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Electronically Filed  
Aug 26 2019 02:00 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

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

IN THE MATTER OF THE  
JORDAN DANA FRASIER  
FAMILY TRUST

No. 77981

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AMY FRASIER WILSON,  
Appellant,  
vs.  
DINNY FRASIER; PREMIER  
TRUST, INC.; JANIE L.  
MULRAIN; NORI FRASIER;  
AND BRADLEY L FRASIER,  
M.D.,  
Respondents.

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***MOTION FOR SUBSTITUTION OF PERSONAL REPRESENTATIVE  
OF DINNY FRASIER PURSUANT TO NRAP 43(a)(1)***

COMES NOW, Stanley H. Brown, Jr. in his limited capacity as the  
Special Administrator of the Estate of Dinny Frasier, and hereby moves  
this Court to substitute him as Personal Representative of Dinny Frasier

in this above-captioned Appeal. This Motion is brought as a result of the death of Dinny Frasier on May 3, 2019, and this Court's Order of May 21, 2019. This Motion is based upon NRAP 43(a)(1) and the Points and Authorities attached hereto.

**DATED** this 26<sup>th</sup> day of August, 2019.

WALLACE & MILLSAP LLC

By: /s/ Patrick R. Millsap.  
Patrick R. Millsap, Esq.  
Nevada Bar No.: 12043  
Attorney for Dinny Frasier

## POINTS AND AUTHORITIES

As presented in the Suggestion of Death attached hereto as **Exhibit 1**, Ms. Dinny Frasier died on May 3, 2019. Therefore, the consequences of Ms. Frasier's death are set forth in NRAP 43(a)(1) as follows:

If a party dies after a notice of appeal has been filed or while a proceeding is pending in the Supreme Court or Court of Appeals, the decedent's personal representative may be substituted as a party on motion filed by the representative or by any party with the clerk of the Supreme Court.

Stanley H. Brown, Jr. was appointed by the Second Judicial District Court for the State of Nevada in and for the County of Washoe in Case No. PR16-00128 as Special Administrator of the Estate of Dinny Frasier, deceased, for the limited purpose of concluding this Appeal. See Order Appointing Special Administrator attached hereto as **Exhibit 2**.

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Therefore, Stanley H. Brown, Jr. should be appointed as Personal Representative of Dinny Frasier for the purpose of participating as a Respondent in the above-captioned Appeal in compliance with the Court's May 21, 2019 Order.

**DATED** this 26<sup>th</sup> day of August, 2019.

WALLACE & MILLSAP LLC

By: /s/ Patrick R. Millsap .

Patrick R. Millsap, Esq.

Nevada Bar No. 12043

Counsel for Personal

Representative Stanley H. Brown, Jr.

## CERTIFICATE OF SERVICE

I hereby certify I am an employee of Wallace & Millsap LLC and on the 26th day of August, 2019, a true and correct copy of the above *MOTION FOR SUBSTITUTION OF PERSONAL REPRESENTATIVE OF DINNY FRASIER PURSUANT TO NRAP 43(a)(1)* was e-filed and e-served on all registered parties to the Nevada Supreme Court's electronic filing system as listed below:

Kerry S. Doyle  
Doyle Law Office, PLLC  
4600 Kietzke Lane, Ste. I-207  
Reno, NV 89502

G. David Robertson, Esq.  
Robertson, Johnson, Miller, & Williamson  
50 West Liberty Street, Suite 600  
Reno, NV 89501

Michael A. Rosenauer  
Michael A. Rosenauer, Ltd.  
510 West Plumb Lane, Suite A  
Reno NV 89509

And by depositing for mailing in the U.S. mail, with sufficient postage affixed thereto, to all participants not registered for electronic filing:

Nori Frasier  
4372 Pacifica Way, Unit 3  
Oceanside, CA 92056

Bradley L. Frasier, M.D.  
3609 Vista Way  
Oceanside, CA 92056

**DATED** this 26th day of August, 2019.

/s/ Megan Wallace  
Megan Wallace

**EXHIBIT INDEX**

<b>EX No.</b>	<b>DESCRIPTION</b>	<b>PAGES</b>
1	Suggestion of Death	2
2	Order Appointing Special Administrator	3

# EXHIBIT 1

# EXHIBIT 1



1 CODE: 4080  
2 MICHAEL A. ROSENAUER, ESQ.  
3 State Bar No. 2782  
4 MICHAEL A. ROSENAUER LTD.  
5 510 West Plumb Lane, Suite A  
6 Reno, Nevada 89509  
7 (775) 324-3303 Telephone  
8 (775) 324-6616 Fax  
9 Attorney for Janie L. Mulrain attorney-in-fact  
10 For Mrs. Dinny Frasier

7 **IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF**  
8 **NEVADA IN AND FOR THE COUNTY OF WASHOE**

9 In the Matter of the Case No. PR16-00128  
10 JORDAN DANA FRASIER Dept. No. 15  
11 FAMILY TRUST

12 \_\_\_\_\_/

13 **SUGGESTION OF DEATH**

14 Notice is hereby given that the DINNY FRasier, the interested party in the  
15 above captioned matter died on May 3<sup>rd</sup> 2019.

