

IN THE SUPREME COURT OF THE STATE OF NEVADA

ROBERT SCOTLUND VAILE,
Appellant(s),
vs.

CISILIE A. VAILE nka CISILIE A.
PORSBOLL,
Respondent(s),

ROBERT SCOTLUND VAILE,
Appellant(s),
vs.

CISILIE A. VAILE nka CISILIE A.
PORSBOLL,
Respondent(s),

Case No: D230385
SC Case No: 61415

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18	03/01/2010	SUPPLEMENT TO MATTERS SET FOR HEARING ON MARCH 8, 2010	3823 - 3842
2	10/05/2000	SUPPLEMENT TO MOTION FOR IMMEDIATE RETURN OF INTERNATIONALLY ABDUCTED CHILDREN AND MOTION TO SET ASIDE FRAUDULENTLY OBTAINED DIVORCE, OR IN THE ALTERNATIVE, SET ASIDE ORDERS ENTERED ON APRIL 12, 2000, AND REHEAR THE MATTER, AND FOR ATTORNEY'S FEES AND COSTS	329 - 332
17	02/01/2010	SUPPLEMENT TO MOTION FOR ORDER OF DISMISSAL OF CALIFORNIA ACTION ON PAIN OF CONTEMPT, TO ISSUE A PAYMENT SCHEDULE FOR ALL JUDGMENTS AWARDED TO DATE AND FOR ATTORNEY'S FEES AND COST	3611 - 3676
18	03/08/2010	SUPPLEMENT TO MOTION FOR ORDER OF DISMISSAL OF CALIFORNIA ACTION ON PAIN OF CONTEMPT, TO ISSUE A PAYMENT SCHEDULE FOR ALL JUDGMENTS AWARDED TO DATE AND FOR ATTORNEY'S FEES AND COST	3844 - 3852
19	06/25/2010	SUPPLEMENT TO MOTION FOR ORDER TO SHOW CAUSE WHY ROBERT SCOTLUND VAILE SHOULD NOT BE HELD IN CONTEMPT FOR FAILURE TO COMPLY WITH THE ORDERS OF THE COURT, AND FOR ATTORNEY'S FEES AND COSTS	4016 - 4022

I N D E X

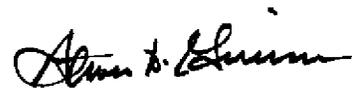
<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER :</u>
11	04/23/2009	SUPPLEMENT TO MOTION TO REDUCE TO JUDGMENT ADDITIONAL ATTORNEYS FEES AWARDED AND ISSUE A PAYMENT SCHEDULE FOR ALL ATTORNEY'S FEES AWARDED TO DATE AND FOR A LUMP SUM PAYMENT FOR CHILD SUPPORT ARREARAGES AND ATTORNEY'S FEES AND COSTS	2381 - 2386
8	07/08/2008	SUPPLEMENTAL AUTHORITIES	1578 - 1585
5	05/23/2003	SUPPLEMENTAL EXHIBIT	1001 - 1017
5	06/04/2003	SUPPLEMENTAL EXHIBIT	1038 - 1042
22	06/06/2012	SUPPLEMENTAL EXHIBIT TO DEFENDANT'S CLARIFICATION OF MOTION FOR ORDER TO SHOW CAUSE WHY ROBERT SCOTLUND VAILE SHOULD NOT BE HELD IN CONTEMPT FOR FAILURE TO PAY CHILD SUPPORT AND FOR CHANGING ADDRESS WITHOUT NOTIFYING THE COURT; TO REDUCE CURRENT ARREARAGES TO JUDGMENT; AND FOR ATTORNEY'S FEES AND COSTS	4809 - 4837
2	09/25/2000	SUPPLEMENTAL EXHIBITS	247 - 304
22	06/04/2012	SUPPLEMENTAL EXHIBITS TO DEFENDANT'S CLARIFICATION OF MOTION FOR ORDER TO SHOW CAUSE WHY ROBERT SCOTLUND VAILE SHOULD NOT BE HELD IN CONTEMPT FOR FAILURE TO PAY CHILD SUPPORT AND FOR CHANGING ADDRESS WITHOUT NOTIFYING THE COURT TO REDUCE CURRENT ARREARAGES TO JUDGMENT; AND FOR ATTORNEY'S FEES AND COSTS	4775 - 4808
6	01/15/2008	SUPPLEMENTAL EXHIBITS TO MOTION TO DISMISS AND ISSUE SANCTIONS AND MOTION FOR CLARIFICATION OF HEARING ORIGINALLY SCHEDULED FOR JANUARY 15, 2008	1178 - 1197
16	11/30/2009	SUPPLEMENTAL FILING AS DIRECTED BY COURT	3464 - 3480
10	09/05/2008	SUPPLEMENTAL FRIEND OF THE COURT BRIEF	2118 - 2172
8	06/23/2008	THIRD SUPPLEMENT TO DEFENDANT'S OPPOSITIONS TO PLAINTIFF'S "MOTION FOR RECONSIDERATION AND TO	1552 - 1571

98D230385

Robert S Vaile, Plaintiff.
vs.
Cisilie A Vaile, Defendant.

I N D E X

<u>VOL</u>	<u>DATE</u>	<u>PLEADING</u>	<u>PAGE NUMBER :</u>
		AMEND ORDER OR ALTERNATIVELY, FOR A NEW HEARING AND REQUEST TO ENTER OBJECTIONS AND MOTION TO STAY ENFORCEMENT OF THE MARCH 3, 2008 ORDER" AND COUNTERMOTION FOR GOAD ORDER OR POSTING OF BOND AND ATTORNEY'S FEES AND COSTS	
1	03/28/2000	VERIFICATION OF SERVICE	113 - 121
7	05/08/2008	WRIT OF EXECUTION	1476 - 1480
16	09/30/2009	WRIT OF EXECUTION	3407 - 3410



CLERK OF THE COURT

1 **NOAS**

2 Robert Scotlund Vaile

3 PO Box 727

4 Kenwood, CA 95452

(707) 833-2350

Plaintiff in Proper Person

5
6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**
7 **STATE OF NEVADA IN AND FOR**
8 **THE COUNTY OF CLARK**

9
10 ROBERT SCOTLUND VAILE,

11 Plaintiff,

12 vs.

13 CISILIE A. PORSBOLL,

14 Defendant.

CASE NO: 98 D230385

DEPT. NO: I

15
16 **NOTICE OF APPEAL**

17 Notice is hereby given that Plaintiff Robert Scotlund Vaile, Plaintiff in
18 Proper Person, appeals to the Supreme Court of Nevada from the order rendered
19 by Hon. Cheryl B. Moss titled *Court's Decision and Order* entered on July 10,
20 2012, and noticed as to entry on July 11, 2012. A true and correct copy of the
21 order is attached hereto.

22 Dated this 30th day of July, 2012.

23
24 /s/ R.S. Vaile

25 Robert Scotlund Vaile

26 PO Box 727

27 Kenwood, CA 95452

(707) 833-2350

Plaintiff in Proper Person

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CERTIFICATE OF SERVICE

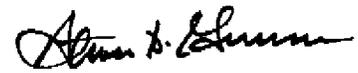
Plaintiff Robert Scotlund Vaile hereby certifies that I served a true and correct copy of the foregoing *Notice of Appeal* by depositing a true and correct copy in the U.S. Mail at Marengo, Ohio in a sealed envelope, with first-class postage pre-paid and addressed as follows:

Marshal S. Willick
Willick Law Group
3591 E. Bonanza Road, Suite 200
Las Vegas, NV 89110-2101
Attorneys for Defendant

Dated this 30th day of July, 2012.

 /s/ R.S. Vaile
Robert Scotlund Vaile
PO Box 727
Kenwood, CA 95452
(707) 833-2350
Plaintiff in Proper Person

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA


CLERK OF THE COURT

1
2
3
4 R.S. VAILE,

5 Plaintiff,

6 vs.

Case No. 98-D-230385

Dept. No. "I"

7 CISILIE A. VAILE
8 Nka PORSBOLL,

9 Defendant

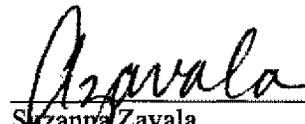
NOTICE OF ENTRY OF COURT'S DECISION AND ORDER

10 TO: R.S. VAILE, Plaintiff In Proper Person

11 TO: MARSHAL WILLICK, ESQ., Attorney for Defendant

12 PLEASE TAKE NOTICE that a Court's Decision and Order was entered in the
13 above-entitled matter on the 10th day of July, 2012, a true and correct copy of which is
14 attached hereto.

15 Dated this 11th day of July, 2012.

16 
17 Suzanna Zavala
18 Judicial Executive Assistant to the
19 HONORABLE CHERYL B. MOSS

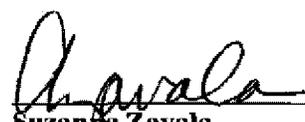
CERTIFICATE OF SERVICE

20 I hereby further certify that on this 11th day of July, 2012, I caused to be mailed to
21 Plaintiff/Defendant Pro Se a copy of the Notice of Entry of Court's Decision and Order at
22 the following address:

23 R.S. VAILE
24 P.O. Box 727, Kenwood, CA 95452
25 Plaintiff In Proper Person

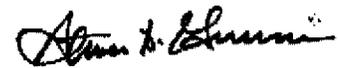
26 I hereby certify that on this 11th day of July, 2012, I caused to be delivered to the
27 Clerk's Office a copy of the Notice of Entry of Court's Decision and Order which was
28 placed in the folders to the following attorneys:

MARSHAL WILLICK, ESQ.
Attorney for Defendant


Suzanna Zavala
Judicial Executive Assistant

CHERYL B. MOSS
DISTRICT JUDGE

FAMILY DIVISION, DEPT. I
LAS VEGAS NV 89101



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

R. S. VAILE,

Plaintiff,

Case No. 98-D-230385

vs.

Dept. No. I

CISILIE A. VAILE

nka PORSBOLL,

Defendant.

COURT'S DECISION AND ORDER

The Nevada Supreme Court remanded this case to determine whether Norway's March 17, 2003, modification order is enforceable in Nevada, and for further proceedings on the enforcement of the August 21, 1998, Nevada child support order. Defendant ("Ms. Porsboll") also filed an Amended Motion for Order Show Cause to which Plaintiff ("Mr. Vaile") filed an Opposition.

The Court reviewed the pleadings and heard oral arguments on April 9, 2012, and June 4, 2012. Each side filed supplemental briefs.

The Norway Child Support Order

The State of Nevada adopted the Uniform Interstate Family Support Act (UIFSA) and incorporated its provisions in NRS Chapter 130. Under NRS

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130.10116, Nevada recognizes the country of Norway as a foreign reciprocating country.

In this case, the issue to be decided is whether Norway modified the Nevada child support order and therefore became the controlling order. The Court finds that under NRS 130.611(1)(a), Norway could have modified the Nevada child support order only if it finds that both parents and the children no longer reside in Nevada, that Mr. Vaile, who is a nonresident of Norway petitioned for modification, and that Ms. Porsboll was subject to the personal jurisdiction of Norway.

Under NRS 130.611(1)(b), Norway may also modify the Nevada child support order if Norway is the residence of the children, or one of the parents reside in Norway, and both parties have filed written consents with the Nevada court.

Here, none of the requirements of NRS 130.611(1) were met. Mr. Vaile did not petition for modification in Norway. Rather, Norway issued its own modification order that is not enforceable in Nevada under UIFSA laws. Further, both parties never filed written consents with the Nevada district court requesting Norway to modify the child support and assume jurisdiction.

IT IS HEREBY ORDERED that the Norway child support order is not the controlling order, and it is unenforceable in Nevada pursuant to UIFSA. The Norwegian order has no bearing on this court's enforcement of the Nevada child

CHERYL B. MOSS
DISTRICT JUDGE
FAMILY DIVISION, DEPT. 1
LAS VEGAS NV 89101

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support order, which remains the controlling order. Further, Nevada retains personal jurisdiction over Mr. Vaile for enforcement of child support.

IT IS FURTHER ORDERED that Mr. Vaile's March 6, 2012, pleading entitled "Notice of Controlling Norwegian Child Support Order" shall be stricken because it does not comply with NRS 130.611 and 130.605.

Mr. Vaile argued that NRS 130.6115 authorizes Norway to modify the Nevada support order. The Court rejects Mr. Vaile's argument and finds that NRS 130.6115 does not apply. This statute specifically refers to modification of a child support order of a foreign country. Here, the child support order sought to be modified was issued in Nevada. Nevada is not a foreign country.

Mr. Vaile raised the issue of applying NRS 130.207. Ms. Porsboll argued that this statute does not apply. The Court finds that NRS 130.207 is inapplicable. This statute deals with determining which support order is the controlling order when two competing child support orders exist.

At the time of the 1998 divorce, there was only one child support order issued in Nevada which is the controlling order. There were no multiple competing orders. Therefore, NRS 130.207 does not apply in this case.

Mr. Vaile argued that Ms. Porsboll's counsel's references to expert opinion, specifically Gary Caswell, Esq., were hearsay and should be disregarded. The Court finds this argument moot. The Court did not rely on Mr. Caswell's opinion letter to reach a decision on the applicability of NRS Chapter 130 and UIFSA.

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Recalculation of Child Support Arrears, Statutory Interest, and Statutory Penalties After Remand

Mr. Vaile argues that he should not have paid child support when he had the children in his care from May 2000 to April 2002. At a hearing on July 21, 2008, the court denied Mr. Vaile's request. The Nevada Supreme Court, in its January 26, 2012, decision, denied all other relief sought by Mr. Vaile in his multiple appeals. Accordingly, the court's decision is res judicata. In addition, the Court rejects Mr. Vaile's arguments of waiver, laches, and prevention.

Principal Child Support Arrears

The Court reviewed the calculations submitted by both sides. As to principal child support arrears, Mr. Vaile claims the total amount accrued through June 1, 2012, is \$149,416.93. Ms. Porsboll claims the amount is \$214,868.09.

Mr. Vaile's chart is erroneous. His child support chart sets the obligation at 18% for 2008, yet the eldest daughter emancipated in May 2009. This is incorrect because the percentage amount of 18% for one remaining child should not be applied until June 2009.

In addition, Mr. Vaile did not include child support when he claimed custody of the children for two years. As noted, the Court previously denied his request on July 21, 2008.

Mr. Vaile claims he paid a total of \$94,049.82 in child support payments. Ms. Porsboll calculated total payments of \$88,551.37. The Court previously ordered on March 8, 2010, that Mr. Vaile direct all child support payments to Ms.

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Porsboll's counsel (The Willick Law Group) if the District Attorney did not collect the full amount via involuntary wage assignment. Mr. Vaile is not entitled to credits for any direct payments he made to Ms. Porsboll.

The Court finds Ms. Porsboll's updated calculations are accurate as set forth in Exhibit A of their Supplemental Exhibits filed June 4, 2012. Therefore, the principal amount of child support arrears, after all payments are credited, is \$126,316.72 through June 1, 2012.

IT IS FURTHER ORDERED that the principal amount of child support arrears, totaling \$126,316.72 through June 1, 2012, is reduced to judgment and collectible by any lawful means.

Statutory Interest on the Child Support Arrears

Statutory interest is mandatory under NRS 17.130 and 99.040. Ms. Porsboll calculated \$62,466.86 of interest.

IT IS FURTHER ORDERED that the total interest amount of \$62,466.86 through June 1, 2012, is reduced to judgment and collectible by any lawful means.

Statutory Penalties on the Child Support Arrears

Ms. Porsboll calculated penalties on the arrears, using the M-Law program, in the amount of \$88,218.75.

The Nevada Supreme Court did not reach a decision on the calculation of penalties issue (M-Law vs. NOMADS). Ms. Porsboll argued the M-Law Program was not invalidated by the Supreme Court. However, neither was the NOMADS Program. The court decided the issue in its April 17, 2009 Decision and Order

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and is compelled to enforce it. The court recognizes that the M-Law Program calculates penalties in the same manner as the NOMADS program, but only up through the first 23 months. After 23, months, the calculations diverge. In this case, the penalties are calculated over a span 12 years.

IT IS FURTHER ORDERED that Mr. Vaile shall obtain an updated audit from the District Attorney's Office as to the penalties calculation by serving the District Attorney with a certified copy of this Decision and Order.

IT IS FURTHER ORDERED that the District Attorney shall file an updated audit in D-230385. Mr. Vaile shall then submit a proposed Order, countersigned by Ms. Porsboll's counsel, indicating the penalties amount through June 1, 2012, with said amount being reduced to judgment and collectible by any lawful means.

Contempt Issues

On March 28, 2012, Ms. Porsboll filed an Amended Order Show Cause asking for contempt against Mr. Vaile for failing to pay child support, for failing to make restitution on prior judgments for attorney's fees, and for failing to timely file a Notice of Change of Address.

NRS 22.010 and NRS 22.030 discuss contempt. An order must be reduced to writing, signed by a Judge, and filed with the Clerk of the Court.

Division of Child Family Svcs. v. Eighth Judicial Dist. Ct. of Nevada, 92 P.3d 1239 (2004). In Cunningham v. Eighth Judicial Dist. Ct., 102 Nev. 551, 559-60 (1986), the Supreme Court held, "An order on which a judgment of contempt is

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based must be clear and unambiguous, and must spell out the details of compliance in clear, specific and unambiguous terms so that the person will readily know exactly what duties or obligations are imposed on him.”

Pertaining to the change of address issue, the court’s order filed October 9, 2008, is clear and unambiguous. Mr. Vaile is required to formally file a Notice of Change of Address in Case Number D-230385 within 30 days of moving. Mr. Vaile asserted that he moved to Michigan in 2011. However, he did not file a Notice of Change of Address until March 6, 2012.

Mr. Vaile's argument that his Virginia counsel notified the Willick Law Group of his new Michigan address does not comply with the court’s order. Mr. Vaile's argument that he did not file a change of address in D-230385 due to the appeal pending is meritless. The change of address requirement was not related to the issues he raised on appeal.

The Court finds Mr. Vaile in contempt of the October 9, 2008 order for failing to file a Notice of Change of Address in Case Number D-230385 within 30 days of moving to a new residence.

IT IS FURTHER ORDERED that Mr. Vaile is sanctioned \$500.00 for failing to file a Notice of Change of Address and serving the Willick Law Group within 30 days of moving to a different residence.

With regard to Mr. Vaile's failure to pay child support since April 2000, the court previously conducted an evidentiary hearing on September 18, 2008.

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Both parties were given notice and an opportunity to fully litigate the contempt issue.

The court made written findings after the September 18, 2008, trial. In conforming with the Nevada Supreme Court's Decision reversing and remanding this case, the court reviewed its prior findings and orders in its October 9, 2008 Decision and Order.

The court's findings of fact and conclusions of law remain unchanged from the September 18, 2008 evidentiary hearing, except as to all references and findings that were inconsistent with the Nevada Supreme Court's Decision. All references and findings as to enforcing the \$1,300.00 fixed monthly child support amount are null and void.

Upon reconsideration after remand, the court makes new and/or revised findings and orders as follows.

1. According to the Decree of Divorce, the parties are required to exchange their tax returns and income information each year for purposes of calculating child support.
2. The parties applied and utilized the mathematical formula contained in the Decree.
3. The facts have not changed with regard to Mr. Vaile having paid nothing for over six years from April 2000 to April 2006.
4. The court finds Mr. Vaile's conduct willful because he understood he had a BASIC duty and obligation to pay child support. In fact, Mr. Vaile voluntarily paid child support from the time the Decree was entered until April 2000.
5. The policy behind NRS 125B.020(1) states that a parent has a duty to support their children.

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6. Mr. Vaile actually paid child support from August 1998 to April 2000. This means he understood during this time period that he had a duty to support their children.
7. Mrs. Porsboll signed no written agreements for waiver of child support.
8. Mr. Vaile willfully refused to pay child support from April 2000 to July 2006.
9. Mr. Vaile is in contempt of the Decree of Divorce.
10. Mr. Vaile was on notice under the Decree of Divorce to pay child support.
11. Mr. Vaile paid \$1,300.00 per month from August 1998 to April 2000.
12. There were no payments until the District Attorney's Office commenced wage withholding on July 3, 2006.
13. All child support payments since July 3, 2006 have been collected involuntarily.
14. Under NRS 22.010, the Court, in its discretion, could monetarily sanction Mr. Vaile up to \$500.00 for every month he willfully did not pay child support. He did not pay from April 2000 to July 2006 or a total of 76 months. The maximum amount is potentially $\$500.00 \times 76 = \$38,000.00$.
15. The Court finds Mr. Vaile in contempt for non-payment of child support for six years.
16. Under NRS 22.010, the Court has discretion to impose up to 25 days incarceration for every month Mr. Vaile willfully refused to pay child support.
17. Here, the child support PRINCIPAL ARREARS total \$126,316.72 through June 1, 2012.
18. The STATUTORY INTEREST on the arrears amounts to a total of \$62,466.86 through June 1, 2012.
19. The combined total is substantial -- \$188,783.58.

IT IS FURTHER ORDERED that Mr. Vaile is found in contempt for non-payment of child support for six years from March 2000 through June 2006.

CHERYL B. MOSS
DISTRICT JUDGE
FAMILY DIVISION, DEPT. 1
LAS VEGAS NV 89101

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Accordingly, he is sanctioned \$38,000.00 under NRS 22.010. Said amount is reduced to judgment and collectible by any lawful means. Previously, the Court did not award sanctions because it believed the Decree provision on calculating child support on a yearly basis was not clear and not unambiguous. The Nevada Supreme Court reasoned and found to the contrary in its January 26, 2012 Decision. Accordingly, upon reconsideration and remand, there is a basis to award sanctions.

The Court finds that because Nevada lacks jurisdiction to modify the child support order, Mr. Vaile is obligated to pay CURRENT child support of \$2,754.15 per month in accordance with the Decree of Divorce. Under NRS 125B.100, the obligor parent shall continue to pay support for an emancipated child until all arrearages are paid. Mr. Vaile's child support was \$2,870.13 for two children. The eldest child was emancipated on June 1, 2009.

IT IS FURTHER ORDERED that in accordance with the Decree of Divorce, Mr. Vaile's child support obligation is \$2,870.13 per month. Of this amount, \$2,754.15 is applied towards current child support for the one remaining minor child, due and owing from July 1, 2011 to June 30, 2012. The difference between \$2,870.13 and \$2,754.15 shall be applied against the arrearages for this time period. On July 1 of each year, while the youngest child is still a minor, the child support amount is adjusted per the Decree of Divorce and any remainder between the \$2,870.13 and the adjusted amount shall be applied toward the arrearages. The youngest child will emancipate on

CHERYL B. MOSS
DISTRICT JUDGE
FAMILY DIVISION, DEPT. 1
LAS VEGAS NV 89101

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June 1, 2013. After said date, the entire amount of \$2,870.13 shall be applied toward arrearages until paid in full.

With regard to incarceration contempt, the court previously ordered Mr. Vaile to make eight (8) monthly installments of \$2,000.00 towards the purge amount of \$16,000.00 as reflected in the October 9, 2008 Decision and Order. According to Exhibit A of Defendant's Supplemental Exhibits filed June 4, 2012, Mr. Vaile made all payments totaling \$16,000.00. Therefore, the Court finds that Mr. Vaile is purged out of the jail contempt through the date of the last payment due and owing which was June 15, 2009.

Concerning Ms. Porsholl's latest request for contempt for failure to pay child support after June 15, 2009, the Court finds that zero child support was paid for eleven (11) specific months, namely May 2010 to October 2010 inclusive, July 2011 to September 2011 inclusive, and May 2012 to June 2012. See Exhibit A of Defendant's Supplemental Exhibits filed on June 4, 2012.

Under due process, if a party is facing incarceration and sanctions for contempt, the Court is required to hold an evidentiary hearing pursuant to NRS 22.010.

Mr. Vaile is admonished to resume child support payments and pay the amount of \$2,870.13 per month in accordance with the non-modifiable Decree of Divorce support order and pursuant to NRS 125B.100.

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IT IS FURTHER ORDERED that an evidentiary hearing date shall be set for **October 22, 2012 at 1:30 p.m. (stack #1)**

IT IS FURTHER ORDERED that for any remainder amounts due for child support each month not collected via wage assignment by the District Attorney's Office, Mr. Vaile shall continue to send those payments directly to Ms. Porsboll's counsel payable to "The Willick Law Group". At the hearing on March 8, 2010, the court ordered Mr. Vaile to send all payments for child support not collected by the District Attorney to The Willick Law Group. Mr. Vaile is under an affirmative duty to comply with court orders. Since March 8, 2010, Mr. Vaile paid zero child support for 11 months. See Exhibit A to Defendant's Supplemental Exhibits filed June 4, 2012. Mr. Vaile is to show cause at the evidentiary why he should not be held in contempt.

IT IS FURTHER ORDERED that the involuntary wage withholding by the District Attorney for the payment of current child support shall continue.

IT IS FURTHER ORDERED that the prior award of \$15,000.00 attorney's fees to Ms. Porsboll in the October 9, 2008, Decision and Order stands, but any references or findings as to the enforcement of the \$1,300.00 per month amount is deemed null and void. Said amount is reduced to judgment and collectible by any lawful means.

With regard to Ms. Porsboll's request to enforce the prior judgments for attorney's fees, the court stated at previous hearings that said judgments were already reduced to judgment and collectible by any lawful means.

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IT IS FURTHER ORDERED that Ms. Porsboll's request to enforce payment of prior judgments of attorney's fees and costs was already granted by the Court at the March 8, 2010 hearing. The court's order still stands and any employer of Mr. Vaile shall withhold the maximum amount allowed by Nevada law, not to exceed 50% of his wages.

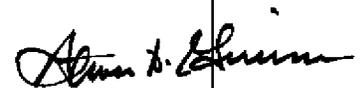
IT IS FURTHER ORDERED that as to Ms. Porsboll's latest request for attorney's fees filed February 27, 2012, mandatory fees shall be awarded pursuant to NRS 125B.140 as Mr. Vaile still owes child support arrears. The Willick Law Group shall file a Memorandum of Fees and Costs and a redacted billing statement no later than August 10, 2012, and submit a proposed order.

IT IS FURTHER ORDERED that additional fees requested on the contempt issues reserved for the evidentiary hearing are deferred.

SO ORDERED.

Dated this 10th day of July, 2012.


