

\$2515  
John D. Moore, Esq.  
Nevada State Bar No. 8581  
MOORE LAW GROUP, PC  
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Electronically Filed  
Feb 28 2019 10:45 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

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

JOHN LINDBERG, an individual; MICHAL  
LINDBERG, an individual; and JUDITH L.  
LINDBERG, an individual,

Plaintiffs,

v.

HARRY RICHARD REYNOLDS, an  
individual; DEANN REYNOLDS, an  
individual; J.E. JOHNS & ASSOCIATES, a  
Nevada business entity; JAMES E. JOHNS,  
an individual; A.J. JOHNSON, an individual;  
BRIAN F. KINCANNON, an individual;  
GROUP ONE, INC., a Nevada corporation  
dba Keller Williams Realty; ROBERT  
CLEMENT, an individual; and DOES 3  
through 10, inclusive,

Defendants.

Case No. CV15-00281

Dept. No. 3

**NOTICE OF APPEAL**

Plaintiffs John Lindberg, Michal Lindberg, and Judith L. Lindberg ("Plaintiffs") hereby  
appeal from the Court's Amended Judgment dated January 24, 2019<sup>1</sup> for which a Notice of Entry

<sup>1</sup> The Amended Judgment is attached hereto as **Exhibit 1**.

1 of Amended Judgment after Hearing was filed with the Court on January 24, 2019.<sup>2</sup> Plaintiffs  
2 also appeal all orders, rulings, judgments, decisions, findings of fact, or conclusions of law  
3 relating to the Court's Amended Judgment and any order or decision made appealable by the  
4 filing of the Notice of Entry of Amended Judgment after Hearing.

5  
6 **AFFIRMATION PURSUANT TO NRS 239B.030**

7 The undersigned hereby affirms that this document does not contain the social security  
8 number of any person.

9 DATED this 25<sup>th</sup> day of February, 2019.

10 MOORE LAW GROUP, PC

11  
12  
13 By: 

14 John D. Moore, Esq.  
15 Nevada State Bar No. 8581  
16 3715 Lakeside Drive, Ste. A  
17 Reno, Nevada 8959  
18 (775) 336-1600  
19 john@moore-lawgroup.com  
20 Attorney for Plaintiffs  
21  
22  
23  
24  
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28

---

<sup>2</sup> The Notice of Entry of Amended Judgment after Hearing is attached hereto as **Exhibit 2**.

**CERTIFICATE OF SERVICE**

Pursuant to NRCP 5(b), I certify that I am an employee of Moore Law Group, PC, and that on February 25, 2019, I caused the foregoing document to be served on all parties to this action by:

\_\_\_\_\_ placing an original or true copy thereof in a sealed, postage prepaid, envelope in the United States mail at Reno, Nevada.

\_\_\_\_\_ personal delivery

\_\_\_\_\_ facsimile (fax)

\_\_\_\_\_ Federal Express/UPS or other overnight delivery

\_\_\_\_\_ Reno/Carson Messenger Service

XX E-service via flex filing system

to the following:

- GLADE HALL, ESQ. for AMINA JOHNS; J.E. JOHNS & ASSOCIATES et al



\_\_\_\_\_  
An Employee of Moore Law Group, PC

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INDEX OF EXHIBITS		
Exhibit Number	Description of Exhibit	No. of Pages
1	Amended Judgment	4
2	Notice of Entry of Amended Judgment	7

FILED  
Electronically  
CV15-00281  
2019-02-25 11:44:56 AM  
Jacqueline Bryant  
Clerk of the Court  
Transaction # 7133237 : yvilorla

# EXHIBIT 1

# EXHIBIT 1

1105

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

JOHN LINDBERG, an individual; MICHAL  
LINDBERG, an individual; and JUDITH L.  
LINDBERG, an individual,

Plaintiffs,

v.

HARRY RICHARD REYNOLDS, an  
individual; DEANN REYNOLDS, an  
individual; J.E. JOHNS & ASSOCIATES, a  
Nevada business entity; JAMES E. JOHNS,  
an individual; A.J. JOHNSON, an individual;  
BRIAN F. KINCANNON, an individual;  
GROUP ONE, INC., a Nevada corporation  
dba Keller Williams Realty; ROBERT  
CLEMENT, an individual; and DOES 3  
through 10, inclusive,

Defendants.

Case No. CV15-00281

Dept. No. 3

**AMENDED JUDGMENT FOLLOWING HEARING**

Following a bench trial in this matter conducted in August of 2018, on September 18, 2018, the Court issued its Findings of Fact and Conclusions of Law and Judgment ("FFCLJ"). Thereafter, and in accordance with the Court's September 18, 2019 FFCLJ, the Court issued a Judgment in favor of the Plaintiffs on September 26, 2018. In this Judgment, Plaintiffs were awarded \$75,780.79 as damages against the remaining Defendants A.J. Johnson, James E. Johns (through his estate), and J.E.

1 Johns & Associations (the “remaining Defendants”). In this Judgment, the Court also awarded  
2 Plaintiffs pre-judgment interest in the amount of \$19,121.48 and ordered that post-judgment interest  
3 at the rate of \$14.53 per day would accrue on the Judgment until paid.

4 On October 9, 2018, the remaining Defendants filed a Motion to Amend of Alter Judgment  
5 pursuant to NRCP 59(e) (“Motion”). Plaintiffs opposed that Motion on October 24, 2018. The  
6 remaining Defendants filed a reply in support of their Motion on November 21, 2018, which was filed  
7 late according to local rules and the Nevada District Court Rules. Plaintiffs filed a written non-  
8 opposition to the late filing of the remaining Defendants’ reply and this Court reviewed all documents  
9 filed in support of and in opposition to this Motion. Upon considering all relevant documents, on  
10 December 5, 2018, the Court granted the Motion in part, finding the Judgment should be amended,  
11 and denied the Motion in part, finding that the remaining Defendants had not made a more favorable  
12 Offer of Judgment to the Plaintiffs prior to trial. The Court also ordered the parties to set a hearing on  
13 the Motion to determine by what amount the Judgment should be amended in accordance with the  
14 Court’s order regarding the remaining Defendants’ Motion. On January 9, 2019, the Plaintiffs and the  
15 remaining Defendants, personally and through counsel, appeared before this Court, where the Court  
16 heard arguments regarding the amount by which the Judgment should be reduced, if at all.

17 Upon considering all the documents on file related to the Motion, and upon considering the  
18 arguments and evidence presented to the Court at the above-noted hearing, AND FOR GOOD CAUSE  
19 APPEARING, the Court hereby amends the September 26, 2018 Judgment as follows:

20 1. The amount of the Judgment awarded to Plaintiffs as damages, totaling \$75,780.79,  
21 includes an amount awarded to Plaintiffs to compensate them for the costs Plaintiffs incurred to  
22 enlarge the septic tank found at their property and to obtain a variance for the enlarged tank  
23 (\$27,663.95) and to compensate Plaintiffs for attorney’s fees and costs Plaintiffs incurred to bring their  
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1 claims against the remaining Defendants (\$48,116.84). These damages are awardable to Plaintiffs  
2 under NRS 645.252 and NRS 645.257 because this Court found in its September 18, 2018 FFCLJ that  
3 these damages were caused a proximate result of the remaining Defendants' violations of NRS  
4 645.252 and NRS 645.257, in that the remaining Defendants knew or should have known that the  
5 septic tank found at the property was insufficient for the size of the property. But for the remaining  
6 Defendants' violations of these statutes, the Plaintiffs would not have been required to enlarge the  
7 septic tank found at their property and obtain a variance for this work and they would not have been  
8 required to incur attorney's fees and costs to vindicate their rights.  
9

10 2. Of the damages awarded to Plaintiffs, to avoid a double recovery associated with the  
11 cost to enlarge the septic tank found at the property, these costs (\$27,663.95) must be off-set by  
12 amounts Plaintiffs recovered by way of settlements from other defendants in this case that settled with  
13 the Plaintiffs prior to trial. The amount Plaintiffs settled with their own realtor (\$7,500.00) will be  
14 deducted from this amount. The Court finds, however, that the settlement with the sellers in this case  
15 (\$50,000.00) cannot all be attributed to the costs of enlarging the septic tank and obtaining a variance,  
16 because Plaintiffs possessed significant multiplying claims against the sellers under NRS 113.150  
17 which Plaintiffs could not recover from the remaining Defendants, whereby the Plaintiffs would be  
18 entitled to treble damages against the sellers associated with any claim established under NRS  
19 113.150. As such, the Court finds that only one-third ( $1/3$ ) of the settlement with the sellers  
20 (\$50,000.00  $\times$   $1/3$  = \$16,650.00) can be applied as an off-set in the remaining Defendants' favor. As  
21 such, after making these off-sets, the Plaintiffs are awarded \$3,513.95 associated with the cost of  
22 enlarging the septic tank and obtaining a variance for that work. Because the damages awarded to  
23 Plaintiffs as attorneys fees and costs in this matter were proximately caused by the Defendants'  
24 violations of NRS 645.252 and NRS 645.257, the costs and attorneys fees must also form part of the  
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1 Amended Judgment against the remaining Defendants. This amount cannot be reduced by any  
2 settlement with the other defendants in this case because those settlements cannot be said to relate to  
3 an award of attorney's fees and costs to the Plaintiffs. Therefore, the amount of attorney's fees and  
4 costs in the amount of \$48,116.84 awarded to Plaintiffs against the remaining Defendants shall not be  
5 reduced.  
6

7 3. As such, the Judgment entered by the Court on September 26, 2018 is hereby amended  
8 and reduced to a total amount of **\$51,630.79**. The amount of pre-judgment and post-judgment interest  
9 must also be amended, because the determination of these awards was related to the original amount  
10 of the September 26, 2018 Judgment. The calculus for this award remains the same, however, using  
11 seven percent (7%) interest and calculating pre-judgment interest from February 10, 2015 (the date  
12 Plaintiffs filed their complaint) until September 18, 2018 (the date the Court issued its FFCLJ), which  
13 totals 1,316 days. As such, Plaintiffs are awarded **\$13,028.40** in pre-judgment interest ( $\$51,630.79 \times$   
14  $.07/365$  days per year = \$9.90 per day  $\times 1,316$  days = \$13,078.40). Plaintiffs are also entitled to post-  
15 judgment interest from September 18, 2018, until this judgment is paid in full at the rate of **\$9.90 per**  
16 **day** ( $\$51,630.79 \times .07/365$  days per year = \$9.90 per day).  
17  
18

19 JUDGMENT IS SO ENTERED this 24<sup>th</sup> day of January, 2019.  
20

21   
22 District Judge  
23

24 Submitted by:

25 /s/ John D. Moore

26 John D. Moore, Esq.

27 Nevada State Bar No. 8581

3715 Lakeside Drive, Suite A

Reno, NV 89509

john@moore-lawgroup.com

Attorney for Plaintiffs  
28

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Jacqueline Bryant  
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# EXHIBIT 2

# EXHIBIT 2

2535  
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Nevada State Bar No. 8581  
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Attorney for Plaintiffs  
john@moore-lawgroup.com

**IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**

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dba Keller Williams Realty; ROBERT  
CLEMENT, an individual; and DOES 3  
through 10, inclusive,

Defendants.

Case No. CV15-00281

Dept. No. 3

**NOTICE OF ENTRY OF AMENDED JUDGMENT FOLLOWING HEARING**

TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on January 24, 2019, the Court entered its Amended  
Judgment Following Hearing in the above-captioned matter. A copy of the same is attached hereto  
and incorporated herein by reference.

**AFFIRMATION PURSUANT TO NRS 239B.030**

The undersigned attorney does hereby affirm that the preceding document does not contain the social security number of any persons.

DATED this 24<sup>th</sup> day of January, 2019.

MOORE LAW GROUP, PC

By 

John D. Moore, Esq.

Nevada State Bar No. 8581

3715 Lakeside Drive, Suite A

Reno, NV 89509

(775) 336-1600 telephone

(775) 336-1601 fax

john@moore-lawgroup.com

Attorney for Plaintiffs

1105

**IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**  
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18

19 JUDGMENT IS SO ENTERED this 24<sup>th</sup> day of January, 2019.  
20

21   
22 District Judge  
23

24 Submitted by:

25 /s/ John D. Moore

26 John D. Moore, Esq.

27 Nevada State Bar No. 8581

3715 Lakeside Drive, Suite A

Reno, NV 89509

john@moore-lawgroup.com

Attorney for Plaintiffs  
28



**CERTIFICATE OF SERVICE**

Pursuant to NRCP 5(b), I certify that I am an employee of Moore Law Group, PC, and that on January 24, 2019, I caused the foregoing document to be served on all parties to this action

by:

☐ placing an original or true copy thereof in a sealed, postage prepaid, envelope in the United States mail at Reno, Nevada.

☐ personal delivery

☐ facsimile (fax)

☐ Federal Express/UPS or other overnight delivery

☐ Reno/Carson Messenger Service

☒ E-service via flex filing system

to the following:

- GLADE HALL, ESQ. for AMINA JOHNS; J.E. JOHNS & ASSOCIATES et al



\_\_\_\_\_  
An Employee of Moore Law Group, PC

1310  
John D. Moore, Esq.  
Nevada State Bar No. 8581  
MOORE LAW GROUP, PC  
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individual; DEANN REYNOLDS, an  
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GROUP ONE, INC., a Nevada corporation  
dba Keller Williams Realty; ROBERT  
CLEMENT, an individual; and DOES 3  
through 10, inclusive,

Defendants.

Case No. CV15-00281

Dept. No. 3

**CASE APPEAL STATEMENT**

1. Name of Appellant filing this Case Appeal Statement: John Lindberg, Michal  
Lindberg, and Judith L. Lindberg.

2. Identify the judge issuing the decision, judgment or order appealed from: Hon. Jerome  
Polaha, Department 3 of the Second Judicial District Court.

3. Identify each appellant and the name and address of counsel for each appellant: John

1 Lindberg, Michal Lindberg, and Judith L. Lindberg; John D. Moore, Moore Law Group, PC, 3715  
2 Lakeside Drive, Ste. A, Reno, Nevada 89509, (775) 336-1600.

3 4. Identify each respondent and the name and address of appellate counsel, if known, for  
4 each respondent: J.E. Johns & Associates and A.J. Johnson; Glade L. Hall, 105 Mt. Rose St., Ste. B,  
5 Reno, Nevada 89509, (775) 324-6447.

6 5. Indicate whether any attorney identified above in response to question 3 or 4 is not  
7 licensed to practice law in Nevada and, if so, whether the district court granted that attorney permission  
8 to appear under SCR 42: N/A.

