their successors.

(m) Other Definitions

Except as otherwise provided in my Will, terms shall be as defined in Nevada Revised Statutes as amended after the date of my Will and after my death.

Section 9.03 Contest Provision

If any beneficiary of my Will or any trust created under the terms of my Will, alone or in conjunction with any other person engages in any of the following actions, the right of the beneficiary to take any interest given to the beneficiary under my Will or any trust created under the terms of my Will will be determined as it would have been determined as if the beneficiary predeceased me without leaving any surviving descendants.

Contests by a claim of undue influence, fraud, menace, duress, or lack of testamentary capacity, or otherwise objects in any court to the validity of (a) my Will, (b) any trust created under the terms of my Will, or (c) any beneficiary designation of an annuity, retirement plan, IRA, Keogh, pension or profit sharing plan, or insurance policy signed by me, (collectively referred to hereafter in this Section as "Document" or "Documents") or any amendments or codicils to any Document;

Seeks to obtain an adjudication in any court proceeding that a Document or any of its provisions is void, or otherwise seeks to void, nullify, or set aside a Document or any of its provisions;

Files suit on a creditor's claim filed in a probate of my estate, against my estate, or any other Document, after rejection or lack of action by the respective fiduciary;

Files a petition or other pleading to change the character (community, separate, joint tenancy, partnership, domestic partnership, real or personal, tangible or intangible) of property already so characterized by a Document;

Files a petition to impose a constructive trust or resulting trust on any assets of my estate; or

Participates in any of the above actions in a manner adverse to my estate, such as conspiring with or assisting any person who takes any of the above actions.

My Executor may defend, at the expense of my estate, any violation of this Section. A "contest" includes any action described above in an arbitration proceeding, but does not include any action described above solely in a mediation not preceded by a filing of a contest with a court.

Section 9.04 Survivorship Presumption

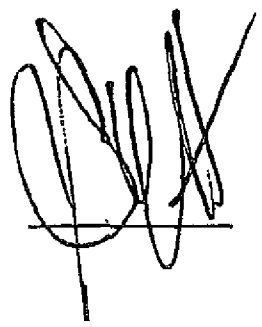
If any beneficiary is living at my death, but dies within 90 days thereafter, then the beneficiary will be deemed to have predeceased me for all purposes of my Will.

Section 9.05 General Provisions

The following general provisions and rules of construction apply to my Will:

(a) Singular and Plural; Gender

Unless the context requires otherwise, words denoting the singular may be construed as plural and words of the plural may be construed as denoting the singular. Words of one gender may be construed as denoting another gender as is appropriate within the context. The word "or" when used in a list of more than two items may function as both a conjunction and a disjunction as the context requires or permits.



(b) Headings of Articles, Sections, and Subsections

The headings of Articles, Sections, and subsections used within my Will are included solely for the convenience and reference of the reader. They have no significance in the interpretation or construction of my Will.

(c) Governing State Law

My Will shall be governed, construed and administered according to the laws of Nevada as from time to time amended. Questions of administration of any trust established under my Will are to be determined by the laws of the situs of administration of that trust.

(d) Notices

Unless otherwise stated, whenever my Will calls for notice, the notice will be in writing and will be personally delivered with proof of delivery, or mailed postage prepaid by certified mail, return receipt requested, to the last known address of the party requiring notice. Notice will be effective on the date personally delivered or on the date of the return receipt. If a party giving notice does not receive the return receipt but has proof that he or she mailed the notice, notice will be effective on the date it would normally have been received via certified mail. If notice is required to be given to a minor or incapacitated individual, notice will be given to the parent or legal representative of the minor or incapacitated individual.

(e) Severability

The invalidity or unenforceability of any provision of my Will does not affect the validity or enforceability of any other provision of my Will. If a court of competent jurisdiction determines that any provision is invalid, the remaining provisions of my Will are to be interpreted and construed as if any invalid provision had never been included in my Will.

REST OF PAGE INTENTIONALLY LEFT BLANK

I, THEODORE E. SCHEIDE, sign my name to this instrument consisting of sixteen (16) pages on June 8, 2012, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my Last Will and Testament, that I sign it willingly, that I execute it as my free and voluntary act for the purposes therein expressed, and that I am eighteen years of age or older, of sound mind, and under no constraint or undue influence.

THEODORE E. SCHEIDE, Testator

Under penalty of perjury pursuant to the law of the State of Nevada, the undersigned, Kristin M. Tyler and DIANE L. DeWALT, declare that the following is true of their own knowledge: That they witnessed the execution of the foregoing will of the testator, THEODORE E. SCHEIDE; that the testator subscribed the will and declared it to be his last will and testament in their presence; that they thereafter subscribed the will as witnesses in the presence of the testator and in the presence of each other and at the request of the testator; and that the testator at the time of the execution of the will appeared to them to be of full age and of sound mind and memory.

Dated this 8 day of June, 2012.

Declarant 1	Declarant 2
Residing at:	Residing at:
541 Sierra Morena St	8209 Jo Marcy Drive
Las Vegas, NV 89144	Las Vegas, NV 89131

MAY 20 2016

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

INTENTIONALLY LEFT BLANK
EXHIBIT PAGE ONLY

EXHIBIT 4

HUTCHISON & STEFFEN
A PROFESSIONAL LLC

AFF
Todd L. Moody (5430)
Russel J. Geist (9030)
HUTCHISON & STEFFEN, LLC
Peccole Professional Park
10080 West Alta Drive, Suite 200
Las Vegas, Nevada 89145
(702) 385-2500
(702) 385-2086
rgeist@hutchlegal.com

Attorneys for St. Jude Children's Research Hospital

DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased.	Case No.: P-14-082619-E Dept No.: PCI

AFFIDAVIT OF PROOF OF LOST WILL

I, DIANE L. DeWALT, being first duly sworn, do hereby declare to the undersigned authority that I was a Witness to the Last Will and Testament dated October 2, 2012 ("Last Will") of THEODORE E. SCHEIDE, JR., also sometimes known as THEODORE E. SCHEIDE ("Decedent"), and did sign as a witness on that Last Will. I can further attest that the Decedent signed and executed the instrument as his Last Will on October 2, 2012, and that he signed it willingly, and that he executed it as his free and voluntary act for the purposes therein expressed and to the best of my knowledge the Decedent was at that time eighteen years of age or older, of sound mind and under no constraint or undue influence.

I further attest that the Decedent signed and executed the Last Will dated October 2, 2012 in the presence of myself and THEODORE E. SCHEIDE, and we both subscribed the Attestation to the Last Will in the presence of the Decedent.

HUTCHISON & STEFFEN
A PROFESSIONAL LLC
PECCOLE PROFESSIONAL PARK
10080 WEST ALTA DRIVE, SUITE 200
LAS VEGAS, NV 89145

I further attest that, to my knowledge, the Decedent did not intentionally destroy or revoke the Last Will, dated October 2, 2012, and that to the best of my knowledge this was the Decedent's Last Will and Testament.

DATED this July 26, 2016.

DIANE L. DeWALT

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

Subscribed and Sworn to before me this 26 day of July, 2016.

NOTARY PUBLIC
STATE OF NEVADA
County of Clark
AMBER R. ANDERSON
Appt. No. 05-95684-1
My Appt. Expires March 23,2017

Notary Public

HUTCHISON & STEFFEN
A PROFESSIONAL LLC
PECCOLE PROFESSIONAL PARK
10080 WEST ALTA DRIVE, SUITE 200
LAS VEGAS, NV 89145

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE ESTATE OF THEODORE ERNEST SCHEIDE, JR.	)	Supreme Court No. 76924 District Case No. P082619
ST. JUDE CHILDREN'S RESEARCH HOSPITAL, Appellant, v. THEODORE E. SCHEIDE, III,, Respondent.	)	

Electronically Filed
Jun 07 2019 06:19 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

APPENDIX TO
APPELLANT'S OPENING BRIEF
VOLUME I of IX

Appeal from the Eighth Judicial District Court
Case No. P082619

HUTCHISON & STEFFEN, PLLC

Michael K. Wall (2098)
Russel J. Geist (9030)
Peccole Professional Park
10080 Alta Drive, Suite 200
Las Vegas, Nevada 89145

Attorneys for Appellant

Docket 76924 Document 2019-24920

Chronological Index

Doc No.	Description	Vol.	Bates Nos.
1	Ex Parte Petition for Appointment of Special Administrator; filed 10/02/2014	I	AA000001-000005
2	Ex Parte Order Appointing Special Administrator; filed 10/06/2014	I	AA000006
3	Letters of Special Administration; filed 10/13/2014	I	AA000007
4	Notice of Entry of Ex Parte Order Appointing Special Administrator; filed 01/12/2015	I	AA000008-000010
5	Petition for Appointment of Administrator of Intestate Estate Under Full Administration; filed 01/29/2015	I	AA000011-000030
6	Notice of Hearing for Appointment of Administrator with Will Annexed Under Full Administration; fled 01/29/2015	I	AA000031
7	Certificate of Mailing - Notice of Hearing for Appointment of Administrator with Will Annexed Under Full Administration; filed 01/29/2015	I	AA000032
8	Petition for Instructions; filed 05/06/2015	I	AA000033-000055
9	Notice of Hearing on Petition for Instructions; filed 05/06/2015	I	AA000056
10	Certificate of Mailing - Notice of Hearing on Petition for Instructions; filed 05/06/2015	I	AA000057

11	Court Minutes; issued 05/22/2015	I	AA000058-000059
12	Order on Petition for Instructions; filed 05/26/2015	I	AA000060-000061
13	Notice to Creditors; filed 05/27/2015	I	AA000062
14	Statement of Name and Permanent Address of Administrator; filed 05/27/2015	I	AA000063
15	Letters of Administration; filed 05/28/2015	I	AA000064
16	Affidavit of Publication; filed 06/11/2015	I	AA000065
17	Inventory, Appraisal and Record of Value; filed 03/28/2016	I	AA000066-000069
18	First and Final Account, Report of Administration and Petition for Final Distribution and Approval of Costs and Fees; filed 05/18/2016	I	AA000070-000075
19	Notice of Hearing on First and Final Report and Accounting and Petition for Final Distribution and Approval of Costs and Fees; filed 05/18/2016	I	AA000076
20	Certificate of Mailing - Inventory, Appraisal and Record of Value and Notice of Hearing on the First and Final Account, Report of Administration, and Petition for Final Distribution and Approval of Costs and Fees; filed 05/18/2016	I	AA000077
21	Certificate of Mailing - Notice to Creditors; filed 05/18/2016	I	AA000078
22	Notice of Appearance - Hutchinson & Steffen; filed 05/20/2016	I	AA000079-000081

23	Petition for Proof of Will and for Issuance of Letters Testamentary Under Full Administration, Petition to Appoint Person Representative, and Petition to Distribute and Close Estate; filed 05/25/2016	I	AA000082-000104
24	Notice of Hearing on Petition for Proof of Will and for Issuance of Letters Testamentary Under Full Administration, Petition to Appoint Personal Representative, and Petition to Distribute and Close Estate; filed 05/25/2016	I	AA000105
25	Amended First and Final Account, Report of Administration and Petition for Final Distribution and Approval of Costs and Fees; filed 05/25/2016	I	AA000106-000111
26	Last Will and Testament of Theodore E. Scheide; filed 05/31/2016	I	AA000112-000128
27	Notice of Withdrawal of Petition for Proof of Will and for Issuance of Letters Testamentary Under Full Administration, Petition to Appoint Personal Representative, and Petition to Distribute and Close Estate; filed 07/13/2016	I	AA000129
28	Notice of Withdrawal of Amended First and Final Account, Report of Administration and Petition for Final Distribution and Approval of Costs and Fees; filed 07/13/2019	I	AA000130
29	Re-Notice of Hearing - First and Final Account, Report of Administration and Petition for Final Distribution and Approval of Costs and Fees; filed 08/29/2016	I	AA000131-000138

30	Response to Theodore E. Scheide III's Re-Notice of Hearing on the First and Final Account, Report od Administration and Petition for Final Distribution and Approval of Costs and Fees; filed 09/12/2016	I	AA000139-000140
31	Petition for Probate of Lost Will (NRS136.240); Revocation of Letters of Administration (NRS 141.050); Issuance of Letters Testamentary (NRS 136.090); filed 09/13/2016	I	AA000141-000193
32	Objection to First and Final Account, Report of Administration and Petition for Final Distribution and Approval of Costs and Fees; filed 09/13/2016	II	AA000194-000238
33	Notice of Exercise of Right to Have Hearing Before Probate Court Judge; filed 09/14/2016	II	AA000239-000240
34	Order Scheduling Status Check; filed 10/03/2016	II	AA000241-000243
35	Objection to Petition for Proof of Lost Will (NRS 136.240), Issuance of Letters Testamentary, Etc. Counterpetition (Response to Objection) to Distribute Intestate Estate; filed 10/04/2016	II	AA000244-000287
36	Court Minutes; issued 10/12/2016	II	AA000288-000289
37	Reply in Support of Petition for Probate of Lost Will (NRS 136.240); Revocation of Letters of Administration (NRS 141.050); Issuance of Letters Testamentary (NRS 136.090); filed 10/26/2016	II	AA000290-000298
38	Court Minutes; issued 11/02/2016	II	AA000299-000300

39	Order Granting Petition for Probate of Lost Will (NRS 136.240); Revocation of Letters of Administration (NRS 141.050); Issuance of Letters Testamentary (NRS 136.090); filed 02/02/2017	II	AA000301-000303
40	Notice of Motion and Motion to Reconsider/Clarify, Etc.; filed 02/13/2017	II	AA000304-000398
41	Opposition to Motion to Reconsider/Clarify, Etc., filed 03/04/2017	II	AA000399-000424
42	Reply to Opposition to Motion to Reconsider; filed 03/14/2017	III	AA000425-000454
43	Court Minutes; issued 03/22/2017	III	AA000455-000456
44	Recorder's Transcript of Proceeding: Notice of Motion and Motion to Reconsider/Clarify, Etc. Motion: St. Jude Children's Research Hospital's Motion to Extend Discovery and Continue Trial Date on Order Shortening Time (First Request); filed 03/27/2017	III	AA000457-000484
45	Notice of Entry of Order; filed 04/18/2017	III	AA000485-000489
46	Notice of Motion and Motion for Judgment on the Pleadings (NRCP12 (c)); filed 04/21/2017	III	AA000490-000659
47	St. Jude Children's Research Hospital's Motion for Partial Summary Judgment on Non-Revocation of Will Prior to the Decedent's Guardianship and on Decedent's Testamentary Capacity After the Establishment of a Guardianship; filed 04/25/2017	IV	AA000660-000713

48	St. Jude Children's Research Hospital's Opposition to Motion for Judgment on the Pleadings (NRCP 12(c)); filed 05/08/2017	IV	AA000713-000795
49	Respondent's Opposition to Motion for Partial Summary Judgment; filed 05/12/2017	IV	AA000796-000839
50	Reply to St. Jude's Opposition to Motion for Judgment on the Pleadings (NRCP 12(c)), Etc.; filed 05/22/2017	IV	AA000840-000872
51	St. Jude Children's Research Hospital's Reply in Support of Motion for Partial Summary Judgment on Non-Revocation of Will Prior to the Decedent's Guardianship and on Decedent's Testamentary Capacity After the Establishment of a Guardianship; filed 05/23/2017	V	AA000873-000917
52	Respondent's Supplement Regarding Kristin Tyler's Testimony, Etc.; filed 06/01/2017	V	AA000918-000964
53	St. Jude Children's Research Hospital's Reply to Respondent's Supplement Regarding Kristin Tyler's Testimony, Etc.; filed 06/02/2017	V	AA000965-000970
54	Minute Order; served 06/06/2017	V	AA000971-000973
55	Respondent's Trial Brief; filed 06/12/2017	V	AA000974-001067
56	St. Jude Children's Research Hospital's Trial Brief; filed 06/13/2017	V	AA001068-001078
57	Petition for Instructions; filed 06/14/2017	V	AA001079-001081
58	Recorder's Transcript of Proceedings Non-Jury Trial - Day 1; 06/15/2017	VI, VII	AA001082-001363

59	Recorder's Transcript of Proceedings Non-Jury Trial - Day 2; 06/16/2017	VII	AA001364-001407
60	Order Sealing Trial Exhibits; filed 06/26/2017	VII	AA001408
61	Petition for Approval of Accounting and Report of Administration; Petition for Approval of Fees and Costs; filed 01/18/2018	VII	AA001409-001470
62	Decision and Order; filed 08/06/2018	VII	AA001471-001482
63	Notice of Entry of Decision and Order; filed 08/08/2018	VII	AA001483-001496
64	Notice of Appeal; filed 09/06/2018	VII	AA001497-001498
65	Trial Exhibit 1	VII	AA001499-001514
66	Trial Exhibit 2	VII	AA001515-001530
67	Trial Exhibit 3	VII	AA001531-001533
68	Trial Exhibit 4	VII	AA001534-001535
69	Trial Exhibit 5	VIII, IX	AA001536-001884

Alphabetical Index

Doc No.	Description	Vol.	Bates Nos.
16	Affidavit of Publication; filed 06/11/2015	I	AA000065
25	Amended First and Final Account, Report of Administration and Petition for Final Distribution and Approval of Costs and Fees; filed 05/25/2016	I	AA000106-000111
20	Certificate of Mailing - Inventory, Appraisal and Record of Value and Notice of Hearing on the First and Final Account, Report of Administration, and Petition for Final Distribution and Approval of Costs and Fees; filed 05/18/2016	I	AA000077
21	Certificate of Mailing - Notice to Creditors; filed 05/18/2016	I	AA000078
7	Certificate of Mailing - Notice of Hearing for Appointment of Administrator with Will Annexed Under Full Administration; filed 01/29/2015	I	AA000032
10	Certificate of Mailing - Notice of Hearing on Petition for Instructions; filed 05/06/2015	I	AA000057
11	Court Minutes; issued 05/22/2015	I	AA000058-000059
36	Court Minutes; issued 10/12/2016	II	AA000288-000289
38	Court Minutes; issued 11/02/2016	II	AA000299-000300
43	Court Minutes; issued 03/22/2017	III	AA000455-000456