CHERYL B. MOSS
District Court Judge



CLERK OF THE COURT

1 **ASTA**
2 Robert Scotlund Vaile
3 PO Box 727
4 Kenwood, CA 95452
5 (707) 833-2350
6 *Plaintiff in Proper Person*

7 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**
8 **STATE OF NEVADA IN AND FOR**
9 **THE COUNTY OF CLARK**

10 R. SCOTLUND VAILE,
11 Plaintiff,
12 vs.
13 CISILIE A. PORSBOLL,
14 fka CISILIE A. VAILE,
15 Defendant.

CASE NO: 98 D230385
DEPT. NO: I

16 **CASE APPEAL STATEMENT**

17 **1. Name of appellant filing this case appeal statement:**

18 Robert Scotlund Vaile, Plaintiff/Petitioner.

19 **2. Identify the judge issuing the decision, judgment, or order appealed**
20 **from:** Hon. Cheryl B. Moss, Eighth Judicial District, Dept. I

21 **3. Identify each appellant and the name and address of counsel for each**
22 **appellant:**

23 Robert Scotlund Vaile, proceeding in Proper Person
24 PO Box 727, Kenwood, CA 95452

25 **4. Identify each respondent and the name and address of appellate counsel,**
26 **if known, for each respondent (if the name of a respondent's appellate**
27 **counsel is unknown, indicate as much and provide the name and address**
28 **of that respondent's trial counsel):**

Respondent Cisilie A. Porsboll, fka, Cisilie A. Vaile

1 Willick Law Group (attorneys for respondent), 3591 East Bonanza Road,
2 Suite 200, Las Vegas, Nevada 89110-2101.

- 3 **5. Indicate whether any attorney identified above in response to question 3**
4 **or 4 is not licensed to practice law in Nevada and, if so, whether the**
5 **district court granted that attorney permission to appear under SCR 42**
6 **(attach a copy of any district court order granting such permission):**

7 Petitioner, Mr. Vaile, is not licensed to practice law in Nevada, but is a party
8 to this case. SCR 42 appears inapplicable.

- 9 **6. Indicate whether appellant was represented by appointed or retained**
10 **counsel in the district court:**

11 Appellant has been represented by counsel in an unbundled capacity for
12 some matters in the district court, but not since the remand by the Nevada
13 Supreme Court in this case.

- 14 **7. Indicate whether appellant is represented by appointed or retained**
15 **counsel on appeal:**

16 Appellant intends to proceed in proper person on appeal.

- 17 **8. Indicate whether appellant was granted leave to proceed in forma**
18 **pauperis, and the date of entry of the district court order granting such**
19 **leave:**

20 Appellant has not sought leave to proceed in forma pauperis.

- 21 **9. Indicate the date the proceedings commenced in the district court (e.g.,**
22 **date complaint, indictment, information, or petition was filed):**

23 Complaint for divorce was filed in the district court on August 7, 1998, and
24 the decree of divorce filed on August 21, 1998. On October 25, 2000, the
25 district court upheld a custody order in favor of Petitioner Vaile. The Nevada
26 Supreme Court overturned that order on April 11, 2002. Defendant initiated
27 proceedings for child support for the first time on November 7, 2007, which
28 the lower court resolved in final orders dated October 9, 2008 and April 17,

1 2009. The Nevada Supreme Court issued a decision reversing those orders
2 on January 26, 2012.

3 **10. Provide a brief description of the nature of the action and result in the**
4 **district court, including the type of judgment or order being appealed**
5 **and the relief granted by the district court:**

6 This case involves the appropriate amount of child support due for two
7 children (now grown) based on calculations under the 1998 decree of
8 divorce, the effect of waiver on child support due, and the priority of
9 superceding child support orders issued by the foreign country home state of
10 the children which was previously declared a foreign reciprocating country
11 by both the State of Nevada and the federal Department of State. On reversal
12 and remand, the district court has refused to comply with the directives of
13 this court which required the district court to apply NRS 130.207 to make a
14 determination as to the priority of the Norwegian orders, has continued to
15 make significant modifications to the 1998 divorce decree, and has refused to
16 reverse attorneys fees awarded to the non-prevailing party.

17 **11. Indicate whether the case has previously been the subject of an appeal**
18 **to or original writ proceeding in the Supreme Court and, if so, the**
19 **caption and Supreme Court docket number of the prior proceeding:**

20 As indicated above, this case has been the subject of several proceedings in
21 the Nevada Supreme Court previously, referenced by the following case
22 numbers: 36969, 37082, 51981, 52244, 52457, 52593, 53687, 53798, 55396,
23 55446, 55911, 60502.

24 **12. Indicate whether this appeal involves child custody or visitation:**

25 This case does not involve child custody or visitation directly. However, it
26 does involve the related question as to whether Nevada courts must honor the
27 child support orders made incident to custody orders by a foreign
28

1 reciprocating country, which the Nevada Supreme Court has previously
2 declared to be the home state of the children.

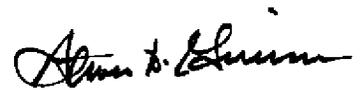
3 **13. If this is a civil case, indicate whether this appeal involves the possibility**
4 **of settlement:**

5 Appellant has remained open to the possibility of settlement of this matter.
6

7 Dated this 30th day of July, 2012.
8

9 /s/ R. S. Vaile

10 Robert Scotlund Vaile
11 PO Box 727
12 Kenwood, CA 95452
13 (707) 833-2350
14 Plaintiff in Proper Person
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CLERK OF THE COURT

MEMO
WILLICK LAW GROUP
MARSHAL S. WILLICK, ESQ.
Nevada Bar No. 002515
3591 E. Bonanza Road, Suite 200
Las Vegas, NV 89110-2101
Phone (702) 438-4100; Fax (702) 438-5311
email@willicklawgroup.com
Attorneys for Defendant

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

ROBERT SCOTLUND VAILE,

Plaintiff,

vs.

CISILIE A. PORSBOLL, f/k/a CISILIE A. VAILE,

Defendant.

CASE NO: D-98-230385-D
DEPT. NO: 1

DATE OF HEARING: N/A
TIME OF HEARING: N/A

MEMORANDUM OF FEES AND COSTS

As directed by the Court in its *Decision and Order*, filed July 10, 2010, this *Memorandum of Fees and Costs* in the above referenced case is provided to the Court indicating fees and costs expended from January 1, 2012, to July, 2012.

1. The Defendant's billing records in the above referenced case from January 1, 2012 to present:

a. Time entries for staff on this case: Attached as Exhibit A.

Paralegal time:	1.00	hr.	@	\$150.00	\$150.00
Paralegal time:	129.40	hr.	@	\$175.00	\$22,645.00
Law Clerk time:	62.80	hr.	@	\$250.00	\$15,700.00
Attorney time:	1.70	hr.	@	\$275.00	\$467.50

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Attorney time:	27.00	hr.	@	\$550.00	\$14,850.00
Total Professional Services:					\$53,812.50
Filing Fees and Messenger Services:					\$35.00
4% Cost Charge					\$3,635.88

2.	Fees and costs total:	\$57,483.38
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WILICK LAW GROUP



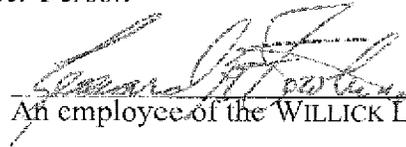
MARSHAL S. WILICK, ESQ.
Nevada Bar No. 002515
3591 E. Bonanza Road, Suite 200
Las Vegas, NV 89110-2101
Phone (702) 438-4100; Fax (702) 438-5311
email@willicklawgroup.com
Attorneys for Defendant

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CERTIFICATE OF SERVICE

I hereby certify that the Defendant's *Memorandum of Fees and Costs*, was duly served on the 1st day of August, 2012, pursuant to NRC P 5(b), via Email, and by depositing a true and correct copy in the United States Mail, first class mail, postage prepaid, addressed as follows:

Mr. Robert Scotlund Vaile
P.O. Box 727
Kenwood, California 95452
scotlund@vaile.info
legal@infosec.privacyport.com
Plaintiff In Proper Person


An employee of the WILLICK LAW GROUP

P:\wp13\VAILE\EX00066364 WPD\LF

Willick Law Group
 3591 E. Bonanza Rd., Suite 200
 Las Vegas, Nevada 89110-2101
 Web page: www.willicklawgroup.com
 Billing Q&A seth@willicklawgroup.com

July 17, 2012

Ms. Cisilie Anne Vaile Porsboll
 Email: [REDACTED]

File Number: 00-050.POST

RE: Vaile v. Vaile, Robert

Statement of Account for Services Rendered Through July 17, 2012

Previous Balance Due \$573,786.86

Professional Services

<u>Emp</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
Tuesday, January 3, 2012			
RLC	Review of SC Order, [REDACTED] and review of District Court Orders.	2.90	725.00
LF	Received Order from Supreme Court in Case 55446 the WRIT.	0.30	52.50
LF	Downloaded Supreme Court Order, Denying WRIT, and lifting STAY.	0.60	105.00
LF	Discussion with attorney and staff on the Supreme Court Order and how it would affect related litigation, and what we should be doing now.	0.50	87.50
LF	[REDACTED]	[REDACTED]	[REDACTED]
Wednesday, January 4, 2012			
LF	[REDACTED]	[REDACTED]	[REDACTED]
Thursday, January 5, 2012			
RLC	[REDACTED]	[REDACTED]	[REDACTED]
Friday, January 6, 2012			
RLC	[REDACTED]	[REDACTED]	[REDACTED]
LF	Ran New MLaw calculations without penalties.	1.30	227.50
LF	Revised Motion for Order to Show Cause.	1.20	210.00
Tuesday, January 10, 2012			
RLC	Continue work on Motion for Order to Show Cause.	1.50	375.00
Wednesday, January 11, 2012			
LF	Received Order from Supreme Court - Downloaded Order and reviewed. Discussed order with staff. Supreme Court Case No. 55446, WRIT.	0.50	87.50

<u>Emp</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
Thursday, January 19, 2012			
RLC	[REDACTED]	[REDACTED]	[REDACTED]
Monday, January 23, 2012			
LF	Received Notice In Lieu of Remittitur in Case No. 55446	0.30	52.50
Thursday, January 26, 2012			
RLC	Review of SC Decision [REDACTED]	0.90	225.00
LF	Received and reviewed decision of Supreme Court in Case No. 53687 and 53798.	1.00	175.00
LF	Drafting Motion.	1.00	175.00
Friday, January 27, 2012			
LF	Reviewing Supreme Court Opinion, and drafting Motion for Order to keep child support at same level until Scot provides required data.	3.00	525.00
LF	Drafting and devolping calculations according to Decree, downloaded CPI history.	3.40	595.00
Monday, January 30, 2012			
LF	Drafting Motion, converting currency. Received response from client as to her income from 2000 to present, she will mail documents to me.	2.60	455.00
LF	Emailed client for additional information.	0.20	35.00
Tuesday, January 31, 2012			
LF	Drafting spread sheet and motion.	4.60	805.00
Wednesday, February 1, 2012			
LF	Revising spread sheets, base on new information discovered in file.	2.00	350.00
LF	Reviewing file for financial information on Scotlund's income.	3.00	525.00
Thursday, February 2, 2012			
LF	Drafting Motion and passed to attorney.	3.00	525.00
Friday, February 3, 2012			
RLC	[REDACTED]	[REDACTED]	[REDACTED]
RLC	Review of calculations and first review of Motion.	2.70	675.00
LF	Revising table of payments.	1.30	227.50
Monday, February 6, 2012			
RLC	[REDACTED]	[REDACTED]	[REDACTED]
LF	Revising and updating Payment Table.	3.00	525.00
LF	Running Mlaw Calculations.	0.70	122.50

<u>Emp</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
Friday, February 10, 2012			
LF	Reviewing income summary and documents from client.	1.30	227.50
Tuesday, February 14, 2012			
LF	Downloading Supreme Court filings, updating records.	1.00	175.00
Friday, February 17, 2012			
LF	Drafted disclosure statement pursuant to NRCP 7.1.	0.30	52.50
LF	Assembling exhibits for motion.	1.20	210.00
LF	Reviewing and redacting tax returns for Cisilie.	0.60	105.00
LF	Filed motion and exhibits with court, transmitted copy to opposing party by email and US mail.	0.40	70.00
LF	Reviewed and transmitted request for payment letter to Scotlund via email and US mail.	0.40	70.00
Wednesday, February 22, 2012			
RLC	Continue drafting of Motion for Order to Show Cause.	3.50	875.00
LF	Drafting Motion.	2.00	350.00
Thursday, February 23, 2012			
RLC	Complete draft of Motion for OSC.	3.30	825.00
RLC	Draft letter to Opp party for demand of payment.	0.50	125.00
LF	Revising and editing Motion.	4.00	700.00
LF	Assembling exhibits and drafting Order to Show Cause.	1.00	175.00
Friday, February 24, 2012			
MSW	Review and Revise lettre and Motion for order to Show Cause.	3.90	2,145.00
Tuesday, February 28, 2012			
LF	Drafting Ex Parte application and Order to Show Cause.	1.00	175.00
Wednesday, February 29, 2012			
LF	Received filed Motion, and transmitted to Scotlund via email and US Mail.	0.30	52.50
Thursday, March 8, 2012			
LF	Received filing form Scot, and reviewing.	0.50	87.50
RLC	Review of documents received from Opp Party.	1.60	400.00
Friday, March 9, 2012			
RLC	Begin work on Reply brief.	2.50	625.00
LF	Received remittitur.	0.30	52.50
LF	Received and reviewed documents filed by Scotlund.	1.00	175.00
LF	Discussion with attorney and staff on response if necessary.	0.30	52.50
Monday, March 12, 2012			
RLC	Complete draft of Reply Brief.	5.50	1,375.00

<u>Emp</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
Tuesday, March 13, 2012			
RLC	Complete Reply Brief after review by LF.	1.00	250.00
MSW	Review and Revise Reply.	2.40	1,320.00
Wednesday, March 14, 2012			
RLC	Complete Reply.	0.20	50.00
LF	Filed Reply and transmitted to Scot.	0.30	52.50
Thursday, March 15, 2012			
LF	Received Certificate of Mailing filed.	0.20	35.00
Friday, March 16, 2012			
LF	Drafting Certificate of Mailing.	0.30	52.50
LF	Drafting certificate of mailing.	0.30	52.50
LF	Received and filed Order to Show Cause.	0.40	70.00
LF	Transmitted copy of order to Scot.	0.20	35.00
LF	Received filed Reply form court.	0.20	35.00
Tuesday, March 20, 2012			
LF	Received filed Order to Show Cause.	0.20	35.00
LF	Transmitted Order to Show Cause to Opposing party by email and regular mail.	0.20	35.00
Wednesday, March 21, 2012			
LF	Reviewing email from client and response.	0.40	70.00
Thursday, March 22, 2012			
LF	Received and reviewed filing by Scotlund in Supreme Court.	1.50	262.50
Monday, March 26, 2012			
MSW	[REDACTED]	[REDACTED]	[REDACTED]
RLC	[REDACTED]	[REDACTED]	[REDACTED]
RLC	[REDACTED]	[REDACTED]	[REDACTED]
Tuesday, March 27, 2012			
RLC	[REDACTED]	[REDACTED]	[REDACTED]
LF	Revised, edited and filed Amended Order to show cause.	0.50	87.50
LF	Picked up signed Amended Order to Show Cause from Court.	0.30	52.50
Friday, March 30, 2012			
LF	Telephone conversation with court clerk on filing by Scotlund in Supreme Court, emailed copy of th Writ to court as they did not have and were not sure as to the impact on the scheduled hearing.	0.30	52.50
Sunday, April 1, 2012			
MSW	Review and Revise Opposition to Emergency Petition for Writ.	3.30	1,815.00

<u>Emp</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
Monday, April 2, 2012			
TMC	Review proposed Opposition to Emergency Petition for Writ of Mandamus; revise and discuss with Mr. Fowler; obtain Mr. Willick's signature for filing.	1.70	467.50
LF	Reviewed and filed Opposition to WRIT.	0.70	122.50
LF	Transmitted Opposition to Scot.	0.30	52.50
LF	Resend Notice of Rejecting opposition and - research.	1.10	192.50
Tuesday, April 3, 2012			
LF	Drafting motion for leave to file opposition.	1.00	175.00
LF	Drafting Motion.	1.00	175.00
Wednesday, April 4, 2012			
LF	Drafting motion for leave to file motion.	0.50	87.50
LF	Filed Motion.	0.40	70.00
Thursday, April 5, 2012			
LF	[REDACTED]	[REDACTED]	[REDACTED]
LF	[REDACTED]	[REDACTED]	[REDACTED]
Friday, April 6, 2012			
LF	[REDACTED]	[REDACTED]	[REDACTED]
LF	[REDACTED]	[REDACTED]	[REDACTED]
Sunday, April 8, 2012			
RLC	Prepare hearing outline.	2.50	625.00
Monday, April 9, 2012			
RLC	Hearing prep.	1.00	250.00
MES	Office conference with Riek. Research and type up the safe guards for civil contempt re: incarceration.	1.00	150.00
MSW	Prepare for and attend hearing in Dept. I.	3.60	1,980.00
FF	Check with the DA for status of Scotlund's c/s payments	0.40	70.00
RLC	Attend hearing and begin prep for next hearing.	5.00	1,250.00
Tuesday, April 10, 2012			
LF	Developed Table of Supreme Court Cases and Orders appellate cases history.	3.20	560.00
Wednesday, April 11, 2012			
LF	[REDACTED]	[REDACTED]	[REDACTED]
Thursday, April 12, 2012			
LF	[REDACTED]	[REDACTED]	[REDACTED]
RLC	[REDACTED]	[REDACTED]	[REDACTED]

<u>Emp</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
Friday, April 13, 2012			
LF	[REDACTED]	[REDACTED]	[REDACTED]
LF	Assembling information and documents as requested in the 4/9/12 hearing. Order Video tape of hearing.	1.70	297.50
LF	Research (WestLaw).	1.10	192.50
Monday, April 16, 2012			
MSW	[REDACTED]	[REDACTED]	[REDACTED]
LF	[REDACTED]	[REDACTED]	[REDACTED]
LF	[REDACTED]	[REDACTED]	[REDACTED]
Tuesday, April 17, 2012			
LF	[REDACTED]	[REDACTED]	[REDACTED]
LF	[REDACTED]	[REDACTED]	[REDACTED]
Wednesday, April 18, 2012			
LF	[REDACTED]	[REDACTED]	[REDACTED]
LF	[REDACTED]	[REDACTED]	[REDACTED]
LF	Reviewing emails with client on financial disclosure form.	0.40	70.00
LF	Downloaded client completed Financial disclosure form for review.	0.20	35.00
LF	Reviewing and revising client's Financial Disclosure Form missing some information called for and needed explanation of some expenses.	1.00	175.00
LF	Drafted email to client with requested information for Financial Disclosure Form. Discussion with staff and Attorney on FDF. Reviewed last FDF filed by client and Scot.	1.00	175.00
LF	File maintenance and organization.	4.10	717.50
Thursday, April 19, 2012			
LF	File maintenance and organization.	4.20	735.00
LF	File maintenance and organization.	3.50	612.50
Friday, April 20, 2012			
LF	Revised and transmitted Financial disclosure Form, to get her OK to file on Monday.	1.00	175.00
LF	File maintenance and organization.	2.40	420.00
Monday, April 23, 2012			
LF	Received response to Financial Disclosure Form from client.	0.20	35.00
LF	Field Financial Disclosure Form.	0.20	35.00
Wednesday, April 25, 2012			
LF	Received and reviewed Financial Disclosure Form from Scot, passed comment to Law Clerk.	0.60	105.00

<u>Emp</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
LF	Assembling and reviewing documents called for in next hearing.	0.70	122.50
Thursday, April 26, 2012			
RLC	Review of Scots FDF.	0.40	100.00
Friday, April 27, 2012			
RLC	Review of Cisilie's certified income and phone call with CA Counsel.	0.60	150.00
Tuesday, May 1, 2012			
LF	Received Notice of Remittitur in Supreme Court Case no. 55911.	0.20	35.00
Wednesday, May 2, 2012			
LF	Reviewed Court records, calendaring events, file maintenance and organization.	0.30	52.50
Monday, May 7, 2012			
LF	Case Law Research.	1.20	210.00
LF	[REDACTED]	[REDACTED]	[REDACTED]
Tuesday, May 8, 2012			
RLC	Review of Brief filed by Scot.	0.50	125.00
Wednesday, May 9, 2012			
RLC	Draft Response to Vaile's Brief.	5.00	1,250.00
Thursday, May 10, 2012			
LF	Received Notice of Change of Address and Supplemental Brief form Scot.	0.10	17.50
LF	Reviewing , Scot Supplemental Brief, and reviewing Reply to Brief.	1.40	245.00
LF	Received offer of judgment form Scot, discussion with staff and attorney, assembled exhibit for Reply Brief.	0.60	105.00
LF	Editing Reply Brief to Scot's Supplement.	1.30	227.50
Sunday, May 13, 2012			
MSW	Review and Revise Response to supplemental briefing, and Request for Sanctions.	3.60	1,980.00
Monday, May 14, 2012			
RLC	Meeting with MSW and CM on responsive pleading.	0.30	75.00
LF	Revising and editing Brief.	1.20	210.00
LF	[REDACTED]	[REDACTED]	[REDACTED]
LF	[REDACTED]	[REDACTED]	[REDACTED]

<u>Emp</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
Tuesday, May 15, 2012			
MSW	Review and Revise Response to Supplemental Briefing (start).	1.70	935.00
LF	Reviewed Exhibits filed by Scotlund.	1.10	192.50
LF	Developed time line of appeals for brief.	1.20	210.00
LF	Revising and editing brief and tables.	2.20	385.00
Wednesday, May 16, 2012			
LF	Assembled exhibits - created table of contents for brief, passed to attorney for review.	1.60	280.00
LF	Requested update from District Attorney's Office.	0.30	52.50
Thursday, May 17, 2012			
MSW	Review and Revise Response, continued.	1.10	605.00
Sunday, May 20, 2012			
MSW	Review and Revise Response to Supplement (Continued).	2.40	1,320.00
Monday, May 21, 2012			
LF	Received District Attorney's Report and reviewing.	0.60	105.00
LF	Updated MLaw Calculations with District Attorney Information.	0.60	105.00
LF	Filed response to Brief and transmitted to Vaile.	0.30	52.50
LF	Drafting Supplement to Motion for Contempt and recalculation with District Attorney inputs.	4.20	735.00
Tuesday, May 22, 2012			
MSW	Review and Revise Supplement to Clarification.	1.10	605.00
RLC	Complete edit and review of Supplemental Filing.	2.50	625.00
Wednesday, May 23, 2012			
MSW	Office conference with all relevant staff.	0.40	220.00
RLC	Meeting with MSW and then with CM.	0.50	125.00
LF	Reckoning and recalculating arrears tables.	3.00	525.00
Thursday, May 24, 2012			
LF	Trial team meeting.	0.40	70.00
LF	Hearing Preps - Drafting Proposed Order.	1.00	175.00
Friday, May 25, 2012			
LF	Drafting proposed order for 6/4/12 hearing/	1.60	280.00
RLC	Complete draft of hearing outline and review of documents.	3.00	750.00
Tuesday, May 29, 2012			
LF	Drafting proposed order for 6/4/12 hearing.	1.00	175.00
Wednesday, May 30, 2012			
LF	Received and reviewing document from Scot.	1.30	227.50
RLC	Worked with experts and gathered documents for hearing on 6/4/12.	5.20	1,300.00

<u>Emp</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
Thursday, May 31, 2012			
LF	Revising and editing tables and Mlaw with info from Scot.	4.00	700.00
RLC	Completed draft of hearing outline and review of proposed Order.	2.00	500.00
Friday, June 1, 2012			
RLC	Complete review of financial calculations and modify order and hearing outline.	0.80	200.00
LF	Order copy of billing and redacting.	0.70	122.50
LF	Hearing preps, revising tables and recalculations.	1.40	245.00
Saturday, June 2, 2012			
MSW	Prep. for Monday hearing.	0.50	275.00
Monday, June 4, 2012			
RLC	Review of document received from Gary Caswell.	0.60	150.00
RLC	[REDACTED]	[REDACTED]	[REDACTED]
RLC	Hearing prep for today's hearing.	1.20	300.00
RLC	Attend hearing.	2.00	500.00
LF	Hearing preps, assembling document and pleading for hearing.	1.40	245.00
LF	Received child support charts from Scotlund.	0.10	17.50
LF	Drafted and assembled supplement for filing.	0.50	87.50
LF	Filed and transmitted supplement to court and opposing party.	0.30	52.50
LF	Reviewed chart provided by Scotlund, charts are not correct according to decree.	0.50	87.50
LF	Attended hearing.	1.50	262.50
MSW	Review and Revise proposed order; prepare for and attend hearing in Dept. I.	3.00	1,650.00
Tuesday, June 5, 2012			
LF	Requested hearing video.	0.10	17.50
LF	File maintenance and organization.	2.00	350.00
LF	Reviewing scotlund's filing with supreme court.	1.00	175.00
Wednesday, June 6, 2012			
RLC	Review of docs from client and prepare supplemental Exhibit to Court.	0.20	50.00
LF	Filed Supplemental with court.	0.20	35.00
LF	Received filed copy of Supplement, emailed copy to Scotlund.	0.30	52.50
Friday, June 8, 2012			
RLC	[REDACTED]	[REDACTED]	[REDACTED]
Monday, June 18, 2012			
LF	[REDACTED]	[REDACTED]	[REDACTED]
LF	[REDACTED]	[REDACTED]	[REDACTED]

<u>Emp</u>	<u>Description</u>	<u>Hours</u>	<u>Amount</u>
Tuesday, June 19, 2012			
RLC	Forward of pleading and email to gary Caswell.	0.20	50.00
LF	[REDACTED]	[REDACTED]	[REDACTED]
Wednesday, June 20, 2012			
LF	[REDACTED]	[REDACTED]	[REDACTED]
Monday, June 25, 2012			
RLC	Draft Responsive Brief.	3.20	800.00
LF	Reviewed hearing video for 5/9/12 and 6/4/12 hearings for responsive briefs.	1.00	175.00
LF	Received and filed Responsive Brief.	0.50	87.50
Tuesday, June 26, 2012			
LF	Received filed Responsive Brief and Emailed and mailed to Scot.	0.30	52.50
LF	Drafted and Filed Certificate of Service of Brief.	0.20	35.00
LF	Discussion with staff and attorney.	0.20	35.00
Wednesday, June 27, 2012			
LF	Received notarized Affidavit from Mr. Caswell.	0.20	35.00
Friday, June 29, 2012			
LF	[REDACTED]	[REDACTED]	[REDACTED]

Summary of Services

FF	Faith Fish	0.4	hr @ 175.00	\$ 70.00
LF	Leonard Fowler III	129.0	hr @ 175.00	\$ 22,575.00
MES	Mary Steele	1.00	hr @ 150.00	\$ 150.00
MSW	Marshal S. Willick	27.00	hr @ 550.00	\$ 14,850.00
RLC	Rick L. Crane	62.80	hr @ 250.00	\$ 15,700.00
TMC	Trevor M. Creel	1.70	hr @ 275.00	\$ 467.50