9 6. Indicate whether appellant was represented by appointed or retained counsel in district  
10 court: Appellants were represented by retained counsel in district court.

11 7. Indicate whether appellant is represented by appointed or retained counsel on appeal:  
12 Appellants are represented by retained counsel on appeal.

13 8. Indicate whether appellant was granted leave to proceed in forma pauperis, and the date  
14 of entry of the district court order granting such leave: N/A.

15 9. Indicate the date the proceedings commenced in the district court: February 10, 2015.

16 10. Provide a brief description of the nature of the action and result in the district court,  
17 including the type of judgment or order being appealed and the relief granted in the district court:

18 Plaintiffs brought claims against their OWN realtor, the sellers of residential real property  
19 ("Sellers"), and the Sellers' realtor, alleging various statutory claims against the Sellers and against  
20 the various realtors stemming from the sale of residential real estate from Sellers to Plaintiffs in or  
21 about January of 2013. The claims against the Sellers arise under various provisions of NRS Chapter  
22 113 and relate to the Sellers' failure to disclose that the property in question had been improved  
23 extensively without any building permits. The claims against both the Plaintiffs' realtor and against  
24 the Sellers' realtor arise under various provisions of NRS 645 and NAC 645, wherein a realtor is  
25 charged with disclosing to all parties to a real estate transaction information that the realtor knew or  
26 that the realtor should have known, regardless of whom the realtor represents in the transaction.  
27  
28

1       Following a trial in this matter, the district court concluded that both the Plaintiffs' realtor (who  
2 had settled with Plaintiffs short of going to trial) and the Sellers' realtor knew or should have known  
3 that the septic system that served the property was not adequate for the number of bedrooms found at  
4 the property. Both the Plaintiffs' realtor and the Sellers' realtor were aware of the actual size of the  
5 septic system and the number of bedrooms at the property during the transaction but these realtors did  
6 not disclose to the Plaintiffs that the septic system was too small for the property as then configured,  
7 which is something that the realtors knew or should have known, as established by the expert testimony  
8 of the only expert witness that testified at trial. The district court then awarded Plaintiffs damages  
9 associated with enlarging the septic system and for obtaining a variance to enlarge the system from  
10 Washoe County. The district court also found a second basis for awarding damages to Plaintiffs, in  
11 that the zoning of residential real property sold to Plaintiffs was single-family residential and the  
12 property, as configured at the time of the sale, was multi-family, thereby violating local zoning  
13 requirements. The district court concluded that both realtors in this case knew or should have known  
14 the local zoning requirements and that these realtors failed to disclose the apparent zoning violation to  
15 the Plaintiffs. However, the district court concluded that the damages awardable under this second  
16 basis of liability against the realtors were the same awarded to Plaintiffs under the first basis of  
17 liability, and thereby the district court did not award additional damages to Plaintiffs. The district  
18 court also concluded that Plaintiffs were entitled to an award of attorney's fees and costs under NRS  
19 645 as damages, as pleaded and proved at trial. But for the Sellers' realtor's failure to disclose  
20 information that she knew or should have known during the transaction, Plaintiffs would not have  
21 incurred the attorney's fees and costs they incurred in bringing this matter to trial.  
22

23       After issuing a judgment in Plaintiffs' favor in the matter in the approximate amount of  
24 \$94,000.00, which included an award of interest, the district court then entertained and granted the  
25 Sellers' realtor's motion to amend the judgment, lowering the judgment by the amount of money paid  
26 to the Plaintiffs in settlements reached with both the Sellers and the Plaintiffs' realtor prior to trial.  
27 Plaintiffs opposed the motion to amend the judgment. Regardless of Plaintiffs' opposition, the district  
28

1 court reduced the amount of the judgment by \$7,500.00, the amount paid in settlement by the  
2 Plaintiffs' realtor, and by an additional amount of \$16,666.67, or 1/3 of the settlement reached between  
3 Plaintiffs and the Sellers. The district court then also altered the amount of interest awarded to  
4 Plaintiffs. Plaintiffs appeal from the district court's decision to reduce the judgment by a percentage  
5 of the settlement reached between Plaintiffs and the Sellers because this settlement was made to  
6 resolve the potential treble damages award available to Plaintiffs in this case against the Sellers only,  
7 arising under NRS 113.150 and which related to the Sellers' failure to disclose the lack of permitting.

8  
9 11. Indicate whether the case has previously been the subject of an appeal to or original  
10 writ proceeding in the Supreme Court and, if so, the caption and Supreme Court docket number of the  
11 prior proceeding: Defendants filed their Notice of Appeal on February 4, 2019. J.E. Johns &  
12 Associates, a Nevada business entity; and A.J. Johns, an individual vs. John Lindberg, an individual;  
13 Michael Lindberg, an individual; and Judith L. Lindberg, an individual, is docketed as Supreme Court  
14 Case No. 78086.

15 12. Indicate whether this appeal involves child custody or visitation: N/A.

16 13. If this is a civil case, indicated whether this appeal involves the possibility of  
17 settlement: This case involves the possibility of settlement.

18 **AFFIRMATION PURSUANT TO NRS 239B.030**

19 The undersigned hereby affirms that this document does not contain the social security  
20 number of any person.

21 DATED this 25<sup>th</sup> day of February, 2019.

23 MOORE LAW GROUP, PC

24 By: 

25 John D. Moore, Esq.  
26 Nevada State Bar No. 8581  
27 3715 Lakeside Drive, Ste. A  
28 Reno, Nevada 8959  
(775) 336-1600  
john@moore-lawgroup.com  
Attorney for Plaintiffs

**CERTIFICATE OF SERVICE**

Pursuant to NRCP 5(b), I certify that I am an employee of Moore Law Group, PC, and that on February 25, 2019, I caused the foregoing document to be served on all parties to this action by:

\_\_\_ placing an original or true copy thereof in a sealed, postage prepaid, envelope in the United States mail at Reno, Nevada.

\_\_\_ personal delivery

\_\_\_ facsimile (fax)

\_\_\_ Federal Express/UPS or other overnight delivery

\_\_\_ Reno/Carson Messenger Service

XX E-service via flex filing system

to the following:

- GLADE HALL, ESQ. for A.J. JOHNSON; J.E. JOHNS & ASSOCIATES et al



\_\_\_\_\_  
An Employee of Moore Law Group, PC

**SECOND JUDICIAL DISTRICT COURT****STATE OF NEVADA****COUNTY OF WASHOE****Case History - CV15-00281****Case Description: JOHN LINDBERG ETAL VS HARRY R REYNOLDS ETAL (D3)****Case Number: CV15-00281 Case Type: OTHER REAL PROPERTY - Initially Filed On: 2/10/2015****Parties**

<u>Party Type &amp; Name</u>	<u>Party Status</u>
JUDG - JEROME M. POLAHA - D3	Active
PLTF - MICHAL LINDBERG - @1271517	Active
PLTF - JUDITH LINDBERG - @1271518	Active
PLTF - JOHN LINDBERG - @1271516	Active
DEFT - J.E. JOHNS & ASSOCIATES - @1271513	Active
DEFT - BRIAN F. KINCANNON - @1271671	Active
DEFT - ROBERT CLEMENT - @1029112	Active
DEFT - KEN AMUNDSON - @1271672	Party ended on: 5/17/2016 12:00:00AM
DEFT - GROUP ONE, INC. - @214879	Active
DEFT - KEN AMUNDSON - @1271670	Active
DEFT - BRIAN F. KINCANNON - @1271669	Active
DEFT - AMINA JOHNS - @1271515	Active
DEFT - DEANN REYNOLDS - @1271512	Active
DEFT - JAMES E. JOHNS - @1271514	Party ended on: 6/1/2016 12:00:00AM
DEFT - HARRY RICHARD REYNOLDS - @1271511	Active
ARB - Douglas R. Brown, Esq. - 7620	Party ended on: 12/28/2017 12:00:00AM
ATTY - S. Seth Kershaw, Esq. - 10639	Active
ATTY - Glade L. Hall, Esq. - 1609	Active
ATTY - Alicia G. Johnson, Esq. - 10093	Party ended on: 1/2/2018 12:00:00AM
ATTY - John David Moore, Esq. - 8581	Active
ATTY - Sean L. Brohawn, Esq. - 7618	Party ended on: 5/3/2016 12:00:00AM
ATTY - C. Nicholas Pereos, Esq. - 13	Active
ATTY - Lori E. Sideman, Esq. - 7515	Active

**Disposed Hearings**

- 1 Department: D3 -- Event: Request for Submission -- Scheduled Date & Time: 4/28/2015 at 09:07:00  
Extra Event Text: MOTION TO DISMISS (PAPER ORDER NOT PROVIDED)  
Event Disposition: S200 - 5/12/2015
- 2 Department: D3 -- Event: Request for Submission -- Scheduled Date & Time: 4/26/2016 at 10:43:00  
Extra Event Text: MOTION FOR ORDER SUBSTITUTING COUNSEL FOR PLAINTIFFS FILED 4-8-16  
Event Disposition: S200 - 5/16/2016
- 3 Department: D3 -- Event: Request for Submission -- Scheduled Date & Time: 5/4/2016 at 09:06:00  
Extra Event Text: MOTION TO SUBSTITUTE PARTY, FILED 4/15/16 (PAPER PROVIDED)  
Event Disposition: S200 - 6/1/2016
- 4 Department: D3 -- Event: PRE-TRIAL CONFERENCE -- Scheduled Date & Time: 1/13/2017 at 09:45:00  
  
Event Disposition: D435 - 1/13/2017

- 5 Department: D13 -- Event: SETTLEMENT CONFERENCE -- Scheduled Date & Time: 2/6/2017 at 13:30:00  
Event Disposition: D495 - 2/6/2017
- 6 Department: D3 -- Event: TRIAL - JURY -- Scheduled Date & Time: 8/21/2017 at 08:30:00  
Event Disposition: D845 - 3/7/2017
- 7 Department: D3 -- Event: PRE-TRIAL CONFERENCE -- Scheduled Date & Time: 10/6/2017 at 09:30:00  
Event Disposition: D435 - 10/6/2017
- 8 Department: D3 -- Event: Request for Submission -- Scheduled Date & Time: 2/27/2018 at 13:17:00  
Extra Event Text: MOTIONS IN LIMINE NUMBER ONE, NUMBER TWO AND NUMBER THREE FILED 2/09/18  
Event Disposition: S200 - 3/20/2018
- 9 Department: D3 -- Event: Request for Submission -- Scheduled Date & Time: 3/5/2018 at 16:49:00  
Extra Event Text: MOTION IN LIMINE NO. 1 TO EXCLUDE OR LIMIT EXPERT TESTIMONY (NO ORDER PROVIDED)  
Event Disposition: S200 - 3/20/2018
- 10 Department: D3 -- Event: Request for Submission -- Scheduled Date & Time: 3/5/2018 at 12:17:00  
Extra Event Text: PLAINTIFFS' MOTION IN LIMINE NO. 2 TO EXCLUDE THE OFFER OF EVIDENCE OR ARGUMENT RELATED TO SETTLEMENTS REACHED  
Event Disposition: S200 - 3/20/2018
- 11 Department: D3 -- Event: Request for Submission -- Scheduled Date & Time: 3/9/2018 at 15:45:00  
Extra Event Text: MOTION IN LIMINE NO. 4 TO EXCLUDE THE OFFER OF EVIDENCE OR TESTIMONY FROM WITNESSES THAT WERE NOT TIMELY DISCLOSED  
Event Disposition: S200 - 3/20/2018
- 12 Department: D3 -- Event: Request for Submission -- Scheduled Date & Time: 3/9/2018 at 15:44:00  
Extra Event Text: MOTION IN LIMINE NO 3 TO EXCLUDE THE OFFER OF EVIDENCE OR ARGUMENT THAT JAMES E. JOHN'S DEATH CAUSES THIS COURT TO  
Event Disposition: S200 - 3/20/2018
- 13 Department: D3 -- Event: Request for Submission -- Scheduled Date & Time: 3/9/2018 at 15:46:00  
Extra Event Text: MOTION IN LIMINE NO 5 TO EXCLUDE TESTIMONY FROM WITNESSES THAT WOULD BE BASED IN HEARSAY AND TESTIMONY FROM UN  
Event Disposition: S200 - 3/20/2018
- 14 Department: D3 -- Event: Request for Submission -- Scheduled Date & Time: 3/19/2018 at 13:32:00  
Extra Event Text: MOTION FOR WITHDRAWAL OF JURY DEMAND JURY FILED 2-27-18  
Event Disposition: S200 - 3/20/2018
- 15 Department: D3 -- Event: TRIAL - JURY -- Scheduled Date & Time: 3/26/2018 at 08:30:00  
Extra Event Text: #2 SET FOR 3 DAYS  
Event Disposition: D860 - 3/13/2018
- 16 Department: D3 -- Event: PRE-TRIAL CONFERENCE -- Scheduled Date & Time: 7/27/2018 at 09:30:00  
Extra Event Text: NON-JURY TRIAL SET FOR AUGUST 20, 2018  
Event Disposition: D260 - 7/27/2018
- 17 Department: D3 -- Event: EXHIBITS TO BE MARKED W/CLERK -- Scheduled Date & Time: 8/16/2018 at 14:00:00  
Event Disposition: D596 - 8/16/2018
- 18 Department: D3 -- Event: TRIAL - NON JURY -- Scheduled Date & Time: 8/20/2018 at 10:30:00  
Extra Event Text: #2 SET FOR 3 DAYS  
Event Disposition: D832 - 8/20/2018



- 19 Department: D3 -- Event: TRIAL ONGOING -- Scheduled Date & Time: 8/21/2018 at 13:00:00  
Event Disposition: D832 - 8/21/2018
- 20 Department: D3 -- Event: Request for Submission -- Scheduled Date & Time: 8/22/2018 at 17:00:00  
Extra Event Text: DECISION ON NON JURY TRIAL  
Event Disposition: S200 - 9/18/2018
- 21 Department: D3 -- Event: TRIAL ONGOING -- Scheduled Date & Time: 8/22/2018 at 11:00:00  
Event Disposition: D840 - 8/22/2018
- 22 Department: D3 -- Event: Request for Submission -- Scheduled Date & Time: 9/13/2018 at 16:12:00  
Extra Event Text: MOTION FOR SANCTIONS (NO ORDER PROVIDED)  
Event Disposition: S200 - 10/10/2018
- 23 Department: D3 -- Event: Request for Submission -- Scheduled Date & Time: 11/7/2018 at 09:59:00  
Extra Event Text: MOTION TO AMEND OR ALTER JUDGMENT FILED 10/09/18  
Event Disposition: S200 - 12/5/2018
- 24 Department: D3 -- Event: HEARING... -- Scheduled Date & Time: 1/9/2019 at 09:30:00  
Extra Event Text: ON MOTION TO AMEND JUDGMENT  
Event Disposition: D425 - 1/9/2019
- 25 Department: D3 -- Event: Request for Submission -- Scheduled Date & Time: 1/9/2019 at 17:00:00  
Extra Event Text: COUNSEL MOORE TO PREPARE AND SUBMIT AMENDED JUDGMENT  
Event Disposition: S200 - 1/24/2019