62	Decision and Order; filed 08/06/2018	VII	AA001471-001482
2	Ex Parte Order Appointing Special Administrator; filed 10/06/2014	I	AA000006
1	Ex Parte Petition for Appointment of Special Administrator; filed 10/02/2014	I	AA000001-000005
18	First and Final Account, Report of Administration and Petition for Final Distribution and Approval of Costs and Fees; filed 05/18/2016	I	AA000070-000075
17	Inventory, Appraisal and Record of Value; filed 03/28/2016	I	AA000066-000069
26	Last Will and Testament of Theodore E. Scheide; filed 05/31/2016	I	AA000112-000128
15	Letters of Administration; filed 05/28/2015	I	AA000064
3	Letters of Special Administration; filed 10/13/2014	I	AA000007
54	Minute Order; served 06/06/2017	V	AA000971-000973
64	Notice of Appeal; filed 09/06/2018	VII	AA001497-001498
22	Notice of Appearance - Hutchinson & Steffen; filed 05/20/2016	I	AA000079-000081
63	Notice of Entry of Decision and Order; filed 08/08/2018	VII	AA001483-001496
45	Notice of Entry of Order; filed 04/18/2017	III	AA000485-000489
4	Notice of Entry of Ex Parte Order Appointing Special Administrator; filed 01/12/2015	I	AA000008-000010

33	Notice of Exercise of Right to Have Hearing Before Probate Court Judge; filed 09/14/2016	II	AA000239-000240
6	Notice of Hearing for Appointment of Administrator with Will Annexed Under Full Administration; fled 01/29/2015	I	AA000031
19	Notice of Hearing on First and Final Report and Accounting and Petition for Final Distribution and Approval of Costs and Fees; filed 05/18/2016	I	AA000076
9	Notice of Hearing on Petition for Instructions; filed 05/06/2015	I	AA000056
24	Notice of Hearing on Petition for Proof of Will and for Issuance of Letters Testamentary Under Full Administration, Petition to Appoint Personal Representative, and Petition to Distribute and Close Estate; filed 05/25/2016	I	AA000105
46	Notice of Motion and Motion for Judgment on the Pleadings (NRCP12 (c)); filed 04/21/2017	III	AA000490-000659
40	Notice of Motion and Motion to Reconsider/Clarify, Etc.; filed 02/13/2017	II	AA000304-000398
28	Notice of Withdrawal of Amended First and Final Account, Report of Administration and Petition for Final Distribution and Approval of Costs and Fees; filed 07/13/2019	I	AA000130

27	Notice of Withdrawal of Petition for Proof of Will and for Issuance of Letters Testamentary Under Full Administration, Petition to Appoint Personal Representative, and Petition to Distribute and Close Estate; filed 07/13/2016	I	AA000129
13	Notice to Creditors; filed 05/27/2015	I	AA000062
32	Objection to First and Final Account, Report of Administration and Petition for Final Distribution and Approval of Costs and Fees; filed 09/13/2016	II	AA000194-000238
35	Objection to Petition for Proof of Lost Will (NRS 136.240), Issuance of Letters Testamentary, Etc. Counterpetition (Response to Objection) to Distribute Intestate Estate; filed 10/04/2016	II	AA000244-000287
41	Opposition to Motion to Reconsider/Clarify, Etc., filed 03/04/2017	II	AA000399-000424
39	Order Granting Petition for Probate of Lost Will (NRS 136.240); Revocation of Letters of Administration (NRS 141.050); Issuance of Letters Testamentary (NRS 136.090); filed 02/02/2017	II	AA000301-000303
12	Order on Petition for Instructions; filed 05/26/2015	I	AA000060-000061
34	Order Scheduling Status Check; filed 10/03/2016	II	AA000241-000243
60	Order Sealing Trial Exhibits; filed 06/26/2017	VII	AA001408
5	Petition for Appointment of Administrator of Intestate Estate Under Full Administration; filed 01/29/2015	I	AA000011-000030

61	Petition for Approval of Accounting and Report of Administration; Petition for Approval of Fees and Costs; filed 01/18/2018	VII	AA001409-001470
8	Petition for Instructions; filed 05/06/2015	I	AA000033-000055
57	Petition for Instructions; filed 06/14/2017	V	AA001079-001081
31	Petition for Probate of Lost Will (NRS136.240); Revocation of Letters of Administration (NRS 141.050); Issuance of Letters Testamentary (NRS 136.090); filed 09/13/2016	I	AA000141-000193
23	Petition for Proof of Will and for Issuance of Letters Testamentary Under Full Administration, Petition to Appoint Person Representative, and Petition to Distribute and Close Estate; filed 05/25/2016	I	AA000082-000104
58	Recorder's Transcript of Proceedings Non-Jury Trial - Day 1; 06/15/2017	VI, VII	AA001082-001363
59	Recorder's Transcript of Proceedings Non-Jury Trial - Day 2; 06/16/2017	VII	AA001364-001407
44	Recorder's Transcript of Proceeding: Notice of Motion and Motion to Reconsider/Clarify, Etc. Motion: St. Jude Children's Research Hospital's Motion to Extend Discovery and Continue Trial Date on Order Shortening Time (First Request); filed 03/27/2017	III	AA000457-000484
29	Re-Notice of Hearing - First and Final Account, Report of Administration and Petition for Final Distribution and Approval of Costs and Fees; filed 08/29/2016	I	AA000131-000138

37	Reply in Support of Petition for Probate of Lost Will (NRS 136.240); Revocation of Letters of Administration (NRS 141.050); Issuance of Letters Testamentary (NRS 136.090); filed 10/26/2016	II	AA000290-000298
42	Reply to Opposition to Motion to Reconsider; filed 03/14/2017	III	AA000425-000454
50	Reply to St. Jude's Opposition to Motion for Judgment on the Pleadings (NRCP 12(c)), Etc.; filed 05/22/2017	IV	AA000840-000872
49	Respondent's Opposition to Motion for Partial Summary Judgment; filed 05/12/2017	IV	AA000796-000839
52	Respondent's Supplement Regarding Kristin Tyler's Testimony, Etc.; filed 06/01/2017	V	AA000918-000964
55	Respondent's Trial Brief; filed 06/12/2017	V	AA000974-001067
30	Response to Theodore E. Scheide III's Re-Notice of Hearing on the First and Final Account, Report od Administration and Petition for Final Distribution and Approval of Costs and Fees; filed 09/12/2016	I	AA000139-000140
14	Statement of Name and Permanent Address of Administrator; filed 05/27/2015	I	AA000063
47	St. Jude Children's Research Hospital's Motion for Partial Summary Judgment on Non-Revocation of Will Prior to the Decedent's Guardianship and on Decedent's Testamentary Capacity After the Establishment of a Guardianship; filed 04/25/2017	IV	AA000660-000713

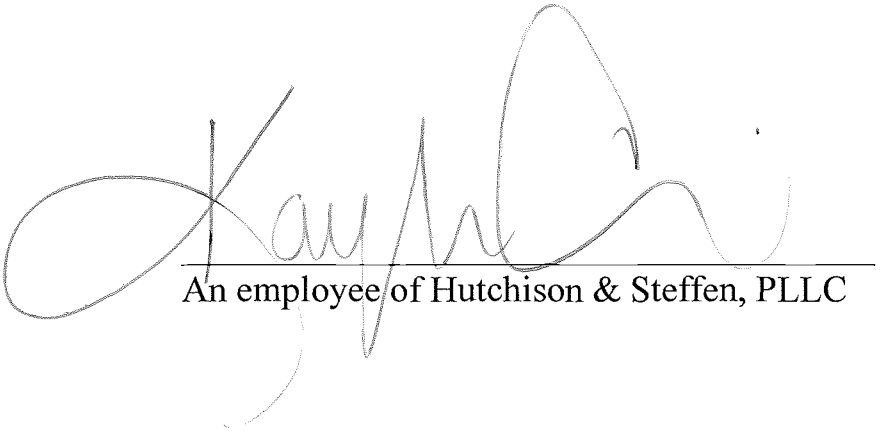
48	St. Jude Children's Research Hospital's Opposition to Motion for Judgment on the Pleadings (NRCP 12(c)); filed 05/08/2017	IV	AA000713-000795
51	St. Jude Children's Research Hospital's Reply in Support of Motion for Partial Summary Judgment on Non-Revocation of Will Prior to the Decedent's Guardianship and on Decedent's Testamentary Capacity After the Establishment of a Guardianship; filed 05/23/2017	V	AA000873-000917
53	St. Jude Children's Research Hospital's Reply to Respondent's Supplement Regarding Kristin Tyler's Testimony, Etc.; filed 06/02/2017	V	AA000965-000970
56	St. Jude Children's Research Hospital's Trial Brief; filed 06/13/2017	V	AA001068-001078
65	Trial Exhibit 1	VII	AA001499-001514
66	Trial Exhibit 2	VII	AA001515-001530
67	Trial Exhibit 3	VII	AA001531-001533
68	Trial Exhibit 4	VII	AA001534-001535
69	Trial Exhibit 5	VII, IX	AA001536-001884

CERTIFICATE OF SERVICE

I certify that I am an employee of HUTCHISON & STEFFEN, PLLC and that on this date **APPENDIX TO APPELLANT'S OPENING BRIEF VOLUME I of IX** was filed electronically with the Clerk of the Nevada Supreme Court, and therefore electronic service was made in accordance with the master service list as follows:

Cary Colt Payne, Esq.
700 S. 8th Street
Las Vegas, NV 89101
Attorney for Theodore "Chip" E. Scheide, III

DATED this 7th day of June, 2018.



An employee of Hutchison & Steffen, PLLC

Electronically Filed
10/02/2014 01:25:08 PM

CLERK OF THE COURT

EXPP
KIM BOYER, CELA
Nevada Bar #5587
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
(702) 255-2000
Email: kimboyer@elderlawnv.com

DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased.	Case No.: P-14-082619-E H

EX PARTE PETITION FOR APPOINTMENT OF SPECIAL ADMINISTRATOR

Petitioner, SUSAN M. HOY, of Las Vegas, Nevada, respectfully represents to the court as follows:

1. THEODORE E. SCHEIDE died on or about August 17, 2014, in Clark County, Nevada. A certified death certificate is attached hereto marked as Exhibit "1."

2. The decedent, at the time of his death, resided in Clark County, Nevada, and property of his estate consists of certain personal property, the value of which is over $200,000.00.

3. Due search and inquiry has been made to ascertain if the decedent left a will and a copy has been found but not the original. The decedent has a safe deposit at U.S. Bank. There is a possibility an original will may be in the safe deposit box. According to the attorney who drafted the estate planning documents, Theodore E. Scheide took the original Last Will. The undersigned, a guardian, did not find an original Last Will in the decedent's personal property and papers.

4. The decedent was not married at the time of his death. He had no surviving parents.

Name and Address	Age	Relationship
Theodore "Chip" E. Scheide, III 101 S. Lexington Avenue Pittsburg, Pennsylvania 15208	Adult	Son

5. SUSAN M. HOY was the Guardian of the Person and Estate of THEODORE E. SCHEIDE. Petitioner is willing and capable of serving as said Special Administrator. Petitioner is of legal age and has not been convicted of a felony.

6. The assets remain blocked per order of the Guardianship Court.

7. Special Letters of Administration are requested in order to enter into the decedent's safe deposit box to determine if there is a Last Will and to remove said Last Will.

9. The name of the person for whom Special Letters of Administration are prayed SUSAN M. HOY. SUSAN M. HOY is of legal age and has never been convicted of a felony.

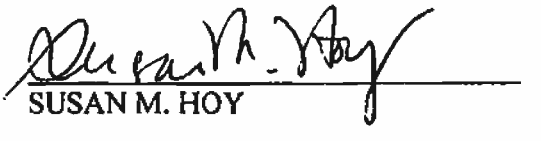
WHEREFORE, Petitioner prays:

1. That Special Letters of Administration be granted to Petitioner, SUSAN M. HOY, in order to enter the decedent's safe deposit box at U.S. Bank to determine if there is a Last Will and to remove the same from the safety deposit box.

2. That the court waive the posting of the bond by the Special Administrator.

3. For such other and further relief as the court deems appropriate.

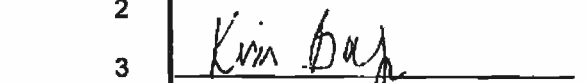
DATED this 16 day of September, 2014.



SUSAN M. HOY

LV_273802.1

Submitted by:



KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
Attorney for Estate

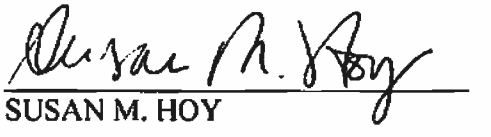
VERIFICATION

STATE OF NEVADA

COUNTY OF CLARK

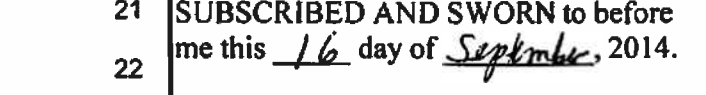
SUSAN M. HOY, under penalties of perjury, being first duly sworn, deposes and says:

That she is a petitioner named in the foregoing Petition for Appointment of Special Administrators, and knows the contents thereof; that the petition is true of her own knowledge, except as to those matters stated on information and belief, and that as to those matters she believes it to be true.

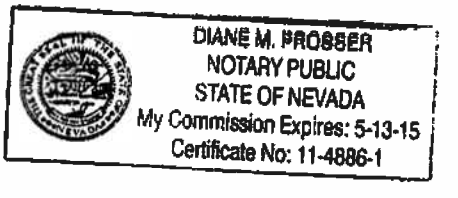


SUSAN M. HOY

SUBSCRIBED AND SWORN to before me this 16 day of September, 2014.



NOTARY PUBLIC



LV_273802.1

STATE OF NEVADA

CERTIFICATION OF VITAL RECORD

DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF HEALTH – VITAL STATISTICS

CERTIFICATE OF DEATH

2014014091
STATE FILE NUMBER

TYPE OR PRINT IN PERMANENT BLACK INK

DECEDENT

1a. DECEASED NAME (FIRST, MIDDLE, LAST, SUFFIX): Theodore Ernest SCHEIDE JR
2. DATE OF DEATH (Mo/Day/Year): August 17, 2014
3a. COUNTY OF DEATH: Clark
3b. CITY, TOWN, OR LOCATION OF DEATH: Las Vegas
3c. HOSPITAL OR OTHER INSTITUTION - Name (If not either, give street and number): Summerlin Hospital Medical Center
3d. If Hosp. or Inst. indicate DOA, OP, Emer, Rm, Inpatient (Specify): Inpatient
4. SEX: Male
5. RACE (Specify): White
6. Hispanic Origin? Specify: No - Non-Hispanic
7a. AGE - Last birthday (Years): 86
7b. UNDER 1 YEAR: MOS / DAYS
7c. UNDER 1 DAY: HOURS / MINS
8. DATE OF BIRTH (Mo/Day/Yr): August 27, 1927
9a. STATE OF BIRTH (If not U.S.A., name country): Pennsylvania
9b. CITIZEN OF WHAT COUNTRY: United States
10. EDUCATION: 12
11. MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (Specify): Divorced
12. SURVIVING SPOUSE (If wife, give maiden name)
13. SOCIAL SECURITY NUMBER
14a. USUAL OCCUPATION (Give Kind of Work Done During Most of Working Life, Even If Retired): Laborer
14b. KIND OF BUSINESS OR INDUSTRY: Construction
Ever in US Armed Forces? Yes

IF DEATH OCCURRED IN INSTITUTION SEE HANDBOOK REGARDING COMPLETION OF RESIDENCE ITEMS

15a. RESIDENCE - STATE: Nevada
15b. COUNTY: Clark
15c. CITY, TOWN OR LOCATION: Las Vegas
15d. STREET AND NUMBER: 80 Alerion Street
15e. INSIDE CITY LIMITS (Specify Yes or No): Yes

PARENTS

16. FATHER/PARENT - NAME (First, Middle, Last, Suffix): Theodore Ernest SCHEIDE SR
17. MOTHER/PARENT - NAME (First, Middle, Last, Suffix): Stella SARVER

18a. INFORMANT - NAME (Type or Print): Nevada Guardian SERVICES
18b. MAILING ADDRESS (Street or R.F.D. No., City or Town, State, Zip): 6625 South Valley View Blvd., Ste 215 Las Vegas, Nevada 89118

DISPOSITION

19a. BURIAL, CREMATION, REMOVAL, OTHER (Specify): Cremation
19b. CEMETERY OR CREMATORY - NAME: Palm Crematory
19c. LOCATION - City or Town, State: Las Vegas Nevada 89101
20a. FUNERAL DIRECTOR - SIGNATURE (Or Person Acting as Such): BART BURTON
SIGNATURE AUTHENTICATED
20b. FUNERAL DIRECTOR LICENSE: 50
20c. NAME AND ADDRESS OF FACILITY: Palm Mortuary-Downtown, 1325 North Main Street, Las Vegas, NV 89101

TRADE CALL

TRADE CALL - NAME AND ADDRESS

CERTIFIER

To Be Completed by CERTIFYING PHYSICIAN

21a. To the best of my knowledge, death occurred at the time, date and place and due to the cause(s) stated. (Signature & Title) SIGNATURE AUTHENTICATED
WESTBROOK KAPLAN MD
21b. DATE SIGNED (Mo/Day/Yr): September 03, 2014
21c. HOUR OF DEATH: 12:26
21d. NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print)

To Be Completed by CORONER'S OFFICE

22a. On the basis of examination and/or investigation, in my opinion, death occurred at the time, date and place and due to the cause(s) stated. (Signature & Title)
22b. DATE SIGNED (Mo/Day/Yr)
22c. HOUR OF DEATH
22d. PRONOUNCED DEAD (Mo/Day/Yr)
22e. PRONOUNCED DEAD AT (Hour)

23a. NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, ATTENDING PHYSICIAN, MEDICAL EXAMINER, OR CORONER) (Type or Print): WESTBROOK KAPLAN MD 5360 S Rainbow Las Vegas, NV 89118
23b. LICENSE NUMBER: 11016

REGISTRAR

24a. REGISTRAR (Signature): MARY WILSON
SIGNATURE AUTHENTICATED
24b. DATE RECEIVED BY REGISTRAR (Mo/Day/Yr): September 03, 2014
24c. DEATH DUE TO COMMUNICABLE DISEASE: YES ☐ NO ☒

CAUSE OF DEATH

CONDITIONS IF ANY WHICH GAVE RISE TO IMMEDIATE CAUSE → STATING THE UNDERLYING CAUSE LAST

25. IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (a), (b), AND (c).)

PART I
(a) Respiratory failure — Interval between onset and death:
DUE TO, OR AS A CONSEQUENCE OF
(b) Sepsis — Interval between onset and death:
DUE TO, OR AS A CONSEQUENCE OF
(c) Abdominal abscess (non traumatic, category III per family) — Interval between onset and death:
DUE TO, OR AS A CONSEQUENCE OF
(d) — Interval between onset and death:

PART II OTHER SIGNIFICANT CONDITIONS - Conditions contributing to death but not resulting in the underlying cause given in Part I.
26. AUTOPSY (Specify Yes or No): No
27. WAS CASE REFERRED TO CORONER (Specify Yes or No): No

28a. ACC., SUICIDE, HOM., UNDET. OR PENDING INVEST. (Specify)
28b. DATE OF INJURY (Mo/Day/Yr)
28c. HOUR OF INJURY
28d. DESCRIBE HOW INJURY OCCURRED
28e. INJURY AT WORK (Specify Yes or No)
28f. PLACE OF INJURY - At home, farm, street, factory, office building, etc. (Specify)
28g. LOCATION - STREET OR R.F.D. No., CITY OR TOWN, STATE

STATE REGISTRAR

"CERTIFIED TO BE A TRUE AND CORRECT COPY OF THE DOCUMENT ON FILE WITH THE REGISTRAR OF VITAL STATISTICS, STATE OF NEVADA." This copy was issued by the Southern Nevada Health District from State certified documents authorized by the State Board of Health pursuant to NRS 440.175

0000087145

DATE ISSUED: SEP 05 2014

Registrar of Vital Statistics
By: [signature]

This Copy not valid unless prepared on engraved border displaying date, seal and signature of Registrar
SOUTHERN NEVADA HEALTH DISTRICT • P.O. Box 3902 • Las Vegas, NV 89127 • 702-759-1010 • Tax ID # 88-0...