Total Professional Services	<u>\$ 53,812.50</u>
4% Cost charge	<u>\$3,635.88</u>
Total Including Costs Charge	<u>\$57,448.38</u>

Costs and Disbursements

<u>Date</u>	<u>Description</u>	<u>Amount</u>
02/27/12	Efiling of document. Motion for OSC	3.50
02/28/12	Efiling of document. NRCP 7.1	3.50
03/14/12	Efiling of document. Reply	3.50

Page eleven
July 17, 2012
Ms. Cisilie Anne Vaile Porsboll
Vaile v. Vaile, Robert

<u>Date</u>	<u>Description</u>	<u>Amount</u>
03/14/12	Efiling of document. CoM	3.50
03/16/12	Efiling of document. OSC	3.50
03/27/12	Efiling of document. clarification of motion	3.50
03/27/12	Efiling of document. ex parte application	3.50
05/22/12	Efiling of document. Supplement	3.50
06/06/12	Efiling of document. Supplemental exhibit	3.50
06/25/12	Efiling of document. Defendant's responsive brief	<u>3.50</u>
	Total Costs and Disbursements	<u>\$ 35.00</u>
	Interest Charge	<u>\$ 235,935.56</u>
	TOTAL NEW CHARGES	<u>\$ 293,418.94</u>
	PAYMENTS AND CREDITS	
01/10/12	Applied from Retainer to fee charges	-286.80
01/25/12	Applied from Retainer to fee charges	<u>-573.60</u>
	Total Payments and Credits	<u>\$ -860.40</u>
	SUMMARY OF ACCOUNT	
	Balance Forward	\$573,786.86
	Total New Charges	<u>\$293,418.94</u>
	Payments and Credits	<u>-860.40</u>
	TOTAL BALANCE DUE *** Plus Retainer Due Below ***	<u>\$654,016.35</u>

Ms. Cisilie Anne Vaile Porsboll
 Email: cisilie.porsboll@gmail.com

RE: Vaile v. Vaile, Robert

Home Telephone: (011) 472-2617 153
 Business Telephone: (011) 472-2579 350

Originating Attorney: MSW

Hourly Rate using Rate Schedule 16. Statement Format 1
 Retainer Funds will be applied against all charges

File Opened 08/07/00. Last Billed 07/10/12 for Activity through 07/10/12
 Last Payment: 01/25/12 - \$573.60

Previous Balance Due	<u>\$654,016.35</u>
Unpaid Balance Forward	\$654,016.35
TOTAL NEW CHARGES	\$ 0.00

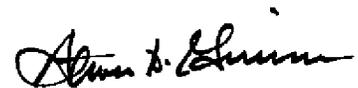
SUMMARY OF ACCOUNT

Balance Forward	\$654,016.35
Total New Charges	0.00
Payments and Credits	<u>0.00</u>
TOTAL BALANCE DUE *** Plus Retainer Due Below ***	\$654,016.35

Agcd Balance	Current	Over 30	Over 60	Over 90	Total
Fees	2477.50	20052.50	10990.00	385518.65	419038.65
Costs	3.50	7.00	0.00	24.50	35.00
4% Costs	0.00	0.00	0.00	1876.76	1876.76
Interest	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>233065.94</u>	<u>233065.94</u>
TOTAL	2481.00	20059.50	10990.00	620485.85	654016.35

Total Hours to Date	2,355.85
Total Fees Case to Date	\$
Total Costs Case to Date	\$ 9,967.22
Total 4% Costs to Date	\$ 3,635.88
Total Interest Case to Date	\$ 233,639.61
Total Payments Case to Date	\$ 68,282.86
Total Credits Case to Date	\$ 1,117.00

1 COPY
Steven B. Wolfson, District Attorney
2 Nevada Bar No. 001565
Family Support Division
1900 East Flamingo Road, Suite 100
3 Las Vegas, Nevada 89119-5168
(702) 671-9200 - TDD (702) 385-7486 (for the hearing impaired)
4 522604100A



CLERK OF THE COURT

5 **DISTRICT COURT**
6 **CLARK COUNTY, NEVADA**

8 Robert S. Vaile,

9)
10) Plaintiff,)

Case no. 98-D-230385

11 vs.

Dept. no. I

12 Cisilie A Vaile,

13)
14) Defendant.)

15 COPY OF DISTRICT ATTORNEY'S AUDIT CALCULATING PENALTIES

16 Pursuant to the Court's Decision and Order filed July 10, 2012, the District Attorney hereby
17 files this updated audit. This audit calculates penalties as ordered by this Honorable Court from March
18 2000 through and including June 2012. This audit charges child support according to the calculations
19 in Exhibit A of the Supplemental Exhibits filed June 14, 2012 as the July 10, 2012 order found them to
20 be accurate and reduced the child support arrears to judgment based on these calculations. This audit
21 does not calculate interest as this Honorable Court already determined the amount owed. The attached
22 audit calculates that \$15,162.41 in penalties is due through and including June 2012.

23 Dated this 1st day of August, 2012.

24 Respectfully Submitted,
Steven B. Wolfson
Clark County District Attorney
Nevada Bar No. 001565

25
26 By: Felicia Quinlan
FELICIA R. QUINLAN, ESQ.
Deputy District Attorney
Nevada Bar No. 00011690

2 **CERTIFICATE OF MAILING**

3 The foregoing Copy of District Attorney's Audit Calculating Penalties was served upon Robert
4 Vaile by mailing a copy thereof, first class mail, postage prepaid to:

5 ROBERT VAILE
6 PO Box 727
7 Kenwood CA 95452

8 on the 1st day of August, 2012.

9 

10
11 _____
12 Employee, District Attorney's Office
13 Family Support Division
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2 **CERTIFICATE OF MAILING**

3 The foregoing Copy of District Attorney's Audit Calculating Penalties was served upon Cisilie
4 Vaile Porsboll by mailing a copy thereof, first class mail, postage prepaid to:

5 Marshal S. Willick, Esq.
6 WILLICK LAW GROUP
7 3591 East Bonanza Road, Suite 200
8 Las Vegas, Nevada 89110-2101

9 Attorney for Defendant

10 on the 1st day of August, 2012.

11 

12 _____
13 Employee, District Attorney's Office
14 Family Support Division

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Custodian Financial Audit

Run Date: 08/01/2012
Run Time: 09:24 AM

NCP Name: Valle, Robert
CST Name: Valle, Porshoff, Cristina
Case ID: 522604100A
Docket#: 00003109978
Prepared By: PERILLI
Last Updated By: PERILLI

Office: 02
Prepared By Date: 08/01/2012
Last Updated By Date: 07/31/2012

Provision Type: Child Support

Event Date	Event Type	Current Amount Due	NCP Paid	Unadjudicated Interest (On UA)		Unadjudicated Interest (On AA)		Adjudicated Interest		Unadjudicated Penalty		Adjudicated Penalty	
				Amount	Running Balance	Amount	Running Balance	Amount	Running Balance	Amount	Running Balance	Amount	Running Balance
03/01/2000	J	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1
03/01/2000	G	1300.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2
04/01/2000	D	1300.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3
04/30/2000	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	130.00	130.00	0.00	4
05/01/2000	O	1300.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	130.00	0.00	5
05/31/2000	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	130.00	260.00	0.00	6
06/01/2000	O	1300.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	260.00	0.00	7
06/30/2000	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	130.00	390.00	0.00	8
07/01/2000	O	470.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	390.00	0.00	9
07/31/2000	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	47.05	437.05	0.00	10
08/01/2000	O	470.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	47.05	0.00	11
08/31/2000	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	47.05	484.10	0.00	12
09/01/2000	O	470.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	484.10	0.00	13
09/30/2000	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	47.05	531.15	0.00	14
10/01/2000	O	470.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	531.15	0.00	15
10/31/2000	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	47.05	578.20	0.00	16
11/01/2000	O	470.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	578.20	0.00	17
11/30/2000	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	47.05	625.25	0.00	18
12/01/2000	O	470.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	625.25	0.00	19
12/31/2000	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	47.05	672.30	0.00	20

Event Date	Event Type	Current Amount Due	NCP Paid	Unadjudicated Interest (On UA)		Unadjudicated Interest (On AA)		Adjudicated Interest		Unadjudicated Penalty		Adjudicated Penalty	
				Adjust Amount	Running Balance	Adjust Amount	Running Balance	Adjust Amount	Running Balance	Adjust Amount	Running Balance	Adjust Amount	Running Balance
21/01/01/2001	O	470.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	672.30	0.00	0.00
22/01/31/2001	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	719.35	0.00	0.00
23/02/01/2001	O	470.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	719.35	0.00	0.00
24/02/28/2001	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	766.40	0.00	0.00
25/03/01/2001	O	470.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	766.40	0.00	0.00
26/03/31/2001	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	813.45	0.00	0.00
27/04/01/2001	O	470.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	813.45	0.00	0.00
28/04/30/2001	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	860.50	0.00	0.00
29/05/01/2001	O	470.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	860.50	0.00	0.00
30/05/31/2001	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	907.55	0.00	0.00
31/06/01/2001	O	470.50	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	907.55	0.00	0.00
32/06/30/2001	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	954.60	0.00	0.00
33/07/01/2001	O	1129.33	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	954.60	0.00	0.00
34/07/31/2001	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1067.53	0.00	0.00
35/08/01/2001	O	1129.33	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1067.53	0.00	0.00
36/08/31/2001	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1180.46	0.00	0.00
37/09/01/2001	O	1129.33	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1180.46	0.00	0.00
38/09/30/2001	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1293.39	0.00	0.00
39/10/01/2001	O	1129.33	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1293.39	0.00	0.00
40/10/31/2001	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1406.32	0.00	0.00
41/11/01/2001	O	1129.33	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1406.32	0.00	0.00
42/11/30/2001	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1519.25	0.00	0.00
43/12/01/2001	O	1129.33	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1519.25	0.00	0.00
44/12/31/2001	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1632.18	0.00	0.00
45/01/01/2002	O	1129.33	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1632.18	0.00	0.00
46/01/31/2002	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1745.11	0.00	0.00
47/02/01/2002	O	1129.33	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1745.11	0.00	0.00
48/02/28/2002	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1858.04	0.00	0.00
49/03/01/2002	O	1129.33	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1858.04	0.00	0.00
50/03/31/2002	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1970.97	0.00	0.00
51/04/01/2002	O	1129.33	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1970.97	0.00	0.00
52/04/30/2002	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2083.90	0.00	0.00
53/05/01/2002	O	1129.33	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2083.90	0.00	0.00

Event Date	Event Type	Current Amount Due	NCP Paid	Unjudged Interest (On UA)		Unjudged Interest (On AA)		Adjudged Interest		Unjudged Penalty		Adjudged Penalty	
				Amount	Balance	Amount	Balance	Amount	Balance	Amount	Balance	Amount	Balance
54 05/31/2002	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	112.93	2196.83	0.00	0.00
55 06/01/2002	O	1129.33	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2196.83	0.00	0.00
56 06/30/2002	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	112.93	2309.76	0.00	0.00
57 07/01/2002	O	1889.46	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2309.76	0.00	0.00
58 07/31/2002	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	188.95	2498.71	0.00	0.00
59 08/01/2002	O	1889.46	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2498.71	0.00	0.00
60 08/31/2002	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	188.95	2687.66	0.00	0.00
61 09/01/2002	O	1889.46	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2687.66	0.00	0.00
62 09/30/2002	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	188.95	2876.61	0.00	0.00
63 10/01/2002	O	1889.46	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	2876.61	0.00	0.00
64 10/31/2002	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	188.95	3065.56	0.00	0.00
65 11/01/2002	O	1889.46	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3065.56	0.00	0.00
66 11/30/2002	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	188.95	3254.51	0.00	0.00
67 12/01/2002	O	1889.46	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3254.51	0.00	0.00
68 12/31/2002	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	188.95	3443.46	0.00	0.00
69 01/01/2003	O	1889.46	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3443.46	0.00	0.00
70 01/31/2003	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	188.95	3632.41	0.00	0.00
71 02/01/2003	O	1889.46	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3632.41	0.00	0.00
72 02/28/2003	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	188.95	3821.36	0.00	0.00
73 03/01/2003	O	1889.46	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3821.36	0.00	0.00
74 03/31/2003	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	188.95	4010.31	0.00	0.00
75 04/01/2003	O	1889.46	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4010.31	0.00	0.00
76 04/30/2003	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	188.95	4199.26	0.00	0.00
77 05/01/2003	O	1889.46	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4199.26	0.00	0.00
78 05/31/2003	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	188.95	4388.21	0.00	0.00
79 06/01/2003	O	1889.46	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4388.21	0.00	0.00
80 06/30/2003	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	188.95	4577.16	0.00	0.00
81 07/01/2003	O	2294.44	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4577.16	0.00	0.00
82 07/31/2003	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	229.44	4806.60	0.00	0.00
83 08/01/2003	O	2294.44	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	4806.60	0.00	0.00
84 08/31/2003	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	229.44	5036.04	0.00	0.00
85 09/01/2003	O	2294.44	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5036.04	0.00	0.00
86 09/30/2003	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	229.44	5265.48	0.00	0.00

Event Date	Event Type	Current Amount Due	NCP Paid	Unadjudicated Interest (On UA)		Unadjudicated Interest (On AA)		Adjudicated Interest		Unadjudicated Penalty		Adjudicated Penalty		
				Adjust Amount	Running Balance	Adjust Amount	Running Balance	Adjust Amount	Running Balance	Adjust Amount	Running Balance	Adjust Amount	Running Balance	
87	19/01/2005	0	2294.44	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	87
88	19/01/2005	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	88
89	19/01/2005	G	2294.44	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	89
90	19/01/2005	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	90
91	12/01/2003	O	2294.44	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	91
92	12/01/2003	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	92
93	01/01/2004	O	2294.44	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	93
94	01/01/2004	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	94
95	02/01/2004	O	2294.44	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	95
96	02/29/2004	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	96
97	03/01/2004	O	2294.44	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	97
98	03/31/2004	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	98
99	04/01/2004	O	2294.44	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	99
100	04/30/2004	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	100
101	05/01/2004	O	2294.44	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	101
102	05/31/2004	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	102
103	06/01/2004	O	2294.44	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	103
104	06/30/2004	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	104
105	07/01/2004	O	1444.21	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	105
106	07/31/2004	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	106
107	08/01/2004	O	1444.21	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	107
108	08/31/2004	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	108
109	09/01/2004	O	1444.21	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	109
110	09/30/2004	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	110
111	10/01/2004	O	1444.21	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	111
112	10/31/2004	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	112
113	11/01/2004	O	1444.21	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	113
114	11/30/2004	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	114
115	12/01/2004	O	1444.21	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	115
116	12/31/2004	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	116
117	01/01/2005	O	1444.21	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	117
118	01/31/2005	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	118
119	02/01/2005	O	1444.21	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	119

Event Date	Event Type	Current Amount Due	NCP Paid	Unadjusted Interest (On UA)		Unadjusted Interest (On AA)		Adjusted Interest		Unadjusted Penalty		Adjusted Penalty	
				Amount	Running Balance	Amount	Running Balance	Amount	Running Balance	Amount	Running Balance	Amount	Running Balance
120	02/28/2005	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	120
121	03/01/2005	O	1444.21	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	121
122	03/31/2005	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	144.42	8630.22	0.00	122
123	04/01/2005	O	1444.21	0.00	0.00	0.00	0.00	0.00	0.00	0.00	8630.22	0.00	123
124	04/29/2005	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	134.42	8724.64	0.00	124
125	05/01/2005	O	1444.21	0.00	0.00	0.00	0.00	0.00	0.00	0.00	8724.64	0.00	125
126	05/31/2005	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	144.42	8919.06	0.00	126
127	06/01/2005	O	1444.21	0.00	0.00	0.00	0.00	0.00	0.00	0.00	8919.06	0.00	127
128	06/30/2005	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	144.42	9063.48	0.00	128
129	07/01/2005	O	14.65	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9063.48	0.00	129
130	07/31/2005	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.47	9064.95	0.00	130
131	08/01/2005	O	14.65	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9064.95	0.00	131
132	08/31/2005	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.47	9066.42	0.00	132
133	09/01/2005	O	14.65	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9066.42	0.00	133
134	09/30/2005	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.47	9067.89	0.00	134
135	10/01/2005	O	14.65	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9067.89	0.00	135
136	10/31/2005	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.47	9069.36	0.00	136
137	11/01/2005	O	14.65	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9069.36	0.00	137
138	11/30/2005	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.47	9070.83	0.00	138
139	12/01/2005	O	14.65	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9070.83	0.00	139
140	12/31/2005	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.47	9072.30	0.00	140
141	01/01/2006	O	14.65	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9072.30	0.00	141
142	01/31/2006	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.47	9073.77	0.00	142
143	02/01/2006	O	14.65	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9073.77	0.00	143
144	02/28/2006	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.47	9075.24	0.00	144
145	03/01/2006	O	14.65	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9075.24	0.00	145
146	03/31/2006	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.47	9076.71	0.00	146
147	04/01/2006	O	14.65	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9076.71	0.00	147
148	04/29/2006	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.47	9078.18	0.00	148
149	05/01/2006	O	14.65	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9078.18	0.00	149
150	05/31/2006	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.47	9079.65	0.00	150
151	06/01/2006	O	14.65	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9079.65	0.00	151
152	06/30/2006	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.47	9081.12	0.00	152

Event Date	Event Type	Current Amount Due	NCP Paid	Unjudicated Interest (On UA)		Unjudicated Interest (On AA)		Judicated Interest		Unjudicated Penalty		Judicated Penalty	
				Adjust Amount	Running Balance	Adjust Amount	Running Balance	Adjust Amount	Running Balance	Adjust Amount	Running Balance	Adjust Amount	Running Balance
153	07/01/2006	0	525.58	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
154	07/03/2006	P	0.00	468.18	0.00	0.00	0.00	0.00	0.00	0.00	9081.12	0.00	0.00
155	07/17/2006	P	0.00	468.18	0.00	0.00	0.00	0.00	0.00	0.00	9081.12	0.00	0.00
156	08/01/2006	O	525.58	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9081.12	0.00	0.00
157	08/02/2006	P	0.00	468.18	0.00	0.00	0.00	0.00	0.00	0.00	9081.12	0.00	0.00
158	08/31/2006	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	5.74	9085.86	0.00	0.00
159	09/01/2006	O	525.58	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9086.86	0.00	0.00
160	09/30/2006	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	52.56	9139.42	0.00	0.00
161	10/01/2006	O	525.58	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9139.42	0.00	0.00
162	10/31/2006	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	52.56	9191.98	0.00	0.00
163	11/01/2006	O	525.58	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9191.98	0.00	0.00
164	11/02/2006	P	0.00	80.00	0.00	0.00	0.00	0.00	0.00	0.00	9191.98	0.00	0.00
165	11/20/2006	P	0.00	120.00	0.00	0.00	0.00	0.00	0.00	0.00	9191.98	0.00	0.00
166	11/30/2006	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	32.56	9224.54	0.00	0.00
167	12/01/2006	O	525.58	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9224.54	0.00	0.00
168	12/31/2006	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	52.56	9277.10	0.00	0.00
169	01/01/2007	O	525.58	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9277.10	0.00	0.00
170	01/31/2007	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	52.56	9329.66	0.00	0.00
171	02/01/2007	O	525.58	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9329.66	0.00	0.00
172	02/28/2007	P	0.00	40.00	0.00	0.00	0.00	0.00	0.00	0.00	9329.66	0.00	0.00
173	02/28/2007	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	48.56	9378.22	0.00	0.00
174	03/01/2007	O	525.58	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9378.22	0.00	0.00
175	03/09/2007	P	0.00	115.00	0.00	0.00	0.00	0.00	0.00	0.00	9378.22	0.00	0.00
176	03/22/2007	P	0.00	120.00	0.00	0.00	0.00	0.00	0.00	0.00	9378.22	0.00	0.00
177	03/31/2007	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	29.06	9407.28	0.00	0.00
178	04/01/2007	O	525.58	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9407.28	0.00	0.00
179	04/02/2007	P	0.00	40.00	0.00	0.00	0.00	0.00	0.00	0.00	9407.28	0.00	0.00
180	04/16/2007	P	0.00	40.00	0.00	0.00	0.00	0.00	0.00	0.00	9407.28	0.00	0.00
181	04/30/2007	P	0.00	80.00	0.00	0.00	0.00	0.00	0.00	0.00	9407.28	0.00	0.00
182	04/30/2007	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	38.56	9443.84	0.00	0.00
183	05/01/2007	O	525.58	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9443.84	0.00	0.00
184	05/11/2007	P	0.00	40.00	0.00	0.00	0.00	0.00	0.00	0.00	9443.84	0.00	0.00
185	05/21/2007	P	0.00	37.50	0.00	0.00	0.00	0.00	0.00	0.00	9443.84	0.00	0.00

Event Date	Event Type	Current Amount Due	NCP Paid	Unjudged Interest (On UA)		Unjudged Interest (On AA)		Judged Interest		Unjudged Penalty		Judged Penalty			
				Adjust Amount	Running Balance	Adjust Amount	Running Balance	Adjust Amount	Running Balance	Adjust Amount	Running Balance	Adjust Amount	Running Balance		
186	05/24/2007	P	0.00	7843.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9463.84	0.00	0.00	186
187	05/31/2007	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	44.81	9488.65	0.00	0.00	187
188	06/01/2007	O	575.58	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9488.65	0.00	0.00	188
189	06/30/2007	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	52.56	9541.21	0.00	0.00	189
190	07/01/2007	O	124.81	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9541.21	0.00	0.00	190
191	07/31/2007	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	12.48	9553.69	0.00	0.00	191
192	08/01/2007	O	134.81	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9553.69	0.00	0.00	192
193	08/31/2007	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	12.48	9566.17	0.00	0.00	193
194	09/01/2007	O	124.81	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9566.17	0.00	0.00	194
195	09/30/2007	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	12.48	9578.65	0.00	0.00	195
196	10/01/2007	O	124.81	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9578.65	0.00	0.00	196
197	10/31/2007	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	12.48	9591.13	0.00	0.00	197
198	11/01/2007	O	124.81	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9591.13	0.00	0.00	198
199	11/30/2007	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	12.48	9603.61	0.00	0.00	199
200	12/01/2007	O	124.81	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9603.61	0.00	0.00	200
201	12/31/2007	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	12.48	9616.09	0.00	0.00	201
202	01/01/2008	O	124.81	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9616.09	0.00	0.00	202
203	01/31/2008	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	12.48	9628.57	0.00	0.00	203
204	02/01/2008	O	124.81	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9628.57	0.00	0.00	204
205	02/29/2008	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	12.48	9641.05	0.00	0.00	205
206	03/01/2008	O	124.81	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9641.05	0.00	0.00	206
207	03/25/2008	P	0.00	186.35	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9641.05	0.00	0.00	207
208	03/31/2008	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	1.85	9642.90	0.00	0.00	208
209	04/01/2008	O	124.81	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9642.90	0.00	0.00	209
210	04/07/2008	P	0.00	600.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9642.90	0.00	0.00	210
211	04/21/2008	P	0.00	600.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9642.90	0.00	0.00	211
212	05/01/2008	O	124.81	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9642.90	0.00	0.00	212
213	05/05/2008	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9642.90	0.00	0.00	213
214	05/19/2008	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9642.90	0.00	0.00	214
215	05/22/2008	P	0.00	450.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9642.90	0.00	0.00	215
216	06/01/2008	O	124.81	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9642.90	0.00	0.00	216
217	06/02/2008	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9642.90	0.00	0.00	217
218	06/16/2008	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9642.90	0.00	0.00	218

Event Date	Event Type	Current Amount Due	NCP Paid	Unadjusted Interest (On UA)		Unadjusted Interest (On AA)		Adjusted Interest		Unadjusted Penalty		Adjusted Penalty			
				Amount	Running Balance	Amount	Running Balance	Amount	Running Balance	Amount	Running Balance	Amount	Running Balance		
219	06/30/2008	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9642.90	0.00	0.00	219
220	07/01/2008	O	2879.13	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9642.90	0.00	0.00	220
221	07/14/2008	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9642.90	0.00	0.00	221
222	07/29/2008	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9642.90	0.00	0.00	222
223	07/31/2008	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9797.91	0.00	0.00	223
224	08/01/2008	O	2879.13	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9797.91	0.00	0.00	224
225	08/11/2008	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9797.91	0.00	0.00	225
226	08/25/2008	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9797.91	0.00	0.00	226
227	08/31/2008	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9952.92	0.00	0.00	227
228	09/01/2008	O	2879.13	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9952.92	0.00	0.00	228
229	09/08/2008	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9952.92	0.00	0.00	229
230	09/22/2008	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9952.92	0.00	0.00	230
231	09/29/2008	P	0.00	396.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9952.92	0.00	0.00	231
232	09/29/2008	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10068.33	0.00	0.00	232
233	10/01/2008	O	2879.13	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10068.33	0.00	0.00	233
234	10/06/2008	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10068.33	0.00	0.00	234
235	10/29/2008	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10068.33	0.00	0.00	235
236	10/31/2008	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10223.34	0.00	0.00	236
237	11/01/2008	O	2879.13	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10223.34	0.00	0.00	237
238	11/03/2008	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10223.34	0.00	0.00	238
239	11/17/2008	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10223.34	0.00	0.00	239
240	11/26/2008	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10223.34	0.00	0.00	240
241	12/01/2008	O	2879.13	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10223.34	0.00	0.00	241
242	12/01/2008	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10223.34	0.00	0.00	242
243	12/16/2008	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10223.34	0.00	0.00	243
244	12/31/2008	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	244
245	01/01/2009	O	2879.13	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	245
246	01/02/2009	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	246
247	01/12/2009	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	247
248	01/15/2009	P	0.00	2900.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	248
249	01/26/2009	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	249
250	02/01/2009	O	2879.13	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	250
251	02/09/2009	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	251