### **Actions**

- |   | <u>Filing Date</u> | <u>-</u> | <u>Docket Code &amp; Description</u>  |
|---|--------------------|----------|---|
| 1 | 2/10/2015          | -        | \$PLTF - \$Addl Plaintiff/Complaint<br>Additional Text: JUDITH L. LINDBERG - Transaction 4811770 - Approved By: MELWOOD : 02-10-2015:16:02:39 |
| 2 | 2/10/2015          | -        | \$PLTF - \$Addl Plaintiff/Complaint<br>Additional Text: MICHAL LINDBERG - Transaction 4811770 - Approved By: MELWOOD : 02-10-2015:16:02:39    |
| 3 | 2/10/2015          | -        | \$1425 - \$Complaint - Civil<br>Additional Text: Transaction 4811770 - Approved By: MELWOOD : 02-10-2015:16:02:39                             |
| 4 | 2/10/2015          | -        | PAYRC - **Payment Receipted<br>Additional Text: A Payment of \$320.00 was made on receipt DCDC488227.   |
| 5 | 2/12/2015          | -        | 1090 - Amended Complaint<br>Additional Text: FIRST AMENDED COMPLAINT - Transaction 4816271 - Approved By: YLLOYD : 02-13-2015:08:43:07        |
| 6 | 2/12/2015          | -        | 4090 - ** Summons Issued<br>Additional Text: X2   |
| 7 | 2/13/2015          | -        | NEF - Proof of Electronic Service<br>Additional Text: Transaction 4816930 - Approved By: NOREVIEW : 02-13-2015:08:43:52                       |
| 8 | 3/25/2015          | -        | 2290 - Mtn to Dismiss Case<br>Additional Text: MOTION TO DISMISS - DEFTS JAMES E. JOHNS, J.E. JOHNS & ASSOCIATES, AND A.J. JOHNSON            |

- 9 3/25/2015 - \$1560 - \$Def 1st Appearance - CV  
Additional Text: DEFT JAMES E. JOHNS
- 10 3/25/2015 - \$DEFT - \$Addl Def/Answer - Prty/Appear  
Additional Text: DEFT A.J. JOHNSON
- 11 3/25/2015 - \$DEFT - \$Addl Def/Answer - Prty/Appear  
Additional Text: DEFT J.E. JOHNS & ASSOCIATES
- 12 3/25/2015 - PAYRC - \*\*Payment Receipted  
Additional Text: A Payment of -\$273.00 was made on receipt DCDC493961.
- 13 3/25/2015 - 1075 - Affidavit ...  
Additional Text: AFFIDAVIT OF A.J. JOHNSON
- 14 3/27/2015 - 1130 - Answer ...  
Additional Text: ANSWER TO COMPLAINT - Transaction 4881398 - Approved By: MFERNAND : 03-27-2015:14:10:00
- 15 3/27/2015 - \$1560 - \$Def 1st Appearance - CV  
Additional Text: HARRY RICHARD REYNOLDS - Transaction 4881398 - Approved By: MFERNAND : 03-27-2015:14:10:00
- 16 3/27/2015 - \$DEFT - \$Addl Def/Answer - Prty/Appear  
Additional Text: DEANN REYNOLDS - Transaction 4881398 - Approved By: MFERNAND : 03-27-2015:14:10:00
- 17 3/27/2015 - PAYRC - \*\*Payment Receipted  
Additional Text: A Payment of \$243.00 was made on receipt DCDC494294.
- 18 3/27/2015 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4881606 - Approved By: NOREVIEW : 03-27-2015:14:11:57
- 19 4/15/2015 - 2645 - Opposition to Mtn ...  
Additional Text: OPPOSITION TO MOTION TO DISMISS - Transaction 4908485 - Approved By: MELWOOD : 04-15-2015:16:00:03
- 20 4/15/2015 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4908488 - Approved By: NOREVIEW : 04-15-2015:16:00:50
- 21 4/21/2015 - A130 - Request for Additional Facts  
Additional Text: Transaction 4917070 - Approved By: NOREVIEW : 04-21-2015:16:09:00
- 22 4/21/2015 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4917083 - Approved By: NOREVIEW : 04-21-2015:16:10:17
- 23 4/27/2015 - 3795 - Reply...  
Additional Text: REPLY ARGUMENT IN SUPPORT OF MOTION TO DISMISS
- 24 4/27/2015 - 3860 - Request for Submission  
Additional Text: DOCUMENT TITLE: MOTION TO DISMISS (PAPER ORDER NOT PROVIDED)  
PARTY SUBMITTING: C. NICHOLAS PEREOS, ESQ.  
DATE SUBMITTED: APRIL 28, 2015  
SUBMITTED BY: TBRITTON  
DATE RECEIVED JUDGE OFFICE:
- 25 5/12/2015 - S200 - Request for Submission Complet  
*No additional text exists for this entry.*

- 26 5/12/2015 - 2842 - Ord Denying Motion  
Additional Text: ORDER DENYING MOTION TO DISMISS - Transaction 4949923 - Approved By: NOREVIEW : 05-12-2015:16:46:40
- 27 5/12/2015 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4949932 - Approved By: NOREVIEW : 05-12-2015:16:47:40
- 28 5/22/2015 - A095 - \*\*Case Stayed Pending Arb  
*No additional text exists for this entry.*
- 29 6/1/2015 - 1130 - Answer ...  
Additional Text: ANSWER TO FIRST AMENDED COMPLAINT - Transaction 4978225 - Approved By: YVILORIA : 06-01-2015:16:03:18
- 30 6/1/2015 - NEF - Proof of Electronic Service  
Additional Text: Transaction 4978242 - Approved By: NOREVIEW : 06-01-2015:16:04:14
- 31 2/10/2016 - 2520 - Notice of Appearance  
Additional Text: JOHN MOORE, ESQ. / JOHN LINDBERG, MICHAL LINDBERG, AND JUDITH LINDBERG - Transaction 5363451 - Approved By: MCHOLICO : 02-10-2016:14:45:00
- 32 2/10/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5363498 - Approved By: NOREVIEW : 02-10-2016:14:45:57
- 33 3/1/2016 - A120 - Exemption from Arbitration  
Additional Text: Transaction 5394998 - Approved By: NOREVIEW : 03-01-2016:16:06:58
- 34 3/1/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5395028 - Approved By: NOREVIEW : 03-01-2016:16:09:30
- 35 3/1/2016 - A280 - Notice/Removal/Arbitration/PRG  
*No additional text exists for this entry.*
- 36 3/9/2016 - 2610 - Notice ...  
Additional Text: NOTICE OF DEATH - Transaction 5407141 - Approved By: CSULEZIC : 03-09-2016:10:31:34
- 37 3/9/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5407367 - Approved By: NOREVIEW : 03-09-2016:10:32:36
- 38 3/9/2016 - 2529 - Notice of Early Case Conferenc  
Additional Text: Transaction 5407691 - Approved By: NOREVIEW : 03-09-2016:11:30:46
- 39 3/9/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5407697 - Approved By: NOREVIEW : 03-09-2016:11:31:58
- 40 3/11/2016 - 2610 - Notice ...  
Additional Text: NOTICE OF UNAVAILABILITY OF COUNSEL - Transaction 5413278 - Approved By: MCHOLICO : 03-11-2016:16:10:44
- 41 3/11/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5413641 - Approved By: NOREVIEW : 03-11-2016:16:12:04
- 42 4/8/2016 - 2490 - Motion ...  
Additional Text: Motion for Order Substituting Counsel for Plaintiffs - Transaction 5457918 - Approved By: MCHOLICO : 04-08-2016:15:15:58
- 43 4/8/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5458103 - Approved By: NOREVIEW : 04-08-2016:15:16:55

- 44 4/14/2016 - 1835 - Joint Case Conference Report  
Additional Text: Transaction 5466544 - Approved By: CSULEZIC : 04-14-2016:13:51:39
- 45 4/14/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5466767 - Approved By: NOREVIEW : 04-14-2016:13:52:38
- 46 4/15/2016 - 2490 - Motion ...  
Additional Text: MOTION TO SUBSTITUTE PARTY - Transaction 5468913 - Approved By: CSULEZIC : 04-15-2016:14:18:00
- 47 4/15/2016 - 1520 - Declaration  
Additional Text: DECLARATION OF COUNSEL IN SUPPORT OF MOTION TO SUBSTITUTE PARTY - Transaction 5468913 - Approved By: CSULEZIC : 04-15-2016:14:18:00
- 48 4/15/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5469115 - Approved By: NOREVIEW : 04-15-2016:14:18:55
- 49 4/26/2016 - 3860 - Request for Submission  
Additional Text: Transaction 5484453 - Approved By: YVILORIA : 04-26-2016:10:01:58  
DOCUMENT TITLE: MOTION FOR ORDER SUBSTITUTING COUNSEL FOR PLAINTIFFS FILED 4-8-16  
PARTY SUBMITTING: JOHN DAVID MOORE ESQ  
DATE SUBMITTED: APRIL 26, 2016  
SUBMITTED BY: YVILORIA  
DATE RECEIVED JUDGE OFFICE:
- 50 4/26/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5484523 - Approved By: NOREVIEW : 04-26-2016:10:02:47
- 51 5/3/2016 - 3370 - Order ...  
Additional Text: ORDER SUBSTITUTING COUNSEL FOR PLAINTIFFS - Transaction 5497064 - Approved By: NOREVIEW : 05-03-2016:15:53:22
- 52 5/3/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5497074 - Approved By: NOREVIEW : 05-03-2016:15:54:20
- 53 5/3/2016 - 2540 - Notice of Entry of Ord  
Additional Text: Transaction 5497284 - Approved By: NOREVIEW : 05-03-2016:16:36:14
- 54 5/3/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5497288 - Approved By: NOREVIEW : 05-03-2016:16:37:15
- 55 5/4/2016 - 3860 - Request for Submission  
Additional Text: MOTION TO SUBSTITUTE PARTY, FILED 4/15/16 (PAPER PROVIDED) - Transaction 5497679 - Approved By: CSULEZIC : 05-04-2016:09:03:28  
PARTY SUBMITTING: JOHN MOORE, ESQ  
DATE SUBMITTED: 5/04/16  
SUBMITTED BY: CS  
DATE RECEIVED JUDGE OFFICE:
- 56 5/4/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5497722 - Approved By: NOREVIEW : 05-04-2016:09:04:19
- 57 5/10/2016 - 2525 - Notice of Change of Address  
Additional Text: ATTORNEY - Transaction 5508101 - Approved By: MFERNAND : 05-10-2016:15:53:22
- 58 5/10/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5508786 - Approved By: NOREVIEW : 05-10-2016:15:54:29

- 59 5/13/2016 - 4050 - Stipulation ...  
Additional Text: STIPULATION TO NAME AND SUBSTITUTE GROUP ONE, INC. dba KELLER WILLIAMS REALTY AND ROBERT CLEMENT AS DEFENDANTS AND TO FILE SECOND AMENDED COMPLAINT - Transaction 5514979 - Approved By: RKWATKIN : 05-13-2016:14:05:52
- 60 5/13/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5515029 - Approved By: NOREVIEW : 05-13-2016:14:06:49
- 61 5/16/2016 - S200 - Request for Submission Complet  
*No additional text exists for this entry.*
- 62 5/17/2016 - 3370 - Order ...  
Additional Text: ORDER APPROVING STIPULATION TO NAME AND SUBSTITUTE GROUP ONE, INC. dba KELLER WILLIAMS REALTY AND ROBERT CLEMENT AS DEFENDANTS AND TO FILE SECOND AMENDED COMPLAINT - Transaction 5518523 - Approved By: NOREVIEW : 05-17-2016:11:40:52
- 63 5/17/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5518526 - Approved By: NOREVIEW : 05-17-2016:11:41:42
- 64 5/17/2016 - 2540 - Notice of Entry of Ord  
Additional Text: Transaction 5519236 - Approved By: NOREVIEW : 05-17-2016:14:55:25
- 65 5/17/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5519240 - Approved By: NOREVIEW : 05-17-2016:14:56:22
- 66 5/18/2016 - 3920 - Second Amended Complaint  
Additional Text: Transaction 5520696 - Approved By: YVILORIA : 05-18-2016:11:41:30
- 67 5/18/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5520959 - Approved By: NOREVIEW : 05-18-2016:11:42:21
- 68 5/19/2016 - 4090 - \*\* Summons Issued  
Additional Text: (3)
- 69 6/1/2016 - 3060 - Ord Granting Mtn ...  
Additional Text: TO SUBSTITUTE PARTY - Transaction 5541609 - Approved By: NOREVIEW : 06-01-2016:15:19:59
- 70 6/1/2016 - S200 - Request for Submission Complet  
*No additional text exists for this entry.*
- 71 6/1/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5541610 - Approved By: NOREVIEW : 06-01-2016:15:22:35
- 72 6/1/2016 - 2540 - Notice of Entry of Ord  
Additional Text: Transaction 5541726 - Approved By: NOREVIEW : 06-01-2016:15:40:18
- 73 6/1/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5541733 - Approved By: NOREVIEW : 06-01-2016:15:41:27
- 74 7/26/2016 - 3696 - Pre-Trial Order  
Additional Text: Transaction 5626721 - Approved By: NOREVIEW : 07-26-2016:11:15:16
- 75 7/26/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5626734 - Approved By: NOREVIEW : 07-26-2016:11:16:58