THE GREAT SEAL OF THE STATE OF NEVADA

SOUTHERN NEVADA HEALTH DISTRICT

AA000004

⚠ ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE ⚠

Electronically Filed
10/06/2014 06:30:29 PM

CLERK OF THE COURT

EXPR
KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89107
(702) 255-2000
Email: kimboyer@elderlawnv.com
Attorney for Estate

DISTRICT COURT

CLARK COUNTY, NEVADA

In the matter of the Estate of THEODORE E. SCHEIDE, Deceased	Case No.: P-14-082619-E **EX PARTE ORDER APPOINTING SPECIAL ADMINISTRATOR**

Upon review of the Ex Parte Petition for Appointment of Special Administrator; and good cause appearing therefore:

IT IS HEREBY ORDERED that SUSAN M. HOY is appointed Special Administrator of the Estate of THEODORE E. SCHEIDE and that Letters of Special Administration be issued to the Petitioner, without the requirement of posting bond.

IT IS FURTHER ORDERED that the Special Administrator is authorized to enter the decedent's safe deposit box at U.S. Bank to determine if there is a Last Will. If there is a Last Will and Testament, the document shall be removed from the safe deposit box, if there are any liquid assets all shall be placed in a blocked account.

DATED this 2nd day of October, 2014.

DISTRICT JUDGE SU

KIM BOYER, ESQ.
Nevada Bar #5587

LV_273802.1

Electronically Filed
10/13/2014 01:42:12 PM

CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

In the matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased	Case No.: P-14-082619-E **LETTERS OF SPECIAL ADMINISTRATION**

On the 6th day of October, 2014, the Court entered an Ex Parte Order appointing SUSAN M. HOY as Special Administrator of the Decedent's Estate. The Order includes a directive for no bond.

The Special Administrator is authorized to enter the decedent's safe deposit box at U.S. Bank to determine if there is a Last Will. If there is a Last Will and Testament, the document shall be removed from the safe deposit box, if there are any liquid assets all shall be placed in a blocked account.

In testimony of which, I have this date signed these Letters and affixed the Seal of the Court.

STEVEN D. GRIERSON
CLERK OF THE COURT

By: CYNTHIA HU
Deputy Clerk

Date 10/9/14

OATH

I, SUSAN M. HOY, whose mailing address is 6625 S. Valley View Blvd. #216, Las Vegas, Nevada 89118, solemnly affirm that I will faithfully perform according to law duties of Special Administrator and that any matters stated in any petition or paper filed with the Court are true of my own knowledge or, if any matters are stated on information or belief, I believe them to be true.

SUSAN M. HOY, Special Administrator

SUBSCRIBED AND SWORN TO before me me this 7 day of October, 2014.

NOTARY PUBLIC

KRISTIE HARVEGO
Notary Public State of Nevada
No. 14-14732-1
My Appt. Exp. Aug. 20, 2018

L.V. 273802.1

Electronically Filed
01/12/2015 05:01:32 PM

CLERK OF THE COURT

NEO
KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
Email: kimboyer@elderlawnv.com
(702) 255-2000
Attorney for Estate

DISTRICT COURT

CLARK COUNTY, NEVADA

In the matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased	Case No.: P-14082619-E Dept. No.: PC1

NOTICE OF ENTRY OF ORDER

YOU WILL PLEASE TAKE NOTICE that an Ex Parte Order Appointing Special Administrator, a copy of which is attached hereto, was entered in the above-entitled matter on the 6th day of October, 2014.

DATED this 7th day of January, 2015.

Kim Boyer

KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Avenue, Suite 200
Las Vegas, NV 89135

CERTIFICATE OF MAILING

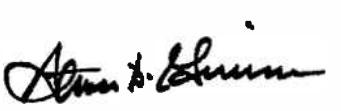
I hereby certify that I served a true and correct copy of the foregoing **Notice of Entry of Order** on the 8th day of January, 2015, by first-class mail, postage prepaid, addressed to the following:

Medicaid Estate Recovery
1050 E. Williams Street, Suite 435
Carson City, Nevada 89701-3199

Theodore "Chip" E. Scheide, III
101 S. Lexington Avenue
Pittsburg, Pennsylvania 15208

Jo Smith
An Employee of Kim Boyer, Esq.

Electronically Filed
10/06/2014 06:30:29 PM



CLERK OF THE COURT

EXPR
KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89107
(702) 255-2000
Email: kimboyer@elderlawnv.com
Attorney for Estate

DISTRICT COURT

CLARK COUNTY, NEVADA

In the matter of the Estate of THEODORE E. SCHEIDE, Deceased	Case No.: P-14-082619-E **EX PARTE ORDER APPOINTING SPECIAL ADMINISTRATOR**

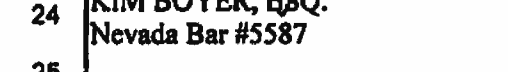
Upon review of the Ex Parte Petition for Appointment of Special Administrator; and good cause appearing therefore:

IT IS HEREBY ORDERED that SUSAN M. HOY is appointed Special Administrator of the Estate of THEODORE E. SCHEIDE and that Letters of Special Administration be issued to the Petitioner, without the requirement of posting bond.

IT IS FURTHER ORDERED that the Special Administrator is authorized to enter the decedent's safe deposit box at U.S. Bank to determine if there is a Last Will. If there is a Last Will and Testament, the document shall be removed from the safe deposit box, if there are any liquid assets all shall be placed in a blocked account.

DATED this 2nd day of October, 2014.

DISTRICT JUDGE SU



KIM BOYER, ESQ.
Nevada Bar #5587

LV_273802.1

Electronically Filed
01/29/2015 06:41:48 PM

CLERK OF THE COURT

0272
KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
(702) 255-2000
E-Mail: kimboyer@elderlawnv.com
Attorney for Estate

DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased.	Case No.: P-14-082619-E

PETITION FOR APPOINTMENT OF ADMINISTRATOR OF INTESTATE ESTATE UNDER FULL ADMINISTRATION

Petitioner, SUSAN M. HOY, of Las Vegas, Nevada, respectfully represents to the court as follows:

1. THEODORE SCHEIDE died on or about August 17, 2014 in Clark County, Nevada. See Certified Death Certificate, attached hereto as Exhibit "1".

2. The decedent was, at the time of his death, a resident of the County of Clark, State of Nevada, and his estate consists of certain personal property in an amount exceeding $200,000.

3. Due search and inquiry has been made to ascertain if the decedent left a valid will and a copy of a Last Will and Testament dated October 2, 2012 was located but the original has not been found. See copy attached hereto as Exhibit "2".

4. The names and addresses of all known heirs of said decedent and beneficiaries named in the will (only a copy of which has been located) are as follows:

Name and Address	Age	Relationship
Theodore "Chip" E. Scheide, III 101 S. Lexington Avenue Pittsburg, Pennsylvania 15208	Adult	Son
Velma G. Shay	Deceased	Friend
St. Jude Children's Hospital 262 Danny Thomas Place Memphis, TN 38105	N/A	Beneficiary

5. The character and estimated value of the property of the estate, all of which is the property of the decedent, to petitioner's knowledge is as follows:

a) Charles Schwab Acct. #x-6113	$1,020,196.39
b) Charles Schwab Acct. #x-3691	$1,205,504.97
b) Guardianship account	$ 29,674.34
TOTAL:	$2,255,375.70

6. There are no known liens, encumbrances or unpaid debts of the decedent.

7. The name of the person for whom Letters of Administration are prayed is SUSAN M. HOY, the previous guardian of the decedent. SUSAN M. HOY is of legal age and has never been convicted of a felony.

WHEREFORE, Petitioner prays:

1. That a time be fixed for the hearing of this petition.

2. That Letters of Administration with Will Annexed be granted to Petitioner, SUSAN M. HOY, to serve without bond and all liquidated assets are to be placed in the Durham Jones & Pinegar Trust Account.

3. For such other and further relief as the court deems appropriate.

DATED this 29 day of January, 2015.

SUSAN M. HOY

Submitted by:

KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
Attorney for Estate

VERIFICATION

STATE OF NEVADA

COUNTY OF CLARK

SUSAN M. HOY, under penalties of perjury, being first duly sworn deposes and says:

That she is the petitioner named in the foregoing Petition for Appointment of Administrator and knows the contents thereof; that the petition is true of her own knowledge, except as to those matters stated on information and belief, and that as to those matters she believes it to be true.

SUSAN M. HOY

SUBSCRIBED AND SWORN to before me
this 29th day of January, 2015.

NOTARY PUBLIC

ANN MORRIS
Notary Public State of Nevada
No. 14-14733-1
My Appt. Exp. Aug. 20, 2016

LV_297977.1

STATE OF NEVADA

CERTIFICATION OF VITAL RECORD

DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF HEALTH – VITAL STATISTICS

CERTIFICATE OF DEATH

STATE FILE NUMBER: 2014014091

TYPE OR PRINT IN PERMANENT BLACK INK

DECEDENT

1a. DECEASED NAME (FIRST, MIDDLE, LAST, SUFFIX): Theodore Ernest SCHEIDE JR
2. DATE OF DEATH (Mo/Day/Year): August 17, 2014
3a. COUNTY OF DEATH: Clark
3b. CITY, TOWN, OR LOCATION OF DEATH: Las Vegas
3c. HOSPITAL OR OTHER INSTITUTION - Name (If not either, give street and number): Summerlin Hospital Medical Center
3e. If Hosp. or Inst. indicate DOA, OP/Emer. Rm, Inpatient (Specify): Inpatient
4. SEX: Male
5. RACE (Specify): White
6. Hispanic Origin? Specify: No - Non-Hispanic
7a. AGE-Last Birthday (Years): 86
7b. UNDER 1 YEAR: MOS / DAYS
7c. UNDER 1 DAY: HOURS / MINS
8. DATE OF BIRTH (Mo/Day/Yr): August 27, 1927

IF DEATH OCCURRED IN INSTITUTION SEE HANDBOOK REGARDING COMPLETION OF RESIDENCE ITEMS

9a. STATE OF BIRTH (If not U.S.A., name country): Pennsylvania
9b. CITIZEN OF WHAT COUNTRY: United States
10. EDUCATION: 12
11. MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (Specify): Divorced
12. SURVIVING SPOUSE (If wife, give maiden name):
13. SOCIAL SECURITY NUMBER:
14a. USUAL OCCUPATION (Give kind of Work Done During Most of Working Life. Even If Retired): Laborer
14b. KIND OF BUSINESS OR INDUSTRY: Construction
Ever in US Armed Forces? Yes
15a. RESIDENCE - STATE: Nevada
15b. COUNTY: Clark
15c. CITY, TOWN OR LOCATION: Las Vegas
15d. STREET AND NUMBER: 80 Alerion Street
15e. INSIDE CITY LIMITS (Specify Yes or No): Yes

PARENTS

16. FATHER/PARENT - NAME (First, Middle, Last, Suffix): Theodore Ernest SCHEIDE SR
17. MOTHER/PARENT - NAME (First, Middle, Last, Suffix): Stella SARVER

18a. INFORMANT - NAME (Type or Print): Nevada Guardian SERVICES
18b. MAILING ADDRESS (Street or R.F.D. No, City or Town, State, Zip): 5625 South Valley View Blvd., Ste 216 Las Vegas, Nevada 89118

DISPOSITION

19a. BURIAL, CREMATION, REMOVAL, OTHER (Specify): Cremation
19b. CEMETERY OR CREMATORY - NAME: Palm Crematory
19c. LOCATION - City or Town, State: Las Vegas Nevada 89101
20a. FUNERAL DIRECTOR - SIGNATURE (Or Person Acting as Such): BART BURTON
SIGNATURE AUTHENTICATED
20b. FUNERAL DIRECTOR LICENSE: 50
20c. NAME AND ADDRESS OF FACILITY: Palm Mortuary-Downtown, 1325 North Main Street, Las Vegas, NV 89101

TRADE CALL

TRADE CALL - NAME AND ADDRESS

CERTIFIER

To Be Completed by Certifying Physician

21a. To the best of my knowledge, death occurred at the time, date and place and due to the cause(s) stated. (Signature & Title) SIGNATURE AUTHENTICATED
WESTBROOK KAPLAN MD
21b. DATE SIGNED (Mo/Day/Yr): September 03, 2014
21c. HOUR OF DEATH: 12:26
21d. NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print):

To Be Completed by Coroner/Medical Office

22a. On the basis of examination and/or investigation, in my opinion, death occurred at the time, date and place and due to the cause(s) stated. (Signature & Title)
22b. DATE SIGNED (Mo/Day/Yr):
22c. HOUR OF DEATH:
22d. PRONOUNCED DEAD (Mo/Day/Yr):
22e. PRONOUNCED DEAD AT (Hour):

23a. NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, ATTENDING PHYSICIAN, MEDICAL EXAMINER, OR CORONER) (Type or Print): WESTBROOK KAPLAN MD 5380 S Rainbow Las Vegas, NV 89118
23b. LICENSE NUMBER: 11016

REGISTRAR

24a. REGISTRAR (Signature): MARY WILSON
SIGNATURE AUTHENTICATED
24b. DATE RECEIVED BY REGISTRAR (Mo/Day/Yr): September 03, 2014
24c. DEATH DUE TO COMMUNICABLE DISEASE: YES ☐ NO ☒

CAUSE OF DEATH

CONDITIONS IF ANY WHICH GAVE RISE TO IMMEDIATE CAUSE STATING THE UNDERLYING CAUSE LAST

25. IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (a), (b), AND (c).)

PART I
(a) Respiratory failure — Interval between onset and death:
DUE TO, OR AS A CONSEQUENCE OF:
(b) Sepsis — Interval between onset and death:
DUE TO, OR AS A CONSEQUENCE OF:
(c) Abdominal abscess (non traumatic, category III per family) — Interval between onset and death:
DUE TO, OR AS A CONSEQUENCE OF:
(d) — Interval between onset and death:

PART II. OTHER SIGNIFICANT CONDITIONS - Conditions contributing to death but not resulting in the underlying cause given in Part I.

26. AUTOPSY (Specify Yes or No): No
27. WAS CASE REFERRED TO CORONER (Specify Yes or No): No

28a. ACC., SUICIDE, HOM., UNDET. OR PENDING INVEST. (Specify):
28b. DATE OF INJURY (Mo/Day/Yr):
28c. HOUR OF INJURY:
28d. DESCRIBE HOW INJURY OCCURRED:
28e. INJURY AT WORK (Specify Yes or No):
28f. PLACE OF INJURY - At home, farm, street, factory, office building, etc. (Specify):
28g. LOCATION — STREET OR R.F.D. No. — CITY OR TOWN — STATE

STATE REGISTRAR

EXHIBIT 2 D

VRS Rev 2012/05/24

CERTIFIED TO BE A TRUE AND CORRECT COPY OF THE DOCUMENT ON FILE WITH THE REGISTRAR OF VITAL STATISTICS, STATE OF NEVADA. This copy was issued by the Southern Nevada Health District from State certified documents authorized by the State Board of Health pursuant to NRS 440.175.

0000094557

DATE ISSUED: OCT 28 2014

Registrar of Vital Statistics
By: [signature]

This Copy not valid unless prepared on engraved border displaying date, seal and signature of Registrar.
SOUTHERN NEVADA HEALTH DISTRICT • P.O. Box 3902 • Las Vegas, NV 89127 • 702-759-1010 • Tax ID # 88-0[illegible]

AA000014

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

OCTOBER 2, 2012
UP-DATED

Last Will and Testament
of
THEODORE E. SCHEIDE

I, THEODORE E. SCHEIDE, a resident of Clark County, Nevada, being of sound mind and disposing memory, hereby revoke any prior wills and codicils made by me and declare this to be my Last Will and Testament.

Article One
Family Information

I am unmarried.

I have one child, THEODORE E. SCHEIDE, III.

However, I am specifically disinheriting THEODORE E. SCHEIDE, III and his descendants. Therefore, for the purposes of my Will, THEODORE E. SCHEIDE, III and his descendants will be deemed to have predeceased me.

Article Two
Specific and General Gifts

Section 2.01 Disposition of Tangible Personal Property

I give all my tangible personal property, together with any insurance policies covering the property and any claims under those policies in accordance with a "Memorandum for Distribution of Personal Property" or other similar writing directing the disposition of the property. Any writing prepared according to this provision must be dated and signed by me.

If I leave multiple written memoranda that conflict as to the disposition of any item of tangible personal property, the memorandum with the most recent date will control as to those items that are in conflict.

NOTE: ORGAN DONOR ... RECORDED ON MY DRIVERS LICENSE

EXHIBIT "2"

If the memorandum with the most recent date conflicts with a provision of this Will as to the specific distribution of any item of tangible personal property, the provisions of the memorandum with the most recent date control as to those items that are in conflict.

I intend that the writing qualify to distribute my tangible personal property under applicable state law.

Section 2.02 Contingent Distribution of Tangible Personal Property

Any tangible personal property not disposed of by a written memorandum, or if I choose not to leave a written memorandum, all my tangible personal property will be distributed as part of my residuary estate.

Section 2.03 Definition of Tangible Personal Property

For purposes of this Article, the term "tangible personal property" includes but is not limited to my household furnishings, appliances and fixtures, works of art, motor vehicles, pictures, collectibles, personal wearing apparel and jewelry, books, sporting goods, and hobby paraphernalia. The term does not include any tangible property that my Executor, in its sole and absolute discretion, determines to be part of any business or business interest that I own at my death.