Event Date	Event Type	Current Amount Due	NCP Paid	Unjudicated Interest (On UA)		Unjudicated Interest (On AA)		Adjudicated Interest		Unjudicated Penalty		Adjudicated Penalty		
				Adjust Amount	Running Balance	Adjust Amount	Running Balance	Adjust Amount	Running Balance	Adjust Amount	Running Balance	Adjust Amount	Running Balance	
252	02/19/2009	P	0.00	2870.13	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	252
253	02/23/2009	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	253
254	03/01/2009	O	2870.13	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	254
255	03/09/2009	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	255
256	03/18/2009	P	0.00	2600.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	256
257	03/23/2009	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	257
258	04/01/2009	O	2870.13	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	258
259	04/06/2009	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	259
260	04/14/2009	P	0.00	2300.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	260
261	04/22/2009	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	261
262	05/01/2009	O	2870.13	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	262
263	05/04/2009	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	263
264	05/15/2009	P	0.00	1551.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	264
265	05/18/2009	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	265
266	05/19/2009	P	0.00	2000.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	266
267	06/01/2009	O	1968.23	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	267
268	06/01/2009	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	268
269	06/15/2009	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	269
270	06/17/2009	P	0.00	2000.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	270
271	06/29/2009	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	271
272	07/01/2009	O	1968.23	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	272
273	07/13/2009	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	273
274	07/27/2009	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	274
275	07/31/2009	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	275
276	08/01/2009	O	1968.23	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	276
277	08/10/2009	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	277
278	08/24/2009	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	278
279	08/31/2009	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	279
280	09/01/2009	O	1968.23	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	280
281	09/08/2009	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	281
282	09/21/2009	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	282
283	09/30/2009	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	283
284	10/01/2009	O	1968.23	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10378.35	0.00	0.00	284

Event Date	Event Type	Current Amount Due	NCP Paid	Unadjudicated Interest (On UA)		Unadjudicated Interest (On AA)		Adjudicated Interest		Unadjudicated Penalty		Adjudicated Penalty			
				Adjust Amount	Running Balance	Adjust Amount	Running Balance	Adjust Amount	Running Balance	Adjust Amount	Running Balance	Adjust Amount	Running Balance		
285	10/05/2009	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10572.81	0.00	0.00	285
286	10/19/2009	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10572.81	0.00	0.00	286
287	10/31/2009	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	64.82	10637.63	0.00	0.00	287
288	11/01/2009	O	1968.23	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10637.63	0.00	0.00	0.00	288
289	11/02/2009	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	10637.63	0.00	0.00	0.00	289
290	11/16/2009	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	10637.63	0.00	0.00	0.00	290
291	11/30/2009	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	10637.63	0.00	0.00	0.00	291
292	12/01/2009	O	1968.23	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10637.63	0.00	0.00	0.00	292
293	12/14/2009	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	10637.63	0.00	0.00	0.00	293
294	12/28/2009	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	10637.63	0.00	0.00	0.00	294
295	12/31/2009	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	64.82	10702.45	0.00	0.00	295
296	01/01/2010	O	1968.23	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10702.45	0.00	0.00	0.00	296
297	01/11/2010	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	10702.45	0.00	0.00	0.00	297
298	01/25/2010	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	10702.45	0.00	0.00	0.00	298
299	01/31/2010	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	64.82	10767.27	0.00	0.00	299
300	02/01/2010	O	1968.23	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10767.27	0.00	0.00	0.00	300
301	02/08/2010	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	10767.27	0.00	0.00	0.00	301
302	02/22/2010	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	10767.27	0.00	0.00	0.00	302
303	02/28/2010	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	64.82	10832.09	0.00	0.00	303
304	03/01/2010	O	1968.23	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10832.09	0.00	0.00	0.00	304
305	03/08/2010	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	10832.09	0.00	0.00	0.00	305
306	03/22/2010	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	10832.09	0.00	0.00	0.00	306
307	03/31/2010	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	64.82	10896.91	0.00	0.00	307
308	04/03/2010	O	1968.23	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10896.91	0.00	0.00	0.00	308
309	04/08/2010	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	10896.91	0.00	0.00	0.00	309
310	04/30/2010	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	64.82	11027.73	0.00	0.00	310
311	05/01/2010	O	1968.23	0.00	0.00	0.00	0.00	0.00	0.00	0.00	11027.73	0.00	0.00	0.00	311
312	05/31/2010	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	11027.73	0.00	0.00	0.00	312
313	06/01/2010	O	1968.23	0.00	0.00	0.00	0.00	0.00	0.00	0.00	11224.55	0.00	0.00	0.00	313
314	06/30/2010	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	11224.55	0.00	0.00	0.00	314
315	07/01/2010	O	2062.02	0.00	0.00	0.00	0.00	0.00	0.00	0.00	11421.57	0.00	0.00	0.00	315
316	07/31/2010	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	206.20	11627.57	0.00	0.00	316
317	08/01/2010	O	2062.02	0.00	0.00	0.00	0.00	0.00	0.00	0.00	11827.57	0.00	0.00	0.00	317

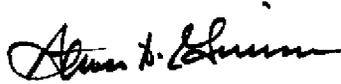
Event Date	Event Type	Current Amount Due	NCP Paid	Unadjudicated Interest (On UA)		Unadjudicated Interest (On AA)		Adjudicated Interest		Unadjudicated Penalty		Adjudicated Penalty	
				Amount	Running Balance	Amount	Running Balance	Amount	Running Balance	Amount	Running Balance	Amount	Running Balance
318	08/31/2010	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	206.20	11833.77	0.00	0.00
319	09/01/2010	O	2062.02	0.00	0.00	0.00	0.00	0.00	0.00	0.00	11833.77	0.00	0.00
320	09/30/2010	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	306.20	12039.97	0.00	0.00
321	10/01/2010	O	2062.02	0.00	0.00	0.00	0.00	0.00	0.00	0.00	12039.97	0.00	0.00
322	10/31/2010	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	206.20	12246.17	0.00	0.00
323	11/01/2010	O	2062.02	0.00	0.00	0.00	0.00	0.00	0.00	0.00	12246.17	0.00	0.00
324	11/15/2010	P	0.00	660.00	0.00	660.00	0.00	0.00	0.00	0.00	12246.17	0.00	0.00
325	11/29/2010	P	0.00	660.00	0.00	660.00	0.00	0.00	0.00	0.00	12246.17	0.00	0.00
326	11/30/2010	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	74.20	12320.37	0.00	0.00
327	12/01/2010	O	2062.02	0.00	0.00	0.00	0.00	0.00	0.00	0.00	12320.37	0.00	0.00
328	12/13/2010	P	0.00	660.00	0.00	660.00	0.00	0.00	0.00	0.00	12320.37	0.00	0.00
329	12/27/2010	P	0.00	660.00	0.00	660.00	0.00	0.00	0.00	0.00	12320.37	0.00	0.00
330	12/31/2010	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	74.20	12394.57	0.00	0.00
331	01/01/2011	O	2062.02	0.00	0.00	0.00	0.00	0.00	0.00	0.00	12394.57	0.00	0.00
332	01/10/2011	P	0.00	660.00	0.00	660.00	0.00	0.00	0.00	0.00	12394.57	0.00	0.00
333	01/24/2011	P	0.00	660.00	0.00	660.00	0.00	0.00	0.00	0.00	12394.57	0.00	0.00
334	01/31/2011	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	74.20	12468.77	0.00	0.00
335	02/01/2011	O	2062.02	0.00	0.00	0.00	0.00	0.00	0.00	0.00	12468.77	0.00	0.00
336	02/07/2011	P	0.00	660.00	0.00	660.00	0.00	0.00	0.00	0.00	12468.77	0.00	0.00
337	02/22/2011	P	0.00	660.00	0.00	660.00	0.00	0.00	0.00	0.00	12468.77	0.00	0.00
338	02/28/2011	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	74.20	12542.97	0.00	0.00
339	03/01/2011	O	2062.02	0.00	0.00	0.00	0.00	0.00	0.00	0.00	12542.97	0.00	0.00
340	03/07/2011	P	0.00	660.00	0.00	660.00	0.00	0.00	0.00	0.00	12542.97	0.00	0.00
341	03/21/2011	P	0.00	660.00	0.00	660.00	0.00	0.00	0.00	0.00	12542.97	0.00	0.00
342	03/31/2011	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	74.20	12617.17	0.00	0.00
343	04/01/2011	O	2062.02	0.00	0.00	0.00	0.00	0.00	0.00	0.00	12617.17	0.00	0.00
344	04/04/2011	P	0.00	660.00	0.00	660.00	0.00	0.00	0.00	0.00	12617.17	0.00	0.00
345	04/18/2011	P	0.00	660.00	0.00	660.00	0.00	0.00	0.00	0.00	12617.17	0.00	0.00
346	04/30/2011	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	74.20	12691.37	0.00	0.00
347	05/01/2011	O	2062.02	0.00	0.00	0.00	0.00	0.00	0.00	0.00	12691.37	0.00	0.00
348	05/07/2011	P	0.00	660.00	0.00	660.00	0.00	0.00	0.00	0.00	12691.37	0.00	0.00
349	05/16/2011	P	0.00	660.00	0.00	660.00	0.00	0.00	0.00	0.00	12691.37	0.00	0.00
350	05/31/2011	P	0.00	660.00	0.00	660.00	0.00	0.00	0.00	0.00	12691.37	0.00	0.00

Event Date	Event Type	Current Amount Due	MCP Paid	Unadjudicated Interest (On UA)		Unadjudicated Interest (On AA)		Adjudicated Interest		Unadjudicated Penalty		Adjudicated Penalty	
				Adjust Amount	Running Balance	Adjust Amount	Running Balance	Adjust Amount	Running Balance	Adjust Amount	Running Balance	Adjust Amount	Running Balance
351 05/31/2011	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
352 06/01/2011	O	2062.02	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
353 06/15/2011	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
354 06/27/2011	P	0.00	660.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
355 06/30/2011	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
356 07/01/2011	O	2754.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
357 07/31/2011	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
358 08/01/2011	O	2754.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
359 08/31/2011	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
360 09/01/2011	O	2754.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
361 09/30/2011	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
362 10/01/2011	O	2754.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
363 10/17/2011	P	0.00	717.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
364 10/31/2011	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
365 11/01/2011	O	2754.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
366 11/03/2011	P	0.00	717.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
367 11/21/2011	P	0.00	717.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
368 11/30/2011	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
369 12/01/2011	O	2754.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
370 12/05/2011	P	0.00	717.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
371 12/19/2011	P	0.00	717.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
372 12/31/2011	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
373 01/01/2012	O	2754.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
374 01/03/2012	P	0.00	717.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
375 01/17/2012	P	0.00	717.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
376 01/31/2012	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
377 02/01/2012	O	2754.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
378 02/03/2012	P	0.00	717.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
379 02/17/2012	P	0.00	717.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
380 02/29/2012	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
381 03/01/2012	O	2754.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
382 03/05/2012	P	0.00	717.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
383 03/19/2012	P	0.00	717.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

Event Date	Event Type	Current Amount Due	NCP Paid	Unadjudicated Interest (On UA)		Unadjudicated Interest (On AA)		Adjudicated Interest		Unadjudicated Penalty		Adjudicated Penalty		
				Adjust Amount	Running Balance	Adjust Amount	Running Balance	Adjust Amount	Running Balance	Adjust Amount	Running Balance	Adjust Amount	Running Balance	
384 09/31/2012	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	132.02	14363.85	0.00	0.00	
385 04/01/2012	O	2754.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	14463.85	0.00	0.00	
386 04/02/2012	P	0.00	4864.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	14463.85	0.00	0.00	
387 04/02/2012	P	0.00	717.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	14463.85	0.00	0.00	
388 04/16/2012	P	0.00	559.98	0.00	0.00	0.00	0.00	0.00	0.00	0.00	14463.85	0.00	0.00	
389 04/30/2012	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	147.72	14611.57	0.00	0.00	
390 05/01/2012	O	2754.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	14611.57	0.00	0.00	
391 05/31/2012	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	275.42	14886.99	0.00	0.00	
392 06/01/2012	O	2754.15	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	14886.99	0.00	0.00	
393 06/30/2012	M	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	275.42	15162.41	0.00	0.00	
Totals:				\$214868.22	\$88551.37	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$15162.41	\$0.00	\$0.00

Total Unadjudicated Penalty: \$15162.41
Total Adjudicated Penalty: \$0.00
Total Penalty: \$15162.41

Total Arrears: \$126316.85
Total Interest: \$0.00
Total Penalty: \$15162.41
Grand Total: \$141479.26


CLERK OF THE COURT

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ASTA

**DISTRICT COURT
CLARK COUNTY, NEVADA**

ROBERT S. VAILE,

Plaintiff(s),

vs.

CISILIE A. VAILE aka CISILIE PORSBOLL,

Defendant(s).

Case No: 98D230385
Dept No: I

CASE APPEAL STATEMENT

- 1. Appellant(s): Robert Scotland Vaile
- 2. Judge: Cheryl Moss
- 3. Appellant(s): Robert Scotland Vaile

Counsel:

Robert Scotland Vaile
P.O. Box 727
Kenwood, CA 95452

- 4. Respondent (s): Cisilie A. Vaile aka Cisilie Porsboll

Counsel:

Marshal S. Willick, Esq.
3591 E. Bonanza Rd., Suite 200
Las Vegas, NV 89110

- 5. Respondent's Attorney Licensed in Nevada: Yes
- 6. Appellant Represented by Appointed Counsel In District Court: No
- 7. Appellant Represented by Appointed Counsel On Appeal: N/A

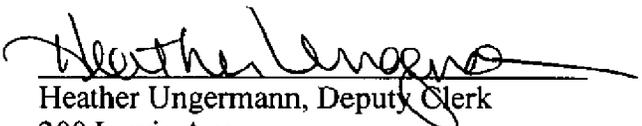
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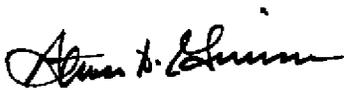
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- 8. Appellant Granted Leave to Proceed in Forma Pauperis: N/A
- 9. Date Commenced in District Court: August 7, 1998
- 10. Brief Description of the Nature of the Action: DOMESTIC - Marriage Dissolution
Type of Judgment or Order Being Appealed: Misc. Order
- 11. Previous Appeal: Yes
Supreme Court Docket Number(s): 37082, 52457, 52593, 53687, 53798, 55396, 55911
- 12. Child Custody or Visitation: N/A
- 13. Possibility of Settlement: Unknown

Dated This 3 day of August 2012.

Steven D. Grierson, Clerk of the Court


Heather Ungermann, Deputy Clerk
200 Lewis Ave
PO Box 551601
Las Vegas, Nevada 89155-1601
(702) 671-0512


CLERK OF THE COURT

1 ASTA

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

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ROBERT S. VAILE,

8

Plaintiff(s),

Case No: 98D230385

Dept No: 1

9

vs.

10

CISILIE A. VAILE aka CISILIE PORSBOLL,

11

Defendant(s).

12

13

14

AMENDED CASE APPEAL STATEMENT

15

1. Appellant(s): Robert Scotlund Vaile

16

2. Judge: Cheryl Moss

17

3. Appellant(s): Robert Scotlund Vaile

18

Counsel:

19

Robert Scotlund Vaile

20

P.O. Box 727

21

Kenwood, CA 95452

22

4. Respondent (s): Cisilie A. Vaile aka Cisilie Porsboll

23

Counsel:

24

Marshal S. Willick, Esq.

25

3591 E. Bonanza Rd., Suite 200

Las Vegas, NV 89110

26

5. Respondent's Attorney Licensed in Nevada: Yes

27

6. Appellant Represented by Appointed Counsel In District Court: No

28

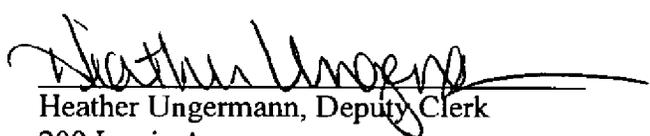
7. Appellant Represented by Appointed Counsel On Appeal: N/A

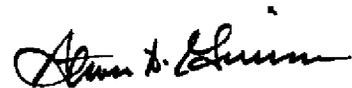
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- 8. Appellant Granted Leave to Proceed in Forma Pauperis: N/A
- 9. Date Commenced in District Court: August 7, 1998
- 10. Brief Description of the Nature of the Action: DOMESTIC - Marriage Dissolution
Type of Judgment or Order Being Appealed: Misc. Order
- 11. Previous Appeal: Yes
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- 12. Child Custody or Visitation: N/A
- 13. Possibility of Settlement: Unknown

Dated This 3 day of August 2012.

Steven D. Grierson, Clerk of the Court


Heather Ungermann, Deputy Clerk
200 Lewis Ave
PO Box 551601
Las Vegas, Nevada 89155-1601
(702) 671-0512



CLERK OF THE COURT

1 Robert Scotlund Vaile
2 PO Box 727
3 Kenwood, CA 95452
4 (707) 633-4550
5 *Appellant in Proper Person*

6 **IN THE SUPREME COURT OF THE STATE OF NEVADA**

7
8
9 ROBERT SCOTLUND VAILE,
10 Appellant,

11 vs.

12
13 CISILIE A. PORSBOLL,
14 Respondent.

Supreme Court Case No: 61415
District Court Case No: 98D230385

**REQUEST FOR TRANSCRIPT
OF PROCEEDINGS**

15
16
17 TO: Transcript Video Services
18 Eighth Judicial District Court – Family Division
19 601 North Pecos Road
20 Las Vegas, NV 89101

21 Appellant requests preparation of a transcript of the proceedings before the
22 district court, as follows:

23 Judge hearing the proceeding: Hon. Cheryl B. Moss

24 Dates of proceedings: April 9, 2012 and June 4, 2012

25 Portions of the transcript requested: Entire Transcript

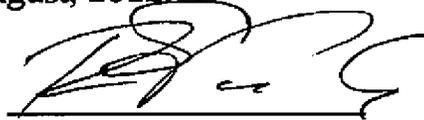
26 Number of copies required: 3
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1
2 Name of person requesting transcripts: Robert Scotlund Vaile
3 PO Box 727
4 Kenwood, CA 95452
5 (707) 633-4550
6

7 **CERTIFICATION**

8 I certify that on this date I ordered these transcripts from the court reporter
9 named above by mailing or delivering this form to the court reporter. Since I
10 filed today in the district court a request to proceed in forma pauperis, I have not
11 yet paid the required deposit.
12

13 Respectfully submitted this 13th day of August, 2012.

14 

15 Robert Scotlund Vaile
16 PO Box 727
17 Kenwood, CA 95452
18 (707) 633-4550
19 *Appellant in Proper Person*
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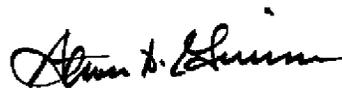
CERTIFICATE OF MAILING

I hereby certify that on August 13, 2012, I deposited in the United States Mail, postage prepaid, at Kenwood, California, a true and correct copy of *Request for Transcript of Proceedings*, addressed as follows:

Marshal S. Willick, Esq.
Willick Law Group
3591 E. Bonanza Road, Suite 200
Las Vegas, NV 89110-2101
Attorney for Respondent

Respectfully submitted this 13th day of August, 2012.


Robert Scotlund Vaile
PO Box 727
Kenwood, CA 95452
(707) 633-4550
Appellant in Proper Person



CLERK OF THE COURT

1 **MPFP**

2 Robert Scotlund Vaile
3 PO Box 727
4 Kenwood, CA 95452
5 (707) 833-2350
6 *Plaintiff in Proper Person*

7 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**
8 **STATE OF NEVADA IN AND FOR**
9 **THE COUNTY OF CLARK**

10 **ROBERT SCOTLUND VAILE,**
11 **Plaintiff,**
12 **vs.**

CASE NO: 98 D230385
DEPT. NO: I

13 **CISILIE A. PORSBOLL,**
14 **fka CISILIE A. VAILE,**
15 **Defendant.**

16
17 **MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS**

18 Plaintiff, Robert Scotlund Vaile, hereby requests leave to proceed in *forma*
19 *pauperis* on appeal of this *Court's Decision and Order*, dated July 10, 2012. As
20 this Court was fully briefed on April 9, 2012, Mr. Vaile lost his job in April, and
21 has not yet secured employment. As attested by the attached affidavit, Mr. Vaile
22 is unable to pay further fees, costs and bonds required on appeal.

23 Dated this 13th day of August, 2012.

24 /s/ R. S. Vaile

25 Robert Scotlund Vaile
26 PO Box 727
27 Kenwood, CA 95452
28 (707) 833-2350
Plaintiff in Proper Person

1 I further swear that the responses which I have made to the questions and
2 instructions below relating to my ability to pay the cost of prosecuting the appeal
3 are true.

4 1. **Are you presently employed?** I am not presently employed. The
5 date of my last employment was April 3, 2012. My wages had been
6 approximately \$11,900 per month with my last employer. I received a total of
7 \$86,878.20 in gross earnings in salary and wages in 2012 prior to my position
8 being eliminated. This includes severance pay and health care allowance
9 provided by the company.

10 2. **Have you received within the past twelve months any income**
11 **from a business, profession or other form of self-employment, or in the form**
12 **of rent payments, interest, dividends, or other source?** Other than my salary, I
13 have not received income from any other source in the last twelve months. I have
14 cashed in the entirety of my 401k from my last employer (my only retirement
15 savings) in order to meet the family's ongoing expenses during my
16 unemployment.

17 3. **Do you own any cash or checking or savings account?** I have a
18 total of \$10 in cash, \$672.96 in checking, and \$3.31 in savings accounts.

19 4. **Do you own any real estate, stocks, bonds, notes, automobiles, or**
20 **other valuable property (excluding ordinary household furnishings and**
21 **clothing)?**

22 I do not own any real estate, stocks, bonds, notes, automobiles or other
23 valuable property. I am currently leasing two vehicles whose values are each less
24 than the respective payoff amount.
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1 **5. List the persons who are dependent upon you for support and**
2 **state your relationship to those persons.** I am my family's only source of
3 income. The following persons are dependent on me for support:

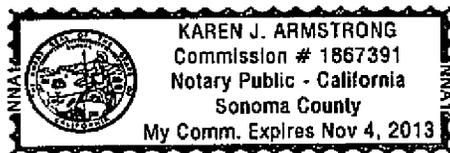
- 4 Heather Vandygriff Vaile – wife
- 5 Robert Lunden Vaile – son
- 6 Alexa Liberty Vaile – daughter
- 7 Madison Elizabeth Vaile – daughter
- 8 Mark Austin Vaile – son

9
10 I understand that a false statement or answer to any question in this
11 affidavit will subject me to penalties for perjury.

12
13 Signed: 

14
15 Robert Scotlund Vaile

16
17 SUBSCRIBED AND SWORN to before me this *13* day of *August*,
18 2012.



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Notary Public

FILED

AUG 15 2012

Alvin L. Johnson
CLERK OF COURT

1 EOT

2 ORIGINAL

3 EIGHTH JUDICIAL DISTRICT COURT

4 FAMILY DIVISION

5 CLARK COUNTY, NEVADA

6 ROBERT S. VAILE)

CASE NO. 98D230385

7 Plaintiff,)

DEPT. I

8 v)

9 CISILIE A. VAILE)

ESTIMATE OF TRANSCRIPT
FOR APPEAL PURPOSES

10 Defendant.)

11
12 The office of Transcript Video Services received a request
13 for transcript estimate, for the purpose of appeal, from Robert
14 S. Vaile, on August 15, 2012, for the following proceedings in the
15 above-captioned case:

16 APRIL 9, 2012; JUNE 4, 2012

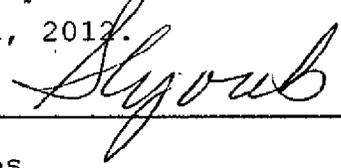
17 for original transcripts and three copies of each.

18 The estimated cost of the transcripts is \$1,000.00.

19 Payment in the amount of \$1,000.00, **payable to VERBATIM**
20 **REPORTING & TRANSCRIPTION, in cashier's check or money order**
21 **form**, must be presented to the Clark County Family Court
22 Transcript Video Services Office prior to work commencing on the
23 transcripts. We are unable to accept cash.

24 DATED this 15th day of August, 2012.

25 SHELLY A. AJOUB,
26 Supervisor
27 Transcript Video Services



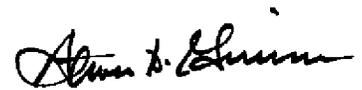
28 Transcript ESTIMATE amount of \$ _____ paid on
date of _____ Cash _____ Check # _____

This is only an **estimate**. Upon completion of transcript(s), a balance may be due,
or you may receive a refund of your deposit if overpayment is greater than \$15.00.

NOTE: STATUTORY FEES ARE SUBJECT TO CHANGE PER LEGISLATIVE SESSION.

ITEMS LEFT BEYOND NINETY DAYS ARE SUBJECT TO DISPOSAL WITHOUT REFUND.

COUNTY RETENTION POLICY APPROVED BY INTERNAL AUDIT.



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ORDER
WILICK LAW GROUP
MARSHAL S. WILICK, ESQ.
Nevada Bar No. 002515
3591 E. Bonanza Road, Suite 200
Las Vegas, NV 89110-2101
Phone (702) 438-4100; Fax (702) 438-5311
email@wilicklawgroup.com
Attorneys for Defendant

**DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA**

ROBERT SCOTLUND VAILE,
Plaintiff,

vs.

CISILIE A. PORSBOLL, f/k/a CISILIE A. VAILE,
Defendant.

CASE NO: D-98-230385-D
DEPT. NO: I

DATE OF HEARING: 6/4/2012
TIME OF HEARING: 1:30 p.m.

ORDER FOR FEES AND COSTS

As directed by the Court in its *Decision and Order*, filed July 10, 2010, the Willick Law Group submitted at *Memorandum of Fees and Costs* in the amount of \$57,483.38 for the above referenced for the period of January 1, 2012, to July, 2012.

Based on the filed *Memorandum of Fees and Costs*,

IT IS HEREBY ORDERED, that the amount of \$57,483.38 is awarded payable to Cisilie Porsbol from Robert Scotlund Vaile and the amount is reduced to judgment and collectable by all lawful means.

AUG 07 2012
DISTRICT COURT
CLERK

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~~IT IS FURTHER ORDERED, that all attorney's fees awarded at any time in this case are in the manner of a domestic relations order and *are not* dischargeable in bankruptcy.~~

~~IT IS FURTHER ORDERED, that Robert Scotlund Vaile is to immediately contact the Willick Law Group to set up a payment plan to satisfy all judgments of attorney's fees in this case. Failure to comply with this Order will be punishable through the contempt powers of the Court.~~

Dated this 14 day of August, 2012

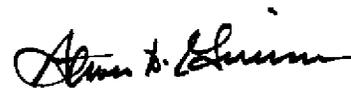

DISTRICT COURT JUDGE

WILLICK LAW GROUP


11943

MARSHAL S. WILLICK, ESQ.
Nevada Bar No. 002515
3591 E. Bonanza Road, Suite 200
Las Vegas, NV 89110-2101
Phone (702) 438-4100; Fax (702) 438-5311
email@willicklawgroup.com
Attorneys for Defendant

P:\wp13\VAILE\000007542.WPD.VL?