- 76 7/29/2016 - 1137 - Answer and Counterclaim  
Additional Text: DEFENDANTS BRIAN F. KINCANNON, ROBERT CLEMENT, AND GROUP ONE, INC. dba KELLER WILLIAMS REALTY'S ANSWER TO PLAINTIFFS' SECOND AMENDED COMPLAINT AND CROSS-CLAIM - Transaction 5633742 - Approved By: CSULEZIC : 07-29-2016:12:00:31
- 77 7/29/2016 - \$1560 - \$Def 1st Appearance - CV  
Additional Text: BRIAN KINCANNON - Transaction 5633742 - Approved By: CSULEZIC : 07-29-2016:12:00:31
- 78 7/29/2016 - \$DEFT - \$Addl Def/Answer - Prty/Appear  
Additional Text: GROUP ONE, INC DBA KELLER WILLIAMS REALTY - Transaction 5633742 - Approved By: CSULEZIC : 07-29-2016:12:00:31
- 79 7/29/2016 - \$DEFT - \$Addl Def/Answer - Prty/Appear  
Additional Text: ROBERT CLEMENT - Transaction 5633742 - Approved By: CSULEZIC : 07-29-2016:12:00:31
- 80 7/29/2016 - 1137 - Answer and Counterclaim  
Additional Text: Defendants Brian F. Kincannon, Robert Clement, and Group One, Inc. dba Keller Williams Realty's Answer to Plaintiffs' Second Amended Complaint and Cross-Claim - Transaction 5633753 - Approved By: CSULEZIC : 07-29-2016:12:04:59
- 81 7/29/2016 - PAYRC - \*\*Payment Receipted  
Additional Text: A Payment of \$273.00 was made on receipt DCDC548033.
- 82 7/29/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5634141 - Approved By: NOREVIEW : 07-29-2016:12:01:29
- 83 7/29/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5634158 - Approved By: NOREVIEW : 07-29-2016:12:06:00
- 84 8/3/2016 - 2605 - Notice to Set  
Additional Text: Transaction 5640348 - Approved By: RKWATKIN : 08-03-2016:14:51:23
- 85 8/3/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5640820 - Approved By: NOREVIEW : 08-03-2016:14:52:21
- 86 8/9/2016 - 1155 - Answer to Cross Claim  
Additional Text: ANSWER TO CROSS-CLAIM - Transaction 5649989 - Approved By: TBRITTON : 08-09-2016:15:54:17
- 87 8/9/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5650253 - Approved By: NOREVIEW : 08-09-2016:15:55:14
- 88 8/10/2016 - JF - \*\*First Day Jury Fees Deposit  
Additional Text: Transaction 5651470 - Approved By: RKWATKIN : 08-10-2016:11:35:56
- 89 8/10/2016 - 1580 - Demand for Jury  
Additional Text: Transaction 5651470 - Approved By: RKWATKIN : 08-10-2016:11:35:56
- 90 8/10/2016 - PAYRC - \*\*Payment Receipted  
Additional Text: A Payment of \$320.00 was made on receipt DCDC.
- 91 8/10/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5651582 - Approved By: NOREVIEW : 08-10-2016:11:36:51
- 92 8/11/2016 - 1155 - Answer to Cross Claim  
Additional Text: ANSWER TO CROSS CLAIM - A.J. JOHNSON AND J.E. JOHNS AND ASSOCIATES - Transaction 5653464 - Approved By: TBRITTON : 08-11-2016:12:13:32

- 93 8/11/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5653989 - Approved By: NOREVIEW : 08-11-2016:12:14:34
- 94 8/11/2016 - 1250E - Application for Setting eFile  
Additional Text: Transaction 5655191 - Approved By: NOREVIEW : 08-11-2016:16:03:41
- 95 8/11/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5655205 - Approved By: NOREVIEW : 08-11-2016:16:04:40
- 96 8/24/2016 - 1085 - Amended Answer  
Additional Text: TO CROSS CLAIM - Transaction 5674916 - Approved By: RKWATKIN : 08-24-2016:14:51:12
- 97 8/24/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5675414 - Approved By: NOREVIEW : 08-24-2016:14:52:27
- 98 8/31/2016 - 2520 - Notice of Appearance  
Additional Text: J.E. JOHNS & ASSOCIATES - NICHOLAS PEREOS ESQ - Transaction 5686762 - Approved By: CSULEZIC : 08-31-2016:14:53:29
- 99 8/31/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5687145 - Approved By: NOREVIEW : 08-31-2016:14:54:32
- 100 9/21/2016 - 2610 - Notice ...  
Additional Text: OF UNAVAILABILITY OF COUNSEL - Transaction 5719039 - Approved By: RKWATKIN : 09-21-2016:16:10:13
- 101 9/21/2016 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5719497 - Approved By: NOREVIEW : 09-21-2016:16:11:11
- 102 1/13/2017 - 3915 - Scheduling Order  
Additional Text: Transaction 5896901 - Approved By: NOREVIEW : 01-13-2017:11:07:41
- 103 1/13/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5896905 - Approved By: NOREVIEW : 01-13-2017:11:08:40
- 104 1/18/2017 - 3990 - Stip & Ord Dismiss W/Prejudice  
Additional Text: PLAINTIFFS' SECOND AMENDED COMPLAINT AS TO DEFENDANTS BRIAN KINCANNON, ROBERT CLEMENTS, GROUP ONE dba KELLER WILLIAMS - Transaction 5903582 - Approved By: NOREVIEW : 01-18-2017:15:22:31
- 105 1/18/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5903588 - Approved By: NOREVIEW : 01-18-2017:15:23:30
- 106 1/25/2017 - 3370 - Order ...  
Additional Text: NOTICE OF AND ORDER REGARDING SETTLEMENT CONFERENCE - Transaction 5917007 - Approved By: NOREVIEW : 01-25-2017:16:16:33
- 107 1/25/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5917031 - Approved By: NOREVIEW : 01-25-2017:16:18:26
- 108 2/6/2017 - MCONF - \*\*Confidential Minutes  
Additional Text: SETTLEMENT CONFERENCE 2/6/17 - Transaction 5937133 - Approved By: NOREVIEW : 02-06-2017:16:45:07
- 109 2/6/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5937137 - Approved By: NOREVIEW : 02-06-2017:16:46:07
- 110 2/10/2017 - 3990 - Stip & Ord Dismiss W/Prejudice  
Additional Text: OF CROSS-CLAIM OF CROSS-CLAIMANTS BRIAN F. KINCANNON, ROBERT CLEMENT, AND GROUP ONE dba KELLER WILLIAMS REALTY - Transaction 5946600 - Approved By: NOREVIEW : 02-10-2017:15:24:56

- 111 2/10/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5946604 - Approved By: NOREVIEW : 02-10-2017:15:25:57
- 112 2/16/2017 - MIN - \*\*\*Minutes  
Additional Text: PRETRIAL CONFERENCE - 1-13-17 - Transaction 5954896 - Approved By: NOREVIEW : 02-16-2017:13:56:30
- 113 2/16/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5954904 - Approved By: NOREVIEW : 02-16-2017:13:58:01
- 114 2/28/2017 - 4050 - Stipulation ...  
Additional Text: STIPULATION TO VACATE TRIAL DATE AND TO STAY PROCEEDINGS PENDING SETTLEMENT - Transaction 5971206 - Approved By: CSULEZIC : 02-28-2017:13:09:23
- 115 2/28/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5971591 - Approved By: NOREVIEW : 02-28-2017:13:11:08
- 116 3/7/2017 - 2777 - Ord Approving ...  
Additional Text: ORDER APPROVING STIPULATION TO ACATE TRIAL DATE AND TO STAY PROCEEDINGS PENDING SETTLEMENT - Transaction 5983367 - Approved By: NOREVIEW : 03-07-2017:10:56:15
- 117 3/7/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 5983368 - Approved By: NOREVIEW : 03-07-2017:10:58:33
- 118 5/2/2017 - 3990 - Stip & Ord Dismiss W/Prejudice  
Additional Text: OF DEFENDANTS HARRY RICHARD REYNOLDS AND DEANN REYNOLDS ONLY - Transaction 6080491 - Approved By: NOREVIEW : 05-02-2017:15:40:18
- 119 5/2/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6080493 - Approved By: NOREVIEW : 05-02-2017:15:41:17
- 120 6/5/2017 - 2605 - Notice to Set  
Additional Text: JUNE 20, 2017; 10:00 AM - Transaction 6131846 - Approved By: YVILORIA : 06-05-2017:11:56:53
- 121 6/5/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6131919 - Approved By: NOREVIEW : 06-05-2017:11:59:35
- 122 6/20/2017 - 1250E - Application for Setting eFile  
Additional Text: Transaction 6156922 - Approved By: NOREVIEW : 06-20-2017:10:27:30
- 123 6/20/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6156927 - Approved By: NOREVIEW : 06-20-2017:10:28:20
- 124 7/7/2017 - 4050 - Stipulation ...  
Additional Text: STIPULATION REGARDING DISCOVERY DEADLINES - Transaction 6184242 - Approved By: TBRITTON : 07-07-2017:14:24:05
- 125 7/7/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6184599 - Approved By: NOREVIEW : 07-07-2017:14:25:16
- 126 10/6/2017 - 3915 - Scheduling Order  
Additional Text: Transaction 6334870 - Approved By: NOREVIEW : 10-06-2017:11:37:53
- 127 10/6/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6334877 - Approved By: NOREVIEW : 10-06-2017:11:38:54
- 128 11/8/2017 - MIN - \*\*\*Minutes  
Additional Text: PRETRIAL CONFERENCE - 10-6-17 - Transaction 6387240 - Approved By: NOREVIEW : 11-08-2017:15:32:30



- 129 11/8/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6387244 - Approved By: NOREVIEW : 11-08-2017:15:33:17
- 130 11/27/2017 - 1610 - Disclosure of Expert Witness  
Additional Text: PLAINTIFF'S - Transaction 6409572 - Approved By: SWILLIAM : 11-27-2017:13:35:34
- 131 11/27/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6409887 - Approved By: NOREVIEW : 11-27-2017:13:36:30
- 132 12/6/2017 - 2582 - Notice of Taking Deposition  
Additional Text: Transaction 6425241 - Approved By: YVILORIA : 12-06-2017:10:43:58
- 133 12/6/2017 - 2582 - Notice of Taking Deposition  
Additional Text: Transaction 6425241 - Approved By: YVILORIA : 12-06-2017:10:43:58
- 134 12/6/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6425393 - Approved By: NOREVIEW : 12-06-2017:10:44:58
- 135 12/11/2017 - 1520 - Declaration  
Additional Text: DECLARATION OF SERVICE: SHERRIE CARTINELLA - DECEMBER 9, 2017; 11:58 AM - Transaction 6432079 - Approved By: YVILORIA : 12-11-2017:09:20:58
- 136 12/11/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6432083 - Approved By: NOREVIEW : 12-11-2017:09:21:53
- 137 12/27/2017 - 1610 - Disclosure of Expert Witness  
Additional Text: DEFENDANTS J.E. JOHNS & ASSOCIATES AND A.J. JOHNSON DISCLOSURE OF EXPERT WITNESSES - Transaction 6455271 - Approved By: CSULEZIC : 12-27-2017:14:05:12
- 138 12/27/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6455395 - Approved By: NOREVIEW : 12-27-2017:14:06:11
- 139 12/28/2017 - 1120 - Amended ...  
Additional Text: DEFENDANTS J.E. JOHNS & ASSOCIATES and A.J. JOHNSON AMENDED DISCLOSURE OF EXPERT WITNESS - Transaction 6456522 - Approved By: YVILORIA : 12-28-2017:10:11:59
- 140 12/28/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6456549 - Approved By: NOREVIEW : 12-28-2017:10:12:54
- 141 12/28/2017 - 4300 - Withdrawal of Counsel  
Additional Text: ARBITRATOR - DOUGLAS R. BROWN, ESQ. - Transaction 6457487 - Approved By: SWILLIAM : 12-28-2017:15:28:09
- 142 12/28/2017 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6457650 - Approved By: NOREVIEW : 12-28-2017:15:29:06
- 143 1/2/2018 - 2582 - Notice of Taking Deposition  
Additional Text: 01/18/2018 @ 10:00 AM - Transaction 6460377 - Approved By: SWILLIAM : 01-02-2018:10:29:36
- 144 1/2/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6460445 - Approved By: NOREVIEW : 01-02-2018:10:30:37
- 145 1/2/2018 - 2582 - Notice of Taking Deposition  
Additional Text: Transaction 6460700 - Approved By: PMSEWELL : 01-02-2018:11:53:36
- 146 1/2/2018 - 2582 - Notice of Taking Deposition  
Additional Text: Transaction 6460700 - Approved By: PMSEWELL : 01-02-2018:11:53:36

- 147 1/2/2018 - 2582 - Notice of Taking Deposition  
Additional Text: Transaction 6460700 - Approved By: PMSEWELL : 01-02-2018:11:53:36
- 148 1/2/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6460834 - Approved By: NOREVIEW : 01-02-2018:11:54:30
- 149 1/2/2018 - 2582 - Notice of Taking Deposition  
Additional Text: AMENDED - Transaction 6460974 - Approved By: SWILLIAM : 01-02-2018:14:04:03
- 150 1/2/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6461212 - Approved By: NOREVIEW : 01-02-2018:14:04:57
- 151 1/2/2018 - 4300 - Withdrawal of Counsel  
Additional Text: ALICIA G. JOHNSON ESQ / DEFTS HARRY R. REYNOLDS AND DEANN REYNOLDS - Transaction 6461266 - Approved By: YVILORIA : 01-02-2018:15:07:23
- 152 1/2/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6461639 - Approved By: NOREVIEW : 01-02-2018:15:08:30
- 153 1/8/2018 - 2582 - Notice of Taking Deposition  
Additional Text: AMENDED NOTICE OF TAKING DEPOSITION - Transaction 6470757 - Approved By: CSULEZIC : 01-08-2018:15:39:56
- 154 1/8/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6471031 - Approved By: NOREVIEW : 01-08-2018:15:40:41
- 155 1/9/2018 - 4065 - Subpoena Duces Tecum  
Additional Text: Transaction 6474097 - Approved By: PMSEWELL : 01-10-2018:08:25:49
- 156 1/10/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6474190 - Approved By: NOREVIEW : 01-10-2018:08:26:49
- 157 1/16/2018 - 4050 - Stipulation ...  
Additional Text: STIPULATION REGARDING DATE FOR CLOSE OF DISCOVERY - Transaction 6481299 - Approved By: PMSEWELL : 01-16-2018:11:23:50
- 158 1/16/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6481794 - Approved By: NOREVIEW : 01-16-2018:11:24:51
- 159 1/18/2018 - 1140 - Answer to Amended Complaint  
Additional Text: Transaction 6486719 - Approved By: YVILORIA : 01-18-2018:12:09:55
- 160 1/18/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6487017 - Approved By: NOREVIEW : 01-18-2018:12:12:31
- 161 1/18/2018 - 4065 - Subpoena Duces Tecum  
Additional Text: for Business Records - Transaction 6488076 - Approved By: YVILORIA : 01-19-2018:08:19:05
- 162 1/19/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6488446 - Approved By: NOREVIEW : 01-19-2018:08:20:01
- 163 1/19/2018 - 1610 - Disclosure of Expert Witness  
Additional Text: Supplement TO PLAINTIFFS' DISCLOSURE OF EXPERT WITNESSES - Transaction 6489429 - Approved By: PMSEWELL : 01-19-2018:14:14:52
- 164 1/19/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6489691 - Approved By: NOREVIEW : 01-19-2018:14:15:44