Section 2.04 Ademption

If property to be distributed under this Article becomes part of my probate estate in any manner after my death, then the gift will not adeem simply because it was not a part of my probate estate at my death. My Executor will distribute the property as a specific gift in accordance with this Article. But if property to be distributed under this Article is not part of my probate estate at my death and does not subsequently become part of my probate estate, then the specific gift made in this Article is null and void, without any legal or binding effect.

Section 2.05 Incidental Expenses and Encumbrances

Until property distributed in accordance with this Article is delivered to the appropriate beneficiary or to the beneficiary's legal representative, my Executor will pay the reasonable expenses of securing, storing, insuring, packing, transporting, and otherwise caring for the property as an administration expense. Except as otherwise provided in my Will, my Executor will distribute property under this Article subject to all liens, security interests, and other encumbrances on the property.

Article Three
My Residuary Estate

Section 3.01 Definition of My Residuary Estate

All the remainder of my estate, including property referred to above that is not effectively disposed of, will be referred to in my Will as my "residuary estate."

Section 3.02 Disposition of My Residuary Estate

I give my residuary estate to VELMA G. SHAY, if she survives me.

If VELMA G. SHAY predeceases me, then I give my residuary estate to ST. JUDE CHILDREN'S HOSPITAL located in Memphis, Tennessee.

Article Four
Remote Contingent Distribution

If, at any time after my death, there is no person or entity then qualified to receive final distribution of my estate or any part of it under the foregoing provisions of my Will, then the portion of my estate with respect to which the failure of qualified recipients has occurred shall be distributed to those persons who would inherit it had I then died intestate owning the property, as determined and in the proportions provided by the laws of Nevada then in effect (other than THEODORE E. SCHEIDE, III and his descendants).

Article Five
Designation of Executor

Section 5.01 Executor

I name PATRICIA BOWLIN as my Executor. If PATRICIA BOWLIN fails or ceases to act as my Executor, I name NEVADA STATE BANK as my Executor.

Section 5.02 Guardian for Testator

If I should become mentally incompetent to handle my affairs prior to my demise, I request that PATRICIA BOWLIN be appointed guardian of my estate and my person, to serve without bond. In the event that she is unable or unwilling to serve, then I request that a representative from NEVADA STATE BANK be appointed guardian of my estate and my person, to serve without bond.

Article Six
General Administrative Provisions

The provisions of this Article apply to my probate estate.

Section 6.01 No Bond

No Fiduciary is required to furnish any bond for the faithful performance of the Fiduciary's duties, unless required by a court of competent jurisdiction and only if the court finds that a bond is needed to protect the interests of the beneficiaries. No surety is required on any bond required by any law or rule of court, unless the court specifies that a surety is necessary.

Section 6.02 Distributions to Incapacitated Persons and Persons Under Twenty-One Years of Age

If my Executor is directed to distribute any share of my probate estate to any beneficiary who is under the age of 21 years or is in the opinion of my Executor, under any form of incapacity that renders such beneficiary unable to administer distributions properly when the distribution is to be made, my Executor may, as Trustee, in my Executor's discretion, continue to hold such beneficiary's share as a separate trust until the beneficiary reaches the age of 21 or overcomes the incapacity. My Executor shall then distribute such beneficiary's trust to him or her.

While any trust is being held under this Section, my Independent Trustee may pay to the beneficiary for whom the trust is held such amounts of the net income and principal as the Trustee determines to be necessary or advisable for any purpose. If there is no Independent Trustee, my Trustee shall pay to the beneficiary for whom the trust is held such amounts of the net income and

principal as the fiduciary determines to be necessary or advisable for the beneficiary's health, education, maintenance or support.

Upon the death of the beneficiary, my Trustee shall distribute any remaining property in the trust, including any accrued and undistributed income, to such persons as such beneficiary appoints by his or her Will. This general power may be exercised in favor of the beneficiary, the beneficiary's estate, the beneficiary's creditors, or the creditors of the beneficiary's estate. To the extent this general power of appointment is not exercised, on the death of the beneficiary, the trust property is to be distributed to the beneficiary's then living descendants, *per stirpes*, or, if none, *per stirpes* to the living descendants of the beneficiary's nearest lineal ancestor who was a descendant of mine, or if no such descendant is then living, to my then living descendants, *per stirpes*. If I have no then living descendants the property is to be distributed under the provisions of Article Four entitled "Remote Contingent Distribution."

Section 6.03 Maximum Term for Trusts

Notwithstanding any other provision of my Will to the contrary, unless terminated earlier under other provisions of my Will, each trust created under my Will will terminate 21 years after the last to die of the descendants of my maternal and paternal grandparents who are living at the time of my death.

At that time, the remaining trust property will vest in and be distributed to the persons entitled to receive mandatory distributions of net income of the trust and in the same proportions. If no beneficiary is entitled to mandatory distributions of net income, the remaining trust property will vest in and be distributed to the beneficiaries entitled to receive discretionary distributions of net income of the trust, in equal shares *per stirpes*.

Section 6.04 Representative of a Beneficiary

The guardian of the person of a beneficiary may act for such beneficiary for all purposes under my Will or may receive information on behalf of such beneficiary.

Section 6.05 Ancillary Administration

In the event ancillary administration is required or desired and my domiciliary Executor is unable or unwilling to act as an ancillary fiduciary, my domiciliary Executor will have the power to designate, compensate, and remove the ancillary fiduciary. The ancillary fiduciary may be either a natural person or a

corporation. My domiciliary Executor may delegate to such ancillary fiduciary such powers granted to my original Executor as my Executor may deem proper, including the right to serve without bond or surety on bond. The net proceeds of the ancillary estate are to be paid over to the domiciliary Executor.

Section 6.06 Delegation of Authority; Power of Attorney

Any Fiduciary may, by an instrument in writing, delegate to any other Fiduciary the right to exercise any power, including a discretionary power, granted the Fiduciary in my Will. During the time a delegation under this Section is in effect, the Fiduciary to whom the delegation was made may exercise the power to the same extent as if the delegating Fiduciary had personally joined in the exercise of the power. The delegating Fiduciary may revoke the delegation at any time by giving written notice to the Fiduciary to whom the power was delegated.

The Fiduciary may execute and deliver a revocable or irrevocable power of attorney appointing any individual or corporation to transact any and all business on behalf of the trust. The power of attorney may grant to the attorney-in-fact all of the rights, powers, and discretion that the Fiduciary could have exercised.

Section 6.07 Merger of Corporate Fiduciary

If any corporate fiduciary acting as my Fiduciary under my Will is merged with or transfers substantially all of its trust assets to another corporation or if a corporate fiduciary changes its name, the successor shall automatically succeed to the position of my Fiduciary as if originally named my Fiduciary. No document of acceptance of the position of my Fiduciary shall be required.

Article Seven
Powers of My Fiduciaries

Section 7.01 Fiduciaries' Powers Act

My Fiduciaries may, without prior authority from any court, exercise all powers conferred by my Will or by common law or by Nevada Revised Statutes or other statute of the State of Nevada or any other jurisdiction whose law applies to my Will. My Executor has absolute discretion in exercising these powers. Except as

specifically limited by my Will, these powers extend to all property held by my fiduciaries until the actual distribution of the property.

Section 7.02 Powers Granted by State Law

In addition to all of the above powers, my Executor may, without prior authority from any court, exercise all powers conferred by my Will; by common law; by the laws of the State of Nevada, including, without limitation by reason of this enumeration, each and every power enumerated in NRS 163.265 to 163.410, inclusive; or any other jurisdiction whose law applies to my Will. My Executor has absolute discretion in exercising these powers. Except as specifically limited by my Will, these powers extend to all property held by my fiduciaries until the actual distribution of the property.

Section 7.03 Alternative Distribution Methods

My Fiduciary may make any payment provided for under my Will as follows:

Directly to the beneficiary;

In any form allowed by applicable state law for gifts or transfers to minors or persons under a disability;

To the beneficiary's guardian, conservator, agent under a durable power of attorney or caregiver for the benefit of the beneficiary; or

By direct payment of the beneficiary's expenses, made in a manner consistent with the proper exercise of the fiduciary's duties hereunder. A receipt by the recipient for any such distribution fully discharges my Fiduciary.

Article Eight
Provisions for Payment of Debts, Expenses and Taxes

Section 8.01 Payment of Debts and Expenses

I direct that all my legally enforceable debts, secured and unsecured, be paid as soon as practicable after my death.

Section 8.02 No Apportionment

Except as otherwise provided in this Article or elsewhere in my will, my Executor shall provide for payment of all estate, inheritance and succession taxes payable by reason of my death ("death taxes") from my residuary estate as an administrative expense without apportionment and will not seek contribution toward or recovery of any death tax payments from any individual.

For the purposes of this Article, however, the term "death taxes" does not include any additional estate tax imposed by Section 2031(c)(5)(C), Section 2032A(c) or Section 2057(f) of the Internal Revenue Code or any other comparable taxes imposed by any other taxing authority. Nor does the term include any generation-skipping transfer tax, other than a direct skip.

Section 8.03 Protection of Exempt Property

Death taxes are not to be allocated to or paid from any assets that are not included in my gross estate for federal estate tax purposes. In addition, to the extent practicable, my Trustee should not pay any death taxes from assets that are exempt for generation-skipping transfer tax purposes.

Section 8.04 Protection of the Charitable Deduction

Death taxes are not to be allocated to or paid from any assets passing to any organization that qualifies for the federal estate tax charitable deduction, or from any assets passing to a split-interest charitable trust, unless my Executor has first used all other assets available to my Executor to pay the taxes.

Section 8.05 Property Passing Outside of My Will

Death taxes imposed with respect to property included in my gross estate for purposes of computing the tax and passing other than by my Will are to be apportioned among the persons and entities benefited in the proportion that the taxable value of the property or interest bears to the total taxable value of the property and interests received by all persons benefited. The values to be used for the apportionment are the values as finally determined under federal, state, or local law as the case may be.

Section 8.06 No Apportionment Between Current and Future Interests

No interest in income and no estate for years or for life or other temporary interest in any property or trust is to be subject to apportionment as between the

temporary interest and the remainder. The tax on the temporary interest and the tax, if any, on the remainder are chargeable against the corpus of the property or trust subject to the temporary interest and remainder.

Section 8.07 Tax Elections

In exercising any permitted elections regarding taxes, my fiduciaries may make any decisions that they deem to be appropriate in any circumstances, and my fiduciaries are not required to make any compensatory adjustment as a consequence of any election. My Executor may also pay taxes or interest and deal with any tax refunds, interest, or credits as my Executor deems to be necessary or advisable in the interest of my estate.

My Executor, in his or her sole and absolute discretion, may make any adjustments to the basis of my assets authorized by law, including but not limited to increasing the basis of any property included in my gross estate, whether or not passing under my Will, by allocating any amount by which the basis of my assets may be increased. My Executor is not required to allocate basis increase exclusively, primarily or at all to assets passing under my Will as opposed to other property included in my gross estate. My Executor may elect, in his or her sole and absolute discretion, to allocate basis increase to one or more assets that my Executor receives or in which my Executor has a personal interest, to the partial or total exclusion of other assets with respect to which such allocation could be made. My Executor may not be held liable to any person for the exercise of his or her discretion under this Section.

Article Nine
Definitions and General Provisions

Section 9.01 Cremation Instructions

I wish that my remains be cremated and buried in accordance with my pre-paid funeral arrangements with Palm Mortuary in Las Vegas, Nevada.

Section 9.02 Definitions

For purposes of my Will and for the purposes of any trust established under my Will, the following definitions apply:

(a) **Adopted and Afterborn Persons**

A legally adopted person in any generation and his or her descendants, including adopted descendants, will have the same rights and will be treated in the same manner under my Will as natural children of the adopting parent, provided the person is legally adopted before attaining the age of 18 years. A person will be deemed to be legally adopted if the adoption was legal in the jurisdiction in which it occurred at the time that it occurred.

A fetus *in utero* that is later born alive will be considered a person in being during the period of gestation.

(b) **Descendants**

The term "descendants" means any one or more person who follows in direct descent (as opposed to collateral descent) from a person, such as a person's children, grandchildren, or other descended individuals of any generation.

(c) **Fiduciary**

"Fiduciary" or "Fiduciaries" refer to my Executor. My "Executor" includes any executor, ancillary executor, administrator, or ancillary administrator, whether local or foreign, and whether of all or part of my estate, multiple Executors, and their successors.

Except as otherwise provided in this Last Will and Testament, a fiduciary has no liability to any party for action (or inaction) taken in good faith.

(d) **Good Faith**

For the purposes of this Last Will and Testament, a fiduciary has acted in good faith if (i) its action or inaction is not a result of intentional wrongdoing, (ii) the fiduciary did not make the decision with reckless indifference to the interests of the beneficiaries, and (iii) its action or inaction does not result in an improper personal pecuniary benefit to the fiduciary.

(e) **Incapacity**

Except as otherwise provided in my Will, a person is deemed to be incapacitated in any of the following circumstances.

(1) The Opinion of Two Licensed Physicians

An individual is deemed to be incapacitated whenever, in the opinion of two licensed physicians, the individual is unable to effectively manage his or her property or financial affairs, whether as a result of age, illness, use of prescription medications, drugs or other substances, or any other cause.

An individual is deemed to be restored to capacity whenever the individual's personal or attending physician provides a written opinion that the individual is able to effectively manage his or her property and financial affairs.

(2) Court Determination

An individual is deemed to be incapacitated if a court of competent jurisdiction has declared the individual to be disabled, incompetent or legally incapacitated.

(3) Detention, Disappearance or Absence

An individual is deemed to be incapacitated whenever he or she cannot effectively manage his or her property or financial affairs due to the individual's unexplained disappearance or absence for more than 30 days, or whenever he or she is detained under duress.

An individual's disappearance, absence or detention under duress may be established by an affidavit of any fiduciary. The affidavit must describe the circumstances of an individual's detention under duress, disappearance, or absence and may be relied upon by any third party dealing in good faith with my fiduciary in reliance upon the affidavit.

An individual's disappearance, absence, or detention under duress may be established by an affidavit of my Executor.

(f) **Internal Revenue Code**

References to the "Internal Revenue Code" or to its provisions are to the Internal Revenue Code of 1986, as amended from time to time, and the corresponding Treasury Regulations, if any. References to the "Treasury Regulations," are to the Treasury Regulations under the Internal Revenue Code in effect from time to time. If a particular provision of the Internal Revenue Code is renumbered, or the Internal Revenue Code is superseded by a subsequent federal tax law, any reference will be deemed to be made to the renumbered provision or to the corresponding provision of the subsequent law, unless to do so would clearly be contrary to my intent as expressed in my Will. The same rule applies to references to the Treasury Regulations.

(g) **Legal Representative**

As used in my Will, the term "legal representative" means a person's guardian, conservator, personal representative, executor, administrator, Trustee, or any other person or entity personally representing a person or the person's estate.

(h) **Per Stirpes**

Whenever a distribution is to be made to a person's descendants *per stirpes*, the distribution will be divided into as many equal shares as there are then-living children of that person and deceased children of that person who left then-living descendants. Each then-living child will receive one share and the share of each deceased child will be divided among the deceased child's then-living descendants in the same manner.

(i) **Primary Beneficiary**

The Primary Beneficiary of a trust created under this agreement is the oldest Income Beneficiary of that trust unless some other individual is specifically designated as the Primary Beneficiary of that separate trust.

(j) **Shall and May**

Unless otherwise specifically provided in my Will or by the context in which used, I use the word "shall" in my Will to command, direct or require, and the word "may" to allow or permit, but not

require. In the context of my Trustee, when I use the word "may" I intend that my Trustee may act in its sole and absolute discretion unless otherwise stated in my Will.

(k) Trust

The term "trust," refers to any trusts created under the terms of my Will.

(l) Trustee

The term "my Trustee" refers to any person or entity that is from time to time acting as the Trustee and includes each Trustee individually, multiple Trustees, and their successors.

(m) Other Definitions

Except as otherwise provided in my Will, terms shall be as defined in Nevada Revised Statutes as amended after the date of my Will and after my death.

Section 9.03 Contest Provision

If any beneficiary of my Will or any trust created under the terms of my Will, alone or in conjunction with any other person engages in any of the following actions, the right of the beneficiary to take any interest given to the beneficiary under my Will or any trust created under the terms of my Will will be determined as it would have been determined as if the beneficiary predeceased me without leaving any surviving descendants.

Contests by a claim of undue influence, fraud, menace, duress, or lack of testamentary capacity, or otherwise objects in any court to the validity of (a) my Will, (b) any trust created under the terms of my Will, or (c) any beneficiary designation of an annuity, retirement plan, IRA, Keogh, pension or profit sharing plan, or insurance policy signed by me, (collectively referred to hereafter in this Section as "Document" or "Documents") or any amendments or codicils to any Document;

Seeks to obtain an adjudication in any court proceeding that a Document or any of its provisions is void, or otherwise seeks to void, nullify, or set aside a Document or any of its provisions;

Files suit on a creditor's claim filed in a probate of my estate, against my estate, or any other Document, after rejection or lack of action by the respective fiduciary;

Files a petition or other pleading to change the character (community, separate, joint tenancy, partnership, domestic partnership, real or personal, tangible or intangible) of property already so characterized by a Document;

Files a petition to impose a constructive trust or resulting trust on any assets of my estate; or

Participates in any of the above actions in a manner adverse to my estate, such as conspiring with or assisting any person who takes any of the above actions.

My Executor may defend, at the expense of my estate, any violation of this Section. A "contest" includes any action described above in an arbitration proceeding, but does not include any action described above solely in a mediation not preceded by a filing of a contest with a court.

Section 9.04 Survivorship Presumption

If any beneficiary is living at my death, but dies within 90 days thereafter, then the beneficiary will be deemed to have predeceased me for all purposes of my Will.

Section 9.05 General Provisions

The following general provisions and rules of construction apply to my Will:

(a) Singular and Plural; Gender

Unless the context requires otherwise, words denoting the singular may be construed as plural and words of the plural may be construed as denoting the singular. Words of one gender may be construed as denoting another gender as is appropriate within the context. The word "or" when used in a list of more than two items may function as both a conjunction and a disjunction as the context requires or permits.

(b) Headings of Articles, Sections, and Subsections

The headings of Articles, Sections, and subsections used within my Will are included solely for the convenience and reference of the reader. They have no significance in the interpretation or construction of my Will.

(c) Governing State Law

My Will shall be governed, construed and administered according to the laws of Nevada as from time to time amended. Questions of administration of any trust established under my Will are to be determined by the laws of the situs of administration of that trust.