CLERK OF THE COURT

1 **ORDER**

2 Robert Scotlund Vaile
3 PO Box 727
4 Kenwood, CA 95452
5 (707) 833-2350
6 *Plaintiff in Proper Person*

7 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**
8 **STATE OF NEVADA IN AND FOR**
9 **THE COUNTY OF CLARK**

10 **ROBERT SCOTLUND VAILE,**

11 **Plaintiff,**

12 **vs.**

13
14 **CISILIE A. PORSBOLL,**
15 **fka CISILIE A. VAILE,**

16 **Defendant.**

CASE NO: 98 D230385
DEPT. NO: I

17
18
19
20 **ORDER ON CHILD SUPPORT PENALTIES**

21 Pursuant to this *Court's Decision and Order* dated July 10, 2012,
22 determining child support principal and interest, and which ordered that child
23 support penalties are to be calculated by the District Attorney utilizing the
24 NOMADS program, and furthermore, in accordance with the *District Attorney's*
25 *Audit Calculating Penalties*, attached hereto,

26 IT IS HEREBY ORDERED that child support penalties, totaling \$15,162.41
27 through June 2012, are reduced to judgment and collectible by all lawful means.
28

AUG 10 2012
DISTRICT COURT
DEPT 1

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2 Dated this 14 day of August, 2012.

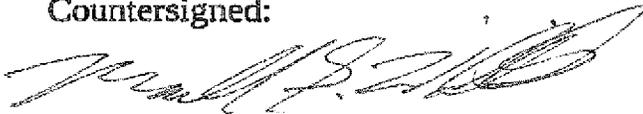
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6 DISTRICT COURT JUDGE

7 Respectfully submitted by:

8 

9
10 Robert Scotlund Vaile
11 PO Box 727
12 Kenwood, CA 95452
13 (707) 833-2350
14 *Plaintiff in Proper Person*

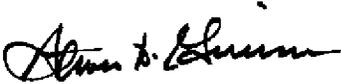
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18 Countersigned:

19 

20
21 Marshal S. Willick
22 Willick Law Group
23 3591 East Bonanza Road, Suite 200
24 Las Vegas, NV 89110-2101
25 *Attorneys for Defendant*
26
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COS
WILICK LAW GROUP
MARSHAL S. WILICK, ESQ.
Nevada Bar No. 002515
3591 E. Bonanza Road, Suite 200
Las Vegas, NV 89110-2101
Phone (702) 438-4100; Fax (702) 438-5311
email@willicklawgroup.com
Attorneys for Defendant


CLERK OF THE COURT

**DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA**

ROBERT SCOTLUND VAILE,
Plaintiff,

vs.

CISILIE A. PORSBOLL,
Defendant.

CASE NO: 98-D-230385-D
DEPT. NO: I

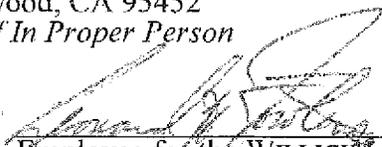
DATE OF HEARING: N/A
TIME OF HEARING: N/A

CERTIFICATE OF MAILING

I HEREBY CERTIFY that a copy of the *Opposition To "Motion For Leave To Proceed In Forma Pauperis"* was send by was send via United States Postal Service, first class, postage fully prepaid, with courtesy copy sent to scotlund@vaile.info and legal@infosec.privacyport.com, addressed as follows.

DATED this 23rd day of August, 2012.

Mr. Robert Scotlund Vaile
PO Box 727
Kenwood, CA 95452
Plaintiff In Proper Person

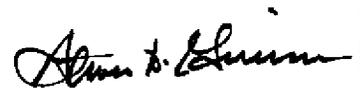

Employee for the WILICK LAW

P:\WP\13\VAILE.V.P4172.WPD

From: Leonard Fowler
Sent: Thu 8/23/2012 02:07 PM
Rcvd: Thu 8/23/2012 02:07 PM
To: Robert Scotlund Vaile (scotlund@vaile.info); Robert Scotlund Vaile (legal@infosec.privacyport.com)
CC:
BCC:
Subject: Vaile v. Forsboll, DC: 98-D-230385-D/SC: 61415

=====

Leonard H. Fowler III
Paralegal/Case Manager
3591 East Bonanza Road, Suite 200
Las Vegas, Nevada 89110-2101
Phone: (702) 438-4100 ext. 114
Fax: (702) 438-5311
leonard@willicklawgroup.com



CLERK OF THE COURT

1 **OPP**
2 WILICK LAW GROUP
3 MARSHAL S. WILICK, ESQ.
4 Nevada Bar No. 002515
5 3591 East Bonanza Road, Suite 200
6 Las Vegas, Nevada 89110-2101
7 Phone (702) 438-4100; Fax (702) 438-5311
8 email@willicklawgroup.com
9 Attorneys for DEFENDANT

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DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

ROBERT SCOTLUND VAILE,

Plaintiff,

vs.

CISILIE A. PORSBOLL, f/k/a CISILIE A. VAILE,

Defendant.

CASE NO: 98D-230385-D
DEPT. NO: 1

DATE OF HEARING: N/A
TIME OF HEARING: N/A

**OPPOSITION TO
“MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS”**

I. INTRODUCTION

Scotlund Vaile has produced nothing to support granting him indigent status before this Court. In fact, all of Scotlund’s actions in this case since 1998 are those of a vexatious litigant that seeks to evade payment of his “stipulated” child support over the past decade.

Scotlund is on his 13th appeal in a child support case. Convicted murderers do not get that much latitude from a reviewing Court, and Scotlund certainly has not “earned” any special consideration by this or any other court as he continues to ignore (or, at best, misinterpret and mischaracterize) every order issued by every court in which he has appeared.

1 **II. POINTS AND AUTHORITIES**

2 **A. FACTS**

3 The Nevada Supreme Court, on January 26, 2012, issued an *Order of Reversal and Remand*,
4 stating in part:

5 Because we conclude that the district court's establishment of a \$1,300 per month sum
6 certain for Vaile's child support obligation constitutes an impermissible modification of the
7 original support obligation, we reverse the district court's order setting Vaile's support
8 payment at \$1,300, and we further reverse the arrearages calculated using the \$1,300 support
9 obligation and the penalties imposed on those arrearages. We remand the matter to the
10 district court for further proceedings consistent with this opinion.

11 The Court added a footnote stating that the parties' appellate filings and the record alluded to a
12 possible child support order entered by Norway, and so directed the family court, on remand, to
13 determine whether any such order exists and, if so, assess its bearing, if any, on enforcement of the
14 Nevada support order.

15 On April 9, 2012, and again on June 4, 2012, this Court heard argument and received
16 extensive briefing on the issues remanded by the Supreme Court.

17 According to the child support order currently in effect, Scotlund was required to provide
18 certified statements of income for the past twelve months not later than July 1, 2012, so his next
19 year's child support could be calculated.¹ As of this writing, Scotlund has still not provided any
20 actual proof of income as required by that order.

21 We do know that Scotlund's income over the *previous* four years was always over \$130,000
22 per year.² His failure to provide proof of income for 2012, as required by the court, indicates an
23 attempt to mislead the Court as to his actual income and his net worth.

24 On July 10, 2012, this Court entered a *Decision and Order* that affirmatively dealt with all
25 remanded issues. Scotlund was unhappy – as always – that his position was found to be meritless
26 and his legal argument faulty.

27 ¹ This will be the last year – July 1, 2012, to June 30, 2013 – that Scotlund will have a current child support
28 obligation as the youngest child will emancipate during this time. All remaining payments will be required to pay the
 massive child support arrearages he continues to owe in accordance with NRS 125B.100.

² See Exhibit A, letter from Scotlund's CPA concerning his annual income.

1 Seeking delay, on July 19, 2012, Scotlund filed his *Emergency Petition for Writ of*
2 *Mandamus Under NRAP 27(e)*.

3 On July 23, 2012, the Supreme Court denied Scotlund's *Emergency Petition*.

4 On July 30, 2012, Scotlund filed his *Notice of Appeal*. Generally, this Appeal would be
5 considered untimely as the Eighth Judicial District *Decision and Order* was an interlocutory order
6 requiring further decisions and orders.³

7 On August 13, 2012, Scotlund filed a *Motion for Leave to Proceed in Forma Pauperis* –
8 which request was contradicted by his admission in that very document that he has already earned
9 more than \$86,000 just during 2012. Scotlund provided no exhibits to prove his contentions of
10 sudden poverty after making over \$675,000 over the past five years⁴ – an income about half a million
11 dollars more than that of the average Nevadan over the same period.⁵

12 On August 14, 2012, this Court signed the *Order* concerning fees awarded in the case⁶ and
13 the *Order* which awarded Cisilie child support penalties.⁷ The Fees *Order* was filed on August 16,
14 2012, and the penalties *Order* was filed on August 17, 2012.

15
16 **III. OPPOSITION**

17 NRS 12.015 is the applicable statute governing the granting of relief to indigent persons.
18 Specifically, NRS 12.015(1) requires that Scotlund file an affidavit with the District Court “setting
19

20
21 _____
22 ³ Scotlund was playing the “float,” counting on the additional orders being entered before this Court could
23 decide that the Appeal was premature. NRAP 4(a)(6).

24 ⁴ Virtually none of this money went for the support of his two children in Norway, and zero was paid toward
25 the huge sums he owes for attorney's fees, penalties, and sanctions previously imposed. To date, nothing of consequence
26 has been done by any court to actually compel him to satisfy those judgments and orders.

27 ⁵ The average income for a Nevadan during this period was just over \$41,500 per year, which would total
28 \$208,134 over the same period. Information taken from the Nevada Department of Employment, Training and
Rehabilitation website at www.nevadaworkforce.com.

⁶ Ordering Scotlund to pay some \$57,000 in *additional* fees and costs he has caused to be run up. As with all
other orders entered against him, Scotlund has ignored the order.

⁷ Reducing to judgment over \$15,000 in child support penalties owed, in addition to the hundreds of thousands
owed in principal and interest.

1 forth with particularity facts concerning his income, property and other resources which establish
2 that he is unable to prosecute or defend the action because he is unable to pay the costs of so doing.”

3 Here, Scotlund provided *no* explanation as to what has happened to nearly three quarters of
4 a million dollars he admits to having earned over the past five years. He makes unsupported
5 statements of having only \$10 in cash, \$672.96 in checking, and \$3.31 in a savings account. He also
6 claims, without evidence, that he was “forced” to cash out his 401(k) retirement plan to meet family
7 obligations when he has already made in excess of \$86,000 in income this year.

8 The provisions of NRS 12.015 were not intended to be abused by persons that have great
9 wealth and decide to spend it on frivolous items (or, *much* more likely, transfer it to third parties to
10 evade collection of judgments) instead of taking care of their responsibilities – such as paying child
11 support and court-imposed fee and cost sanctions.⁸

12 Scotlund’s transparent – and virtually admitted – goal for a decade has been to delay and
13 evade while costing everyone pursuing him for support as much time and money as possible. He
14 should not be further indulged. The Motion should be denied without any further delay.

15

16 **IV. CONCLUSION**

17 As to the award of attorney’s fees, Mr. Vaile is the one initiating all of this litigation, all over
18 the country in an effort to defy the law, the courts, and pay nothing for support of the children he
19 kidnapped and then abandoned, or for the vast sums incurred in undoing his wrongful acts. While
20 demanding recourse from multiple courts, he has disregarded all judgments entered by those same
21 courts. He paid nothing in child support for over half a decade, while earning huge sums. He has
22 no sympathy coming and certainly is not an “indigent” litigant as contemplated by NRS 12.015.

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⁸ Mr. Vaile has not had to pay legal counsel since 2008. He certainly can’t claim that his vexatious litigation is the reason for his claimed financial condition. He also can’t claim that it has anything to do with the support of his children in Norway since he has failed miserably at his parental responsibility in that regard.

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All portions of his *Motion* should be summarily denied, requiring as little additional wasted time and effort on our and the Court's part as possible.

DATED this 22nd day of August, 2012.

Submitted by:

WILLICK LAW GROUP



MARSHAL S. WILLICK, ESQ.
Nevada Bar No. 002515
3591 E. Bonanza Road, Suite 200
Las Vegas, NV 89110-2101

P:\wp13\VAILE\00008249.WPD

EXHIBIT A

Members
American Institute of Certified Public
Accountants

Virginia Society of Certified Public
Accountants

SWISHER & DAVIS, CPAs, PLC

2018 EAST WASHINGTON STREET
P.O. BOX 1489
LEXINGTON, VIRGINIA 24450

TELEPHONE
(540) 463-7111

FAX (540) 463-7112

May 23, 2012

Terry R. Swisher, CPA
Direct number:
Salem (540) 294-7150
Lexington (540) 461-0007
terry@swisherandavis.com

Gene Davis, CPA
Direct number:
Salem (540) 294-1891
Lexington (540) 461-0172
gene@swisherandavis.com

Robert Vaile
P.O. Box 727
Kenwood, CA 95452

Dear Robert

As requested, I have summarized your income from 2005 - 2011. The summary reflects your gross income per information which has been provided by you for the preparation of federal income taxes.

The following items have been included at 1/2 the total as listed on the joint return:

Interest Income
Cancellation of debt

The gross income is as follow:

2005 -	\$ 703
2006 -	25,228
2007 -	5,991
2008 -	137,766
2009 -	131,215
2010 -	137,468
2011 -	183,610

If you have any question regarding this information please let me know.

Sincerely



Terry R Swisher, CPA
Swisher & Davis, CPA's, PLC

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

ROBERT SCOTLUND VAILE)
Plaintiff/Petitioner)
)
-vs-)
)
CISILIE A. PORSBOLL)
Defendant/Respondent)
)

CASE NO. 98-D-230385-D

DEPT. I

**FAMILY COURT MOTION/OPPOSITION
FEE INFORMATION SHEET (NRS 19.0312)**

Party Filing Motion/Opposition: Plaintiff/Petitioner Defendant/Respondent

OPPOSITION TO MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

Motions and Oppositions to Motions filed after entry of final Decree or Judgment are subject to the Re-open filing fee of \$25.00, unless specifically excluded. (See NRS 19.0312)

Excluded Motions/Oppositions

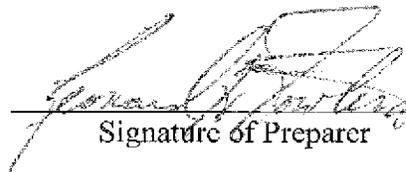
- Motions filed before final Divorce/Custody Decree entered
(Divorce/Custody Decree is NOT final)
- Child Support Modification **ONLY**
- Motion/Opposition for Reconsideration (Within 10 days of Decree)
Date of Last Order _____
- Request for New Trial (Within 10 days of Decree)
Date of Last Order _____
- Other Excluded Motion _____
(Must be prepared to defend exclusion to Judge)

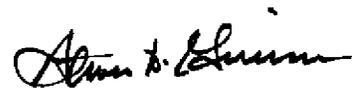
Note: If no boxes are checked, filing fee **MUST** be paid.

Motion/Opp IS subject to \$25.00 filing fee Motion/Opp IS NOT subject to filing fee

Date: August 23, 2012

Leonard H. Fowler III
Printed Name of Preparer


Signature of Preparer



CLERK OF THE COURT

1 **NEOJ**

2 Robert Scotlund Vaile

3 PO Box 727

4 Kenwood, CA 95452

(707) 833-2350

Plaintiff in Proper Person

5
6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**
7 **STATE OF NEVADA IN AND FOR**
8 **THE COUNTY OF CLARK**

9
10 ROBERT SCOTLUND VAILE,

11 Plaintiff,

12 vs.

13 CISILIE A. PORSBOLL,

14 Defendant.

CASE NO: 98 D230385

DEPT. NO: I

15
16 **NOTICE OF ENTRY OF ORDER**

17 TO: MARSHAL S. WILLICK, ESQ.

18 Attorneys for Defendant.

19
20 **PLEASE TAKE NOTICE** that the *Order on Child Support Penalties* was
21 duly entered on August 17, 2012, by filing with the Clerk, and the attached is a true
22 and correct copy thereof.

23 Dated this 27th day of August, 2012.

24 /s/ R.S. Vaile

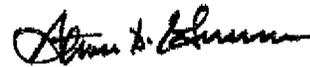
25 Robert Scotlund Vaile

26 PO Box 727

27 Kenwood, CA 95452

(707) 833-2350

Plaintiff in Proper Person



CLERK OF THE COURT

1 **ORDER**
2 Robert Scotlund Vaile
3 PO Box 727
4 Kenwood, CA 95452
5 (707) 833-2350
6 *Plaintiff in Proper Person*

7 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**
8 **STATE OF NEVADA IN AND FOR**
9 **THE COUNTY OF CLARK**

10 ROBERT SCOTLUND VAILE,

CASE NO: 98 D230385

11 Plaintiff,

DEPT. NO: I

12 vs.

13
14 CISILIE A. PORSBOLL,
15 fka CISILIE A. VAILE,

16 Defendant.
17

18
19
20 **ORDER ON CHILD SUPPORT PENALTIES**

21 Pursuant to this *Court's Decision and Order* dated July 10, 2012,
22 determining child support principal and interest, and which ordered that child
23 support penalties are to be calculated by the District Attorney utilizing the
24 NOMADS program, and furthermore, in accordance with the *District Attorney's*
25 *Audit Calculating Penalties*, attached hereto,

26 IT IS HEREBY ORDERED that child support penalties, totaling \$15,162.41
27 through June 2012, are reduced to judgment and collectible by all lawful means.
28

RECORDED
AUG 10 2012
DISTRICT COURT
DEPT I

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Dated this 14 day of August, 2012.

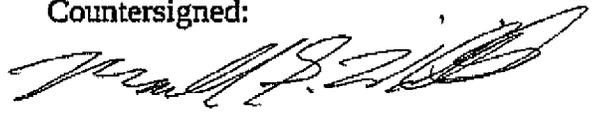

DISTRICT COURT JUDGE

Respectfully submitted by:

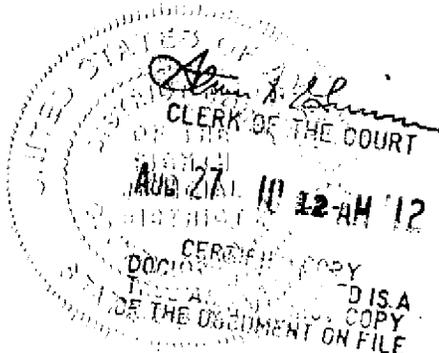


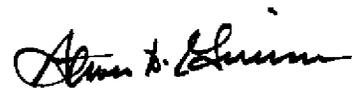
Robert Scotlund Vaile
PO Box 727
Kenwood, CA 95452
(707) 833-2350
Plaintiff in Proper Person

Countersigned:



Marshal S. Willick
Willick Law Group
3591 East Bonanza Road, Suite 200
Las Vegas, NV 89110-2101
Attorneys for Defendant





CLERK OF THE COURT

1 **NOAS**

2 Robert Scotlund Vaile

3 PO Box 727

4 Kenwood, CA 95452

(707) 833-2350

Plaintiff in Proper Person

5
6 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**
7 **STATE OF NEVADA IN AND FOR**
8 **THE COUNTY OF CLARK**

9
10 ROBERT SCOTLUND VAILE,

11 Plaintiff,

12 vs.

13 CISILIE A. PORSBOLL,

14 Defendant.

CASE NO: 98 D230385

DEPT. NO: I

15
16 **AMENDED NOTICE OF APPEAL**

17 Notice is hereby given that Plaintiff Robert Scotlund Vaile, Plaintiff in
18 Proper Person, appeals to the Supreme Court of Nevada from the order rendered
19 by Hon. Cheryl B. Moss titled *Court's Decision and Order* entered on July 10,
20 2012, together with related orders: *Order on Fees and Costs* entered August 16,
21 2012, and *Order on Child Support Penalties* entered on August 17, 2012. A true
22 and correct copy of the orders are attached hereto.

23 Dated this 27th day of August, 2012.

24
25 /s/ R.S. Vaile

26 Robert Scotlund Vaile

27 PO Box 727

28 Kenwood, CA 95452

(707) 833-2350

Plaintiff in Proper Person

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CERTIFICATE OF SERVICE

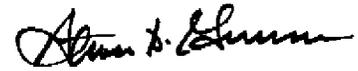
Plaintiff Robert Scotlund Vaile hereby certifies that I served a true and correct copy of the foregoing *Amended Notice of Appeal* by depositing a true and correct copy in the U.S. Mail at Kenwood, California in a sealed envelope, with first-class postage pre-paid and addressed as follows:

Marshal S. Willick
Willick Law Group
3591 E. Bonanza Road, Suite 200
Las Vegas, NV 89110-2101
Attorneys for Defendant

Dated this 27th day of August, 2012.

 /s/ R.S. Vaile
Robert Scotlund Vaile
PO Box 727
Kenwood, CA 95452
(707) 833-2350
Plaintiff in Proper Person

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA


CLERK OF THE COURT

1
2
3
4 R.S. VAILE,

5 Plaintiff,

6 vs.

Case No. 98-D-230385

Dept. No. "I"

7 CISILIE A. VAILE
8 Nka PORSBOLL,

9 Defendant

10
11 **NOTICE OF ENTRY OF COURT'S DECISION AND ORDER**

12 TO: **R.S. VAILE**, Plaintiff In Proper Person

13 TO: **MARSHAL WILLICK, ESQ.**, Attorney for Defendant

14 PLEASE TAKE NOTICE that a Court's Decision and Order was entered in the
15 above-entitled matter on the 10th day of July, 2012, a true and correct copy of which is
16 attached hereto.

17 Dated this 11th day of July, 2012.

18
19 
20 Suzanna Zavala
21 Judicial Executive Assistant to the
22 HONORABLE CHERYL B. MOSS

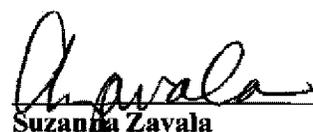
23 **CERTIFICATE OF SERVICE**

24 I hereby further certify that on this 11th day of July, 2012, I caused to be mailed to
25 Plaintiff/Defendant Pro Se a copy of the **Notice of Entry of Court's Decision and Order** at
26 the following address:

27 **R.S. VAILE**
28 P.O. Box 727, Kenwood, CA 95452
Plaintiff In Proper Person

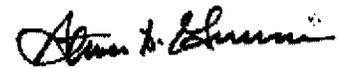
I hereby certify that on this 11th day of July, 2012, I caused to be delivered to the
Clerk's Office a copy of the **Notice of Entry of Court's Decision and Order** which was
placed in the folders to the following attorneys:

MARSHAL WILLICK, ESQ.
Attorney for Defendant


Suzanna Zavala
Judicial Executive Assistant

CHERYL B. MOSS
DISTRICT JUDGE

FAMILY DIVISION, DEPT. I
LAS VEGAS NV 89101



CLERK OF THE COURT

DISTRICT COURT
CLARK COUNTY, NEVADA

R. S. VAILE,

Plaintiff,

Case No. 98-D-230385

vs.

Dept. No. I

CISILIE A. VAILE

nka PORSBOLL,

Defendant.

COURT'S DECISION AND ORDER

The Nevada Supreme Court remanded this case to determine whether Norway's March 17, 2003, modification order is enforceable in Nevada, and for further proceedings on the enforcement of the August 21, 1998, Nevada child support order. Defendant ("Ms. Porsboll") also filed an Amended Motion for Order Show Cause to which Plaintiff ("Mr. Vaile") filed an Opposition.

The Court reviewed the pleadings and heard oral arguments on April 9, 2012, and June 4, 2012. Each side filed supplemental briefs.

The Norway Child Support Order

The State of Nevada adopted the Uniform Interstate Family Support Act (UIFSA) and incorporated its provisions in NRS Chapter 130. Under NRS

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130.10116, Nevada recognizes the country of Norway as a foreign reciprocating country.

In this case, the issue to be decided is whether Norway modified the Nevada child support order and therefore became the controlling order. The Court finds that under NRS 130.611(1)(a), Norway could have modified the Nevada child support order only if it finds that both parents and the children no longer reside in Nevada, that Mr. Vaile, who is a nonresident of Norway petitioned for modification, and that Ms. Porsboll was subject to the personal jurisdiction of Norway.

Under NRS 130.611(1)(b), Norway may also modify the Nevada child support order if Norway is the residence of the children, or one of the parents reside in Norway, and both parties have filed written consents with the Nevada court.

Here, none of the requirements of NRS 130.611(1) were met. Mr. Vaile did not petition for modification in Norway. Rather, Norway issued its own modification order that is not enforceable in Nevada under UIFSA laws. Further, both parties never filed written consents with the Nevada district court requesting Norway to modify the child support and assume jurisdiction.

IT IS HEREBY ORDERED that the Norway child support order is not the controlling order, and it is unenforceable in Nevada pursuant to UIFSA. The Norwegian order has no bearing on this court's enforcement of the Nevada child

CHERYL B. MOSS
DISTRICT JUDGE
FAMILY DIVISION, DEPT. 1
LAS VEGAS NV 89101

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support order, which remains the controlling order. Further, Nevada retains personal jurisdiction over Mr. Vaile for enforcement of child support.

IT IS FURTHER ORDERED that Mr. Vaile's March 6, 2012, pleading entitled "Notice of Controlling Norwegian Child Support Order" shall be stricken because it does not comply with NRS 130.611 and 130.605.

Mr. Vaile argued that NRS 130.6115 authorizes Norway to modify the Nevada support order. The Court rejects Mr. Vaile's argument and finds that NRS 130.6115 does not apply. This statute specifically refers to modification of a child support order of a foreign country. Here, the child support order sought to be modified was issued in Nevada. Nevada is not a foreign country.

Mr. Vaile raised the issue of applying NRS 130.207. Ms. Porsboll argued that this statute does not apply. The Court finds that NRS 130.207 is inapplicable. This statute deals with determining which support order is the controlling order when two competing child support orders exist.

At the time of the 1998 divorce, there was only one child support order issued in Nevada which is the controlling order. There were no multiple competing orders. Therefore, NRS 130.207 does not apply in this case.

Mr. Vaile argued that Ms. Porsboll's counsel's references to expert opinion, specifically Gary Caswell, Esq., were hearsay and should be disregarded. The Court finds this argument moot. The Court did not rely on Mr. Caswell's opinion letter to reach a decision on the applicability of NRS Chapter 130 and UIFSA.

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Recalculation of Child Support Arrears, Statutory Interest, and Statutory Penalties After Remand

Mr. Vaile argues that he should not have paid child support when he had the children in his care from May 2000 to April 2002. At a hearing on July 21, 2008, the court denied Mr. Vaile's request. The Nevada Supreme Court, in its January 26, 2012, decision, denied all other relief sought by Mr. Vaile in his multiple appeals. Accordingly, the court's decision is res judicata. In addition, the Court rejects Mr. Vaile's arguments of waiver, laches, and prevention.

Principal Child Support Arrears

The Court reviewed the calculations submitted by both sides. As to principal child support arrears, Mr. Vaile claims the total amount accrued through June 1, 2012, is \$149,416.93. Ms. Porsboll claims the amount is \$214,868.09.