- 165 1/22/2018 - 4065 - Subpoena Duces Tecum  
Additional Text: for Business Records - Transaction 6492815 - Approved By: PMSEWELL : 01-23-2018:08:12:48
- 166 1/23/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6492884 - Approved By: NOREVIEW : 01-23-2018:08:14:32
- 167 1/24/2018 - 2315 - Mtn to Dismiss ...  
Additional Text: DFX: EXHIBITS PRESENTED INCORRECTLY - INCLUDES PERSONAL INFORMATION. EXHIBITS FILED AS PART OF MAIN DOCUMENT, THEREFORE ENTIRE DOCUMENT SET AT A HIGHER SECURITY LEVEL. - Transaction 6496544 - Approved By: SWILLIAM : 01-24-2018:13:38:05
- 168 1/24/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6496600 - Approved By: NOREVIEW : 01-24-2018:13:39:06
- 169 1/24/2018 - 2315 - Mtn to Dismiss ...  
Additional Text: Transaction 6496699 - Approved By: YVILORIA : 01-24-2018:14:18:46
- 170 1/24/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6496848 - Approved By: NOREVIEW : 01-24-2018:14:19:41
- 171 1/25/2018 - 2610 - Notice ...  
Additional Text: Notice of Withdrawal of Motion - Transaction 6499102 - Approved By: CSULEZIC : 01-25-2018:14:52:10
- 172 1/25/2018 - 2610 - Notice ...  
Additional Text: Notice of Objection - Transaction 6499107 - Approved By: CSULEZIC : 01-25-2018:14:54:01
- 173 1/25/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6499249 - Approved By: NOREVIEW : 01-25-2018:14:53:20
- 174 1/25/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6499263 - Approved By: NOREVIEW : 01-25-2018:14:54:59
- 175 2/6/2018 - 2610 - Notice ...  
Additional Text: Withdrawal of Notice of Objection - Transaction 6516830 - Approved By: CSULEZIC : 02-06-2018:10:15:13
- 176 2/6/2018 - 2245 - Mtn in Limine  
Additional Text: DEFENDANT'S MOTION IN LIMINE NUMBER ONE - Transaction 6516959 - Approved By: YVILORIA : 02-06-2018:10:31:14
- 177 2/6/2018 - 2245 - Mtn in Limine  
Additional Text: Defendant Motion in Limine #2 - Transaction 6516967 - Approved By: PMSEWELL : 02-06-2018:10:27:02
- 178 2/6/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6517051 - Approved By: NOREVIEW : 02-06-2018:10:16:27
- 179 2/6/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6517099 - Approved By: NOREVIEW : 02-06-2018:10:28:31
- 180 2/6/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6517114 - Approved By: NOREVIEW : 02-06-2018:10:32:21
- 181 2/9/2018 - 2245 - Mtn in Limine  
Additional Text: MOTION IN LIMINE NO 1 TO EXCLUDE OR LIMIT EXPERT TESTIMONY - Transaction 6525744 - Approved By: YVILORIA : 02-09-2018:16:47:57

- 182 2/9/2018 - 2245 - Mtn in Limine  
Additional Text: MOTION IN LIMINE NO 2 TO EXCLUDE THE OFFER OF EVIDENCE OR ARGUMENT RELATED TO SETTLEMENT REACHED WITH OTHER DEFENDANTS - Transaction 6525748 - Approved By: YVILORIA : 02-09-2018:16:48:33
- 183 2/9/2018 - 2245 - Mtn in Limine  
Additional Text: #3 TO EXCLUDE THE OFFER OF EVIDENCE OR ARGUMENT THAT JAMES E. JOHNS' DEATH CAUSES THIS COURT TO LACK JURISDICTION - Transaction 6525753 - Approved By: SWILLIAM : 02-09-2018:16:48:26
- 184 2/9/2018 - 2245 - Mtn in Limine  
Additional Text: #4 TO EXCLUDE THE OFFER OF EVIDENCE OR TESTIMONY FROM WITNESSES THAT WERE NOT TIMELY DISCLOSED - Transaction 6525754 - Approved By: SWILLIAM : 02-09-2018:16:49:21
- 185 2/9/2018 - 2245 - Mtn in Limine  
Additional Text: #5 TO EXCLUDE TESTIMONY FROM WITNESSES THAT WOULD BE BASED IN HEARSAY AND TESTIMONY FROM UNIDENTIFIED WITNESSES - Transaction 6525761 - Approved By: SWILLIAM : 02-09-2018:16:51:37
- 186 2/9/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6526176 - Approved By: NOREVIEW : 02-09-2018:16:48:55
- 187 2/9/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6526178 - Approved By: NOREVIEW : 02-09-2018:16:49:25
- 188 2/9/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6526179 - Approved By: NOREVIEW : 02-09-2018:16:49:36
- 189 2/9/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6526181 - Approved By: NOREVIEW : 02-09-2018:16:50:06
- 190 2/9/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6526198 - Approved By: NOREVIEW : 02-09-2018:16:54:19
- 191 2/13/2018 - 2245 - Mtn in Limine  
Additional Text: Defendant's Motion in Limine Number Three - Transaction 6530015 - Approved By: CSULEZIC : 02-13-2018:14:48:41
- 192 2/13/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6530383 - Approved By: NOREVIEW : 02-13-2018:14:49:37
- 193 2/14/2018 - 2610 - Notice ...  
Additional Text: NOTICE OF INTENT TO TAKE DEFAULT - Transaction 6531361 - Approved By: PMSEWELL : 02-14-2018:09:52:43
- 194 2/14/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6531541 - Approved By: NOREVIEW : 02-14-2018:09:55:18
- 195 2/16/2018 - 2650 - Opposition to ...  
Additional Text: PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION IN LIMINE NUMBER 1 - Transaction 6537793 - Approved By: CSULEZIC : 02-16-2018:16:16:10
- 196 2/16/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6538059 - Approved By: NOREVIEW : 02-16-2018:16:17:07
- 197 2/22/2018 - 3880 - Response...  
Additional Text: RESPONSE TO NOTICE OF INTENT TO TAKE DEFAULT - Transaction 6544397 - Approved By: YVILORIA : 02-22-2018:12:14:19
- 198 2/22/2018 - 2645 - Opposition to Mtn ...  
Additional Text: OPPOSITION TO MOTION IN LIMINE #1 TO EXCLUDE OR LIMIT EXPERT TESTIMONY - Transaction 6544409 - Approved By: YVILORIA : 02-22-2018:12:15:04

- 199 2/22/2018 - 2645 - Opposition to Mtn ...  
Additional Text: OPPOSITION TO MOTION IN LIMINE #2 TO EXCLUDE THE OFFER OF EVIDENCE OR ARGUMENT RELATED TO SETTLEMENT REACHED WITH OTHER DEFENDANTS - Transaction 6544413 - Approved By: YVILORIA : 02-22-2018:12:16:06
- 200 2/22/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6544425 - Approved By: NOREVIEW : 02-22-2018:12:15:13
- 201 2/22/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6544429 - Approved By: NOREVIEW : 02-22-2018:12:16:06
- 202 2/22/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6544434 - Approved By: NOREVIEW : 02-22-2018:12:17:15
- 203 2/23/2018 - 1700 - Expert Witness List  
Additional Text: SECOND SUPPLEMENT TO PLAINTIFFS' DISCLOSURE OF EXPERT WITNESSES - Transaction 6546622 - Approved By: YVILORIA : 02-23-2018:11:26:53
- 204 2/23/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6546825 - Approved By: NOREVIEW : 02-23-2018:11:29:44
- 205 2/23/2018 - 2645 - Opposition to Mtn ...  
Additional Text: Plaintiffs' Combined Plaintiffs' Opposition to Defendants' Motions in Limine #2 and #3 - Transaction 6547673 - Approved By: SWILLIAM : 02-23-2018:16:40:42
- 206 2/23/2018 - 3695 - Pre-Trial Memorandum  
Additional Text: Plaintiffs' Pre-trial Disclosures - Transaction 6547733 - Approved By: MPURDY : 02-23-2018:16:45:37
- 207 2/23/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6547877 - Approved By: NOREVIEW : 02-23-2018:16:41:54
- 208 2/23/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6547915 - Approved By: NOREVIEW : 02-23-2018:16:46:40
- 209 2/26/2018 - 4105 - Supplemental ...  
Additional Text: SUPPLEMENT TO RESPONSE TO OPPOSITION TO MOTION IN LIMINE #1 - Transaction 6548757 - Approved By: YVILORIA : 02-26-2018:12:23:06
- 210 2/26/2018 - 1120 - Amended ...  
Additional Text: DEFENDANTS J.E. JOHNS & ASSOCIATES AND A.J. JOHNSON SECOND AMENDED DISCLOSURE OF EXPERT WITNESS - Transaction 6548803 - Approved By: CSULEZIC : 02-26-2018:12:55:27
- 211 2/26/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6549077 - Approved By: NOREVIEW : 02-26-2018:12:25:00
- 212 2/26/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6549155 - Approved By: NOREVIEW : 02-26-2018:12:56:24
- 213 2/26/2018 - 3695 - Pre-Trial Memorandum  
Additional Text: Defendant Pretrial Disclosures - Transaction 6550429 - Approved By: CSULEZIC : 02-27-2018:08:45:20
- 214 2/27/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6550757 - Approved By: NOREVIEW : 02-27-2018:08:46:17
- 215 2/27/2018 - 3795 - Reply...  
Additional Text: REPLY ARGUMENT IN SUPPORT OF DEFENDANT'S MOTION IN LIMINE #1 - Transaction 6551496 - Approved By: CSULEZIC : 02-27-2018:12:59:34

- 216 2/27/2018 - 3795 - Reply...  
Additional Text: REPLY ARGUMENT IN SUPPORT OF DEFENDANT'S MOTION IN LIMINE NUMBER TWO AND DEFENDANT'S MOTION IN LIMINE NUMBER THREE - Transaction 6551523 - Approved By: CSULEZIC : 02-27-2018:13:08:32
- 217 2/27/2018 - 3860 - Request for Submission  
Additional Text: MOTIONS IN LIMINE NUMBER ONE, NUMBER TWO AND NUMBER THREE FILED 2/09/18 - Transaction 6551535 - Approved By: CSULEZIC : 02-27-2018:13:12:17  
PARTY SUBMITTING: NICHOLAS PEREOS ESQ  
DATE SUBMITTED: 2/27/18  
SUBMITTED BY: CS  
DATE RECEIVED JUDGE OFFICE:
- 218 2/27/2018 - 2485 - Motion to Withdraw Plea  
Additional Text: Motion to Withdraw Jury Demand - Transaction 6551697 - Approved By: CSULEZIC : 02-27-2018:13:56:01
- 219 2/27/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6551867 - Approved By: NOREVIEW : 02-27-2018:13:00:54
- 220 2/27/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6551908 - Approved By: NOREVIEW : 02-27-2018:13:09:32
- 221 2/27/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6551925 - Approved By: NOREVIEW : 02-27-2018:13:13:13
- 222 2/27/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6552175 - Approved By: NOREVIEW : 02-27-2018:13:57:21
- 223 2/28/2018 - 2645 - Opposition to Mtn ...  
Additional Text: OPPOSITION TO MOTION IN LIMINE #3 TO EXCLUDE OFFER OF EVIDENCE OR ARGUMENT THAT JAMES E. JOHN'S DEATH CAUSES THIS COURT TO LACK JURISDICTION - Transaction 6554066 - Approved By: YVILORIA : 02-28-2018:12:13:22
- 224 2/28/2018 - 2645 - Opposition to Mtn ...  
Additional Text: OPPOSITION TO MOTION IN LIMINE #5 TO EXCLUDE TESTIMONY FROM WITNESSES - Transaction 6554068 - Approved By: YVILORIA : 02-28-2018:12:14:06
- 225 2/28/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6554297 - Approved By: NOREVIEW : 02-28-2018:12:14:15
- 226 2/28/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6554298 - Approved By: NOREVIEW : 02-28-2018:12:15:07
- 227 3/1/2018 - 3880 - Response...  
Additional Text: RESPONSE TO PLAINTIFF'S MOTION IN LIMINE #4 - Transaction 6556370 - Approved By: YVILORIA : 03-01-2018:11:11:22
- 228 3/1/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6556509 - Approved By: NOREVIEW : 03-01-2018:11:12:36
- 229 3/1/2018 - 1550 - Default  
Additional Text: J.E. JOHNS & ASSOCIATES
- 230 3/5/2018 - 3795 - Reply...  
Additional Text: Reply in Support of Plaintiffs' Motion in Limine #2 to Exclude the Offer of Evidence or Argument Related to Settlements with Other Defendants - Transaction 6560267 - Approved By: SWILLIAM : 03-05-2018:11:22:12
- 231 3/5/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6560558 - Approved By: NOREVIEW : 03-05-2018:11:23:24