16 **AFFIRMATION: Pursuant to NRS 239B.030**, the undersigned does hereby affirm  
17 that the preceding document does not contain the Social Security number of any  
18 person.  
19

20 DATED this 3<sup>rd</sup> day of May 2019.

21 MICHAEL A. ROSENAUER, LTD.

22  
23 /s/ Michael A. Rosenauer, Esq.  
24 MICHAEL A. ROSENAUER, ESQ.  
25 Attorney for Janie L. Mulrain  
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**CERTIFICATE OF SERVICE**

Pursuant to NRCP 5(b), I certify that I am an employee of Rosenauer & Wallace, 510 West Plumb Lane, Suite A, Reno, NV 89509, and that on this date I served the foregoing document(s) described as follows:

**SUGGESTION OF DEATH**

on the party(s) set forth below by:

<u>XXX</u>	Electronic Mailing via Second Judicial District Court CM/ECF System to all those persons listed on the ECF Confirmation Sheet.
G. David Robertson, Esq. ROBERTSON, JOHNSON, MILLER & WILLIAMSON 50 West Liberty Street, Suite 600 Reno, NV 89501	Kerry S. Doyle Esq. Doyle Law Office PLLC 4600 Keitzke Lane, Ste. I-207 Reno, NV 89502
Barnet Resnick Esq. (pro hac vice) F. McClure Wallace, Esq. Patrick R. Millsap, Esq. 510 W. Plumb Lane, Ste A Reno, NV 89509	

<u>XXX</u>	Placing an original or true copy thereof in a sealed envelope placed for collection and mailing in the United States Mail, at Reno, Nevada, postage paid, following ordinary business practices.
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addressed as follows:

Nori Frasier 4372 Pacifica Way, Unit 3 Oceanside, CA 92056	Bradley L. Frasier, M.D. 3609 Vista Way Oceanside, CA 92056
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DATED this 3<sup>rd</sup> day of May, 2019.

/s/ Rebecca Squire  
REBECCA SQUIRE

# EXHIBIT 2

# EXHIBIT 2

2735

IN THE SECOND JUDICIAL DISTRICT COURT FOR THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF WASHOE

In the Matter of the Case No. PR16-00128  
JORDAN DANA FRASIER FAMILY TRUST. Dept. No. PR

\_\_\_\_\_ /

**ORDER APPOINTING SPECIAL ADMINISTRATOR**

Upon the filing and submission of an *Ex Parte* Petition Appointment of Special Administrator for the Limited Purpose of Concluding an Appeal Pending Before the Nevada Supreme Court, representing as follows:

1. That DINNY FRASIER died on May 3, 2019, and at the time of her death was the Petitioner in the above-referenced matter.
2. That the above-referenced matter is currently on appeal before the Nevada Supreme Court, Case No.: 77981.
3. That the Nevada Supreme Court ordered that the personal representative of DINNY FRAISER, Deceased, file a motion to be substituted in as a party in the above-referenced Nevada Supreme Court case.
4. That STANLEY H. BROWN, JR., Esq., by and through his attorneys Wallace & Millsap LLC, has petitioned this Court for appointment as Special Administrator for the sole purpose of concluding the Appeal.

Therefore, based on the foregoing and good cause appearing,

IT IS HEREBY ORDERED that the Petition be GRANTED and that said STANLEY H. BROWN, JR., Esq. is appointed as Special Administrator of the Estate of

1 DINNY FRASIER, deceased, for the limited purpose of concluding the Appeal filed  
2 with the Nevada Supreme Court, Case No.: 77981, subject to allowing other  
3 interested parties to object or to file their own petition; that Letters of Special  
4 Administration be issued to STANLEY H. BROWN, JR., Esq., upon taking the oath of  
5 office, and posting bond in the amount of \$ 0.

6 IT IS HEREBY FURTHER ORDERED that the Special Administrator shall file an  
7 annual status report with the Court, advising the Court of the status of the litigation  
8 and addressing the necessity for the continuation of the special administration. The  
9 annual status report is due on the anniversary of the Special Administrator's  
10 appointment.

11 IT IS HEREBY FURTHER ORDERED that the Special Administrator shall cause  
12 a copy of this Order to be served by mail upon the heirs and devisees of the  
13 decedent and on all interested parties in this related Trust action.

14 IT IS HEREBY FURTHER ORDERED that if any other person(s) duly qualified  
15 to act as Special Administrator of the Estate of DINNY FRASIER wish to assert their  
16 priority for appointment, such a Petition shall be timely filed and the Court shall set  
17 the matter for hearing.

18 DATED this 23 day of August, 2019.

19 IT IS SO ORDERED:

20   
21 DISTRICT JUDGE

1 **CERTIFICATE OF SERVICE**

2 CASE NO. PR16-00128

3 I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT of  
4 the STATE OF NEVADA, COUNTY OF WASHOE; that on the 23<sup>rd</sup> day of August, 2019,  
5 I electronically filed the **ORDER APPOINTING SPECIAL ADMINISTRATOR** with  
6 the Clerk of the Court by using the ECF system.

7 I further certify that I transmitted a true and correct copy of the foregoing  
8 document by the method(s) noted below:

9 **Personal delivery to the following: [NONE]**

10 **Electronically filed with the Clerk of the Court by using the ECF system which**  
11 **will send a notice of electronic filing to the following:**

12 JONATHAN TEW, ESQ. for PREMIER TRUST, INC., DINNY FRASIER  
13 RICHARD WILLIAMSON, ESQ. for PREMIER TRUST, INC., DINNY FRASIER  
14 BRADLEY FRASIER  
15 G. ROBERTSON, ESQ. for PREMIER TRUST, INC., DINNY FRASIER  
16 MICHAEL ROSENAUER, ESQ. for JANIE MULRAIN  
17 F. MCCLURE WALLACE, ESQ. for DINNY FRASIER  
18 PATRICK MILLSAP, ESQ. for DINNY FRASIER

19 **Deposited in the Washoe County mailing system for postage and mailing**  
20 **with the United States Postal Service in Reno, Nevada: [NONE]**

21 

22 \_\_\_\_\_  
Brandon Smith