Mr. Vaile's chart is erroneous. His child support chart sets the obligation at 18% for 2008, yet the eldest daughter emancipated in May 2009. This is incorrect because the percentage amount of 18% for one remaining child should not be applied until June 2009.

In addition, Mr. Vaile did not include child support when he claimed custody of the children for two years. As noted, the Court previously denied his request on July 21, 2008.

Mr. Vaile claims he paid a total of \$94,049.82 in child support payments. Ms. Porsboll calculated total payments of \$88,551.37. The Court previously ordered on March 8, 2010, that Mr. Vaile direct all child support payments to Ms.

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Porsboll's counsel (The Willick Law Group) if the District Attorney did not collect the full amount via involuntary wage assignment. Mr. Vaile is not entitled to credits for any direct payments he made to Ms. Porsboll.

The Court finds Ms. Porsboll's updated calculations are accurate as set forth in Exhibit A of their Supplemental Exhibits filed June 4, 2012. Therefore, the principal amount of child support arrears, after all payments are credited, is \$126,316.72 through June 1, 2012.

IT IS FURTHER ORDERED that the principal amount of child support arrears, totaling \$126,316.72 through June 1, 2012, is reduced to judgment and collectible by any lawful means.

Statutory Interest on the Child Support Arrears

Statutory interest is mandatory under NRS 17.130 and 99.040. Ms. Porsboll calculated \$62,466.86 of interest.

IT IS FURTHER ORDERED that the total interest amount of \$62,466.86 through June 1, 2012, is reduced to judgment and collectible by any lawful means.

Statutory Penalties on the Child Support Arrears

Ms. Porsboll calculated penalties on the arrears, using the M-Law program, in the amount of \$88,218.75.

The Nevada Supreme Court did not reach a decision on the calculation of penalties issue (M-Law vs. NOMADS). Ms. Porsboll argued the M-Law Program was not invalidated by the Supreme Court. However, neither was the NOMADS Program. The court decided the issue in its April 17, 2009 Decision and Order

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and is compelled to enforce it. The court recognizes that the M-Law Program calculates penalties in the same manner as the NOMADS program, but only up through the first 23 months. After 23, months, the calculations diverge. In this case, the penalties are calculated over a span 12 years.

IT IS FURTHER ORDERED that Mr. Vaile shall obtain an updated audit from the District Attorney's Office as to the penalties calculation by serving the District Attorney with a certified copy of this Decision and Order.

IT IS FURTHER ORDERED that the District Attorney shall file an updated audit in D-230385. Mr. Vaile shall then submit a proposed Order, countersigned by Ms. Porsboll's counsel, indicating the penalties amount through June 1, 2012, with said amount being reduced to judgment and collectible by any lawful means.

Contempt Issues

On March 28, 2012, Ms. Porsboll filed an Amended Order Show Cause asking for contempt against Mr. Vaile for failing to pay child support, for failing to make restitution on prior judgments for attorney's fees, and for failing to timely file a Notice of Change of Address.

NRS 22.010 and NRS 22.030 discuss contempt. An order must be reduced to writing, signed by a Judge, and filed with the Clerk of the Court.

Division of Child Family Svcs. v. Eighth Judicial Dist. Ct. of Nevada, 92 P.3d 1239 (2004). In Cunningham v. Eighth Judicial Dist. Ct., 102 Nev. 551, 559-60 (1986), the Supreme Court held, "An order on which a judgment of contempt is

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based must be clear and unambiguous, and must spell out the details of compliance in clear, specific and unambiguous terms so that the person will readily know exactly what duties or obligations are imposed on him.”

Pertaining to the change of address issue, the court’s order filed October 9, 2008, is clear and unambiguous. Mr. Vaile is required to formally file a Notice of Change of Address in Case Number D-230385 within 30 days of moving. Mr. Vaile asserted that he moved to Michigan in 2011. However, he did not file a Notice of Change of Address until March 6, 2012.

Mr. Vaile's argument that his Virginia counsel notified the Willick Law Group of his new Michigan address does not comply with the court’s order. Mr. Vaile's argument that he did not file a change of address in D-230385 due to the appeal pending is meritless. The change of address requirement was not related to the issues he raised on appeal.

The Court finds Mr. Vaile in contempt of the October 9, 2008 order for failing to file a Notice of Change of Address in Case Number D-230385 within 30 days of moving to a new residence.

IT IS FURTHER ORDERED that Mr. Vaile is sanctioned \$500.00 for failing to file a Notice of Change of Address and serving the Willick Law Group within 30 days of moving to a different residence.

With regard to Mr. Vaile's failure to pay child support since April 2000, the court previously conducted an evidentiary hearing on September 18, 2008.

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Both parties were given notice and an opportunity to fully litigate the contempt issue.

The court made written findings after the September 18, 2008, trial. In conforming with the Nevada Supreme Court's Decision reversing and remanding this case, the court reviewed its prior findings and orders in its October 9, 2008 Decision and Order.

The court's findings of fact and conclusions of law remain unchanged from the September 18, 2008 evidentiary hearing, except as to all references and findings that were inconsistent with the Nevada Supreme Court's Decision. All references and findings as to enforcing the \$1,300.00 fixed monthly child support amount are null and void.

Upon reconsideration after remand, the court makes new and/or revised findings and orders as follows.

1. According to the Decree of Divorce, the parties are required to exchange their tax returns and income information each year for purposes of calculating child support.
2. The parties applied and utilized the mathematical formula contained in the Decree.
3. The facts have not changed with regard to Mr. Vaile having paid nothing for over six years from April 2000 to April 2006.
4. The court finds Mr. Vaile's conduct willful because he understood he had a BASIC duty and obligation to pay child support. In fact, Mr. Vaile voluntarily paid child support from the time the Decree was entered until April 2000.
5. The policy behind NRS 125B.020(1) states that a parent has a duty to support their children.

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6. Mr. Vaile actually paid child support from August 1998 to April 2000. This means he understood during this time period that he had a duty to support their children.
7. Mrs. Porsboll signed no written agreements for waiver of child support.
8. Mr. Vaile willfully refused to pay child support from April 2000 to July 2006.
9. Mr. Vaile is in contempt of the Decree of Divorce.
10. Mr. Vaile was on notice under the Decree of Divorce to pay child support.
11. Mr. Vaile paid \$1,300.00 per month from August 1998 to April 2000.
12. There were no payments until the District Attorney's Office commenced wage withholding on July 3, 2006.
13. All child support payments since July 3, 2006 have been collected involuntarily.
14. Under NRS 22.010, the Court, in its discretion, could monetarily sanction Mr. Vaile up to \$500.00 for every month he willfully did not pay child support. He did not pay from April 2000 to July 2006 or a total of 76 months. The maximum amount is potentially $\$500.00 \times 76 = \$38,000.00$.
15. The Court finds Mr. Vaile in contempt for non-payment of child support for six years.
16. Under NRS 22.010, the Court has discretion to impose up to 25 days incarceration for every month Mr. Vaile willfully refused to pay child support.
17. Here, the child support PRINCIPAL ARREARS total \$126,316.72 through June 1, 2012.
18. The STATUTORY INTEREST on the arrears amounts to a total of \$62,466.86 through June 1, 2012.
19. The combined total is substantial -- \$188,783.58.

IT IS FURTHER ORDERED that Mr. Vaile is found in contempt for non-payment of child support for six years from March 2000 through June 2006.

CHERYL B. MOSS
DISTRICT JUDGE
FAMILY DIVISION, DEPT. 1
LAS VEGAS NV 89101

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Accordingly, he is sanctioned \$38,000.00 under NRS 22.010. Said amount is reduced to judgment and collectible by any lawful means. Previously, the Court did not award sanctions because it believed the Decree provision on calculating child support on a yearly basis was not clear and not unambiguous. The Nevada Supreme Court reasoned and found to the contrary in its January 26, 2012 Decision. Accordingly, upon reconsideration and remand, there is a basis to award sanctions.

The Court finds that because Nevada lacks jurisdiction to modify the child support order, Mr. Vaile is obligated to pay CURRENT child support of \$2,754.15 per month in accordance with the Decree of Divorce. Under NRS 125B.100, the obligor parent shall continue to pay support for an emancipated child until all arrearages are paid. Mr. Vaile's child support was \$2,870.13 for two children. The eldest child was emancipated on June 1, 2009.

IT IS FURTHER ORDERED that in accordance with the Decree of Divorce, Mr. Vaile's child support obligation is \$2,870.13 per month. Of this amount, \$2,754.15 is applied towards current child support for the one remaining minor child, due and owing from July 1, 2011 to June 30, 2012. The difference between \$2,870.13 and \$2,754.15 shall be applied against the arrearages for this time period. On July 1 of each year, while the youngest child is still a minor, the child support amount is adjusted per the Decree of Divorce and any remainder between the \$2,870.13 and the adjusted amount shall be applied toward the arrearages. The youngest child will emancipate on

CHERYL B. MOSS
DISTRICT JUDGE
FAMILY DIVISION, DEPT. 1
LAS VEGAS NV 89101

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June 1, 2013. After said date, the entire amount of \$2,870.13 shall be applied toward arrearages until paid in full.

With regard to incarceration contempt, the court previously ordered Mr. Vaile to make eight (8) monthly installments of \$2,000.00 towards the purge amount of \$16,000.00 as reflected in the October 9, 2008 Decision and Order. According to Exhibit A of Defendant's Supplemental Exhibits filed June 4, 2012, Mr. Vaile made all payments totaling \$16,000.00. Therefore, the Court finds that Mr. Vaile is purged out of the jail contempt through the date of the last payment due and owing which was June 15, 2009.

Concerning Ms. Porsholl's latest request for contempt for failure to pay child support after June 15, 2009, the Court finds that zero child support was paid for eleven (11) specific months, namely May 2010 to October 2010 inclusive, July 2011 to September 2011 inclusive, and May 2012 to June 2012. See Exhibit A of Defendant's Supplemental Exhibits filed on June 4, 2012.

Under due process, if a party is facing incarceration and sanctions for contempt, the Court is required to hold an evidentiary hearing pursuant to NRS 22.010.

Mr. Vaile is admonished to resume child support payments and pay the amount of \$2,870.13 per month in accordance with the non-modifiable Decree of Divorce support order and pursuant to NRS 125B.100.

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IT IS FURTHER ORDERED that an evidentiary hearing date shall be set for **October 22, 2012 at 1:30 p.m. (stack #1)**

IT IS FURTHER ORDERED that for any remainder amounts due for child support each month not collected via wage assignment by the District Attorney's Office, Mr. Vaile shall continue to send those payments directly to Ms. Porsboll's counsel payable to "The Willick Law Group". At the hearing on March 8, 2010, the court ordered Mr. Vaile to send all payments for child support not collected by the District Attorney to The Willick Law Group. Mr. Vaile is under an affirmative duty to comply with court orders. Since March 8, 2010, Mr. Vaile paid zero child support for 11 months. See Exhibit A to Defendant's Supplemental Exhibits filed June 4, 2012. Mr. Vaile is to show cause at the evidentiary why he should not be held in contempt.

IT IS FURTHER ORDERED that the involuntary wage withholding by the District Attorney for the payment of current child support shall continue.

IT IS FURTHER ORDERED that the prior award of \$15,000.00 attorney's fees to Ms. Porsboll in the October 9, 2008, Decision and Order stands, but any references or findings as to the enforcement of the \$1,300.00 per month amount is deemed null and void. Said amount is reduced to judgment and collectible by any lawful means.

With regard to Ms. Porsboll's request to enforce the prior judgments for attorney's fees, the court stated at previous hearings that said judgments were already reduced to judgment and collectible by any lawful means.

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IT IS FURTHER ORDERED that Ms. Porsboll's request to enforce payment of prior judgments of attorney's fees and costs was already granted by the Court at the March 8, 2010 hearing. The court's order still stands and any employer of Mr. Vaile shall withhold the maximum amount allowed by Nevada law, not to exceed 50% of his wages.

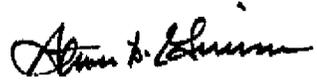
IT IS FURTHER ORDERED that as to Ms. Porsboll's latest request for attorney's fees filed February 27, 2012, mandatory fees shall be awarded pursuant to NRS 125B.140 as Mr. Vaile still owes child support arrears. The Willick Law Group shall file a Memorandum of Fees and Costs and a redacted billing statement no later than August 10, 2012, and submit a proposed order.

IT IS FURTHER ORDERED that additional fees requested on the contempt issues reserved for the evidentiary hearing are deferred.

SO ORDERED.

Dated this 10th day of July, 2012.


CHERYL B. MOSS
District Court Judge


CLERK OF THE COURT

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ORDER
WILLICK LAW GROUP
MARSHAL S. WILLICK, ESQ.
Nevada Bar No. 002515
3591 E. Bonanza Road, Suite 200
Las Vegas, NV 89110-2101
Phone (702) 438-4100; Fax (702) 438-5311
email@willicklawgroup.com
Attorneys for Defendant

**DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA**

ROBERT SCOTLUND VAILE,

Plaintiff,

vs.

CISILIE A. PORSBOLL, f/k/a CISILIE A. VAILE,

Defendant.

CASE NO: D-98-230385-D
DEPT. NO: I

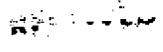
DATE OF HEARING: 6/4/2012
TIME OF HEARING: 1:30 p.m.

ORDER FOR FEES AND COSTS

As directed by the Court in its *Decision and Order*, filed July 10, 2010, the Willick Law Group submitted at *Memorandum of Fees and Costs* in the amount of \$57,483.38 for the above referenced for the period of January 1, 2012, to July, 2012.

Based on the filed *Memorandum of Fees and Costs*,

IT IS HEREBY ORDERED, that the amount of \$57,483.38 is awarded payable to Cisilie Porsbol from Robert Scotlund Vaile and the amount is reduced to judgment and collectable by all lawful means.


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~~IT IS FURTHER ORDERED, that all attorney's fees awarded at any time in this case are in the manner of a domestic relations order and are not dischargeable in bankruptcy.~~

~~IT IS FURTHER ORDERED, that Robert Scotlund Vaile is to immediately contact the Willick Law Group to set up a payment plan to satisfy all judgments of attorney's fees in this case. Failure to comply with this Order will be punishable through the contempt powers of the Court.~~

Dated this 14 day of August, 2012

[Signature]
DISTRICT COURT JUDGE

WILLICK LAW GROUP

[Signature]
11943

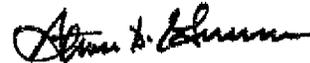
MARSHAL S. WILLICK, ESQ.
Nevada Bar No. 002515
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Las Vegas, NV 89110-2101
Phone (702) 438-4100; Fax (702) 438-5311
email@willicklawgroup.com
Attorneys for Defendant

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UNITED STATES OF AMERICA
DISTRICT COURT
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AUG 27 10:49 AM '12
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WILLICK LAW GROUP
3591 East Bonanza Road
Suite 200
Las Vegas, NV 89110-2101
(702) 438-4100

THIS IS A
CERTIFIED COPY
OF THE DOCUMENT ON FILE



CLERK OF THE COURT

1 **ORDR**
2 Robert Scotlund Vaile
3 PO Box 727
4 Kenwood, CA 95452
5 (707) 833-2350
6 *Plaintiff in Proper Person*

7 **IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE**
8 **STATE OF NEVADA IN AND FOR**
9 **THE COUNTY OF CLARK**

10 ROBERT SCOTLUND VAILE,

CASE NO: 98 D230385

11 Plaintiff,

DEPT. NO: I

12 vs.

13
14 CISILIE A. PORSBOLL,
15 fka CISILIE A. VAILE,

16 Defendant.
17

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19
20 **ORDER ON CHILD SUPPORT PENALTIES**

21 Pursuant to this *Court's Decision and Order* dated July 10, 2012,
22 determining child support principal and interest, and which ordered that child
23 support penalties are to be calculated by the District Attorney utilizing the
24 NOMADS program, and furthermore, in accordance with the *District Attorney's*
25 *Audit Calculating Penalties*, attached hereto,

26 IT IS HEREBY ORDERED that child support penalties, totaling \$15,162.41
27 through June 2012, are reduced to judgment and collectible by all lawful means.
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RECORDED
AUG 10 2012
DISTRICT COURT
DEPT I

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Dated this 14 day of August, 2012.

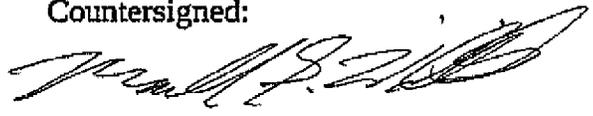

DISTRICT COURT JUDGE

Respectfully submitted by:

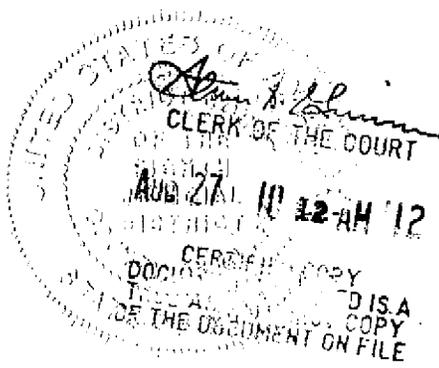


Robert Scotlund Vaile
PO Box 727
Kenwood, CA 95452
(707) 833-2350
Plaintiff in Proper Person

Countersigned:

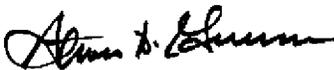


Marshal S. Willick
Willick Law Group
3591 East Bonanza Road, Suite 200
Las Vegas, NV 89110-2101
Attorneys for Defendant



1 **NEOJ**
2 **WILICK LAW GROUP**
3 **MARSHAL S. WILICK, ESQ.**
4 Nevada Bar No. 002515
5 3591 E. Bonanza Road, Suite 200
6 Las Vegas, NV 89110-2101
7 Phone (702) 438-4100; Fax (702) 438-5311
8 email@wilicklawgroup.com
9 Attorneys for Defendant

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CLERK OF THE COURT

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**DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA**

ROBERT SCOTLUND VAILE,

Plaintiff,

vs.

CISILIE A. PORSBOLL, f/k/a CISILIE A. VAILE,

Defendant.

CASE NO: 98-D230385
DEPT. NO: I

DATE OF HEARING: 06/04/2012
TIME OF HEARING: 1:30 P.M.

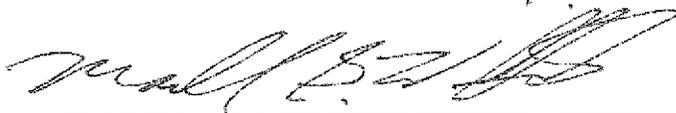
NOTICE OF ENTRY OF ORDER

TO: ROBERT SCOTLUND VAILE, Plaintiff, *In Proper Person*.

PLEASE TAKE NOTICE that the *Order for Fees and Costs*, was duly entered by the Court on the 11th day of September, 2012, and the attached are true and correct copies.

DATED this 11th day of September, 2012.

WILICK LAW GROUP

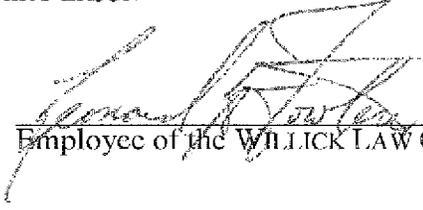


MARSHAL S. WILICK, ESQ.
Nevada Bar No. 002515
3591 East Bonanza Road, Suite 200
Las Vegas, Nevada 89110-2101
Attorneys for Defendant

1 **CERTIFICATE OF MAILING**

2 I hereby certify that service of the foregoing *Notice of Entry of Order* was made on the 11th
3 day of September, 2012, pursuant to NRCP 5(b), via electronic transmission to the email address of:
4 legal@inforsec.privacyport.com, rct@morrislawgroup.com, and by depositing a copy in the United
5 States Mail in Las Vegas, Nevada, postage prepaid and addressed as follows:

6
7 Mr. Robert Scotlund Vaile
8 P.O. Box 727
9 Kenwood, California 95452
10 Plaintiff in *PROPER PERSON*

11 
12 _____
13 Employee of the WILLICK LAW GROUP

14 P:\wp13\VAILE\00009636.WPD


CLERK OF THE COURT

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ORDER
WILLICK LAW GROUP
MARSHAL S. WILLICK, ESQ.
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3591 E. Bonanza Road, Suite 200
Las Vegas, NV 89110-2101
Phone (702) 438-4100; Fax (702) 438-5311
email@willicklawgroup.com
Attorneys for Defendant

**DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA**

ROBERT SCOTLUND VAILE,
Plaintiff,

vs.

CISILIE A. PORSBOLL, f/k/a CISILIE A. VAILE,
Defendant.

CASE NO: D-98-230385-D
DEPT. NO: I

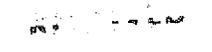
DATE OF HEARING: 6/4/2012
TIME OF HEARING: 1:30 p.m.

ORDER FOR FEES AND COSTS

As directed by the Court in its *Decision and Order*, filed July 10, 2010, the Willick Law Group submitted at *Memorandum of Fees and Costs* in the amount of \$57,483.38 for the above referenced for the period of January 1, 2012, to July, 2012.

Based on the filed *Memorandum of Fees and Costs*,

IT IS HEREBY ORDERED, that the amount of \$57,483.38 is awarded payable to Cisilie Porshol from Robert Scotlund Vaile and the amount is reduced to judgment and collectable by all lawful means.


AUG 07 2012
DISTRICT COURT
CLERK

1 ~~IT IS FURTHER ORDERED~~, that all attorney's fees awarded at any time in this case are
2 in the manner of a domestic relations order and ~~are not~~ dischargeable in bankruptcy.

3 ~~IT IS FURTHER ORDERED~~, that Robert Scotland Vaile is to immediately contact the
4 Willick Law Group to set up a payment plan to satisfy all judgments of attorney's fees in this case.
5 Failure to comply with this Order will be punishable through the contempt powers of the Court.

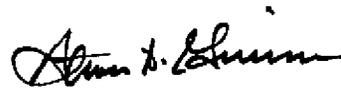
6 Dated this 14 day of August, 2012


DISTRICT COURT JUDGE

10 WILICK LAW GROUP

11 
12 MARSHAL S. WILICK, ESQ.
13 Nevada Bar No. 002515
14 3591 E. Bonanza Road, Suite 200
15 Las Vegas, NV 89110-2101
16 Phone (702) 438-4100; Fax (702) 438-5311
17 email@willicklawgroup.com
18 Attorneys for Defendant

P:\wp13\VAILE\00007542.WPD\LF



CLERK OF THE COURT

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3
4 **DISTRICT COURT**
5 **CLARK COUNTY, NEVADA**
6

7 ROBERT S. VAILE,

8 Plaintiff(s),

9 vs.

10 CISILIE A. VAILE aka CISILIE PORSBOLL,

11 Defendant(s).
12

Case No: 98D230385
Dept No: I

13
14 **CASE APPEAL STATEMENT**
15

- 16 1. Appellant(s): Robert Scotlund Vaile
17 2. Judge: Cheryl Moss
18 3. Appellant(s): Robert Scotlund Vaile

19 Counsel:

20 Robert Scotlund Vaile
21 P.O. Box 727
22 Kenwood, CA 95452

- 23 4. Respondent (s): Cisilie A. Vaile aka Cisilie Porsboll

24 Counsel:

25 Marshal S. Willick, Esq.
26 3591 E. Bonanza Rd., Suite 200
27 Las Vegas, NV 89110

- 28 5. Respondent's Attorney Licensed in Nevada: Yes
6. Appellant Represented by Appointed Counsel In District Court: No
7. Appellant Represented by Appointed Counsel On Appeal: N/A

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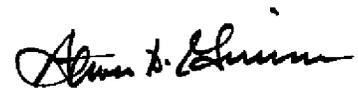
- 8. Appellant Granted Leave to Proceed in Forma Pauperis: N/A
- 9. Date Commenced in District Court: August 7, 1998
- 10. Brief Description of the Nature of the Action: DOMESTIC - Marriage Dissolution
Type of Judgment or Order Being Appealed: Misc. Order
- 11. Previous Appeal: Yes
Supreme Court Docket Number(s): 37082, 52457, 52593, 53687, 53798, 55396, 55911, 61415
- 12. Child Custody or Visitation: N/A
- 13. Possibility of Settlement: Unknown

Dated This 12 day of September 2012.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk
200 Lewis Ave
PO Box 551601
Las Vegas, Nevada 89155-1601
(702) 671-0512



CLERK OF THE COURT

ORDER
WILICK LAW GROUP
MARSHAL S. WILLICK, ESQ.
Nevada Bar No. 002515
3591 E. Bonanza Road, Suite 200
Las Vegas, NV 89110-2101
Phone (702) 438-4100; Fax (702) 438-5311
email@willicklawgroup.com
Attorneys for Defendant

**DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA**

ROBERT SCOTLUND VAILE,

Plaintiff,

vs.

CISILIE A. PORSBOLL, f/k/a CISILIE A. VAILE,

Defendant.

CASE NO: D-98-230385-D
DEPT. NO: I

DATE OF HEARING: 9/18/12
TIME OF HEARING: 1:30 P.M.

ORDER DENYING LEAVE TO PROCEED IN FORMA PAUPERIS

Having reviewed the *Motion* and the *Opposition* to the requested relief,
the Court **FINDS:**

Plaintiff admits that he earned \$86,878.20 in gross wages through April 3, 2012, or approximately \$11,900 per month. Plaintiff is not indigent.

Plaintiff's historical earnings are well above the Nevada average wage and extremely above the state poverty guidelines.

Plaintiff has a college degree and a law degree.

Plaintiff worked jobs that paid well in excess of \$100,000 for several years.

Given Plaintiff's educational and employment background, he is capable of earning substantial income.

SEP 20 2012
DISTRICT COURT
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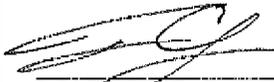
Therefore, **IT IS HEREBY ORDERED:**

That Plaintiff's request to proceed *in forma pauperis* is DENIED.

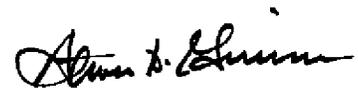
Dated this 28 day of September, 2012


DISTRICT COURT JUDGE VR

WILICK LAW GROUP


MARSHAL S. WILICK, ESQ.
Nevada Bar No. 002515
3591 E. Bonanza Road, Suite 200
Las Vegas, NV 89110-2101
Phone (702) 438-4100; Fax (702) 438-5311
email@willicklawgroup.com
Attorneys for Defendant

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CLERK OF THE COURT

1 **NEOJ**
2 WILLICK LAW GROUP
3 MARSHAL S. WILLICK, ESQ.
4 Nevada Bar No. 002515
5 3591 E. Bonanza Road, Suite 200
6 Las Vegas, NV 89110-2101
7 Phone (702) 438-4100; Fax (702) 438-5311
8 email@willicklawgroup.com
9 Attorneys for Defendant

8 **DISTRICT COURT**
9 **FAMILY DIVISION**
10 **CLARK COUNTY, NEVADA**

11 ROBERT SCOTLUND VAILE,

12 Plaintiff,

13 vs.