- 232 3/5/2018 - 3860 - Request for Submission  
Additional Text: Transaction 6560578 - Approved By: YVILORIA : 03-05-2018:12:15:08  
DOCUMENT TITLE: PLAINTIFFS' MOTION IN LIMINE NO. 2 TO EXCLUDE THE OFFER OF EVIDENCE OR ARGUMENT RELATED TO SETTLEMENTS REACHED WITH OTHER DEFENDANTS  
PARTY SUBMITTING: JOHN DAVID MOORE ESQ  
DATE SUBMITTED: MAR 5, 2018  
SUBMITTED BY: YV  
DATE RECEIVED JUDGE OFFICE:
- 233 3/5/2018 - 4105 - Supplemental ...  
Additional Text: SUPPLEMENT TO DEFENDANT'S OPPOSITION TO MOTION IN LIMINE #1 - Transaction 6560629 - Approved By: PMSEWELL : 03-05-2018:12:15:54
- 234 3/5/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6560777 - Approved By: NOREVIEW : 03-05-2018:12:15:53
- 235 3/5/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6560781 - Approved By: NOREVIEW : 03-05-2018:12:16:55
- 236 3/5/2018 - 2630 - Objection to ...  
Additional Text: Notice of Objection - Transaction 6560884 - Approved By: SWILLIAM : 03-05-2018:14:23:32
- 237 3/5/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6561208 - Approved By: NOREVIEW : 03-05-2018:14:24:34
- 238 3/5/2018 - 3795 - Reply...  
Additional Text: Reply in Support of Motion in Limine No. 1 to Exclude or Limit Expert Testimony - Transaction 6561538 - Approved By: CSULEZIC : 03-05-2018:16:07:49
- 239 3/5/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6561728 - Approved By: NOREVIEW : 03-05-2018:16:11:05
- 240 3/5/2018 - 3860 - Request for Submission  
Additional Text: - Transaction 6561746 - Approved By: PMSEWELL : 03-05-2018:16:39:16  
DOCUMENT TITLE: MOTION IN LIMINE NO. 1 TO EXCLUDE OR LIMIT EXPERT TESTIMONY (NO ORDER PROVIDED)  
PARTY SUBMITTING: JOHN MOORE, ESQ.  
DATE SUBMITTED: MARCH 5, 2018  
SUBMITTED BY: PMSEWELL  
DATE RECEIVED JUDGE OFFICE:
- 241 3/5/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6561874 - Approved By: NOREVIEW : 03-05-2018:16:40:19
- 242 3/9/2018 - 3695 - Pre-Trial Memorandum  
Additional Text: DEFENDANT'S REVISED PRETRIAL DISCLOSURE - Transaction 6570011 - Approved By: YVILORIA : 03-09-2018:13:13:31
- 243 3/9/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6570124 - Approved By: NOREVIEW : 03-09-2018:13:16:54
- 244 3/9/2018 - 3795 - Reply...  
Additional Text: REPLY IN SUPPORT OF MOTION IN LIMINE NO. 3 TO EXCLUDE EVIDENCE OR ARGUMENT THAT JAMES E. JOHNS' DEATH CAUSES COURT TO LACK JURISDICTION - Transaction 6570194 - Approved By: PMSEWELL : 03-09-2018:14:20:20
- 245 3/9/2018 - 3795 - Reply...  
Additional Text: REPLY IN SUPPORT OF MOTION IN LIMINE NO. 4 TO EXCLUDE OFFER OF EVIDENCE OR TESTIMONY FROM WITNESSES NOT TIMELY DISCLOSED - Transaction 6570198 - Approved By: PMSEWELL : 03-09-2018:14:20:47
- 246 3/9/2018 - 3795 - Reply...

Additional Text: REPLY IN SUPPORT OF MOTION IN LIMINE NO. 5 TO EXCLUDE TESTIMONY FROM WITNESSES THAT WOULD BE BASED IN HEARSAY AND TESTIMONY FROM UNIDENTIFIED WITNESSES - Transaction 6570203 - Approved By: PMSEWELL : 03-09-2018:14:22:00

247 3/9/2018 - NEF - Proof of Electronic Service

Additional Text: Transaction 6570374 - Approved By: NOREVIEW : 03-09-2018:14:21:05

248 3/9/2018 - NEF - Proof of Electronic Service

Additional Text: Transaction 6570377 - Approved By: NOREVIEW : 03-09-2018:14:21:46

249 3/9/2018 - NEF - Proof of Electronic Service

Additional Text: Transaction 6570382 - Approved By: NOREVIEW : 03-09-2018:14:22:55

250 3/9/2018 - 3860 - Request for Submission

Additional Text: MOTION IN LIMINE NO 3 TO EXCLUDE THE OFFER OF EVIDENCE OR ARGUMENT THAT JAMES E. JOHN'S DEATH CAUSES THIS COURT TO LACK JURISDICTION FILED 2/09/18 - Transaction 6570388 - Approved By: CSULEZIC : 03-09-2018:15:02:46  
PARTY SUBMITTING: JOHN MOORE ESQ  
DATE SUBMITTED: 3/09/18  
SUBMITTED BY: CS  
DATE RECEIVED JUDGE OFFICE:

251 3/9/2018 - 3860 - Request for Submission

Additional Text: MOTION IN LIMINE NO. 4 TO EXCLUDE THE OFFER OF EVIDENCE OR TESTIMONY FROM WITNESSES THAT WERE NOT TIMELY DISCLOSED FILED 2/09/18 - Transaction 6570394 - Approved By: CSULEZIC : 03-09-2018:15:34:16  
PARTY SUBMITTING: JOHN MOORE ESQ  
DATE SUBMITTED: 3/09/18  
SUBMITTED BY: CS  
DATE RECEIVED JUDGE OFFICE:

252 3/9/2018 - 3860 - Request for Submission

Additional Text: MOTION IN LIMINE NO 5 TO EXCLUDE TESTIMONY FROM WITNESSES THAT WOULD BE BASED IN HEARSAY AND TESTIMONY FROM UNIDENTIFIED WITNESSES FILED 2/09/18 - Transaction 6570395 - Approved By: CSULEZIC : 03-09-2018:15:36:26  
PARTY SUBMITTING: JOHN MOORE ESQ  
DATE SUBMITTED: 3/09/18  
SUBMITTED BY: CS  
DATE RECEIVED JUDGE OFFICE:

253 3/9/2018 - NEF - Proof of Electronic Service

Additional Text: Transaction 6570549 - Approved By: NOREVIEW : 03-09-2018:15:03:59

254 3/9/2018 - NEF - Proof of Electronic Service

Additional Text: Transaction 6570661 - Approved By: NOREVIEW : 03-09-2018:15:35:28

255 3/9/2018 - NEF - Proof of Electronic Service

Additional Text: Transaction 6570677 - Approved By: NOREVIEW : 03-09-2018:15:37:22

256 3/12/2018 - 2280 - Mtn to Continue

Additional Text: Transaction 6572497 - Approved By: YVILORIA : 03-12-2018:14:15:35

257 3/12/2018 - 1030 - Affidavit in Support...

Additional Text: Affidavit of C. Nicholas Pereos - Transaction 6572513 - Approved By: SWILLIAM : 03-12-2018:14:25:20

258 3/12/2018 - 2140 - Mtn Ord Shortening Time

Additional Text: Transaction 6572519 - Approved By: YVILORIA : 03-12-2018:14:18:03

259 3/12/2018 - NEF - Proof of Electronic Service

Additional Text: Transaction 6572525 - Approved By: NOREVIEW : 03-12-2018:14:16:31



- 260 3/12/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6572540 - Approved By: NOREVIEW : 03-12-2018:14:19:01
- 261 3/12/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6572571 - Approved By: NOREVIEW : 03-12-2018:14:27:27
- 262 3/13/2018 - 2610 - Notice ...  
Additional Text: OF NON-OPPOSITION - Transaction 6573700 - Approved By: CVERA : 03-13-2018:10:59:50
- 263 3/13/2018 - 1520 - Declaration  
Additional Text: DECLARATION OF KEVIN TRUAX - Transaction 6573748 - Approved By: CVERA : 03-13-2018:11:09:00
- 264 3/13/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6574050 - Approved By: NOREVIEW : 03-13-2018:11:01:07
- 265 3/13/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6574085 - Approved By: NOREVIEW : 03-13-2018:11:09:57
- 266 3/13/2018 - 3060 - Ord Granting Mtn ...  
Additional Text: ORDER GRANTING MOTION TO CONTINUE TRIAL - Transaction 6574544 - Approved By: NOREVIEW : 03-13-2018:13:08:26
- 267 3/13/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6574546 - Approved By: NOREVIEW : 03-13-2018:13:09:16
- 268 3/15/2018 - 2605 - Notice to Set  
Additional Text: MARCH 22, 2018; 11:00 AM - Transaction 6579023 - Approved By: YVILORIA : 03-15-2018:13:27:20
- 269 3/15/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6579359 - Approved By: NOREVIEW : 03-15-2018:13:28:33
- 270 3/19/2018 - 3860 - Request for Submission  
Additional Text: Transaction 6583627 - Approved By: YVILORIA : 03-19-2018:13:29:49  
DOCUMENT TITLE: MOTION FOR WITHDRAWAL OF JURY DEMAND JURY FILED 2-27-18  
PARTY SUBMITTING: C NIHOLAS PEREOS ESQ  
DATE SUBMITTED: MAR 19, 2018  
SUBMITTED BY: YV  
DATE RECEIVED JUDGE OFFICE:
- 271 3/19/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6583653 - Approved By: NOREVIEW : 03-19-2018:13:30:53
- 272 3/20/2018 - 3060 - Ord Granting Mtn ...  
Additional Text: PLAINTIFFS' MOTIONS IN LIMINE #1, 2, and 3 ARE GRANTED - Transaction 6585686 - Approved By: NOREVIEW : 03-20-2018:10:46:26
- 273 3/20/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6585693 - Approved By: NOREVIEW : 03-20-2018:10:47:20
- 274 3/20/2018 - 2540 - Notice of Entry of Ord  
Additional Text: Transaction 6585843 - Approved By: NOREVIEW : 03-20-2018:11:20:01
- 275 3/20/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6585848 - Approved By: NOREVIEW : 03-20-2018:11:21:00
- 276 3/20/2018 - S200 - Request for Submission Complet  
*No additional text exists for this entry.*

277 3/20/2018 - S200 - Request for Submission Complet  
*No additional text exists for this entry.*

278 3/20/2018 - S200 - Request for Submission Complet  
*No additional text exists for this entry.*

279 3/20/2018 - S200 - Request for Submission Complet  
*No additional text exists for this entry.*

280 3/20/2018 - S200 - Request for Submission Complet  
*No additional text exists for this entry.*

281 3/20/2018 - S200 - Request for Submission Complet  
*No additional text exists for this entry.*

282 3/20/2018 - S200 - Request for Submission Complet  
*No additional text exists for this entry.*

283 3/20/2018 - 3370 - Order ...  
Additional Text: PLAINTIFFS' MOTION IN LIMINE #4 IS GRANTED; PLAINTIFFS' MOTION IN LIMINE #5 IS GRANTED AS TO WILKINSON, WILLIAMS, COPPLE, LUEAMRUNG, AND LLOYD AND DENIED AS TO GRUBIC - Transaction 6586893 - Approved By: NOREVIEW : 03-20-2018:15:59:48

284 3/20/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6586899 - Approved By: NOREVIEW : 03-20-2018:16:00:47

285 3/20/2018 - 3370 - Order ...  
Additional Text: ORDER TO WITHDRAW JURY DEMAND AND RETURN OF JURY FEES - Transaction 6586904 - Approved By: NOREVIEW : 03-20-2018:16:01:44

286 3/20/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6586908 - Approved By: NOREVIEW : 03-20-2018:16:02:34

287 3/20/2018 - 2540 - Notice of Entry of Ord  
Additional Text: Transaction 6587169 - Approved By: NOREVIEW : 03-20-2018:16:41:54

288 3/20/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6587176 - Approved By: NOREVIEW : 03-20-2018:16:42:53

289 3/21/2018 - CHECK - \*\*Trust Disbursement  
Additional Text: A Disbursement of \$320.00 on Check Number 33975

290 3/21/2018 - 2540 - Notice of Entry of Ord  
Additional Text: Transaction 6588612 - Approved By: NOREVIEW : 03-21-2018:13:18:30

291 3/21/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6588619 - Approved By: NOREVIEW : 03-21-2018:13:19:36

292 3/22/2018 - 1250E - Application for Setting eFile  
Additional Text: Transaction 6590511 - Approved By: NOREVIEW : 03-22-2018:11:24:44

293 3/22/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6590515 - Approved By: NOREVIEW : 03-22-2018:11:27:33

294 4/6/2018 - 2260 - Mtn to Relieve Counsel

Additional Text: Motion for Leave to Withdraw as Attorney of Record - Transaction 6616442 - Approved By: PMSEWELL : 04-06-2018:12:22:11

295 4/6/2018 - NEF - Proof of Electronic Service

Additional Text: Transaction 6616476 - Approved By: NOREVIEW : 04-06-2018:12:25:46

296 4/6/2018 - 3880 - Response...

Additional Text: NON-OPPOSITION TO MOTION FOR LEAVE TO WITHDRAW AS ATTORNEY OF RECORD - Transaction 6616889 - Approved By: JAPARICI : 04-06-2018:15:33:23

297 4/6/2018 - NEF - Proof of Electronic Service

Additional Text: Transaction 6617079 - Approved By: NOREVIEW : 04-06-2018:15:34:30

298 4/17/2018 - 4075 - Substitution of Counsel

Additional Text: GLADE HALL, ESQ. FOR AJ JOHNSON AND J.E. JOHNS & ASSOCIATES IN PLACE OF C. NICHOLAS PEREOS, ESQ. - Transaction 6633798 - Approved By: PMSEWELL : 04-17-2018:14:53:24

299 4/17/2018 - NEF - Proof of Electronic Service

Additional Text: Transaction 6634082 - Approved By: NOREVIEW : 04-17-2018:14:57:19

300 8/9/2018 - MIN - \*\*\*Minutes

Additional Text: 7/27/18 PRE-TRIAL CONFERENCE - Transaction 6821474 - Approved By: NOREVIEW : 08-09-2018:12:58:52

301 8/9/2018 - NEF - Proof of Electronic Service

Additional Text: Transaction 6821479 - Approved By: NOREVIEW : 08-09-2018:12:59:39

302 8/14/2018 - 4055 - Subpoena

Additional Text: GLADE HALL FOR A.J. JOHNSON 08/14/18 @11:14AM - Transaction 6828512 - Approved By: CVERA : 08-14-2018:13:23:18

303 8/14/2018 - NEF - Proof of Electronic Service

Additional Text: Transaction 6828533 - Approved By: NOREVIEW : 08-14-2018:13:26:19

304 8/15/2018 - 4220 - Trial Statement - Plaintiff

Additional Text: Transaction 6830918 - Approved By: CSULEZIC : 08-15-2018:16:04:33

305 8/15/2018 - NEF - Proof of Electronic Service

Additional Text: Transaction 6831389 - Approved By: NOREVIEW : 08-15-2018:16:08:04

306 8/17/2018 - 2185 - Mtn for Sanctions

Additional Text: Transaction 6835997 - Approved By: YVILORIA : 08-17-2018:15:32:31

307 8/17/2018 - NEF - Proof of Electronic Service

Additional Text: Transaction 6836056 - Approved By: NOREVIEW : 08-17-2018:15:33:27