(d) Notices

Unless otherwise stated, whenever my Will calls for notice, the notice will be in writing and will be personally delivered with proof of delivery, or mailed postage prepaid by certified mail, return receipt requested, to the last known address of the party requiring notice. Notice will be effective on the date personally delivered or on the date of the return receipt. If a party giving notice does not receive the return receipt but has proof that he or she mailed the notice, notice will be effective on the date it would normally have been received via certified mail. If notice is required to be given to a minor or incapacitated individual, notice will be given to the parent or legal representative of the minor or incapacitated individual.

(e) Severability

The invalidity or unenforceability of any provision of my Will does not affect the validity or enforceability of any other provision of my Will. If a court of competent jurisdiction determines that any provision is invalid, the remaining provisions of my Will are to be interpreted and construed as if any invalid provision had never been included in my Will.

REST OF PAGE INTENTIONALLY LEFT BLANK

I, THEODORE E. SCHEIDE, sign my name to this instrument consisting of sixteen (16) pages on October 2, 2012, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my Last Will and Testament, that I sign it willingly, that I execute it as my free and voluntary act for the purposes therein expressed, and that I am eighteen years of age or older, of sound mind, and under no constraint or undue influence.

THEODORE E. SCHEIDE, Testator

Under penalty of perjury pursuant to the law of the State of Nevada, the undersigned, KRISTIN M. TYLER and DIANE L. DeWALT declare that the following is true of their own knowledge: That they witnessed the execution of the foregoing will of the testator, THEODORE E. SCHEIDE; that the testator subscribed the will and declared it to be his last will and testament in their presence; that they thereafter subscribed the will as witnesses in the presence of the testator and in the presence of each other and at the request of the testator; and that the testator at the time of the execution of the will appeared to them to be of full age and of sound mind and memory.

Dated this 2 day of October, 2012.

Declarant 1 - Kristin M. Tyler

Residing at:

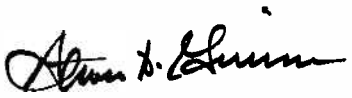
3960 Howard Hughes Parkway
9th Floor
Las Vegas, Nevada 89169

Declarant 2 - Diane L. DeWalt

Residing at:

3960 Howard Hughes Parkway
9th Floor
Las Vegas, Nevada 89169

Electronically Filed
01/29/2015 06:43:31 PM



CLERK OF THE COURT

NOTC
KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
(702) 255-2000
E-Mail: kimboyer@elderlawnv.com
Attorney for Estate

DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased.	Case No.: P-14-082619-E **NOTICE OF HEARING FOR APPOINTMENT OF ADMINISTRATOR WITH WILL ANNEXED UNDER FULL ADMINISTRATION**

PLEASE TAKE NOTICE that SUSAN M. HOY filed with the Court a **Petition for Appointment of Administrator** for the Estate of the above-named Decedent; that a hearing on the Petition has been set for the 13th day of February, 2015, at the hour of 9:30 a.m., in Department PC1 of the above-entitled Court which is located at the Family Court, Courtroom 9, 601 N. Pecos, Las Vegas, Nevada 89101. Further details concerning this Petition can be obtained by reviewing the Court file at the Office of the County Clerk, or by contacting the Petitioner or the attorney for the Petitioner whose name, address and telephone numbers are: KIM BOYER, ESQ., 10785 W. Twain, Suite 200, Las Vegas, Nevada 89135, (702) 255-2000.

PLEASE NOTE you do not need to appear at the hearing unless you want to enter an objection.

DATED this 29th day of January, 2015.

KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
(702) 255-2000
Attorney for the Estate

Electronically Filed
01/29/2015 06:45:27 PM

CLERK OF THE COURT

CERT
KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
(702) 255-2000
E-Mail: kimboyer@elderlawnv.com
Attorney for Estate

DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased.	Case No.: P-14-082619-E

CERTIFICATE OF MAILING

I HEREBY CERTIFY that service of the **Notice of Hearing for Appointment of Administrator with Will Annexed Under Full Administration** was made this 29th day of January, 2015, by depositing a copy of the same in the U.S. Mails, postage prepaid, first class mail, addressed to:

Medicaid Estate Recovery
1050 E. Williams Street, Suite 435
Carson City, Nevada 89701-3199

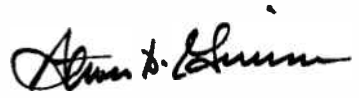
Theodore "Chip" E. Scheide, III
101 S. Lexington Avenue
Pittsburg, Pennsylvania 15208

St. Jude Children's Hospital
262 Danny Thomas Place
Memphis, TN 38105

Jo Smith

Jo Smith, an Employee

Electronically Filed
05/06/2015 05:25:13 PM



CLERK OF THE COURT

0272
KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
(702) 255-2000
E-Mail: kimboyer@elderlawnv.com
Attorney for Estate

DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased.	Case No.: P-14-082619-E

PETITION FOR INSTRUCTIONS

Petitioner, SUSAN M. HOY, of Las Vegas, Nevada, respectfully represents to the court as follows:

1. On October 6, 2014, the Court entered an Order appointing SUSAN M. HOY as Special Administrator, requiring the posting of no bond, that she enter the decedent's safe deposit box at U.S. Bank to determine if there is a Last Will and if there is one, that she remove it, and that if there are any liquid assets, that she place them in a blocked account. A copy is attached hereto as Exhibit "1." On October 13, 2014, Letters of Special Administration were issued to SUSAN M. HOY. A copy is attached hereto as Exhibit "2."

2. THEODORE SCHEIDE died on or about August 17, 2014 in Clark County, Nevada. See copy of Certified Death Certificate, attached hereto as Exhibit "3".

3. The decedent was, at the time of his death, a resident of the County of Clark, State of Nevada, and his estate consists of certain personal property in an amount exceeding $200,000.

4. Due search and inquiry has been made to ascertain if the decedent left a valid will and a copy of a Last Will and Testament dated October 2, 2012 was located but the original has not been found. See copy attached hereto as Exhibit "4".

5. The Special Administrator, per the above-mentioned Order, entered the decedent's safe deposit box located at U.S. Bank and it was empty.

6. The drafting attorney gave the original Will to the decedent. The Special Administrator was the decedent's guardian prior to his death and no original estate planning documents were received or found during the guardianship. The Special Administrator believes the decedent destroyed any original estate planning documents he may have executed prior to his death.

7. The names and addresses of all known heirs of said decedent and beneficiaries named in the will (only a copy of which has been located) are as follows:

Name and Address	Age	Relationship
Theodore "Chip" E. Scheide, III 101 S. Lexington Avenue Pittsburg, Pennsylvania 15208	Adult	Son
Velma G. Shay	Deceased	Friend
St. Jude Children's Hospital 262 Danny Thomas Place Memphis, TN 38105	N/A	Beneficiary

8. There are no known liens, encumbrances or unpaid debts of the decedent.

9. The Special Administrator hereby requests instructions from the court as to how to proceed with this probate matter.

WHEREFORE, Petitioner prays:

1. That a time be fixed for the hearing of this petition.

2. That the Special Administrator requests instructions from the court as to how to proceed with this probate matter.

3. For such other and further relief as the court deems appropriate.

DATED this 30 day of April, 2015.

SUSAN M. HOY

Submitted by:

KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
Attorney for Estate

VERIFICATION

STATE OF NEVADA

COUNTY OF CLARK

SUSAN M. HOY, under penalties of perjury, being first duly sworn deposes and says:

That she is the petitioner named in the foregoing Petition for Instructions and knows the contents thereof; that the petition is true of her own knowledge, except as to those matters stated on information and belief, and that as to those matters she believes it to be true.

SUSAN M. HOY

SUBSCRIBED AND SWORN to before me
this 30th day of April, 2015.

NOTARY PUBLIC

JO SMITH
Notary Public State of Nevada
No. 03-79753-1
My appt. exp. Jan. 27, 2019

Electronically Filed
10/06/2014 06:30:29 PM

CLERK OF THE COURT

EXPR
KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89107
(702) 255-2000
Email: kimboyer@elderlawnv.com
Attorney for Estate

DISTRICT COURT

CLARK COUNTY, NEVADA

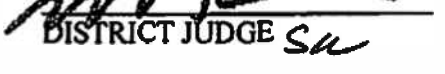
In the matter of the Estate of THEODORE E. SCHEIDE, Deceased	Case No.: P-14-082619-E **EX PARTE ORDER APPOINTING SPECIAL ADMINISTRATOR**

Upon review of the Ex Parte Petition for Appointment of Special Administrator; and good cause appearing therefore:

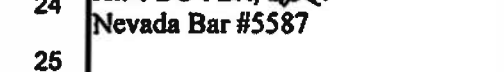
IT IS HEREBY ORDERED that SUSAN M. HOY is appointed Special Administrator of the Estate of THEODORE E. SCHEIDE and that Letters of Special Administration be issued to the Petitioner, without the requirement of posting bond.

IT IS FURTHER ORDERED that the Special Administrator is authorized to enter the decedent's safe deposit box at U.S. Bank to determine if there is a Last Will. If there is a Last Will and Testament, the document shall be removed from the safe deposit box, if there are any liquid assets all shall be placed in a blocked account.

DATED this 2nd day of October, 2014.



DISTRICT JUDGE SM



KIM BOYER, ESQ.
Nevada Bar #5587

LV_273802.1

EXHIBIT "1"

OCT 10 2014

Electronically Filed
10/13/2014 01:42:12 PM

CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

In the matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased	Case No.: P-14-082619-E LETTERS OF SPECIAL ADMINISTRATION

On the 6th day of October, 2014, the Court entered an Ex Parte Order appointing SUSAN M. HOY as Special Administrator of the Decedent's Estate. The Order includes a directive for no bond.

The Special Administrator is authorized to enter the decedent's safe deposit box at U.S. Bank to determine if there is a Last Will. If there is a Last Will and Testament, the document shall be removed from the safe deposit box, if there are any liquid assets all shall be placed in a blocked account.

In testimony of which, I have this date signed these Letters and affixed the Seal of the Court.

STEVEN D. GRIERSON
CLERK OF THE COURT

By: CYNTHIA HU
Deputy Clerk

Date 10/14/14

OATH

I, SUSAN M. HOY, whose mailing address is 6625 S. Valley View Blvd. #216, Las Vegas, Nevada 89118, solemnly affirm that I will faithfully perform according to law duties of Special Administrator and that any matters stated in any petition or paper filed with the Court are true of my own knowledge or, if any matters are stated on information or belief, I believe them to be true.

SUSAN M. HOY, Special Administrator

SUBSCRIBED AND SWORN TO before me me this 7 day of October, 2014.

NOTARY PUBLIC

KRISTIE HARVEGO
Notary Public State of Nevada
No 14-14732-1
My Appt. Exp. Aug. 20, 2018

LV_273802.1

EXHIBIT "2"

AA000039

STATE OF NEVADA
CERTIFICATION OF VITAL RECORD

DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF HEALTH – VITAL STATISTICS

CERTIFICATE OF DEATH

2014014091
STATE FILE NUMBER

TYPE OR PRINT IN PERMANENT BLACK INK

DECEDENT

1a. DECEASED NAME (FIRST, MIDDLE, LAST, SUFFIX): Theodore Ernest SCHEIDE JR
2. DATE OF DEATH (Mo/Day/Year): August 17, 2014
3a. COUNTY OF DEATH: Clark
3b. CITY, TOWN, OR LOCATION OF DEATH: Las Vegas
3c. HOSPITAL OR OTHER INSTITUTION - Name (If not either, give street and number): Summerlin Hospital Medical Center
3e. If Hosp. or Inst. indicate DOA, Or/Emer. Rm, Inpatient (Specify): Inpatient
4. SEX: Male
5. RACE (Specify): White
6. Hispanic Origin? Specify: No - Non-Hispanic
7a. AGE-Last birthday (Years): 86
7b. UNDER 1 YEAR: MOS | DAYS
7c. UNDER 1 DAY: HOURS | MINS
8. DATE OF BIRTH (Mo/Day/Yr): August 27, 1927

(IF DEATH OCCURRED IN INSTITUTION SEE HANDBOOK REGARDING COMPLETION OF RESIDENCE ITEMS)

9a. STATE OF BIRTH (If not U.S.A. name country): Pennsylvania
9b. CITIZEN OF WHAT COUNTRY: United States
10. EDUCATION: 12
11. MARRIED, NEVER MARRIED, WIDOWED, DIVORCED (Specify): Divorced
12. SURVIVING SPOUSE (If wife, give maiden name):
13. SOCIAL SECURITY NUMBER:
14a. USUAL OCCUPATION (Give Kind of Work Done During Most of Working Life, Even If Retired): Laborer
14b. KIND OF BUSINESS OR INDUSTRY: Construction
Ever in US Armed Forces? Yes
15a. RESIDENCE - STATE: Nevada
15b. COUNTY: Clark
15c. CITY, TOWN OR LOCATION: Las Vegas
15d. STREET AND NUMBER: 80 Alerion Street
15e. INSIDE CITY LIMITS (Specify Yes or No): Yes

PARENTS

16. FATHER/PARENT - NAME (First Middle Last Suffix): Theodore Ernest SCHEIDE SR.
17. MOTHER/PARENT - NAME (First Middle Last Suffix): Stella SARVER

18a. INFORMANT - NAME (Type or Print): Nevada Guardian SERVICES
18b. MAILING ADDRESS (Street or R.F.D. No, City or Town, State, Zip): 6625 South Valley View Blvd., Ste 216 Las Vegas, Nevada 89118

DISPOSITION

19a. BURIAL, CREMATION, REMOVAL, OTHER (Specify): Cremation
19b. CEMETERY OR CREMATORY - NAME: Palm Crematory
19c. LOCATION - City or Town, State: Las Vegas Nevada 89101
20a. FUNERAL DIRECTOR - SIGNATURE (Or Person Acting as Such): BART BURTON
SIGNATURE AUTHENTICATED
20b. FUNERAL DIRECTOR LICENSE: 50
20c. NAME AND ADDRESS OF FACILITY: Palm Mortuary-Downtown, 1325 North Main Street Las Vegas NV 89101

TRADE CALL

TRADE CALL - NAME AND ADDRESS:

CERTIFIER

To Be Completed by CERTIFYING PHYSICIAN:
21a. To the best of my knowledge, death occurred at the time, date and place and due to the cause(s) stated. (Signature & Title) SIGNATURE AUTHENTICATED
WESTBROOK KAPLAN MD
21b. DATE SIGNED (Mo/Day/Yr): September 03, 2014
21c. HOUR OF DEATH: 12:26
21d. NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print):

To Be Completed by CORONER'S OFFICE:
22a. On the basis of examination and/or investigation, in my opinion, death occurred at the time, date and place and due to the cause(s) stated. (Signature & Title)
22b. DATE SIGNED (Mo/Day/Yr):
22c. HOUR OF DEATH:
22d. PRONOUNCED DEAD (Mo/Day/Yr):
22e. PRONOUNCED DEAD AT (Hour):

23a. NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, ATTENDING PHYSICIAN, MEDICAL EXAMINER, OR CORONER) (Type or Print): WESTBROOK KAPLAN MD 5360 S Rainbow Las Vegas, NV 89118
23b. LICENSE NUMBER: 11016

REGISTRAR

24a. REGISTRAR (Signature): MARY WILSON
SIGNATURE AUTHENTICATED
24b. DATE RECEIVED BY REGISTRAR (Mo/Day/Yr): September 03, 2014
24c. DEATH DUE TO COMMUNICABLE DISEASE: YES ☐ NO ☒

CAUSE OF DEATH

CONDITIONS IF ANY WHICH GAVE RISE TO IMMEDIATE CAUSE → STATING THE UNDERLYING CAUSE LAST

25. IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (a), (b), AND (c).) — Interval between onset and death
PART I
(a) Respiratory failure
DUE TO, OR AS A CONSEQUENCE OF — Interval between onset and death
(b) Sepsis
DUE TO, OR AS A CONSEQUENCE OF — Interval between onset and death
(c) Abdominal abscess (non traumatic, category III per family)
DUE TO, OR AS A CONSEQUENCE OF — Interval between onset and death
(d)

PART II OTHER SIGNIFICANT CONDITIONS-Conditions contributing to death but not resulting in the underlying cause given in Part 1.
26. AUTOPSY (Specify Yes or No): No
27. WAS CASE REFERRED TO CORONER (Specify Yes or No): No

28a. ACC., SUICIDE, HOM., UNDET., OR PENDING INVEST. (Specify):
28b. DATE OF INJURY (Mo/Day/Yr):
28c. HOUR OF INJURY:
28d. DESCRIBE HOW INJURY OCCURRED:
29a. INJURY AT WORK (Specify Yes or No):
29b. PLACE OF INJURY - At home, farm, street, factory, office building, etc. (Specify):
29c. LOCATION — STREET OR R.F.D. No. — CITY OR TOWN — STATE

STATE REGISTRAR

3788574

EXHIBIT "3"

VS-Rev-20120526

"CERTIFIED TO BE A TRUE AND CORRECT COPY OF THE DOCUMENT ON FILE WITH THE REGISTRAR OF VITAL STATISTICS, STATE OF NEVADA." This copy was issued by the Southern Nevada Health District from State certified documents authorized by the State Board of Health pursuant to NRS 440.175.

B0000094558 OCT 28 2014
DATE ISSUED

Registrar of Vital Statistics
By:

This Copy not valid unless prepared on engraved border displaying date, seal, and signature of Registrar.
SOUTHERN NEVADA HEALTH DISTRICT • P.O. Box 3902 • Las Vegas, NV 89127 • 702-759-1010 • Tax ID # 88-0351573

THE GREAT SEAL OF THE STATE OF NEVADA

SOUTHERN NEVADA HEALTH DISTRICT

OCTOBER 2, 2012
UP-DATED

Last Will and Testament
of
THEODORE E. SCHEIDE

I, THEODORE E. SCHEIDE, a resident of Clark County, Nevada, being of sound mind and disposing memory, hereby revoke any prior wills and codicils made by me and declare this to be my Last Will and Testament.

Article One
Family Information

I am unmarried.

I have one child, THEODORE E. SCHEIDE, III.

However, I am specifically disinheriting THEODORE E. SCHEIDE, III and his descendants. Therefore, for the purposes of my Will, THEODORE E. SCHEIDE, III and his descendants will be deemed to have predeceased me.

Article Two
Specific and General Gifts

Section 2.01 Disposition of Tangible Personal Property

I give all my tangible personal property, together with any insurance policies covering the property and any claims under those policies in accordance with a "Memorandum for Distribution of Personal Property" or other similar writing directing the disposition of the property. Any writing prepared according to this provision must be dated and signed by me.