14 CISILIE A. PORSBOLL, f/k/a CISILIE A. VAILE,

15 Defendant.

CASE NO: 98-D230385

DEPT. NO: 1

DATE OF HEARING: 06/04/2012

TIME OF HEARING: 1:30 P.M.

16 **NOTICE OF ENTRY OF ORDER**

17 TO: ROBERT SCOTLUND VAILE, Plaintiff, *In Proper Person*.

18 PLEASE TAKE NOTICE that the *Order Denying Leave to Proceed I Forma Paulperis*,
19 was duly entered by the Court on the 2nd day of October, 2012, and the attached are true and correct
20 copies.
21

22 DATED this 3rd day of October, 2012.

23 WILLICK LAW GROUP



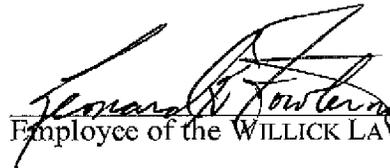
24 MARSHAL S. WILLICK, ESQ.
25 Nevada Bar No. 002515
26 3591 East Bonanza Road, Suite 200
27 Las Vegas, Nevada 89110-2101
28 Attorneys for Defendant

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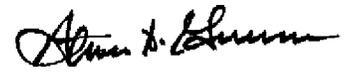
CERTIFICATE OF MAILING

I hereby certify that service of the foregoing *Notice of Entry of Order* was made on the 3rd day of October, 2012, pursuant to NRCP 5(b), via electronic transmission to the email address of: legal@inforsec.privacyport.com, rct@morrislawgroup.com, and by depositing a copy in the United States Mail in Las Vegas, Nevada, postage prepaid and addressed as follows:

Mr. Robert Scotlund Vaile
P.O. Box 727
Kenwood, California 95452
Plaintiff in *PROPER PERSON*


Employee of the WILICK LAW GROUP

P:\wp13\VAILE\00011125.WPD\LF


CLERK OF THE COURT

1 **ORDER**
2 **WILICK LAW GROUP**
3 **MARSHAL S. WILICK, ESQ.**
4 Nevada Bar No. 002515
5 3591 E. Bonanza Road, Suite 200
6 Las Vegas, NV 89110-2101
7 Phone (702) 438-4100; Fax (702) 438-5311
8 email@willicklawgroup.com
9 Attorneys for Defendant

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**DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA**

ROBERT SCOTLUND VAILE,

Plaintiff,

vs.

CISILIE A. PORSBOLL, f/k/a CISILIE A. VAILE,

Defendant.

CASE NO: D-98-230385-D
DEPT. NO: I

DATE OF HEARING: 9/18/12
TIME OF HEARING: 1:30 P.M.

ORDER DENYING LEAVE TO PROCEED IN FORMA PAUPERIS

Having reviewed the *Motion* and the *Opposition* to the requested relief,
the Court **FINDS:**

Plaintiff admits that he earned \$86,878.20 in gross wages through April 3, 2012, or approximately \$11,900 per month. Plaintiff is not indigent.

Plaintiff's historical earnings are well above the Nevada average wage and extremely above the state poverty guidelines.

Plaintiff has a college degree and a law degree.

Plaintiff worked jobs that paid well in excess of \$100,000 for several years.

Given Plaintiff's educational and employment background, he is capable of earning substantial income.

SEP 20 2012
DISTRICT COURT
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Therefore, **IT IS HEREBY ORDERED:**

That Plaintiff's request to proceed *in forma pauperis* is DENIED.

Dated this 28 day of September, 2012


DISTRICT COURT JUDGE VR

WILICK LAW GROUP


1/9/12

MARSHAL S. WILICK, ESQ.
Nevada Bar No. 002515
3591 E. Bonanza Road, Suite 200
Las Vegas, NV 89110-2101
Phone (702) 438-4100; Fax (702) 438-5311
email@willicklawgroup.com
Attorneys for Defendant

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1 NNPT

FILED

2 Oct 15 3 20 PM '12

3 ORIGINAL

4 *[Signature]*
CLERK OF THE COURT

5 EIGHTH JUDICIAL DISTRICT COURT

6 FAMILY DIVISION

7 CLARK COUNTY, NEVADA

8
9 ROBERT S. VAILE)

10 Plaintiff,)

CASE NO. 98D230385
DEPT. I

11 vs.)

12 CISILIE A. VAILE,)

13 Defendant.)
14

15 NOTICE REGARDING NON-PAYMENT OF TRANSCRIPTS

16 This letter is in regards to NON-PAYMENT OF TRANSCRIPTS in the
17 afore-captioned case.

18 This office received a request for estimate regarding
19 transcripts for the purpose of appeal on August 15, 2012 from
20 Robert S. Vaile. A reply advising the deposit amount of \$1,000.00
21 was sent August 15, 2012.

22 As of this date, a deposit has not been presented to this
23 office. Therefore, per NRAP 9(2), this office is not obligated to
24 commence transcription of the requested transcripts.

25
26 *[Signature: Tammy Gonzales]*
27 TAMMY GONZALES
28 Transcript Video Services
Eighth Judicial District Court
Family Division
601 North Pecos Road
Las Vegas, Nevada 89101-2408
(702) 455-5036

FILED

OCT 15 3 20 PM '12

Ann L. Shuman
CLERK OF THE COURT

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CERT

ORIGINAL

**EIGHTH JUDICIAL DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA**

ROBERT S. VAILE)
)
Plaintiff,) CASE NO. 98D230385
) DEPT. I
vs.)
)
CISILIE A. VAILE,)
)
Defendant.)

CERTIFICATE OF MAILING

I certify that I am an employee of the Eighth Judicial District Court, Family Division, and that on this day, I deposited for mailing in the U.S. Mail at Las Vegas, Nevada, a true copy of the NON-PAYMENT OF TRANSCRIPT ORDER in a sealed envelope which was mailed first class to:

Supreme Court of Nevada
Capitol Complex
201 South Carson Street
Carson City, Nevada 89710

Robert S. Vaile
PO Box 727
Kenwood, CA 95452

Marshal S. Willick, Esq.
3591 E. Bonanza Rd., Suite 200
Las Vegas, Nevada 89110

Dated this 15th day of October, 2012.

Tammy Gonzales
TAMMY GONZALES
Transcript Video Services
Eighth Judicial District Court
Family Division
601 North Pecos Road
Las Vegas, Nevada 89101-2408
(702) 455-5036

CLERK OF THE COURT

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WILLICK LAW GROUP
MARSHAL S. WILLICK, ESQ.
Nevada Bar No. 002515
3591 E. Bonanza Road, Suite 200
Las Vegas, NV 89110-2101
Phone (702) 438-4100; Fax (702) 438-5311
email@willicklawgroup.com
Attorneys for Defendant

**DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA**

ROBERT SCOTLUND VAILE,

Plaintiff,

vs.

CISILIE A. PORSBOLL,

Defendant.

CASE NO: 98-D-230385-D
DEPT. NO: I

DATE OF HEARING: N/A
TIME OF HEARING: N/A

CERTIFICATE OF MAILING

I HEREBY CERTIFY that a copy of the *Motion For Reconsideration and/or Set Aside of Minute Order of October 11, 2012* was send by was send via United States Postal Service, first class, postage fully prepaid, with courtesy copy sent to scotlund@vaile.info and legal@infosec.privacyport.com, addressed as follows.

DATED this 17th day of October, 2012.

Mr. Robert Scotlund Vaile
PO Box 727
Kenwood, CA 95452
Plaintiff In Proper Person

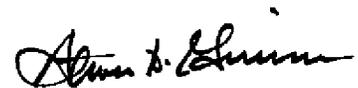
Employee for the WILLICK LAW

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Leonard Fowler

From: Leonard Fowler
Sent: Wednesday, October 17, 2012 1:51 PM
To: Robert Scotlund Vaile (scotlund@vaile.info); Robert Scotlund Vaile (legal@infosec.privacyport.com)
Subject: Motion for Reconsideration
Attachments: Motion for Reconsideration of Minute Order 10-17-12 (00012261).PDF

Leonard H. Fowler III
Paralegal/Case Manager
3591 East Bonanza Road, Suite 200
Las Vegas, Nevada 89110-2101
Phone: (702) 438-4100 ext. 114
Fax: (702) 438-5311
leonard@willicklawgroup.com



CLERK OF THE COURT

1 **MOT**
2 **WILLICK LAW GROUP**
3 **MARSHAL S. WILLICK, ESQ.**
4 Nevada Bar No. 002515
5 3591 E. Bonanza Road, Suite 200
6 Las Vegas, NV 89110-2101
7 (702) 438-4100
8 Attorneys for Defendant

7 **DISTRICT COURT**
8 **FAMILY DIVISION**
9 **CLARK COUNTY, NEVADA**

10 **ROBERT SCOTLUND VAILE,**

11 Plaintiff,

12 vs.

13 **CISILIE A. PORSBOLL,**

14 Defendant.

CASE NO: 98D230385D

DEPT. NO: I

DATE OF HEARING: 11 / 26 / 12
TIME OF HEARING: 10 : 30 a m

15
16 **MOTION FOR RECONSIDERATION AND/OR SET ASIDE OF**
17 **MINUTE ORDER OF OCTOBER 11, 2012**

18
19 **I. INTRODUCTION**

20 Respectfully, the Court has erred in vacating the order to Show Cause Hearing set for
21 October 22, 2012. The Minute Order states that any action is stayed because of Scotlund's filed
22 appeal. It is settled law that a contempt hearing and hearings on attorney's fees are collateral actions
23 that are *not* to be disturbed, delayed, or otherwise affected by the filing of an Appeal. Additionally,
24 unless a stay is granted at the District Court level or by the Supreme Court, enforcement of the
25 underlying *Order* is still available to the Court. Though requested by Scotlund, *no* stay has issued,
26 and none is warranted.

27 As such, the Court should immediately set aside its minute Order of October 11, 2012, and
28 hold the required Show Cause hearing.

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NOTICE OF MOTION

TO: ROBERT SCOTLUND VAILE, Plaintiff, in Proper Person.

YOU will please take notice that the foregoing *Motion* will be heard in Department I, Clark County Family Courthouse, 601 North Pecos Road, Las Vegas, Nevada 89101-2408, on the 26 day of NOV, 2012, at the hour of 10:30 o'clock a.m. or as soon thereafter as counsel can be heard.

POINTS AND AUTHORITIES

II. FACTS

This Court issued its *Decision and Order* on July 10, 2012, dealing with all issues as directed by the Supreme Court on remand. This included recalculating child support in accordance with the convoluted formula established by Scotlund in the parties' *Decree of Divorce*; ruling on the effect of the Norwegian court orders, and other financial matters. The Court left the issues of fees and child support penalties open until documentation was provided by both parties.

Scotlund, unhappy with the *Order*, filed an *Emergency Petition For Writ of Mandamus* on July 19, 2012. The Supreme Court denied his *Writ* on July 23, 2012.

Scotlund filed a *Notice of Appeal* on July 30, 2012.

Scotlund then filed a *Motion to Defer Payment of Cost Bond and Motion to Allow Full Briefing on Appeal* with the Supreme Court on August 15, 2012. Cisilie filed her *Opposition* to that filing on August 23, 2012.

Scotlund then filed with this Court a *Motion for Leave to Proceed In Forma Pauperis* on August 13, 2012. Cisilie filed her *Opposition to that* filing on August 23, 2012, and submitted a proposed Order for the same.

On September 4, 2012, Scotlund, realizing that there was a real chance that he might actually, if grossly belatedly, be held accountable for his non-payment of child support over the past 12 years,

1 filed an *Emergency Motion to Stay Proceedings and Enforcement in this Case Pending Appeal* with
2 the Supreme Court. Scotlund did not provide a supersedeas bond with this request as is required
3 under NRCP 62(d). He placed in the caption of this *Motion* that action was required prior to October
4 15, 2012. Scotlund filed a *Supplement* to this *Motion* claiming that he had asked this Court for a stay
5 of enforcement of any decision by the District Court, before any decision was actually rendered. He
6 claims this Court denied a stay.

7 On September 11, 2012, Cisilie filed her *Opposition* to that “emergency” filing in the
8 Supreme Court, and filed a *Supplement* to her *Opposition* on September 20, which included a copy
9 of this Court’s minutes that denied Scotlund’s request to proceed *In Forma Pauperis*.¹

10 On its own *Motion*, this Court entered a minute order vacating the October 22, 2012,
11 contempt hearing and – reversing its decision without a hearing being held or a motion being before
12 it – placed a stay on the case. This was done without giving the parties an opportunity to be heard
13 on the matter.

14 This *Motion* follows.

15 16 **III. AN APPEAL DOES NOT RESULT IN AN AUTOMATIC STAY OF PROCEEDINGS**

17 It is an urban legend that the filing of a Notice of Appeal automatically stays any further
18 district court action. The Nevada Supreme Court has noted repeatedly that the argument that there
19 should be an automatic stay is “torture [of] our prevailing rules of court,” would “render the language
20 meaningless,” and “would do untold mischief to the effective administration of justice.”²

21 The myth of the “automatic stay” apparently arises from misunderstanding of the fact that,
22 generally, “a timely notice of appeal divests the district court of jurisdiction to act and vests
23 jurisdiction in [the Supreme] court.”³ However, that is irrelevant to either *enforcement* of orders,
24

25 ¹ The formal *Order* denying the same was entered by this Court on October 2, 2012.

26 ² See *State ex rel. P.C. v. District Court*, 94 Nev. 42, 574 P.2d 272 (1978).

27 ³ *Rust v. Clark Cty. School District*, 103 Nev. 686, 688, 747 P.2d 1380, 1382 (1987).

1 or to litigation of matters *collateral to* the appeal. Where an issue is “collateral to and independent
2 from that part of the case taken up by appeal, and in no way affected the merits of the appeal[,]”
3 district courts may grant relief while a case is on appeal.⁴

4 Many things are “collateral to,” and therefore unaffected by, an appeal. Such collateral
5 matters specifically include attorney’s fees⁵ and contempt proceedings. Contempt proceedings were
6 directly addressed in *Mack-Manley v. Manley*,⁶ where the Nevada Supreme Court directly addressed
7 the power of district courts to hold proceedings for contempt, and issue orders accordingly, while
8 a case is on appeal.

9 Pursuant to *Mack-Manley*, new motions directly addressing issues raised on appeal would
10 require recourse to the procedures for seeking a limited remand detailed in *Huneycutt*.⁷

11 The question here is a bit more subtle, however: it is whether enforcement of the existing
12 orders, in part holding Scotlund in contempt for failing to pay ordered child support, would so
13 necessarily “affect the merits” of the pending appeal that the Court is obliged to direct counsel to
14 seek such a remand before either hearing the motion or granting the requested relief.

15 We don’t think so. The Nevada Supreme Court has repeatedly held that money is fungible,
16 and the legal issue of propriety of Scotlund’s refusal to comply with court orders will live on quite
17 well whether or not we actually manage to undo some of the harm he has done to his ex-wife and
18 children pending appellate review. The “object of the appeal” was not and is not imperiled by any
19 of the enforcement actions we seek.

20 In *any* event, however, the Court can conduct the Evidentiary hearing as it relates to
21 Scotlund’s contempt. Since the Court does not yet know whether it would be inclined to grant the
22

23 ⁴ *Kantor v. Kantor*, 116 Nev. 886, 8 P.3d 825 (2000); *Bongiovi v. Bongiovi*, 94 Nev. 321, 322, 579 P.2d 1246,
24 1247 (1978).

25 ⁵ *Kantor v. Kantor*, 116 Nev. 886, 8 P.3d 825 (2000).

26 ⁶ *Mack-Manley v. Manley*, 122 Nev. 849, 138 P.3d 525 (2006).

27 ⁷ *Huneycutt v. Huneycutt*, 94 Nev. 79, 575 P.2d 585 (1978).

1 substantive relief requested, it is free regardless of the appeal to proceed until it makes that
2 determination. Specifically, as stated in *Foster v. Dingwall*,⁸ even if this Court determined that the
3 liability request was *not* “collateral to and outside the scope of” the appeal, “the district court
4 nevertheless retains a limited jurisdiction to review motions made in accordance with [the
5 *Huneycutt*] procedure.”

6 *Foster* repudiated any implication from prior decisions indicating that district courts might
7 not be able to enter an order granting *or* denying such a motion.⁹ Even if this contempt question *was*
8 directly an issue on appeal (and it is not), the Court would have jurisdiction to hear the evidence,
9 after which it could enter an order *denying* the contempt, or certify its intent to find Scotlund in
10 contempt, and direct the moving party to seek a remand for entry of the order.

11 The answer to the second question (if the Court determines that it is inclined to grant the
12 requested relief, whether a *Huneycutt* remand would be required) is also “no.” There is no precisely
13 on-point authority, either way, leaving the question to this Court’s determination of logic and policy.
14 However, on the facts of this case, no application for remand, or remand would be necessary in order
15 for the Court to find Scotlund in contempt for his failure to follow Court Orders, because the merits
16 of the appeal are entirely unaffected by the contempt proceedings.

17 The existing orders clearly dictates that Scotlund was to pay child support. The most recent
18 *Order* establishes the amount that he is to pay. He is currently paying nothing. This is contempt on
19 its face. It is clear, from Scotlund’s behavior that he has no intentions of *ever* paying the ordered
20 child support, and is deliberately moving to evade the Court’s order through vexatious litigation,
21 stalling and delay. The last thing that Justice needs is any assistance in that evasion and delay.

22
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25 _____
⁸ *Foster v. Dingwall*, 126 Nev. ___, 228 P.3d 453 (Adv. Opn. No. 5, Feb. 25, 2010).

26
27 ⁹ See *Mack-Manley v. Manley*, 122 Nev. 849, 855, 138 P.3d 525, 529-30 (2006); *Kantor v. Kantor*, 116 Nev.
886, 894-95, 8 P.3d 825, 830 (2000); *Rust v. Clark Cty. School District*, 103 Nev. 686, 688, 747 P.2d 1380, 1382 (1987).

1 **IV. SCOTLUND IS AWARE THAT HE WOULD NEED AN ORDER TO STAY**
2 **PROCEEDINGS**

3 Scotlund completely understands that this Court can continue with the contempt proceedings
4 and actually sought relief from the Supreme Court, demanding a decision by October 15, 2012. The
5 Supreme Court has not responded, which means this Court is free to hold its evidentiary hearing as
6 it was originally scheduled. There is no prejudice in holding the hearing as scheduled since all
7 parties should have been prepared to proceed.

8 The contempt proceedings are collateral to the appeal and are linked to the enforcement of
9 the existing orders. This Court is well aware that NRCPC 62(d) requires that Scotlund post a
10 supersedeas bond – usually in the amount of the judgment – before any stay would be considered or
11 would be effective. Scotlund has never posted any bond for the hundreds of thousands of dollars of
12 judgments against him. Until and unless he does so, the judgment is enforceable in any state – not
13 just Nevada – even if the matter is on appeal.¹⁰

14 This Court has effectively granted a *Motion* that is properly before the Supreme Court. In
15 other words, the Court has exceeded its jurisdiction by granting a stay and vacating the evidentiary
16 hearing properly set in this action. This punishes the innocent in favor of the criminal.¹¹

17 **V. CONCLUSION**

18 It is clear that the Nevada Rules of Civil Procedure and the cases decided by the Supreme
19 Court allow this Court to proceed in the contempt action. The minute order entered on October 11,
20

21 *****

22 *****

23 *****

24 _____
25 ¹⁰ See *Segal v. Segal*, 264 Conn. 498, 823 A.2d 1208 (2003), Nevada order was enforceable...while that
26 judgment was on appeal because the judgment debtor had failed to provide the security required under this rule.

27 ¹¹ We use the term “criminal” advisedly, as Scotlund’s child support arrears are in excess of both State and
28 Federal felony criminal thresholds; the failure to date of the relevant authorities to prosecute certainly does not mean that
the crime has not been committed – only that, to date, Scotlund has gotten away with it.

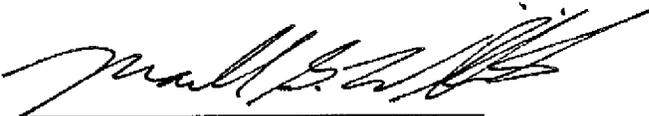
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2012, should be vacated and the evidentiary hearing should be heard immediately or as soon as the Court can schedule the same.

Any further delay only rewards Scotlund for his heinous behavior.

DATED this 17th day of October, 2012.

WILLICK LAW GROUP



MARSHAL S. WILLICK, ESQ.
Nevada Bar No. 002515
3591 East Bonanza Road, Suite 200
Las Vegas, Nevada 89110-2101
(702) 438-4100
Attorneys for Defendant

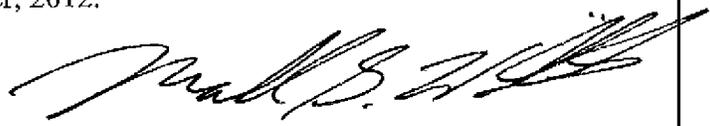
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DECLARATION OF MARSHAL S. WILLICK, ESQ.

1. I, Marshal S. Willick, Esq., declare that I am competent to testify to the facts contained in the preceding filing on behalf of my client.
2. I have read the preceding filing, and the factual averments contained therein are true and correct to the best of my knowledge, except those matters based on information and belief, and as to those matters, I believe them to be true.
3. The factual averments contained in the preceding filing are incorporated herein as if set forth in full.
4. Defendant currently resides outside the County of Clark, State of Nevada, and under NRS 15.010, I sign this Declaration on her behalf and at her specific direction.

I declare under penalty of perjury under the laws of the State of Nevada (NRS 53.045 and 28 U.S.C. § 1746), that the foregoing is true and correct.

EXECUTED this 17th day of October, 2012.



MARSHAL S. WILLICK, ESQ.

P:\wp13\VAILE\00012206.WPD

DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

ROBERT SCOTLUND VAILE,)
Plaintiff/Petitioner)
)
-vs-)
)
CISILIE A. PORSBOLL,)
Defendant/Respondent)
)

CASE NO. 98-D-230385-D
DEPT. I

**FAMILY COURT MOTION/OPPOSITION
FEE INFORMATION SHEET (NRS 19.0312)**

Party Filing Motion/Opposition: Plaintiff/Petitioner Defendant/Respondent

MOTION FOR RECONSIDERATION AND/OR SET ASIDE OF MINUTE ORDER OF OCTOBER 11

Motions and Oppositions to Motions filed after entry of final Decree or Judgment are subject to the Re-open filing fee of \$25.00, unless specifically excluded. (See NRS 19.0312)

Excluded Motions/Oppositions

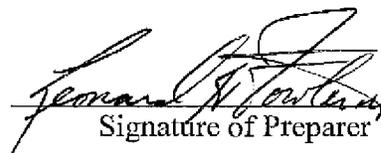
- Motions filed before final Divorce/Custody Decree entered (Divorce/Custody Decree is NOT final)
- Child Support Modification **ONLY**
- Motion/Opposition for Reconsideration (Within 10 days of Decree)
Date of Last Order OCTOBER 11, 2012
- Request for New Trial (Within 10 days of Decree)
Date of Last Order _____
- Other Excluded Motion _____
(Must be prepared to defend exclusion to Judge)

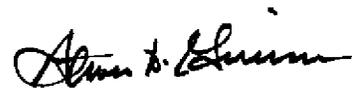
Note: If no boxes are checked, filing fee **MUST** be paid.

Motion/Opp IS subject to \$25.00 filing fee Motion/Opp IS NOT subject to filing fee

Date: OCTOBER 17, 2012.

Leonard H. Fowler III
Printed Name of Preparer


Signature of Preparer



CLERK OF THE COURT

OPPS

Robert Scotlund Vaile
PO Box 727
Kenwood, CA 95452
(707) 833-2350
Plaintiff in Proper Person

**IN THE EIGHTH JUDICIAL DISTRICT COURT OF THE
STATE OF NEVADA IN AND FOR
THE COUNTY OF CLARK**

ROBERT SCOTLUND VAILE,
Plaintiff,

CASE NO: 98 D230385
DEPT. NO: I

vs.

CISILIE A. PORSBOLL,
Defendant.

***OPPOSITION TO DEFENDANT'S MOTION FOR RECONSIDERATION
AND/OR SET ASIDE MINUTE ORDER OF OCTOBER 11, 2012***

I. INTRODUCTION

In her pending motion, Defendant argues that this Court has exceeded its jurisdiction by granting a stay of the case on its own motion. Contrarily, Defendant requests that the Court grant her instant motion, and to allow Defendant to continue to prosecute additional pending motions. Because the subject matter on appeal to the Nevada Supreme Court is clearly intertwined with the matters Defendant seeks to pursue, the Court's stay is appropriate and should stand.

1 **II. ARGUMENT**

2 **A. THE COURT'S STAY WAS NOT AN AUTOMATIC STAY**

3 It is a mystery as to why Defendant has argued at some length the fact that
4 filing an appeal does not affect an automatic stay of the proceedings in the district
5 court. Neither Plaintiff, nor the Court, has asserted that the stay issued was
6 automatic. If the stay had been automatic with the filing of the appeal, Mr. Vaile
7 would not have specifically requested a stay of both the proceedings and the
8 enforcement of the eventual order during the April 9, 2012 hearing,¹ nor would he
9 have asked the Nevada Supreme Court to issue a stay of the case. If a stay had
10 been automatic, the minute order issued by the Court to which Defendant takes
11 exception would have been wholly unnecessary. In short, no-one has argued that
12 the stay was automatic.
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17 It does not matter whether the Court determined to grant Mr. Vaile's request
18 of the stay made during the April 9, 2012 hearing, or determined that the stay was
19 appropriate based on the appealable matters before the Nevada Supreme Court.
20 When the stay is granted based on motion, it cannot be construed as automatic.
21
22

23 **B. A STAY IS APPROPRIATE GIVEN THE SUBJECT MATTER ON APPEAL**

24 The only argument that Defendant can muster in support of reconsideration
25 of the Court's decision to stay the case is that attorneys fees and contempt
26 proceedings are "collateral to and in no way affected by the merits of the appeal."
27

28 _____
¹ This request took place at time index 13:02:24 during the April 9, 2012 hearing.