308 8/20/2018 - 4210 - Trial Statement - Defendant

Additional Text: STATEMENT OF CLAIMED FACTS - Transaction 6836524 - Approved By: NMASON : 08-20-2018:08:42:30

309 8/20/2018 - NEF - Proof of Electronic Service

Additional Text: Transaction 6836644 - Approved By: NOREVIEW : 08-20-2018:08:45:08

310 8/22/2018 - MIN - \*\*\*Minutes

Additional Text: 8/22/18 - TRIAL MINUTES AND EXHIBIT LIST - Transaction 6843404 - Approved By: NOREVIEW : 08-22-2018:15:28:54

311 8/22/2018 - NEF - Proof of Electronic Service

Additional Text: Transaction 6843413 - Approved By: NOREVIEW : 08-22-2018:15:29:53

- 312 8/22/2018 - 1695 - \*\* Exhibit(s) ...  
Additional Text: TRIAL EXHIBITS 1-80
- 313 9/5/2018 - 2185 - Mtn for Sanctions  
Additional Text: DEFENDANTS' OPPOSITION TO MOTION FOR SANCTIONS - Transaction 6863436 - Approved By: YVILORIA : 09-05-2018:11:28:48
- 314 9/5/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6863657 - Approved By: NOREVIEW : 09-05-2018:11:33:26
- 315 9/13/2018 - 3795 - Reply...  
Additional Text: REPLY IN SUPPORT OF MOTION FOR SANCTIONS - Transaction 6878890 - Approved By: PMSEWELL : 09-13-2018:15:46:37
- 316 9/13/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6879069 - Approved By: NOREVIEW : 09-13-2018:15:48:01
- 317 9/13/2018 - 3860 - Request for Submission  
Additional Text: - Transaction 6879101 - Approved By: PMSEWELL : 09-13-2018:16:05:38  
DOCUMENT TITLE: MOTION FOR SANCTIONS (NO ORDER PROVIDED)  
PARTY SUBMITTING: JOHN MOORE, ESQ.  
DATE SUBMITTED: SEPTEMBER 13, 2018  
SUBMITTED BY: PMSEWELL  
DATE RECEIVED JUDGE OFFICE:
- 318 9/13/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6879185 - Approved By: NOREVIEW : 09-13-2018:16:06:41
- 319 9/18/2018 - COC - Evidence Chain of Custody Form  
*No additional text exists for this entry.*
- 320 9/18/2018 - 1750 - Findings, Conclusions & Judg  
Additional Text: Transaction 6886178 - Approved By: NOREVIEW : 09-18-2018:16:21:24
- 321 9/18/2018 - S200 - Request for Submission Complet  
*No additional text exists for this entry.*
- 322 9/18/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6886190 - Approved By: NOREVIEW : 09-18-2018:16:22:59
- 323 9/19/2018 - 2545 - Notice of Entry ...  
Additional Text: of Findings of Fact, Conclusions of Law and Judgment - Transaction 6886825 - Approved By: NOREVIEW : 09-19-2018:09:17:26
- 324 9/19/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6886829 - Approved By: NOREVIEW : 09-19-2018:09:18:14
- 325 9/26/2018 - 1880 - Judgment  
Additional Text: Transaction 6899224 - Approved By: NOREVIEW : 09-26-2018:14:36:15
- 326 9/26/2018 - F147 - Disposed After Trial (bench)  
*No additional text exists for this entry.*
- 327 9/26/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6899230 - Approved By: NOREVIEW : 09-26-2018:14:37:14

- 328 9/26/2018 - 2535 - Notice of Entry of Judgment  
Additional Text: Transaction 6899370 - Approved By: NOREVIEW : 09-26-2018:15:09:46
- 329 9/26/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6899381 - Approved By: NOREVIEW : 09-26-2018:15:11:05
- 330 10/9/2018 - 2250 - Mtn Alter or Amend Judgment  
Additional Text: Transaction 6919687 - Approved By: PMSEWELL : 10-10-2018:08:36:32
- 331 10/10/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6919894 - Approved By: NOREVIEW : 10-10-2018:08:37:35
- 332 10/10/2018 - 2842 - Ord Denying Motion  
Additional Text: ORDER DENYING MOTION FOR SANCTIONS - Transaction 6922030 - Approved By: NOREVIEW : 10-10-2018:16:49:49
- 333 10/10/2018 - S200 - Request for Submission Complet  
*No additional text exists for this entry.*
- 334 10/10/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6922044 - Approved By: NOREVIEW : 10-10-2018:16:52:00
- 335 10/24/2018 - 2645 - Opposition to Mtn ...  
Additional Text: OPPOSITION TO MOTION TO AMEND OR ALTER JUDGMENT PURSUANT TO NRSCP 59(e) - Transaction 6945389 -  
Approved By: YVILORIA : 10-24-2018:13:37:35
- 336 10/24/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6945411 - Approved By: NOREVIEW : 10-24-2018:13:38:46
- 337 11/7/2018 - 3860 - Request for Submission  
Additional Text: MOTION TO AMEND OR ALTER JUDGMENT FILED 10/09/18 - Transaction 6965589 - Approved By: CSULEZIC : 11-07-2018:09:51:25  
PARTY SUBMITTING: JOHN MOORE ESQ  
DATE SUBMITTED: 11/07/18  
SUBMITTED BY: CS  
DATE RECEIVED JUDGE OFFICE:
- 338 11/7/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6965641 - Approved By: NOREVIEW : 11-07-2018:09:52:24
- 339 11/21/2018 - 3790 - Reply to/in Opposition  
Additional Text: PLAINTIFFS REPLY TO OPPOSITION RE: MOTION TO ALTER OR AMEND JUDGMENT - Transaction 6988040 - Approved By: CSULEZIC : 11-21-2018:12:32:23
- 340 11/21/2018 - 3870 - Request  
Additional Text: MOTION FOR EXTENSION OF TIME TO FILE REPLY TO OPPOSITION TO MOTION TO ALTER OR AMEND JUDGMENT - Transaction 6988514 - Approved By: CSULEZIC : 11-21-2018:14:29:31
- 341 11/21/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6988567 - Approved By: NOREVIEW : 11-21-2018:12:33:21
- 342 11/21/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6989078 - Approved By: NOREVIEW : 11-21-2018:14:31:00
- 343 11/21/2018 - 3880 - Response...  
Additional Text: NON-OPPOSITION TO MOTION FOR EXTENSION OF TIME TO FILE REPLY TO OPPOSITION TO MOTION TO ALTER OR AMEND JUDGMENT - Transaction 6989305 - Approved By: YVILORIA : 11-21-2018:15:56:24

- 344 11/21/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 6989481 - Approved By: NOREVIEW : 11-21-2018:15:57:14
- 345 12/5/2018 - 3370 - Order ...  
Additional Text: Transaction 7009491 - Approved By: NOREVIEW : 12-05-2018:16:42:06
- 346 12/5/2018 - S200 - Request for Submission Complet  
*No additional text exists for this entry.*
- 347 12/5/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7009514 - Approved By: NOREVIEW : 12-05-2018:16:44:52
- 348 12/13/2018 - 1520 - Declaration  
Additional Text: AJ JOHNS 12/07/2018 - Transaction 7023651 - Approved By: BVIRREY : 12-13-2018:15:36:07
- 349 12/13/2018 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7023684 - Approved By: NOREVIEW : 12-13-2018:15:38:45
- 350 1/8/2019 - 3975 - Statement ...  
Additional Text: PREHEARING STATEMENT - Transaction 7057870 - Approved By: CSULEZIC : 01-09-2019:08:42:44
- 351 1/9/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7058065 - Approved By: NOREVIEW : 01-09-2019:08:43:41
- 352 1/21/2019 - 2650 - Opposition to ...  
Additional Text: DEFENDANTS OPPOSITION TO PROPOSED AMENDED JUDGMENT - Transaction 7077229 - Approved By: CSULEZIC : 01-22-2019:09:10:38
- 353 1/22/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7077553 - Approved By: NOREVIEW : 01-22-2019:09:11:45
- 354 1/23/2019 - 3880 - Response...  
Additional Text: RESPONSE TO DEFENDANTS' OPPOSITION TO PROPOSED AMENDED JUDGMENT - Transaction 7082055 - Approved By: YVILORIA : 01-24-2019:08:31:08
- 355 1/24/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7082310 - Approved By: NOREVIEW : 01-24-2019:08:32:21
- 356 1/24/2019 - 1880 - Judgment  
Additional Text: AMENDED JUDGMENT FOLLOWING HEARING - Transaction 7084191 - Approved By: NOREVIEW : 01-24-2019:15:15:07
- 357 1/24/2019 - S200 - Request for Submission Complet  
*No additional text exists for this entry.*
- 358 1/24/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7084194 - Approved By: NOREVIEW : 01-24-2019:15:15:56
- 359 1/24/2019 - 2535 - Notice of Entry of Judgment  
Additional Text: Transaction 7084283 - Approved By: NOREVIEW : 01-24-2019:15:28:36
- 360 1/24/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7084295 - Approved By: NOREVIEW : 01-24-2019:15:30:04
- 361 2/4/2019 - 2610 - Notice ...  
Additional Text: NOTICE OF FILING CASH BOND FOR COSTS ON APPEAL - Transaction 7101532 - Approved By: YVILORIA : 02-04-2019:16:33:30

- 362 2/4/2019 - 1270 - Application ...  
Additional Text: APPLICATION FOR STAY OF AMENDED JUDGMENT PENDING APPEAL - Transaction 7101532 - Approved By: YVILORIA : 02-04-2019:16:33:30
- 363 2/4/2019 - 1310 - Case Appeal Statement  
Additional Text: CASE APPEAL STATEMENT - Transaction 7101532 - Approved By: YVILORIA : 02-04-2019:16:33:30
- 364 2/4/2019 - \$2515 - \$Notice/Appeal Supreme Court  
Additional Text: NOTICE OF APPEAL - Transaction 7101532 - Approved By: YVILORIA : 02-04-2019:16:33:30
- 365 2/4/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7101545 - Approved By: NOREVIEW : 02-04-2019:16:36:19
- 366 2/4/2019 - PAYRC - \*\*Payment Receipted  
Additional Text: A Payment of -\$34.00 was made on receipt DCDC630405.
- 367 2/4/2019 - SAB - \*\*Supreme Court Appeal Bond  
Additional Text: Bond ID: SAB-19-00017; Total Bond Amount: \$500.00.  
  
Bond Code, SAB, Receipted for: SITE DEFINED TRUST DEPOSIT, on 04-FEB-2019 in the amount of \$500.00 on case ID CV15-00281.
- 368 2/5/2019 - 1350 - Certificate of Clerk  
Additional Text: CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 7102100 - Approved By: NOREVIEW : 02-05-2019:09:39:20
- 369 2/5/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7102105 - Approved By: NOREVIEW : 02-05-2019:09:40:24
- 370 2/8/2019 - 1187 - \*\*Supreme Court Case No. ...  
Additional Text: SUPREME COURT NO. 78086 - J.E. JOHNS ET AL
- 371 2/8/2019 - 2650 - Opposition to ...  
Additional Text: OPPOSITION TO DEFENDANTS' APPLICATION FOR STAY OF AMENDED JUDGMENT PENDING APPEAL - Transaction 7110558 - Approved By: CSULEZIC : 02-08-2019:16:12:34
- 372 2/8/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7110820 - Approved By: NOREVIEW : 02-08-2019:16:15:40
- 373 2/11/2019 - 1188 - Supreme Court Receipt for Doc  
Additional Text: SUPREME COURT NO. 78086 / RECEIPT FOR DOCUMENTS - Transaction 7112457 - Approved By: NOREVIEW : 02-11-2019:13:37:02
- 374 2/11/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7112459 - Approved By: NOREVIEW : 02-11-2019:13:37:59
- 375 2/12/2019 - 1270 - Application ...  
Additional Text: REPLY TO OPPOSITION TO APPLICATION FOR STAY PENDING APPEAL - Transaction 7115235 - Approved By: CSULEZIC : 02-12-2019:16:59:17
- 376 2/12/2019 - 3860 - Request for Submission  
Additional Text: MOTION FOR STAY PENDING APPEAL FILED 2/4/19 - Transaction 7115307 - Approved By: CSULEZIC : 02-13-2019:08:29:41  
PARTY SUBMITTING: GLADE HALL ESQ  
DATE SUBMITTED: 2/13/19  
SUBMITTED BY: CS  
DATE RECEIVED JUDGE OFFICE:
- 377 2/12/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7115753 - Approved By: NOREVIEW : 02-12-2019:17:00:17

378 2/13/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7115915 - Approved By: NOREVIEW : 02-13-2019:08:30:53

379 2/25/2019 - 1310 - Case Appeal Statement  
Additional Text: CASE APPEAL STATEMENT - Transaction 7133237 - Approved By: YVILORIA : 02-25-2019:11:51:33

380 2/25/2019 - \$2515 - \$Notice/Appeal Supreme Court  
Additional Text: NOTICE OF APPEAL - Transaction 7133237 - Approved By: YVILORIA : 02-25-2019:11:51:33

381 2/25/2019 - SAB - \*\*Supreme Court Appeal Bond  
Additional Text: Transaction 7133253 - Approved By: YVILORIA : 02-25-2019:11:54:15

382 2/25/2019 - 2610 - Notice ...  
Additional Text: NOTICE OF FILING COST ON APPEAL - Transaction 7133253 - Approved By: YVILORIA : 02-25-2019:11:54:15

383 2/25/2019 - PAYRC - \*\*Payment Receipted  
Additional Text: A Payment of \$34.00 was made on receipt DCDC631686.

384 2/25/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7133277 - Approved By: NOREVIEW : 02-25-2019:11:52:45

385 2/25/2019 - PAYRC - \*\*Payment Receipted  
Additional Text: A Payment of \$500.00 was made on receipt DCDC631687.

386 2/25/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7133291 - Approved By: NOREVIEW : 02-25-2019:11:55:20

387 2/26/2019 - 1350 - Certificate of Clerk  
Additional Text: CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 7135679 - Approved By: NOREVIEW : 02-26-2019:09:21:54

388 2/26/2019 - NEF - Proof of Electronic Service  
Additional Text: Transaction 7135686 - Approved By: NOREVIEW : 02-26-2019:09:23:03



1105

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

JOHN LINDBERG, an individual; MICHAL  
LINDBERG, an individual; and JUDITH L.  
LINDBERG, an individual,

Plaintiffs,

v.