If I leave multiple written memoranda that conflict as to the disposition of any item of tangible personal property, the memorandum with the most recent date will control as to those items that are in conflict.

NOTE: ORGAN DONOR... RECORDED ON MY DRIVERS LICENSE

EXHIBIT "4"

If the memorandum with the most recent date conflicts with a provision of this Will as to the specific distribution of any item of tangible personal property, the provisions of the memorandum with the most recent date control as to those items that are in conflict.

I intend that the writing qualify to distribute my tangible personal property under applicable state law.

Section 2.02 Contingent Distribution of Tangible Personal Property

Any tangible personal property not disposed of by a written memorandum, or if I choose not to leave a written memorandum, all my tangible personal property will be distributed as part of my residuary estate.

Section 2.03 Definition of Tangible Personal Property

For purposes of this Article, the term "tangible personal property" includes but is not limited to my household furnishings, appliances and fixtures, works of art, motor vehicles, pictures, collectibles, personal wearing apparel and jewelry, books, sporting goods, and hobby paraphernalia. The term does not include any tangible property that my Executor, in its sole and absolute discretion, determines to be part of any business or business interest that I own at my death.

Section 2.04 Ademption

If property to be distributed under this Article becomes part of my probate estate in any manner after my death, then the gift will not adeem simply because it was not a part of my probate estate at my death. My Executor will distribute the property as a specific gift in accordance with this Article. But if property to be distributed under this Article is not part of my probate estate at my death and does not subsequently become part of my probate estate, then the specific gift made in this Article is null and void, without any legal or binding effect.

Section 2.05 Incidental Expenses and Encumbrances

Until property distributed in accordance with this Article is delivered to the appropriate beneficiary or to the beneficiary's legal representative, my Executor will pay the reasonable expenses of securing, storing, insuring, packing, transporting, and otherwise caring for the property as an administration expense. Except as otherwise provided in my Will, my Executor will distribute property under this Article subject to all liens, security interests, and other encumbrances on the property.

Article Three
My Residuary Estate

Section 3.01 Definition of My Residuary Estate

All the remainder of my estate, including property referred to above that is not effectively disposed of, will be referred to in my Will as my "residuary estate."

Section 3.02 Disposition of My Residuary Estate

I give my residuary estate to VELMA G. SHAY, if she survives me.

If VELMA G. SHAY predeceases me, then I give my residuary estate to ST. JUDE CHILDREN'S HOSPITAL located in Memphis, Tennessee.

Article Four
Remote Contingent Distribution

If, at any time after my death, there is no person or entity then qualified to receive final distribution of my estate or any part of it under the foregoing provisions of my Will, then the portion of my estate with respect to which the failure of qualified recipients has occurred shall be distributed to those persons who would inherit it had I then died intestate owning the property, as determined and in the proportions provided by the laws of Nevada then in effect (other than THEODORE E. SCHEIDE, III and his descendants).

Article Five
Designation of Executor

Section 5.01 Executor

I name PATRICIA BOWLIN as my Executor. If PATRICIA BOWLIN fails or ceases to act as my Executor, I name NEVADA STATE BANK as my Executor.

Section 5.02 Guardian for Testator

If I should become mentally incompetent to handle my affairs prior to my demise, I request that PATRICIA BOWLIN be appointed guardian of my estate and my person, to serve without bond. In the event that she is unable or unwilling to serve, then I request that a representative from NEVADA STATE BANK be appointed guardian of my estate and my person, to serve without bond.

Article Six
General Administrative Provisions

The provisions of this Article apply to my probate estate.

Section 6.01 No Bond

No Fiduciary is required to furnish any bond for the faithful performance of the Fiduciary's duties, unless required by a court of competent jurisdiction and only if the court finds that a bond is needed to protect the interests of the beneficiaries. No surety is required on any bond required by any law or rule of court, unless the court specifies that a surety is necessary.

Section 6.02 Distributions to Incapacitated Persons and Persons Under Twenty-One Years of Age

If my Executor is directed to distribute any share of my probate estate to any beneficiary who is under the age of 21 years or is in the opinion of my Executor, under any form of incapacity that renders such beneficiary unable to administer distributions properly when the distribution is to be made, my Executor may, as Trustee, in my Executor's discretion, continue to hold such beneficiary's share as a separate trust until the beneficiary reaches the age of 21 or overcomes the incapacity. My Executor shall then distribute such beneficiary's trust to him or her.

While any trust is being held under this Section, my Independent Trustee may pay to the beneficiary for whom the trust is held such amounts of the net income and principal as the Trustee determines to be necessary or advisable for any purpose. If there is no Independent Trustee, my Trustee shall pay to the beneficiary for whom the trust is held such amounts of the net income and

principal as the fiduciary determines to be necessary or advisable for the beneficiary's health, education, maintenance or support.

Upon the death of the beneficiary, my Trustee shall distribute any remaining property in the trust, including any accrued and undistributed income, to such persons as such beneficiary appoints by his or her Will. This general power may be exercised in favor of the beneficiary, the beneficiary's estate, the beneficiary's creditors, or the creditors of the beneficiary's estate. To the extent this general power of appointment is not exercised, on the death of the beneficiary, the trust property is to be distributed to the beneficiary's then living descendants, *per stirpes*, or, if none, *per stirpes* to the living descendants of the beneficiary's nearest lineal ancestor who was a descendant of mine, or if no such descendant is then living, to my then living descendants, *per stirpes*. If I have no then living descendants the property is to be distributed under the provisions of Article Four entitled "Remote Contingent Distribution."

Section 6.03 Maximum Term for Trusts

Notwithstanding any other provision of my Will to the contrary, unless terminated earlier under other provisions of my Will, each trust created under my Will will terminate 21 years after the last to die of the descendants of my maternal and paternal grandparents who are living at the time of my death.

At that time, the remaining trust property will vest in and be distributed to the persons entitled to receive mandatory distributions of net income of the trust and in the same proportions. If no beneficiary is entitled to mandatory distributions of net income, the remaining trust property will vest in and be distributed to the beneficiaries entitled to receive discretionary distributions of net income of the trust, in equal shares *per stirpes*.

Section 6.04 Representative of a Beneficiary

The guardian of the person of a beneficiary may act for such beneficiary for all purposes under my Will or may receive information on behalf of such beneficiary.

Section 6.05 Ancillary Administration

In the event ancillary administration is required or desired and my domiciliary Executor is unable or unwilling to act as an ancillary fiduciary, my domiciliary Executor will have the power to designate, compensate, and remove the ancillary fiduciary. The ancillary fiduciary may be either a natural person or a

corporation. My domiciliary Executor may delegate to such ancillary fiduciary such powers granted to my original Executor as my Executor may deem proper, including the right to serve without bond or surety on bond. The net proceeds of the ancillary estate are to be paid over to the domiciliary Executor.

Section 6.06 Delegation of Authority; Power of Attorney

Any Fiduciary may, by an instrument in writing, delegate to any other Fiduciary the right to exercise any power, including a discretionary power, granted the Fiduciary in my Will. During the time a delegation under this Section is in effect, the Fiduciary to whom the delegation was made may exercise the power to the same extent as if the delegating Fiduciary had personally joined in the exercise of the power. The delegating Fiduciary may revoke the delegation at any time by giving written notice to the Fiduciary to whom the power was delegated.

The Fiduciary may execute and deliver a revocable or irrevocable power of attorney appointing any individual or corporation to transact any and all business on behalf of the trust. The power of attorney may grant to the attorney-in-fact all of the rights, powers, and discretion that the Fiduciary could have exercised.

Section 6.07 Merger of Corporate Fiduciary

If any corporate fiduciary acting as my Fiduciary under my Will is merged with or transfers substantially all of its trust assets to another corporation or if a corporate fiduciary changes its name, the successor shall automatically succeed to the position of my Fiduciary as if originally named my Fiduciary. No document of acceptance of the position of my Fiduciary shall be required.

Article Seven
Powers of My Fiduciaries

Section 7.01 Fiduciaries' Powers Act

My Fiduciaries may, without prior authority from any court, exercise all powers conferred by my Will or by common law or by Nevada Revised Statutes or other statute of the State of Nevada or any other jurisdiction whose law applies to my Will. My Executor has absolute discretion in exercising these powers. Except as

specifically limited by my Will, these powers extend to all property held by my fiduciaries until the actual distribution of the property.

Section 7.02 Powers Granted by State Law

In addition to all of the above powers, my Executor may, without prior authority from any court, exercise all powers conferred by my Will; by common law; by the laws of the State of Nevada, including, without limitation by reason of this enumeration, each and every power enumerated in NRS 163.265 to 163.410, inclusive; or any other jurisdiction whose law applies to my Will. My Executor has absolute discretion in exercising these powers. Except as specifically limited by my Will, these powers extend to all property held by my fiduciaries until the actual distribution of the property.

Section 7.03 Alternative Distribution Methods

My Fiduciary may make any payment provided for under my Will as follows:

Directly to the beneficiary;

In any form allowed by applicable state law for gifts or transfers to minors or persons under a disability;

To the beneficiary's guardian, conservator, agent under a durable power of attorney or caregiver for the benefit of the beneficiary; or

By direct payment of the beneficiary's expenses, made in a manner consistent with the proper exercise of the fiduciary's duties hereunder. A receipt by the recipient for any such distribution fully discharges my Fiduciary.

Article Eight
Provisions for Payment of Debts, Expenses and Taxes

Section 8.01 Payment of Debts and Expenses

I direct that all my legally enforceable debts, secured and unsecured, be paid as soon as practicable after my death.

Section 8.02 No Apportionment

Except as otherwise provided in this Article or elsewhere in my will, my Executor shall provide for payment of all estate, inheritance and succession taxes payable by reason of my death ("death taxes") from my residuary estate as an administrative expense without apportionment and will not seek contribution toward or recovery of any death tax payments from any individual.

For the purposes of this Article, however, the term "death taxes" does not include any additional estate tax imposed by Section 2031(c)(5)(C), Section 2032A(c) or Section 2057(f) of the Internal Revenue Code or any other comparable taxes imposed by any other taxing authority. Nor does the term include any generation-skipping transfer tax, other than a direct skip.

Section 8.03 Protection of Exempt Property

Death taxes are not to be allocated to or paid from any assets that are not included in my gross estate for federal estate tax purposes. In addition, to the extent practicable, my Trustee should not pay any death taxes from assets that are exempt for generation-skipping transfer tax purposes.

Section 8.04 Protection of the Charitable Deduction

Death taxes are not to be allocated to or paid from any assets passing to any organization that qualifies for the federal estate tax charitable deduction, or from any assets passing to a split-interest charitable trust, unless my Executor has first used all other assets available to my Executor to pay the taxes.

Section 8.05 Property Passing Outside of My Will

Death taxes imposed with respect to property included in my gross estate for purposes of computing the tax and passing other than by my Will are to be apportioned among the persons and entities benefited in the proportion that the taxable value of the property or interest bears to the total taxable value of the property and interests received by all persons benefited. The values to be used for the apportionment are the values as finally determined under federal, state, or local law as the case may be.

Section 8.06 No Apportionment Between Current and Future Interests

No interest in income and no estate for years or for life or other temporary interest in any property or trust is to be subject to apportionment as between the

temporary interest and the remainder. The tax on the temporary interest and the tax, if any, on the remainder are chargeable against the corpus of the property or trust subject to the temporary interest and remainder.

Section 8.07 Tax Elections

In exercising any permitted elections regarding taxes, my fiduciaries may make any decisions that they deem to be appropriate in any circumstances, and my fiduciaries are not required to make any compensatory adjustment as a consequence of any election. My Executor may also pay taxes or interest and deal with any tax refunds, interest, or credits as my Executor deems to be necessary or advisable in the interest of my estate.

My Executor, in his or her sole and absolute discretion, may make any adjustments to the basis of my assets authorized by law, including but not limited to increasing the basis of any property included in my gross estate, whether or not passing under my Will, by allocating any amount by which the basis of my assets may be increased. My Executor is not required to allocate basis increase exclusively, primarily or at all to assets passing under my Will as opposed to other property included in my gross estate. My Executor may elect, in his or her sole and absolute discretion, to allocate basis increase to one or more assets that my Executor receives or in which my Executor has a personal interest, to the partial or total exclusion of other assets with respect to which such allocation could be made. My Executor may not be held liable to any person for the exercise of his or her discretion under this Section.

Article Nine
Definitions and General Provisions

Section 9.01 Cremation Instructions

I wish that my remains be cremated and buried in accordance with my pre-paid funeral arrangements with Palm Mortuary in Las Vegas, Nevada.

Section 9.02 Definitions

For purposes of my Will and for the purposes of any trust established under my Will, the following definitions apply:

(a) **Adopted and Afterborn Persons**

A legally adopted person in any generation and his or her descendants, including adopted descendants, will have the same rights and will be treated in the same manner under my Will as natural children of the adopting parent, provided the person is legally adopted before attaining the age of 18 years. A person will be deemed to be legally adopted if the adoption was legal in the jurisdiction in which it occurred at the time that it occurred.

A fetus *in utero* that is later born alive will be considered a person in being during the period of gestation.

(b) **Descendants**

The term "descendants" means any one or more person who follows in direct descent (as opposed to collateral descent) from a person, such as a person's children, grandchildren, or other descended individuals of any generation.

(c) **Fiduciary**

"Fiduciary" or "Fiduciaries" refer to my Executor. My "Executor" includes any executor, ancillary executor, administrator, or ancillary administrator, whether local or foreign, and whether of all or part of my estate, multiple Executors, and their successors.

Except as otherwise provided in this Last Will and Testament, a fiduciary has no liability to any party for action (or inaction) taken in good faith.

(d) **Good Faith**

For the purposes of this Last Will and Testament, a fiduciary has acted in good faith if (i) its action or inaction is not a result of intentional wrongdoing, (ii) the fiduciary did not make the decision with reckless indifference to the interests of the beneficiaries, and (iii) its action or inaction does not result in an improper personal pecuniary benefit to the fiduciary.

(e) **Incapacity**

Except as otherwise provided in my Will, a person is deemed to be incapacitated in any of the following circumstances.

(1) **The Opinion of Two Licensed Physicians**

An individual is deemed to be incapacitated whenever, in the opinion of two licensed physicians, the individual is unable to effectively manage his or her property or financial affairs, whether as a result of age, illness, use of prescription medications, drugs or other substances, or any other cause.

An individual is deemed to be restored to capacity whenever the individual's personal or attending physician provides a written opinion that the individual is able to effectively manage his or her property and financial affairs.

(2) **Court Determination**

An individual is deemed to be incapacitated if a court of competent jurisdiction has declared the individual to be disabled, incompetent or legally incapacitated.

(3) **Detention, Disappearance or Absence**

An individual is deemed to be incapacitated whenever he or she cannot effectively manage his or her property or financial affairs due to the individual's unexplained disappearance or absence for more than 30 days, or whenever he or she is detained under duress.

An individual's disappearance, absence or detention under duress may be established by an affidavit of any fiduciary. The affidavit must describe the circumstances of an individual's detention under duress, disappearance, or absence and may be relied upon by any third party dealing in good faith with my fiduciary in reliance upon the affidavit.

An individual's disappearance, absence, or detention under duress may be established by an affidavit of my Executor.

(f) **Internal Revenue Code**

References to the "Internal Revenue Code" or to its provisions are to the Internal Revenue Code of 1986, as amended from time to time, and the corresponding Treasury Regulations, if any. References to the "Treasury Regulations," are to the Treasury Regulations under the Internal Revenue Code in effect from time to time. If a particular provision of the Internal Revenue Code is renumbered, or the Internal Revenue Code is superseded by a subsequent federal tax law, any reference will be deemed to be made to the renumbered provision or to the corresponding provision of the subsequent law, unless to do so would clearly be contrary to my intent as expressed in my Will. The same rule applies to references to the Treasury Regulations.

(g) **Legal Representative**

As used in my Will, the term "legal representative" means a person's guardian, conservator, personal representative, executor, administrator, Trustee, or any other person or entity personally representing a person or the person's estate.

(h) **Per Stirpes**

Whenever a distribution is to be made to a person's descendants *per stirpes*, the distribution will be divided into as many equal shares as there are then-living children of that person and deceased children of that person who left then-living descendants. Each then-living child will receive one share and the share of each deceased child will be divided among the deceased child's then-living descendants in the same manner.

(i) **Primary Beneficiary**

The Primary Beneficiary of a trust created under this agreement is the oldest Income Beneficiary of that trust unless some other individual is specifically designated as the Primary Beneficiary of that separate trust.

(j) **Shall and May**

Unless otherwise specifically provided in my Will or by the context in which used, I use the word "shall" in my Will to command, direct or require, and the word "may" to allow or permit, but not

require. In the context of my Trustee, when I use the word "may" I intend that my Trustee may act in its sole and absolute discretion unless otherwise stated in my Will.

(k) Trust

The term "trust," refers to any trusts created under the terms of my Will.

(l) Trustee

The term "my Trustee" refers to any person or entity that is from time to time acting as the Trustee and includes each Trustee individually, multiple Trustees, and their successors.

(m) Other Definitions

Except as otherwise provided in my Will, terms shall be as defined in Nevada Revised Statutes as amended after the date of my Will and after my death.

Section 9.03 Contest Provision

If any beneficiary of my Will or any trust created under the terms of my Will, alone or in conjunction with any other person engages in any of the following actions, the right of the beneficiary to take any interest given to the beneficiary under my Will or any trust created under the terms of my Will will be determined as it would have been determined as if the beneficiary predeceased me without leaving any surviving descendants.

Contests by a claim of undue influence, fraud, menace, duress, or lack of testamentary capacity, or otherwise objects in any court to the validity of (a) my Will, (b) any trust created under the terms of my Will, or (c) any beneficiary designation of an annuity, retirement plan, IRA, Keogh, pension or profit sharing plan, or insurance policy signed by me, (collectively referred to hereafter in this Section as "Document" or "Documents") or any amendments or codicils to any Document;

Seeks to obtain an adjudication in any court proceeding that a Document or any of its provisions is void, or otherwise seeks to void, nullify, or set aside a Document or any of its provisions;

Files suit on a creditor's claim filed in a probate of my estate, against my estate, or any other Document, after rejection or lack of action by the respective fiduciary;

Files a petition or other pleading to change the character (community, separate, joint tenancy, partnership, domestic partnership, real or personal, tangible or intangible) of property already so characterized by a Document;

Files a petition to impose a constructive trust or resulting trust on any assets of my estate; or

Participates in any of the above actions in a manner adverse to my estate, such as conspiring with or assisting any person who takes any of the above actions.