1 While this vague proposition may be accurate in some cases, Defendant well
2 knows that it is certainly not true for this case. The substantive matters on appeal
3 in this case are central to the Court's grant of attorneys fees as well as the
4 contempt proceedings against Mr. Vaile previously scheduled for October 22.
5 Specifically, Mr. Vaile has asked the Supreme Court to review whether attorneys
6 fees may be granted to the non-prevailing party and whether the Court properly
7 applied NRS 130.207 as directed by the Nevada Supreme Court. The contempt
8 that Defendant has requested the Court to find against Mr. Vaile is based on
9 whether the Norwegian child support orders which Defendant sought in Norway
10 are controlling. Clearly the high court's determination of this matter is central to
11 whether Mr. Vaile can be held in contempt for insufficient payment of child
12 support under the 1998 Nevada decree which was not controlling at the time.

17 There may be cases where a district court's determination of attorneys fees
18 or contempt proceedings may be collateral to and unaffected by the underlying
19 issues on appeal. Here, the granting of attorneys fees and the holding of Mr.
20 Vaile in contempt are two of the very core subjects before the Nevada Supreme
21 Court on appeal. It would be impossible for the Court to make any determination
22 on these matters that would not be wholly intertwined with the matters on appeal.
23 Clearly, a stay of the case is appropriate to avoid conflict with the jurisdiction of
24 the Nevada Supreme Court on appeal.
25
26
27
28

1 0001

2 Robert Scottlund Vaile
3 PO Box 727
4 Kenwood, CA 95452
5 (707) 833-2350
6 In Proper Person

7 DISTRICT COURT
8 CLARK COUNTY, NEVADA

9 Robert Scottlund Vaile

10 Plaintiff(s),

11 -vs-

12 Cisilie A. Porsboll

13 Defendant(s).

CASE NO. 98D230385

DEPT. NO. 1

14 FAMILY COURT
15 MOTION/OPPPOSITION FEE
16 INFORMATION SHEET
17 (NRS 19.0312)

18 Party Filing ~~Motion~~/Opposition: Plaintiff/Petitioner Defendant/Respondent

19 MOTION FOR OPPOSITION TO Defendant's Motion for Reconsideration and/or
20 Set Aside Minute Order of October 11, 2012

21 **Motions and**
22 **Oppositions to Motions**
23 **filed after entry of a final**
24 **order pursuant to NRS**
25 **125, 125B or 125C are**
26 **subject to the Re-open**
27 **filing fee of \$25.00,**
28 **unless specifically**
excluded. (NRS 19.0312)

NOTICE:

If it is determined that a motion or opposition is filed without payment of the appropriate fee, the matter may be taken off the Court's calendar or may remain undecided until payment is made.

Mark correct answer with an "X."

1. No final Decree or Custody Order has been entered. YES NO
2. This document is filed solely to adjust the amount of support for a child. No other request is made. YES NO
3. This motion is made for reconsideration or a new trial and is filed within 10 days of the Judge's Order If YES, provide file date of Order: October 11, 2012 YES NO

If you answered YES to any of the questions above, you are not subject to the \$25 fee.

Motion/Opposition IS IS NOT subject to \$25 filing fee

Dated this 23 of October, 20 12

Printed Name of Preparer

/s/ R. S. Vaile
Signature of Preparer

FILED
OCT 29 2012

Ann L. Blum
CLERK OF COURT

ORIGINAL

EIGHTH JUDICIAL DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA

ROBERT S. VAILE,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 98D230385
)	
CISILIE A. VAILE,)	DEPT. I
)	
Defendant.)	(ERRATA RE: PAGE 283 ONLY)

BEFORE THE HONORABLE CHERYL B. MOSS, DISTRICT COURT JUDGE

TRANSCRIPT RE: EVIDENTIARY HEARING - VOL. II

THURSDAY, SEPTEMBER 18, 2008

APPEARANCES:

For the Plaintiff:	ROBERT S. VAILE Pro Se
For the Defendant:	MARSHAL S. WILLOCK, ESQ. JOSEPH W. RICCIO, ESQ.
Also present:	LEONARD FOWLER

CROSS EXAMINATION

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BY MR. WILLICK:

Q Cisilie, hello. It's Marshal.

A Hello.

Q Let's go over this in turn. Did you ever give Scotlund any legal advice as to his duty to pay child support?

A No, I didn't give him legal advice. No.

Q Did you ever tell him not to pay you child support?

A No.

Q Did you ever intentionally relinquish your right to receive child support on behalf of the children?

A No.

Q Did Scotlund pay you any child support from the time of the kidnaping through when the DA started --

MR. VAILE: Objection.

THE COURT: What's the objection?

MR. VAILE: The objection is that he is -- he is phrasing the return of the children to the United States as kidnaping, Your Honor.

THE COURT: Sustained. You can use another word.

MR. WILLICK: That's a holding of the Nevada Supreme Court.

MR. VAILE: It is not a holding. It's language that they use.

1 THE COURT: I don't want to look it up --
2 MR. VAILE: It's not a holding.
3 THE COURT: -- but just can we -- just to speed it up.
4 And -- and I can look it up later.
5 MR. WILLICK: Fine.
6 THE COURT: I'll sustain it for now --
7 MR. WILLICK: Okay. Here, I'll tell you what --
8 THE COURT: -- and you can show me --
9 MR. WILLICK: -- I'll make this -- I'll do it this
10 way.
11 Q Cisilie, were the children kidnaped from you in
12 Norway?
13 A Yes.
14 Q From the time of the kid- --
15 MR. VAILE: Objection.
16 THE COURT: And now in what sense? In her eyes?
17 MR. VAILE: Your Honor, it's a -- kidnaping is a --
18 THE COURT: In her view or in the Supreme Court --
19 MR. WILLICK: I've got her on the --
20 MR. VAILE: -- is a legal conclusion.
21 THE COURT: Technically --
22 MR. VAILE: It's -- Cisilia is not qualified to make
23 that.
24 MR. WILLICK: He didn't --

1 THE COURT: -- she used the word kidnaping more than
2 like half a dozen times and you didn't object to her using it.

3 MR. VAILE: No, but it wasn't -- it wasn't Cisilia
4 using it.

5 MR. WILLICK: He --

6 THE COURT: She did it. She said it in her -- many
7 times in her testimony. Anyway --

8 MR. WILLICK: May I move on?

9 THE COURT: -- I -- I understand you two beg to differ
10 on the words -- you can prove it to me later.

11 MR. WILLICK: Fine.

12 THE COURT: I'll just -- we the know the children were
13 turned back to Nevada.

14 MR. WILLICK: Well --

15 THE COURT: Sustain it for now. You find me the --

16 MR. WILLICK: There's no other word for it.

17 THE COURT: I mean, it -- whether the use of the word
18 or another word, I don't think it impacts on my decision today.

19 MR. WILLICK: Fine.

20 THE COURT: Thank you.

21 Q From the time the children were removed without your
22 consent and from your custody in Norway in 2002 --

23 MR. VAILE: Objection.

24 MR. WILLICK: Oh, for Christ sake.

1 MR. VAILE: He's -- he is misstating --

2 THE COURT: Now --

3 MR. VAILE: -- what happened.

4 THE COURT: -- I'll sustain it. It's not any
5 different than the last argument, but again, it will not impact
6 -- the -- I'm here to see if he paid his child support or not.

7 MR. WILLICK: I'm trying to establish -- this is
8 foundational.

9 THE COURT: Okay. If you want to go into foundation.
10 If you really want to -- if you really want to make a record of
11 it, then you have to prove to me the Supreme Court used that
12 term.

13 MR. WILLICK: Under Nevada Supreme Court under the
14 heading wrongful removal, having concluded the children's
15 habitual residence is Norway and must determine whether or not
16 Scotlund wrongfully removed the children from that -- from that
17 country. Under the Hague Convention, a removal or retention of
18 a child is wrongful if it violates the custody rights of another
19 person that were actually being exercised at the time of the
20 removal retention or would have been exercised but for the
21 removal, Hague Convention. Then they go down and they use the
22 word kidnaping in both the opening and in the holding, which I
23 will -- because Scotlund removed the children from their
24 habitual residence while Cisilie was validly exercising custody

1 rights over the children, because he removed the children under
2 the false pretense of a valid custody order, Scotlund wrongfully
3 removed the children from Norway. Under the terms of the Hague
4 Convention, the children must be returned in Norway, et cetera.

5 MR. VAILE: If -- if --

6 THE COURT: All right.

7 MR. WILLICK: So --

8 MR. VAILE: -- it's an issue of wrongful removal, Mr.
9 Willick can use those terms. I didn't object to that

10 Q From the time the children were wrongfully removed
11 from your custody in April of 2000 through the time that the
12 district attorney began to garnish Scotlund's wages in June or
13 July of 2006, did he pay any child support?

14 A Oh, from -- from -- the child were kidnaped until --
15 in 2006?

16 MR. VAILE: Objection, Your Honor.

17 Q Yes, that was the --

18 A No, he didn't pay the child support.

19 MR. VAILE: Objection.

20 THE COURT: What are you objecting to?

21 MR. VAILE: Cisilia is using -- using it now that
22 Willick's been prevented.

23 MR. WILLICK: He doesn't like the terminology. He
24 doesn't have to like it. He did it.

1 THE COURT: I don't care what you guys like or don't
2 like. Just -- I -- I understand.

3 MR. WILLICK: Thank you.

4 THE COURT: If she's used it in her testimony before
5 and you didn't object to a single use of the word, it's not
6 relevant to me.

7 MR. WILLICK: Thank you.

8 Q So the question was did you get any child support
9 during that period? And your answer was?

10 THE COURT: From April 2000 till July of '06?

11 MR. WILLICK: June or July of 2006.

12 THE COURT: Okay.

13 A No, I didn't.

14 Q Okay. And again, you had not told him to not pay you
15 child support during that period?

16 A No.

17 Q Did he ever pay the 2003 order requiring him to pay
18 the \$116,000 in attorney's fees that you suffered when recover -

19 -

20 MR. VAILE: Objection, Your Honor. That is outside
21 the scope of today. You've already said that we're not visiting
22 that issue in today's hearing.

23 MR. WILLICK: No, that's not what you said.

24 THE COURT: No, no, no.

1 MR. WILLICK: You said that you weren't going to hold
2 it in contempt --

3 MR. VAILE: He's not --

4 MR. WILLICK: -- for not ordering so. The question of
5 whether or not --

6 THE COURT: It can go to willful conduct. Overruled.

7 MR. VAILE: This is about attorney's fees though.

8 THE COURT: Huh?

9 MR. WILLICK: Right.

10 MR. VAILE: This is about --

11 THE COURT: It also goes to your child support. It
12 can -- it can be related to --

13 MR. VAILE: He --

14 THE COURT: -- willful conduct that they're trying to
15 prove.

16 MR. VAILE: He asked about attorney's fees, Your
17 Honor, and not child support.

18 THE COURT: Yes, I know it's about attorney's fees.

19 Q Did you get any payments of any kind to against the --

20 THE COURT: I -- I mean, let me see if I can explain
21 to him. They're trying to prove he acted willfully, some kind
22 of misconduct or whatever. It would be relevant too if there
23 was -- if there was a judgment and you didn't pay on that.

24 MR. VAILE: But Your Honor, if -- if that is their --

1 their purpose, is to show that by --

2 THE COURT: A pattern of conduct is what they're
3 trying to show.

4 MR. VAILE: -- that by -- that by not paying
5 attorney's fees, that that -- that means it was willful. That
6 is character evidence and that's --

7 THE COURT: That's a matter of weight for me to
8 decide. But see, evidence is -- is -- relevance is very broad
9 too.

10 MR. WILLICK: This is a fact question.

11 THE COURT: So --

12 MR. VAILE: I'm -- I'm going to object to the -- to
13 that as being character evidence based on your characterization.

14 THE COURT: But they're trying -- I guess -- I don't
15 want to speak for him and I --

16 MR. WILLICK: I know.

17 THE COURT: -- want to do these speaking objections.

18 MR. WILLICK: You don't have to explain this to him.

19 THE COURT: Let me just make a record. Overruled.

20 MR. WILLICK: Thank you.

21 THE COURT: Then you may ask the question.

22 Q Are you familiar, Cisilie, with the 2003 order for
23 \$116,000 in attorney's fees?

24 A Yes.

1 Q Do you remember that those were the fees that were
2 incurred in recovering the children?

3 A Yes.

4 Q Did you get any money from Scotlund ever against that
5 order from 2003?

6 A No.

7 Q Did you ever tell him not to pay that?

8 A No.

9 Q Do you want Scotlund to pay the back child support and
10 the 2003 attorney's fee award that you had to incur to recover
11 the children?

12 A Yes.

13 Q Do you believe that if he was held in contempt and
14 confined until he posted payment of the money that he owed, he
15 would have the means to do so?

16 A Yes.

17 MR. WILLICK: Nothing further of this witness.

18 THE COURT: Any redirect, Mr. Vaile?

19 MR. VAILE: Yes, ma'am.

20 THE COURT: Okay.

21 REDIRECT EXAMINATION

22 BY MR. VAILE:

23 Q You indicated that if I was confined, I would have the
24 means to -- to pay. Can you explain what supports that -- that

1 conclusion?

2 A I -- during our marriage, I supported you for six
3 years to get your master's degree. And now I learn that you
4 also have gotten another degree in -- in law. And the -- and
5 that the -- I don't know anyone who has as high an education as
6 you do and you're very, very capable of -- of working. You're
7 very smart and -- so you're very capable -- capable of getting a
8 very good job.

9 MR. VAILE: Your Honor, I think that was non-
10 responsive. I'm going to ask that it be --

11 THE COURT: Sustained. I'll disregard.

12 MR. VAILE: -- be struck.

13 Q Cisilie, do you know of -- of any funds that -- that I
14 have that I could pay toward the -- the 116,000 that's owed in
15 back attorney's fees?

16 A I -- I don't know much about your financial situation.
17 I just know that you're very capable of -- of having, you know,
18 of earning good money, and yes, that's basically it. I -- I
19 don't have any --

20 Q Thank you for your vote of confidence.

21 A -- any records of your -- your income or your estate
22 or anything.

23 MR. VAILE: That's all I have, Your Honor.

24 THE COURT: Mr. Willick?

1 MR. WILLICK: Nothing further from this witness. I
2 thank the witness for staying up at this hour.

3 THE COURT: It's 9:00 there now. Thank you, Cisilia.

4 A You're welcome.

5 THE COURT: Okay. We're going to hang up now.

6 A Okay.

7 THE COURT: And it's --

8 A Okay. Thank you.

9 THE COURT: -- it's lunch time -- it's lunch time --

10 A Bye-bye.

11 THE COURT: -- here for us anyway. Okay.

12 MR. WILLICK: Goodnight.

13 THE COURT: Bye-bye. All right. So housekeeping?

14 Come back in an hour; 1:15?

15 MR. WILLICK: Your call, Your Honor.

16 THE COURT: Okay.

17 MR. WILLICK: 1:15?

18 THE COURT: Yes.

19 MR. WILLICK: Okay. See you then. Thank you.

20 THE COURT: Thank you. We'll go off. Are we off?

21 (Off record)

22 (On record)

23 THE COURT: We on?

24 THE CLERK: We're back on, yes.

1 THE COURT: We're back on. We just finished with
2 Cisilie. So you're next -- it would be your first witness. Oh,
3 you want to do opening statements?

4 MR. WILLICK: I'll think we'll waive at this point,
5 Your Honor. I -- I hate to give an opening statement four hours
6 into an argument.

7 THE COURT: Well, let me ask Mr. Vaile.

8 MR. VAILE: That's fine.

9 THE COURT: Okay. So we're just going to save it all
10 for closing argument. Okay.

11 MR. WILLICK: Seems reasonable.

12 THE COURT: Pull my trial notes back up. And it would
13 be Mr. Willick's case in chief. And you want to call a witness?

14 MR. WILLICK: Mr. Vaile.

15 THE COURT: Okay. The plaintiff will take the stand.
16 And Mr. Vaile, you understand we administered the oath earlier -
17 -

18 MR. VAILE: Yes, ma'am.

19 THE COURT: -- and that you're under oath. Okay. I
20 have to go on the server now, because these things crash. Hang
21 on. Alphabetical -- I just lost my trial notes. Where are
22 they? Transferred files. They're probably here. No, it's not
23 there. Yikes. Okay, I know I saved it somewhere. Ah, under
24 Judge Moss folder. Okay. Direct examination.

1 SCOTLUND VAILE

2 having been called as a witness by Defendant and being first
3 duly sworn, testified as follows:

4 DIRECT EXAMINATION

5 BY MR. WILLICK:

6 Q Let's start with an income recap. You were in England
7 around 1998. You were making 70 pounds per hour?

8 THE COURT: 70 pounds per hour?

9 MR. WILLICK: Pounds sterling, Your Honor.

10 THE COURT: They weren't on the euros then? 199 --

11 MR. WILLICK: Yeah, England still isn't I don't think.

12 THE COURT: 1989..

13 A So --

14 THE COURT: Translate that in U.S. dollars.

15 MR. WILLICK: I'm getting to that next.

16 THE COURT: Okay.

17 A So during 1998, I made a job transition.

18 Q To Warburg (phonetic); right?

19 A To -- to contract to Warburg; correct.

20 Q At that point you were making 70 pounds per hour?

21 A That's correct.

22 Q And the pound is worth about what in dollars?

23 A 70 pounds was about \$100 an hour.

24 Q That was a full time job?

1 A It was not a full time job. It was actually contract
2 work so --

3 Q So what was your annual salary 1998?

4 A I actually don't recall what my total salary was, but
5 I -- I submitted my -- my social security income statement.
6 Whatever that records would be accurate.

7 Q If I suggested to you it was in excess of \$100,000,
8 would that sound right to you?

9 A Yes.

10 Q Which brings us to 1999. And you were still in a
11 similar position?

12 A Yes.

13 Q Making similar money?

14 A Yes.

15 Q 2000, at that point you went off to Texas?

16 A Correct.

17 Q What point in 2000?

18 A May.

19 Q Okay. So the first half of the year, you had the old
20 job?

21 A No, I actually stopped consulting in February I
22 believe.

23 Q Okay. So a couple of months. And then from February
24 on?

1 A So February through May, I didn't actually have
2 employment.

3 Q All right. And then after you went Texas, you
4 consulted for several companies including the Bank of America
5 and a staffing company in Dallas?

6 A Correct.

7 Q You were making about \$50 an hour at that point?

8 A The -- the contracts varied, but that would have been
9 about the right range.

10 Q Okay. Do you have an estimate for your annual income
11 in 2000?

12 A I believe in -- I actually don't -- I actually don't
13 remember what my income was, but again, it's -- whatever I
14 submitted in my documentation would be accurate.

15 Q Well, which documentation are you referencing?

16 A I submitted my social security income statement.

17 Q To whom?

18 A To the court and copied you on it.

19 Q Which court?

20 A This court.

21 THE COURT: You mean his tax return?

22 Q I'm -- I'm a little confused. I'm really not sure
23 what you're talking about. What -- what documentation are you
24 referencing?

1 THE COURT: Income information.

2 A Yeah. I -- I believe it was in support of my motion
3 for sanctions.

4 THE COURT: Was it a W-2, was it a tax return?

5 A No, it was a social security income statement.

6 THE COURT: Oh, social security income statement. Is
7 that that -- the --

8 A That basically gives your annual income every year
9 since you've been working.

10 THE COURT: Purposes of earning credits. Right.

11 MR. WILLICK: Can I ask the court's indulgence just a
12 moment?

13 THE COURT: Sure. Would it be faster if you can find
14 it if it was attached?

15 MR. WILLICK: Is there any kind of attachments?

16 Q Mr. Vaile, I -- and again, I'm not -- I'm not
17 trying to be argumentative. I really don't know the piece of
18 paper you're referencing. If I showed you a couple of pieces of
19 paper that you filed, could you possibly tell me what you're
20 talking about?

21 A Sure.

22 Q I have here a motion for reconsideration to amend --

23 THE COURT: You should motion for sanctions. It was a
24 motion for sanction. Was it the renewed motion?

1 MR. WILLICK: It was supplemental exhibits for motion?

2 A That was probably it. Let's see.

3 THE COURT: Okay.

4 A Exhibit F of that document.

5 Q And this purports to be a social security credit, but
6 these would be your social security wages, which are not always
7 exactly the same as your total wages, but this is what you're
8 referencing?

9 A Yes.

10 Q I don't -- according to -- yeah, see that's what I was
11 talking about. In 1999, you just testified a moment ago you made
12 about 100 grand, but this shows your social security earnings of
13 \$541. So it's not exactly accurate in terms of what you
14 actually made; right?

15 THE COURT: For 2000 it showed what?

16 MR. WILLICK: For 1999 --

17 THE COURT: Oh.

18 MR. WILLICK: -- it shows total social security wages
19 of \$541.

20 A If I could look at that document.

21 Q Sure. I'm sorry, this is the only copy of this I
22 have.

23 A Okay. I think that the reason that the social
24 security earnings show that amount is that it's based on income

1 tax --

2 Q Exactly. You were working out of the country.

3 A Yes.

4 Q And so that wouldn't necessarily reflect your actual
5 wages. You -- you just testified your actual wages. That only
6 has to do with social security earnings which isn't exactly the
7 same thing.

8 THE COURT: Yeah.

9 A So it would probably be an accurate picture of my
10 earnings while I was working the entire year in the U.S.

11 Q All right. So you -- I think you testified that you
12 worked a couple of months in 2000 in -- overseas. And then you
13 didn't do anything for a few months. And then you did the job
14 you were just talking about in Texas; right?

15 A Yes.

16 Q So where it says your total earnings for the year were
17 4,000 and change, that's probably not accurate. You probably
18 made more than that in January and February.

19 A That's probably true.

20 Q So at this point as you sit here, do you know how much
21 your total income was for the year 2000?

22 A No, but --

23 Q You happen to have records that would show that
24 anywhere?

1 A I do not.

2 Q Well, according to this -- well, if I -- if I followed
3 your -- your chronology, you were in Texas in the year
4 2000.

5 A That's correct.

6 Q So all of 2001 you were in Texas?

7 A Yes.

8 Q Well, this thing that you've provided says that you
9 made 53,7 that year. Do you think that's accurate?

10 A Yes.

11 THE COURT: How much was it?

12 MR. WILLICK: According to this, Your Honor, 53,7.

13 THE COURT: Thank you.

14 Q And then in 2002, it says 67. Do you think that was
15 accurate?

16 A Yes.

17 Q In '03, it says 87. Well, actually, you know, it --
18 this is where the numbers start to diverge. In 2003, according
19 to the document you provided, it shows \$87,000 in taxed social
20 security earnings and \$106,000 in taxed Medicare earnings.

21 A Yeah, I -- I'm no tax expert, but I believe that the -
22 - I believe the social security is only taxed up to a certain
23 amount and then the other column shows the FICA taxes or
24 something -- or taxed up to your full income.

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Q So --

A I think --

Q -- this isn't really a -- a matter of income. This is a matter of taxed income.

A For the -- the column on the right with the larger of the two sums, which show actual total income, because FICA is -- is -- my understanding is that that is deducted from your entire income. So that would be accurate.

Q Well, according to this chart, it says in '03, you had 106.

A And that sounds right.

Q Okay. And then in '04, according to this chart, it says you had 62,4. Do you believe that to be accurate?

A That sounds right.

Q And in 2005, it showed a zero.

A Okay.

Q Is that accurate?

A Yes.

Q All right. Well, let's back up for a minute. Do you remember having your deposition taken during the tort suit while you were living in Boise in May of '03?

A Yes.

Q And at that point, you said that your income was 100,000 plus or minus.

1 A Correct.

2 Q And that's the year that your tax form show 106?

3 A Right.

4 Q And I'm just trying to correspond the records.

5 A So I started -- what -- what month did you say the
6 deposition was taken?

7 Q May 14th, 2003.

8 A Okay. So I had worked at Idaho Power since mid or
9 late July of 2002. So almost about 10 months at that point.

10 Q Okay. So half of 2002 and all of 2003 you were
11 working that job?

12 A Yes.

13 Q What happened in '04? Where did you go?

14 A I started law school.

15 Q In '04?

16 A Yeah.

17 Q What month?

18 A August.

19 THE COURT: Where did you go to law school?

20 A I took my first year at McGeorge in Sacramento. And -
21 - and then I transferred to Washington and Lee, which was in
22 this school in Virginia.

23 MR. WILLICK: I'm sorry, Your Honor. I didn't want to
24 interrupt if you --

1 THE COURT: No, no, no. I just wanted to know. Thank
2 you.

3 Q Your -- your law school career then went from August
4 of '04, three consecutive years?

5 A Yes.

6 Q Graduating in May of --

7 A '07.

8 Q -- '07. Did you work at all during your law school
9 career?

10 A Yes.

11 Q And starting with McGeorge, where were you working?

12 A I didn't work at all while I was at McGeorge. That
13 was my first year.

14 Q And during the summer; nothing? What about -- well,
15 when did you move?

16 A Summer between -- I guess that would have been summer
17 of '05.

18 Q So you moved during the summer. Were you employed
19 that summer?

20 A No.

21 Q Did you work during the school year in '05?

22 A A little bit, yeah.

23 Q Doing what?

24 A Sober driving.

1 Q I'm sorry?

2 A They call it sober driving. So on campus when --

3 THE COURT: Oh, sober driving.

4 A -- the fraternities or sororities have parties, they

5 need --

6 THE COURT: Rides home.

7 A -- nondrinkers to --

8 Q Designated drivers.

9 A -- provide -- yeah, rides to students.

10 Q So what kind of income did you have for '05?

11 A So that -- is it not shown there?

12 Q No, this has a zero number.

13 A Oh. I'm really not sure.

14 THE COURT: That must have been fun driving home drunk

15 college kids.

16 A It wasn't bad.

17 THE COURT: It wasn't bad. Did you get paid in cash?

18 A No.

19 THE COURT: Or the company paid you?

20 A It was actually sponsored by the university.

21 THE COURT: Was there any -- so was there any

22 remuneration for that?

23 A It's -- actually, could I see that document again?

24 Q This is mine?

1 THE COURT: Yes, you may approach the witness.

2 A Okay. Actually, I don't think I started with -- with
3 the -- the program, the sober driving program in 2005. It
4 actually started in 2006.

5 Q Okay. I -- I -- again, I wasn't -- I'm not trying to
6 be tricky. I'm just trying to get the -- the chronology. So
7 '05, during the summer, you moved to Virginia?

8 A Yes.

9 Q And you weren't employed that summer at all?

10 A That's correct.

11 Q But during the school year, did you have any
12 employment?

13 A I don't believe it started until after the new year.

14 Q So --

15 A So starting in 2006.

16 Q So your -- your testimony today is you had zero income
17 in '05?

18 A That's correct.

19 Q Okay. In '06, what sort of money did you get for
20 this?

21 A So I think it was \$75 for a four hour shift. And I
22 got a shift every two weeks, sometimes more if -- if somebody
23 needed to cancel.

24 Q So what was your estimated income in '06?

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