My Executor may defend, at the expense of my estate, any violation of this Section. A "contest" includes any action described above in an arbitration proceeding, but does not include any action described above solely in a mediation not preceded by a filing of a contest with a court.

Section 9.04 Survivorship Presumption

If any beneficiary is living at my death, but dies within 90 days thereafter, then the beneficiary will be deemed to have predeceased me for all purposes of my Will.

Section 9.05 General Provisions

The following general provisions and rules of construction apply to my Will:

(a) Singular and Plural; Gender

Unless the context requires otherwise, words denoting the singular may be construed as plural and words of the plural may be construed as denoting the singular. Words of one gender may be construed as denoting another gender as is appropriate within the context. The word "or" when used in a list of more than two items may function as both a conjunction and a disjunction as the context requires or permits.

(b) **Headings of Articles, Sections, and Subsections**

The headings of Articles, Sections, and subsections used within my Will are included solely for the convenience and reference of the reader. They have no significance in the interpretation or construction of my Will.

(c) **Governing State Law**

My Will shall be governed, construed and administered according to the laws of Nevada as from time to time amended. Questions of administration of any trust established under my Will are to be determined by the laws of the situs of administration of that trust.

(d) **Notices**

Unless otherwise stated, whenever my Will calls for notice, the notice will be in writing and will be personally delivered with proof of delivery, or mailed postage prepaid by certified mail, return receipt requested, to the last known address of the party requiring notice. Notice will be effective on the date personally delivered or on the date of the return receipt. If a party giving notice does not receive the return receipt but has proof that he or she mailed the notice, notice will be effective on the date it would normally have been received via certified mail. If notice is required to be given to a minor or incapacitated individual, notice will be given to the parent or legal representative of the minor or incapacitated individual.

(e) **Severability**

The invalidity or unenforceability of any provision of my Will does not affect the validity or enforceability of any other provision of my Will. If a court of competent jurisdiction determines that any provision is invalid, the remaining provisions of my Will are to be interpreted and construed as if any invalid provision had never been included in my Will.

REST OF PAGE INTENTIONALLY LEFT BLANK

I, THEODORE E. SCHEIDE, sign my name to this instrument consisting of sixteen (16) pages on October 2, 2012, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my Last Will and Testament, that I sign it willingly, that I execute it as my free and voluntary act for the purposes therein expressed, and that I am eighteen years of age or older, of sound mind, and under no constraint or undue influence.

THEODORE E. SCHEIDE, Testator

Under penalty of perjury pursuant to the law of the State of Nevada, the undersigned, KRISTIN M. TYLER and DIANE L. DeWALT declare that the following is true of their own knowledge: That they witnessed the execution of the foregoing will of the testator, THEODORE E. SCHEIDE; that the testator subscribed the will and declared it to be his last will and testament in their presence; that they thereafter subscribed the will as witnesses in the presence of the testator and in the presence of each other and at the request of the testator; and that the testator at the time of the execution of the will appeared to them to be of full age and of sound mind and memory.

Dated this 2 day of October, 2012.

Declarant 1 – Kristin M. Tyler

Residing at:

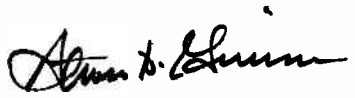
3960 Howard Hughes Parkway
9th Floor
Las Vegas, Nevada 89169

Declarant 2 – Diane L. DeWalt

Residing at:

3960 Howard Hughes Parkway
9th Floor
Las Vegas, Nevada 89169

Electronically Filed
05/06/2015 05:26:40 PM



CLERK OF THE COURT

NOTC
KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
(702) 255-2000
E-Mail: kimboyer@elderlawnv.com
Attorney for Estate

DISTRICT COURT

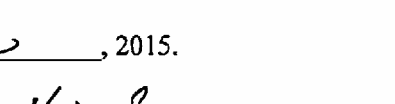
CLARK COUNTY, NEVADA

In the Matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased.	Case No.: P-14-082619-E **NOTICE OF HEARING ON PETITION FOR INSTRUCTIONS**

PLEASE TAKE NOTICE that SUSAN M. HOY filed with the Court a **Petition for Instructions** for the Estate of the above-named Decedent; that a hearing on the Petition has been set for the 22nd day of May, 2015, at the hour of 9:30 a.m., in Department PC1 of the above-entitled Court which is located at the Regional Justice Center, Courtroom 3F, 200 Lewis Avenue, Las Vegas, Nevada 89155. Further details concerning this Petition can be obtained by reviewing the Court file at the Office of the County Clerk, or by contacting the Petitioner or the attorney for the Petitioner whose name, address and telephone numbers are: KIM BOYER, ESQ., 10785 W. Twain, Suite 200, Las Vegas, Nevada 89135, (702) 255-2000.

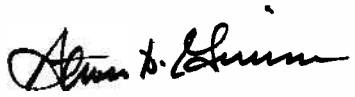
PLEASE NOTE you do not need to appear at the hearing unless you want to enter an objection.

DATED this 30th day of April, 2015.



KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
(702) 255-2000
Attorney for the Estate

Electronically Filed
05/06/2015 05:28:44 PM



CLERK OF THE COURT

CERT
KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
(702) 255-2000
E-Mail: kimboyer@elderlawnv.com
Attorney for Estate

DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased.	Case No.: P-14-082619-E

CERTIFICATE OF MAILING

I HEREBY CERTIFY that service of the **Notice of Hearing on Petition for Instructions** was made this 6th day of May, 2015, by depositing a copy of the same in the U.S. Mails, postage prepaid, first class mail, addressed to:

Medicaid Estate Recovery
1050 E. Williams Street, Suite 435
Carson City, Nevada 89701-3199

Theodore "Chip" E. Scheide, III
101 S. Lexington Avenue
Pittsburg, Pennsylvania 15208

St. Jude Children's Hospital
262 Danny Thomas Place
Memphis, TN 38105

Patricia Bowlin
7800 Clarksdale Drive, #102
Las Vegas, Nevada 89128

Jo Smith

Jo Smith, an Employee

DISTRICT COURT
CLARK COUNTY, NEVADA

Probate - Special Administration	**COURT MINUTES**	May 22, 2015

P-14-082619-E	In the Matter of: Theodore Scheide Jr., Deceased

May 22, 2015 **9:30 AM** **Petition - HM**

HEARD BY: Yamashita, Wesley **COURTROOM:** RJC Courtroom 03F

COURT CLERK: Sharon Chun

PARTIES:
Susan Hoy, Petitioner, Special Administrator, not present

Theodore Scheide Jr., Decedent, not present

Phillip VanAlstyne, Attorney Present for Ms. Boyer
Kim Boyer, Attorney, not present

JOURNAL ENTRIES

- PETITION FOR INSTRUCTIONS

COMMISSIONER STATED this matter had been left open to see if anyone came forward to produce a will or indicated they wanted to pursue it, but nothing came forward. Further, it was the opinion of the Personal Representative that the will had been destroyed.

Mr. VanAlstyne stated that is correct and confirmed this will is to proceed based upon the basis of an intestate situation.

COMMISSIONER RECOMMENDED, Petition GRANTED. The signed Order was provided to Mr. VanAlstyne.

INTERIM CONDITIONS:

FUTURE HEARINGS:

Electronically Filed
05/26/2015 06:54:44 PM

CLERK OF THE COURT

ORDR
KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
(702) 255-2000
E-Mail: kimboyer@elderlawnv.com
Attorney for Estate

DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased.	Case No.: P-14-082619-E **ORDER ON PETITION FOR INSTRUCTIONS**

The Petition of SUSAN M. HOY for Instructions from the Court for the Estate of the above-named Decedent having this date come on for hearing before the undersigned, it appearing to the Court that notice of the hearing on the Petition was duly given; the Court finding that the Decedent at the time of his death left an estate in Clark County, Nevada, and was then a resident of Clark County, Nevada, good cause appearing therefor, it is hereby

ORDERED that the Petitioner be appointed Administrator of the intestate Estate of the Decedent and that Letters of Administration be issued to the Petitioner.

ORDERED that in the event the estate assets are liquidated, they be placed in the Durham Jones & Pinegar Trust Account.

ORDERED that no bond be required.

DATED this 22nd day of May, 2015.

DISTRICT JUDGE

LV_315624.1

KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
(702) 255-2000
Attorney for the Estate

Electronically Filed
05/27/2015 02:48:31 PM

CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

In the Matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased.	Case No.: P-14-082619-E **NOTICE TO CREDITORS** (90 Day Notice)

Notice is hereby given that on the 26th day of May, 2015, the undersigned was duly appointed by the above-entitled Court as Administrator of the Estate of THEODORE SCHEIDE, Deceased. All creditors having claims against the Estate are required to file their claims, with supporting documentation attached, with the Clerk of Court, Family Court, 601 N. Pecos, Las Vegas, Nevada 89101, within 90 days after the mailing or the first publication (as the case may be) of this Notice.

DATED this 30th day of April, 2015.

SUSAN M. HOY
6625 S. Valley View, #216
Las Vegas, Nevada 89118

KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
(702) 255-2000
Attorney for the Estate

LV_315624.1

Electronically Filed
05/27/2015 02:56:47 PM

CLERK OF THE COURT

STAT
KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
(702) 255-2000
E-Mail: kimboyer@elderlawnv.com
Attorney for Estate

DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased.	Case No.: P-14-082619-E

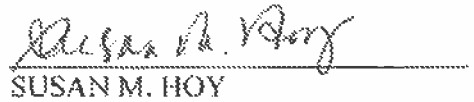
STATEMENT OF NAME AND PERMANENT ADDRESS OF ADMINISTRATOR

SUSAN M. HOY was appointed by this Court as Administrator of the above-entitled estate on the 26th day of May, 2015.

The name and address of the Administrator is as follows:

Name	Permanent Address
SUSAN M. HOY	6625 S. Valley View, #216 Las Vegas, Nevada 89118

DATED this 30th day of April, 2015.



SUSAN M. HOY

LV_315624.1

Electronically Filed
05/28/2015 06:34:42 PM

CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

In the Matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased.	Case No.: P-14-082619-E **LETTERS OF ADMINISTRATION**

On the 26th day of May, 2015, the Court entered an Order appointing SUSAN M. HOY as Administrator of the Decedent's estate. The Order includes a directive for no bond, and a directive that in the event the estate assets are liquidated, they are to be placed the DURHAM JONES & PINEGAR Trust Account.

The Administrator having duly qualified may act and has the authority and duties of an Administrator.

In testimony of which, I have this date signed these Letters and affixed the Seal of the Court.

STEVEN D. GRIERSON
CLERK OF THE COURT

By _____
Deputy Clerk Date 5/28/15

OATH

I, SUSAN M. HOY, whose mailing address is 6625 S. Valley View, #216, Las Vegas, Nevada 89118, solemnly affirm that I will faithfully perform according to law duties of Administrator and that any matters stated in any petition or paper filed with the Court are true of my own knowledge or, if any matters are stated on information or belief, I believe them to be true.

_____
SUSAN M. HOY, Administrator

SUBSCRIBED AND SWORN TO before me this 30th day of April, 2015.

_____
NOTARY PUBLIC

JO SMITH
Notary Public State of Nevada
No. 03-79753-1
My appt. exp. Jan. 27, 2019

LM_315624.1

AFFP
P 82619 NTC

Electronically Filed
06/11/2015 10:39:07 AM

CLERK OF THE COURT

Affidavit of Publication

STATE OF NEVADA }
COUNTY OF CLARK } SS

I, Rosalie Qualls state:

That I am Assistant Operations Manager of the Nevada Legal News, a daily newspaper of general circulation, printed and published in Las Vegas, Clark County, Nevada; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:
May 28, 2015
Jun 04, 2015
Jun 11, 2015

That said newspaper was regularly issued and circulated on those dates. I declare under penalty of perjury that the foregoing is true and correct.

DATED: Jun 11, 2015

Rosalie Qualls

DISTRICT COURT
CLARK COUNTY, NEVADA
Case No.: P 82619
In the Matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased.
NOTICE TO CREDITORS
(90 Day Notice)
Notice is hereby given that on the 26th day of May, 2015, the undersigned was duly appointed by the above-entitled Court as Administrator of the Estate of THEODORE SCHEIDE, Deceased. All creditors having claims against the Estate are required to file their claims, with supporting documentation attached, with the Clerk of Court, Family Court, 601 N. Pecos, Las Vegas, Nevada 89101, within 90 days after the mailing or the first publication (as the case may be) of this Notice. DATED this 30th day of April, 2015. s/ SUSAN M. HOY, 6625 S. Valley View, #216, Las Vegas, Nevada 89118, KIM BOYER, ESQ., Nevada Bar #5587, 10785 W. Twain Avenue, Suite 200, Las Vegas, Nevada 89135, (702) 255-2000, Attorney for the Estate
Published in Nevada Legal News
May 28, June 4, 11, 2015

02100789 00395168 870-6090

DURHAM JONES & PINEGAR, P.C. (NV)
10785 W. TWAIN AVE STE 200
LAS VEGAS, NV 89135

Electronically Filed
03/28/2016 06:47:55 PM

CLERK OF THE COURT

INVY
KIM BOYER, ESQ.
Nevada Bar #5587
DURHAM JONES & PINEGAR
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
E-mail: kimboyer@elderlawnv.com
(702) 255-2000
Attorney for Estate

DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased.	Case No.: P-14-082619-E Dept. No.: PC1

INVENTORY, APPRAISAL AND RECORD OF VALUE

	Asset Value	Amount of Encumbrance	Estate's Interest	Value of Estate's Interest
A. REAL PROPERTY None				
B. PERSONAL PROPERTY				
1. Charles Schwab Acct. #x-6113	$1,099,355.86		100%	$1,099,355.86
2. Charles Schwab Acct. #x-3691	$1,229,424.33		100%	$1,229,424.33
3. Wells Fargo Guardianship Account	$ 27,993.37		100%	$ 27,993.37
Partnership Interests, etc. (describe) None				
Notes, bonds, securities, debts, etc. (list name & address of debtor, date debt originated, endorsement w/date, estimate as to amount collectible) None				
Vehicles (describe) None				
Misc. Personal Property (describe) 3. Household furniture and personal effects				
Total:	$2,356,773.56		100%	$2,356,773.56

OATH OF ADMINISTRATOR

STATE OF NEVADA

COUNTY OF CLARK

I, the undersigned Administrator of the above named Decedent, solemnly affirm that the foregoing inventory is a true statement of all assets of the Estate which have come into my possession of which I have knowledge and includes all money and claims of the deceased.

SUSAN M. HOY, Administrator

SUBSCRIBED AND AFFIRMED to before me this 18th day of March, 2016.

NOTARY PUBLIC

ANN MORRIS
Notary Public State of Nevada
No. 14-14733-1
My Appt. Exp. Aug. 30, 2018

VERIFIED RECORD OF VALUE IN LIEU OF APPRAISEMENT

I, the undersigned, solemnly affirm that Items 1 through 3 of the Inventory of the Estate have been examined by me and that I record the value of these items on the Inventory at the value shown opposite thereof for a total sum of TWO MILLION THREE HUNDRED FIFTY-SIX THOUSAND SEVEN HUNDRED SEVENTY-THREE AND 56/100 DOLLARS ($2,356,773.56).

SUSAN M. HOY, Administrator

STATE OF NEVADA

COUNTY OF CLARK

The undersigned being duly sworn states that she is the Administrator of the Estate of the above named Decedent; that she has read the above and foregoing Record of Value, knows the contents thereof, and that the same is true of the Administrator's own knowledge, except for those matters therein stated on information and belief, and as for those matters said Administrator believes them to be true.

SUSAN M. HOY, Administrator

SUBSCRIBED AND AFFIRMED to before me this 18th day of March, 2016.

NOTARY PUBLIC

ANN MORRIS
Notary Public State of Nevada
No. 14-14733-1
My Appt. Exp. Aug. 20, 2018

Submitted by:

KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
Attorney for the Estate

Electronically Filed
05/18/2016 03:46:43 PM

CLERK OF THE COURT

FFAR
KIM BOYER, ESQ.
Nevada Bar #5587
DURHAM JONES & PINEGAR
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
E-Mail: kimboyer@elderlawnv.com
(702) 255-2000
Attorney for Estate

DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased.	))))))	Case No.: P-14-082619-E

FIRST AND FINAL ACCOUNT, REPORT OF ADMINISTRATION AND PETITION FOR FINAL DISTRIBUTION AND APPROVAL OF COSTS AND FEES

SUSAN M. HOY, Administrator of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., deceased, renders to the court her First and Final Account, Report of Administration and Petition for Final Distribution and Approval of Costs and Fees, and represents as follows:

1. On or about August 17, 2014, the decedent died intestate in Clark County, Nevada, leaving an interest in and to certain personal property located in Las Vegas, Nevada, the nature and extent of which is as described by the Inventory, Appraisal and Record of Value on file with the court.

2. Since the filing of the Inventory, Appraisal and Record of Value, no gains or losses have occurred to the estate except as described below.

3. By an order of this court, duly made and entered on May 26, 2015, petitioner was appointed as Administrator of said decedent's estate, and Letters of Administration were thereafter issued to her.

4. Petitioner has been since that date, and now is, the duly appointed and qualified Administrator of said estate.

5. Notice to Creditors was duly published as required by law, as appears from the affidavit of publication on file herein and more than 90 days have elapsed since the first publication thereof.

6. The time for presentation of claims against said estate expired on or about August 26, 2015, and all claims presented have been paid.

7. The accounting for the estate is as follows:

INCOME TO ESTATE:

a)	Accrued income on Charles Schwab #X3691	$14,081.93
b)	Accrued income on Charles Schwab #X6113	$4,975.89
c)	Income to Wells Fargo Guardianship Account	$3,265.31
	TOTAL INCOME:	$22,323.13

CHANGES IN VALUE OF ASSETS LISTED ON INVENTORY:

a)	The Charles Schwab Account #X3691 and the Charles Schwab Account #X6113 were stated on the Inventory at a total value of $2,328,780.19; those two accounts were combined into an estate account and the total current value is $2,549,768.84 (an increase of $220,988.65)	$220,988.65
b)	The Wells Fargo Guardianship Account was listed on the Inventory at $27,993.37; the amount received from the guardian was $17,092.46 (a decrease of $10,900.91)	($ 10,900.91)
	TOTAL CHANGES:	$210,087.74

EXPENSES TO ESTATE:

a)	United States Treasury – 2014 Form 1041	($447.00)
b)	Garnett and King – tax preparation for 2014	($1,800.00)
	TOTAL EXPENSES:	($2,247.00)

RECAPITULATION

NET VALUE OF ESTATE PER INVENTORY AND RECORD OF VALUE	$2,356,773.56
INCOME OF ESTATE	$ 22,323.13
CHANGES IN VALUE OF ASSETS LISTED ON INVENTORY	$ 210,087.74
EXPENSES OF ESTATE	($ 2,247.00)
CURRENT NET VALUE OF ESTATE	$2,586,937.43

8. The Administrator is entitled to fees for services rendered as Administrator in the amount of $52,933.69 as and for compensation, calculated as follows:

Net value of estate per Inventory:	$2,356,773.56
Income of estate:	$ 22,323.13
Changes in value:	$ 210,087.74
Total Assets:	$2,589,184.43
$15,000.00 x .04 =	$ 600.00
$85,000.00 x .03 =	$ 2,550.00
$2,489,184.43 x .02 =	$ 49,783.69
Total Administrator's fee:	$ 52,933.69.

9. DURHAM JONES & PINEGAR, as attorneys for the Administrator of the estate, have performed all legal services in connection with the administration of the estate, for which services your petitioner has agreed to pay from the assets of the estate a fee as follows: for the first $100,000, at the rate of 4 percent; for the next $100,000, at the rate of 3 percent; for the next $800,000, at the rate of 2 percent; for the next $9,000,000, at the rate of 1 percent; for the

next $15,000,000, at the rate of 0.5 percent; and for all amounts above $25,000,000, a reasonable amount to be determined by the court, calculated as follows:

Net value of estate per Inventory:	$2,356,773.56
Income of estate:	$ 22,323.13
Changes in value:	$ 210,087.74
Total Assets:	$2,589,184.43
$100,000.00 x .04 =	$ 4,000.00
$100,000.00 x .03 =	$ 3,000.00
$800,000.00 x .02 =	$ 16,000.00
$1,589,184.43 x .01 =	$ 15,891.84
Total Attorney's fee:	$ 38,891.84,

which amount is $38,891.84, plus costs. The amount of $38,891.84 plus costs, is due. The attorney has expended costs of administration as follows:

Filing Fees	$597.17
Certified Copies	$ 30.00
Postage	$ 3.84
Anticipated Filing Fees	$ 28.00
Publication Fees	$ 70.00
Total Costs:	$729.01

Petitioner requests that she be authorized to pay the attorney's fees and costs.

10. The law firm of DURHAM JONES & PINEGAR will incur costs in closing the decedent's estate including, but not limited to, mailing costs, certification costs, and other closing costs and winding up expenses, which have not yet been calculated. Therefore, Petitioners would request authority to reimburse these costs, not to exceed $100.00.

11. All notices and requirements of statute have been duly and regularly had and taken prior to the filing of this account, report and petition for distribution, and the estate is now in condition to be finally settled and distributed.

12. No estate tax return is required to be filed for the estate, and none has been filed.

13. Petitioner requests that a reserve of $1,000.00 be held in the attorney's trust account for any possible tax that may be due from filing the 2014 tax return and for any tax return that may be due for 2015.

14. Under the provisions of NRS 134.090, the decedent's property shall be distributed to THEODORE "CHIP" E. SCHEIDE, III, the decedent's only child.

WHEREFORE, petitioner prays as follows:

1. That the foregoing account be approved, allowed and settled.

2. That the Administrator pay the sum of $52,933.69 to Susan M. Hoy as an Administrator's fee.

3. That the Administrator pay the sum of $38,891.84 to DURHAM JONES & PINEGAR as and for attorney's fees, plus $729.01 for costs, plus closing costs not to exceed $100.00.

4. That a reserve of $1,000.00 be held in the attorney's trust account for any possible tax that may be due from filing the 2014 tax return and for any tax return that may be due for 2015.

5. That pursuant to NRS 134.090 the Administrator shall distribute all of the rest, residue and remainder of said estate, whether described herein or not, outright to THEODORE "CHIP" E. SCHEIDE, III, the decedent's only child.

6. That on the filing of appropriate receipts, petitioner be discharged from further responsibilities as such Administrator, and that the estate be then closed.

7. For such other and further relief as to the court may seem just and proper in the premises.

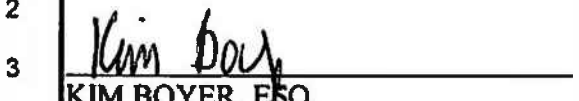
DATED this 11 day of May, 2016.

Susan M. Hoy

SUSAN M. HOY

LV_381952.1

Submitted by:



KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
Attorney for Estate

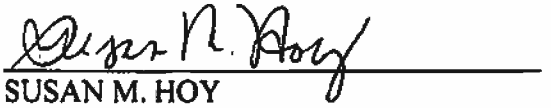
VERIFICATION

STATE OF NEVADA

COUNTY OF CLARK

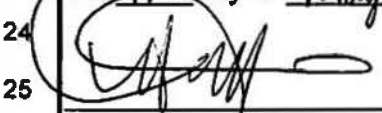
SUSAN M. HOY, under penalties of perjury, being first duly sworn deposes and says:

That she is the petitioner named in the foregoing First and Final Account, Report of Administration, and Petition for Distribution and knows the contents thereof; that the petition is true of her own knowledge, except as to those matters stated on information and belief, and that as to those matters she believes it to be true.

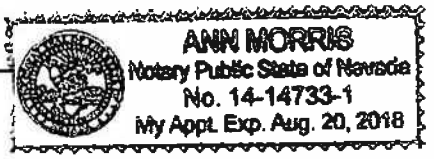


SUSAN M. HOY

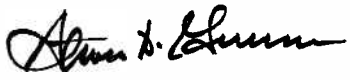
SUBSCRIBED AND SWORN TO before me
this 11 day of May, 2016.



NOTARY PUBLIC



Electronically Filed
05/18/2016 03:48:17 PM



CLERK OF THE COURT

NOTC
KIM BOYER, ESQ.
Nevada Bar #5587
DURHAM JONES & PINEGAR
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
E-mail: kimboyer@elderlawnv.com
(702) 255-2000
Attorney for Estate

DISTRICT COURT
CLARK COUNTY, NEVADA

In the Matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased.	Case No.: P-14-082619-E **NOTICE OF HEARING ON FIRST AND FINAL REPORT AND ACCOUNTING AND PETITION FOR FINAL DISTRIBUTION AND APPROVAL OF COSTS AND FEES**

PLEASE TAKE NOTICE that SUSAN M. HOY, the Administrator of the Estate of the above-named Decedent, filed in the above-entitled Court a First and Final Report and Accounting to settle the administration of the Estate, a Petition for Final Distribution of the Estate and for Approval of payment of attorney's fees in the sum of $38,891.84, and other costs of administration; that a hearing on these matters has been set for the 3rd day of June, 2016, at the hour of 9:30 a.m., in Department PC1 of the above-entitled Court which is located at the Regional Justice Center, Courtroom 3F, 200 Lewis Avenue, Las Vegas, Nevada 89155. Further details concerning this Petition can be obtained by reviewing the Court file at the Office of the County Clerk, or by contacting the Petitioner or the attorney for the Petitioner whose name, address and telephone numbers are: KIM BOYER, ESQ., 10785 W. Twain Avenue, Suite 200, Las Vegas, Nevada 89135, (702) 255-2000.

PLEASE NOTE you do not need to appear at the hearing unless you want to enter an objection.

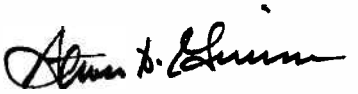
DATED this 11th day of May, 2016.

Kim Boyer

KIM BOYER, ESQ.
Nevada Bar #5587
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
(702) 255-2000
Attorney for the Estate

LV_381955.1

Electronically Filed
05/18/2016 03:49:50 PM



CLERK OF THE COURT

CERT
KIM BOYER, ESQ.
Nevada Bar #5587
DURHAM JONES & PINEGAR
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
E-mail: kimboyer@elderlawnv.com
(702) 255-2000

DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Estate of	)	Case No.:	P-14-082619-E
	)	Dept. No.	PCI
THEODORE E. SCHEIDE JR. aka	)		
THEODORE ERNEST SCHEIDE JR.,	)		
	)		
Deceased.	)		

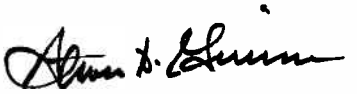
CERTIFICATE OF MAILING

I HEREBY CERTIFY that service of the **Inventory, Appraisal and Record of Value** and the **Notice of Hearing on the First and Final Account, Report of Administration, and Petition for Final Distribution and Approval of Costs and Fees** was made this 18th day of May, 2016, by depositing a copy of the same in the U.S. Mails, postage prepaid, first class mail, addressed to:

Theodore "Chip" E. Scheide, III
101 S. Lexington Avenue
Pittsburg, Pennsylvania 15208

Jo Smith
Jo Smith, an Employee

Electronically Filed
05/18/2016 03:50:54 PM



CLERK OF THE COURT

CERT
KIM BOYER, ESQ.
Nevada Bar #5587
DURHAM JONES & PINEGAR
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
E-mail: kimboyer@elderlawnv.com
(702) 255-2000

DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased.	))))))	Case No.: P-14-082619-E Dept. No.: PC1

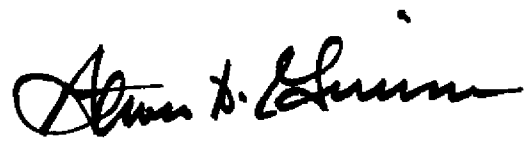
CERTIFICATE OF MAILING

I HEREBY CERTIFY that service of the Notice to Creditors was made this 18th day of May, 2016, by depositing a copy of the same in the U.S. Mails, postage prepaid, first class mail, addressed to:

Medicaid Estate Recovery
1100 E. William Street, Suite 109
Carson City, Nevada 89701-3103

Jo Smith
Jo Smith, an Employee

Electronically Filed
05/20/2016 04:24:34 PM



CLERK OF THE COURT

NOA
Todd L. Moody (5430)
Russel J. Geist (9030)
HUTCHISON & STEFFEN, LLC
Peccole Professional Park
10080 West Alta Drive, Suite 200
Las Vegas, Nevada 89145
(702) 385-2500
(702) 385-2086
rgeist@hutchlegal.com

Attorneys for St. Jude Children's Research Hospital

DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased.	Case No.: P-14-082619-E Dept No.: PCI

NOTICE OF APPEARANCE

TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that TODD L. MOODY, ESQ. and RUSSEL J. GEIST, ESQ., of the law firm, HUTCHISON & STEFFEN, LLC., hereby enters their appearance as counsel for ST. JUDE CHILDREN'S RESEARCH HOSPITAL, in connection with the above-captioned litigation.

All future documents and correspondence should also be addressed to and served on the following:

.../

.../

.../

.../

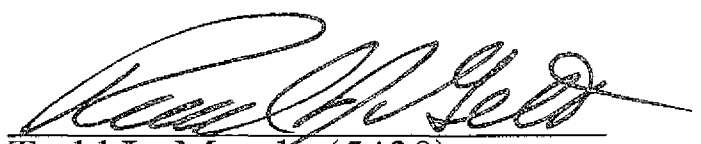
.../

HUTCHISON & STEFFEN
A PROFESSIONAL LLC
PECCOLE PROFESSIONAL PARK
10080 WEST ALTA DRIVE, SUITE 200
LAS VEGAS, NV 89145

Todd L. Moody (5430)
Russel J. Geist (9030)
HUTCHISON & STEFFEN
10080 W. Alta Dr., Ste 200
Las Vegas, NV 89145
tmoody@hutchlegal.com
rgeist@hutchlegal.com

Dated this 20th day of May, 2016.

HUTCHISON & STEFFEN



Todd L. Moody (5430)
Russel J. Geist (9030)
10080 W. Alta Dr., Ste 200
Las Vegas, NV 89145
(702) 385-2500
(702) 385-2086 Fax
tmoody@hutchlegal.com
rgeist@hutchlegal.com
Attorneys for St. Jude Children's Research Hospital

HUTCHISON & STEFFEN
A PROFESSIONAL LLC
PECCOLE PROFESSIONAL PARK
10080 WEST ALTA DRIVE, SUITE 200
LAS VEGAS, NV 89145

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of HUTCHISON & STEFFEN, and that on this 20th day of May, 2016, I caused a true and correct copy of the above and foregoing **NOTICE OF APPEARANCE** to be served as follows:

☒ by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada; and/or

☐ pursuant to EDCR 7.26, to be sent **via facsimile;** and/or

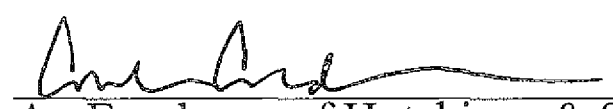
☒ pursuant to EDCR 8.05(a) and 8.05(f), to be electronically served through the Eighth Judicial District Court's electronic filing system, with the date and time of the electronic service substituted for the date and place of deposit in the mail; and/or

☐ to be hand-delivered;

to the attorney(s) or parties listed below at the address and/or facsimile number indicated below:

Kim Boyer, Esq.
Durham Jones & Pinegar
10785 W. Twain Ave., Ste. 200
Las Vegas, NV 89135
Attorney for the Estate

Theodore "Chip" E. Scheide, III
101 S. Lexington Ave.
Pittsburgh, PA 15208



An Employee of Hutchison & Steffen, LLC

HUTCHISON & STEFFEN
A PROFESSIONAL LLC
PECCOLE PROFESSIONAL PARK
10080 WEST ALTA DRIVE, SUITE 200
LAS VEGAS, NV 89145

Electronically Filed
05/25/2016 01:03:39 PM

CLERK OF THE COURT

PPRW
KIM BOYER, ESQ.
Nevada Bar #5587
DURHAM JONES & PINEGAR
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
(702) 255-2000
E-mail: kimboyer@elderlawnv.com
Attorney for the Estate

DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Estate of THEODORE E. SCHEIDE JR. aka THEODORE ERNEST SCHEIDE JR., Deceased.	Case No.: P-14-082619-E

PETITION FOR PROOF OF WILL AND FOR ISSUANCE OF LETTERS TESTAMENTARY UNDER FULL ADMINISTRATION, PETITION TO APPOINT PERSONAL REPRESENTATIVE, AND PETITION TO DISTRIBUTE AND CLOSE ESTATE

Petitioner, SUSAN M. HOY, respectfully represents to the court as follows:

1. THEODORE E. SCHEIDE JR., also known as THEODORE ERNEST SCHEIDE JR. died on or about August 17, 2014, in Clark County, Nevada. See copy of Certified Death Certificate (filed with the court on October 2, 2014) attached hereto as Exhibit "1."

2. The decedent was, at the time of his death, a resident of the County of Clark, State of Nevada, and his estate consists of certain personal property in an amount exceeding $300,000.00.

3. The Petitioner (and previous guardian of the Decedent) requested instructions from the court and the court appointed the Petitioner as Administrator of the Decedent's estate on May 26, 2015 (see copy of Order on Petition for Instructions attached as

Exhibit "2"). Petitioner since that time has administered the estate of the Decedent and the estate is now ready to be distributed and closed.

4. That during the week of May 16, 2016, the attorney for the estate received a telephone call from the Decedent's estate planning attorney stating that she had an original Last Will and Testament of the Decedent dated June 8, 2012, and that she was going to file it with the Court (see copy attached as Exhibit "3").

5. The decedent executed his Last Will and Testament on June 8, 2012, and the same has been filed with the Court.

6. Petitioner, SUSAN M. HOY, Administrator of the estate reports the estate is in a condition to close and requests that she serve as the Personal Representative of the estate to serve without bond.

7. The Petitioner is of legal age and has never been convicted of a felony.

8. The names and addresses of all known heirs of the decedent and beneficiaries named in his Will and those entitled to notice are as follows:

Name and Address	Age	Relationship
Theodore "Chip" E. Scheide, III 6016 Wellesley Avenue Pittsburg, Pennsylvania 15206	Adult	Son
Velma G. Shay	Deceased	Friend
St. Jude Children's Hospital 262 Danny Thomas Place Memphis, TN 38105	N/A	Beneficiary

9. The character and estimated value of the property of the estate, all of which is the property of the decedent, to Petitioner's knowledge is as follows:

a) Charles Schwab Acct. #x-6113 $1,099,355.86

b) Charles Schwab Acct. #x-3691 $1,229,424.33

c) Guardianship account $ 27,993.37

TOTAL: $2,356,773.56

10. There are no known liens, encumbrances or unpaid debts of the decedent.

WHEREFORE, Petitioner prays:

1. That a time be fixed for the hearing of this Petition.

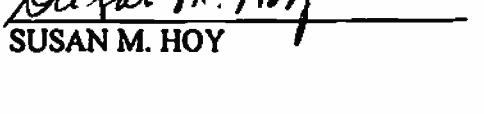
2. That the Will be proven by the court and admitted for probate.

3. That Letters Testamentary be granted to Petitioner, SUSAN M. HOY, to serve without bond.

4. That an Amended First and Final Account, Report of Administration and Petition for Final Distribution and Approval of Costs and Fees will be filed with the Court. That as soon as the Order on this Petition has been filed with the Court and Letters Testamentary have been issued to the Petitioner, that the Petitioner may act on the signed and filed Order Approving the Amended First and Final Account, pay the fees and costs of the probate, and distribute and close the estate.

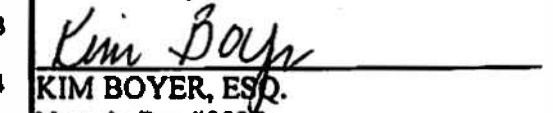
5. For such other and further relief as the court deems appropriate.

DATED this 24 day of May, 2016.



SUSAN M. HOY

Submitted by:



KIM BOYER, ESQ.
Nevada Bar #5587
DURHAM JONES & PINEGAR
10785 W. Twain Avenue, Suite 200
Las Vegas, Nevada 89135
Attorney for the Estate

VERIFICATION

STATE OF NEVADA

COUNTY OF CLARK

SUSAN M. HOY, under penalty of perjury, being first duly sworn, deposes and says:

That she is the Petitioner named in the foregoing Petition for Proof of Will and Issuance of Letters Testamentary Under Full Administration, Petition to Appoint Personal Representative, and Petition to Distribute and Close Estate, and knows the contents thereof; that the Petition is true of her own knowledge, except as to those matters stated on information and belief, and that as to those matters she believes it to be true.

SUSAN M. HOY

SUBSCRIBED and SWORN to before me
this 24th day of May, 2016
by Susan M. Hoy

NOTARY PUBLIC

ANN MORRIS
Notary Public State of Nevada
No. 14-14733-1
My Appt. Exp. Aug. 20, 2018

LV_404681.1