HARRY RICHARD REYNOLDS, an  
individual; DEANN REYNOLDS, an  
individual; J.E. JOHNS & ASSOCIATES, a  
Nevada business entity; JAMES E. JOHNS,  
an individual; A.J. JOHNSON, an individual;  
BRIAN F. KINCANNON, an individual;  
GROUP ONE, INC., a Nevada corporation  
dba Keller Williams Realty; ROBERT  
CLEMENT, an individual; and DOES 3  
through 10, inclusive,

Defendants.

Case No. CV15-00281

Dept. No. 3

**AMENDED JUDGMENT FOLLOWING HEARING**

Following a bench trial in this matter conducted in August of 2018, on September 18, 2018, the Court issued its Findings of Fact and Conclusions of Law and Judgment ("FFCLJ"). Thereafter, and in accordance with the Court's September 18, 2019 FFCLJ, the Court issued a Judgment in favor of the Plaintiffs on September 26, 2018. In this Judgment, Plaintiffs were awarded \$75,780.79 as damages against the remaining Defendants A.J. Johnson, James E. Johns (through his estate), and J.E.

1 Johns & Associations (the “remaining Defendants”). In this Judgment, the Court also awarded  
2 Plaintiffs pre-judgment interest in the amount of \$19,121.48 and ordered that post-judgment interest  
3 at the rate of \$14.53 per day would accrue on the Judgment until paid.

4 On October 9, 2018, the remaining Defendants filed a Motion to Amend of Alter Judgment  
5 pursuant to NRCP 59(e) (“Motion”). Plaintiffs opposed that Motion on October 24, 2018. The  
6 remaining Defendants filed a reply in support of their Motion on November 21, 2018, which was filed  
7 late according to local rules and the Nevada District Court Rules. Plaintiffs filed a written non-  
8 opposition to the late filing of the remaining Defendants’ reply and this Court reviewed all documents  
9 filed in support of and in opposition to this Motion. Upon considering all relevant documents, on  
10 December 5, 2018, the Court granted the Motion in part, finding the Judgment should be amended,  
11 and denied the Motion in part, finding that the remaining Defendants had not made a more favorable  
12 Offer of Judgment to the Plaintiffs prior to trial. The Court also ordered the parties to set a hearing on  
13 the Motion to determine by what amount the Judgment should be amended in accordance with the  
14 Court’s order regarding the remaining Defendants’ Motion. On January 9, 2019, the Plaintiffs and the  
15 remaining Defendants, personally and through counsel, appeared before this Court, where the Court  
16 heard arguments regarding the amount by which the Judgment should be reduced, if at all.

17 Upon considering all the documents on file related to the Motion, and upon considering the  
18 arguments and evidence presented to the Court at the above-noted hearing, AND FOR GOOD CAUSE  
19 APPEARING, the Court hereby amends the September 26, 2018 Judgment as follows:

20 1. The amount of the Judgment awarded to Plaintiffs as damages, totaling \$75,780.79,  
21 includes an amount awarded to Plaintiffs to compensate them for the costs Plaintiffs incurred to  
22 enlarge the septic tank found at their property and to obtain a variance for the enlarged tank  
23 (\$27,663.95) and to compensate Plaintiffs for attorney’s fees and costs Plaintiffs incurred to bring their  
24  
25  
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1 claims against the remaining Defendants (\$48,116.84). These damages are awardable to Plaintiffs  
2 under NRS 645.252 and NRS 645.257 because this Court found in its September 18, 2018 FFCLJ that  
3 these damages were caused a proximate result of the remaining Defendants' violations of NRS  
4 645.252 and NRS 645.257, in that the remaining Defendants knew or should have known that the  
5 septic tank found at the property was insufficient for the size of the property. But for the remaining  
6 Defendants' violations of these statutes, the Plaintiffs would not have been required to enlarge the  
7 septic tank found at their property and obtain a variance for this work and they would not have been  
8 required to incur attorney's fees and costs to vindicate their rights.  
9

10 2. Of the damages awarded to Plaintiffs, to avoid a double recovery associated with the  
11 cost to enlarge the septic tank found at the property, these costs (\$27,663.95) must be off-set by  
12 amounts Plaintiffs recovered by way of settlements from other defendants in this case that settled with  
13 the Plaintiffs prior to trial. The amount Plaintiffs settled with their own realtor (\$7,500.00) will be  
14 deducted from this amount. The Court finds, however, that the settlement with the sellers in this case  
15 (\$50,000.00) cannot all be attributed to the costs of enlarging the septic tank and obtaining a variance,  
16 because Plaintiffs possessed significant multiplying claims against the sellers under NRS 113.150  
17 which Plaintiffs could not recover from the remaining Defendants, whereby the Plaintiffs would be  
18 entitled to treble damages against the sellers associated with any claim established under NRS  
19 113.150. As such, the Court finds that only one-third ( $1/3$ ) of the settlement with the sellers  
20 (\$50,000.00  $\times$   $1/3$  = \$16,650.00) can be applied as an off-set in the remaining Defendants' favor. As  
21 such, after making these off-sets, the Plaintiffs are awarded \$3,513.95 associated with the cost of  
22 enlarging the septic tank and obtaining a variance for that work. Because the damages awarded to  
23 Plaintiffs as attorneys fees and costs in this matter were proximately caused by the Defendants'  
24 violations of NRS 645.252 and NRS 645.257, the costs and attorneys fees must also form part of the  
25  
26  
27  
28

1 Amended Judgment against the remaining Defendants. This amount cannot be reduced by any  
2 settlement with the other defendants in this case because those settlements cannot be said to relate to  
3 an award of attorney's fees and costs to the Plaintiffs. Therefore, the amount of attorney's fees and  
4 costs in the amount of \$48,116.84 awarded to Plaintiffs against the remaining Defendants shall not be  
5 reduced.  
6

7 3. As such, the Judgment entered by the Court on September 26, 2018 is hereby amended  
8 and reduced to a total amount of **\$51,630.79**. The amount of pre-judgment and post-judgment interest  
9 must also be amended, because the determination of these awards was related to the original amount  
10 of the September 26, 2018 Judgment. The calculus for this award remains the same, however, using  
11 seven percent (7%) interest and calculating pre-judgment interest from February 10, 2015 (the date  
12 Plaintiffs filed their complaint) until September 18, 2018 (the date the Court issued its FFCLJ), which  
13 totals 1,316 days. As such, Plaintiffs are awarded **\$13,028.40** in pre-judgment interest ( $\$51,630.79 \times$   
14  $.07/365$  days per year = \$9.90 per day  $\times 1,316$  days = \$13,078.40). Plaintiffs are also entitled to post-  
15 judgment interest from September 18, 2018, until this judgment is paid in full at the rate of **\$9.90 per**  
16 **day** ( $\$51,630.79 \times .07/365$  days per year = \$9.90 per day).  
17  
18

19 JUDGMENT IS SO ENTERED this 24<sup>th</sup> day of January, 2019.  
20

21   
22 District Judge  
23

24 Submitted by:

25 /s/ John D. Moore

26 John D. Moore, Esq.

27 Nevada State Bar No. 8581

3715 Lakeside Drive, Suite A

Reno, NV 89509

john@moore-lawgroup.com

Attorney for Plaintiffs  
28

2535  
John D. Moore, Esq.  
Nevada State Bar No. 8581  
MOORE LAW GROUP, PC  
3715 Lakeside Drive, Suite A  
Reno, NV 89509  
(775) 336-1600  
Attorney for Plaintiffs  
john@moore-lawgroup.com

**IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA**

**IN AND FOR THE COUNTY OF WASHOE**

JOHN LINDBERG, an individual; MICHAL  
LINDBERG, an individual; and JUDITH L.  
LINDBERG, an individual,

Plaintiffs,

v.

HARRY RICHARD REYNOLDS, an  
individual; DEANN REYNOLDS, an  
individual; J.E. JOHNS & ASSOCIATES, a  
Nevada business entity; JAMES E. JOHNS,  
an individual; A.J. JOHNSON, an individual;  
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GROUP ONE, INC., a Nevada corporation  
dba Keller Williams Realty; ROBERT  
CLEMENT, an individual; and DOES 3  
through 10, inclusive,

Defendants.

Case No. CV15-00281

Dept. No. 3

**NOTICE OF ENTRY OF AMENDED JUDGMENT FOLLOWING HEARING**

TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on January 24, 2019, the Court entered its Amended  
Judgment Following Hearing in the above-captioned matter. A copy of the same is attached hereto  
and incorporated herein by reference.

**AFFIRMATION PURSUANT TO NRS 239B.030**

The undersigned attorney does hereby affirm that the preceding document does not contain the social security number of any persons.

DATED this 24<sup>th</sup> day of January, 2019.

MOORE LAW GROUP, PC

By 

John D. Moore, Esq.

Nevada State Bar No. 8581

3715 Lakeside Drive, Suite A

Reno, NV 89509

(775) 336-1600 telephone

(775) 336-1601 fax

john@moore-lawgroup.com

Attorney for Plaintiffs

1105

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

JOHN LINDBERG, an individual; MICHAL  
LINDBERG, an individual; and JUDITH L.  
LINDBERG, an individual,

Plaintiffs,

v.

HARRY RICHARD REYNOLDS, an  
individual; DEANN REYNOLDS, an  
individual; J.E. JOHNS & ASSOCIATES, a  
Nevada business entity; JAMES E. JOHNS,  
an individual; A.J. JOHNSON, an individual;  
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Case No. CV15-00281

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19 JUDGMENT IS SO ENTERED this 24<sup>th</sup> day of January, 2019.  
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21   
22 District Judge  
23

24 Submitted by:

25 /s/ John D. Moore

26 John D. Moore, Esq.

27 Nevada State Bar No. 8581

3715 Lakeside Drive, Suite A

Reno, NV 89509

john@moore-lawgroup.com

Attorney for Plaintiffs  
28

**CERTIFICATE OF SERVICE**

Pursuant to NRCP 5(b), I certify that I am an employee of Moore Law Group, PC, and that on January 24, 2019, I caused the foregoing document to be served on all parties to this action

by:

☐ placing an original or true copy thereof in a sealed, postage prepaid, envelope in the United States mail at Reno, Nevada.

☐ personal delivery

☐ facsimile (fax)

☐ Federal Express/UPS or other overnight delivery

☐ Reno/Carson Messenger Service

☒ E-service via flex filing system

to the following:

- GLADE HALL, ESQ. for AMINA JOHNS; J.E. JOHNS & ASSOCIATES et al



\_\_\_\_\_  
An Employee of Moore Law Group, PC

**CASE NO. CV15-00281    TITLE: JOHN LINDBERG ET AL VS. HARRY R. REYNOLDS; ETAL**

**OFFICERS OF**

**COURT PRESENT**

**APPEARANCES-HEARING**

---

1/13/17 HONORABLE JEROME M. POLAHA DEPT. NO. 3 R. Woosley (Clerk) J. Dotson (Reporter)	<p><b><u>PRETRIAL CONFERENCE</u></b></p> <p>John Moore, Esq., was present telephonically on behalf of the Plaintiffs. C. Nicolas Pereos, Esq., was present on behalf of the Defendants J.E Johns &amp; Associates. Alicia Johnson, Esq., was present with the Defendants Harry and Deann Reynolds.</p> <p>Discussion ensued regarding Defendants Group One dba Keller Williams reaching a settlement agreement with the parties prior to today's hearing.</p> <p>Counsel Moore addressed the Court, and indicated his clients are open to participating in a settlement conference.</p> <p>Counsel Johnson concurred with counsel Moore and indicated that she would prepare a proposed order.</p> <p>Discussion ensued regarding discovery deadlines contained in the parties Joint Case Conference Report.</p> <p><b>COURT ORDERED</b> Scheduling Order entered.</p>
--	--

**CASE NO. CV15-00281    TITLE: JOHN LINDBERG; ET AL VS. HARRY R. REYNOLDS; ET AL**

**OFFICERS OF**

**COURT PRESENT**

**APPEARANCES-HEARING**

---

10/6/17

**PRETRIAL CONFERENCE**

HONORABLE

John Moore, Esq., was present telephonically on behalf of the Plaintiffs. C. Nicholas

JEROME M.

Pereos, Esq., was present telephonically on behalf of the Defendants.

POLAHA

DEPT. NO. 3

Discussion ensued regarding the discovery deadlines contained in the Stipulation

R. Woosley

Regarding Discovery Deadlines and the Court wishing to adopt the stipulated dates into

(Clerk)

the Scheduling Order.

J. Dotson

**COURT ORDERED** Scheduling Order entered.

(Reporter)

CASE NO. CV15-00281

JOHN LINDBERG ET AL VS HARRY R REYNOLDS ET AL

DATE, JUDGE  
OFFICERS OF  
COURT PRESENT

APPEARANCES-HEARING

---

7/27/18

PRE-TRIAL CONFERENCE

HON. JEROME  
POLAHA  
DEPT. NO. 3  
T. Travers  
(Clerk)

Counsel John Moore was present, representing the Plaintiffs.  
Counsel Glade Hall was present, representing the Defendants.  
Conference held in chambers.

The Court noted trial date of August 20, 2018.  
Counsel Moore addressed the Court and informed reason of previous continuance.  
Counsel stated he was ready to proceed with trial and responded to the Court's  
questions regarding the settlement conference and the outcome.  
Counsel Hall responded and stated that he was ready to proceed as well.  
Discussion ensued regarding the offer.  
Respective counsel agreed with a three (3) day trial.  
COURT ORDERED: Counsel to provide the Findings of Facts and Conclusions.

---

CASE NO. CV15-00281

LINDBERG, ETAL. VS. REYNOLDS, ETAL.

DATE, JUDGE  
OFFICERS OF  
COURT PRESENT

APPEARANCES-HEARING

08/20/18  
HON. JEROME M.  
POLAHA  
DEPT. NO. 3  
G. Bartlett  
(Clerk)  
J. Dotson  
(Reporter)

TRIAL - NON JURY

Plaintiffs, John Lindberg, Judith Lindberg and Michal Lindberg, present with counsel, John Moore, Esq.  
Defendant, Amina Johns, present with counsel, Glade Hall, Esq.  
The Court addressed the Motion for Sanctions and stated that the defense has time to reply; counsel Moore agreed.  
Counsel Moore presented opening statement.  
The Court made inquiries of counsel Moore; counsel Moore responded.  
Counsel Hall presented opening statement.  
Counsel Moore moved to invoke the rule of exclusion; SO ORDERED.  
**John Charles Lindberg** was called by counsel Moore, sworn, testified and cross-examined by counsel Hall.  
During the testimony of witness Lindberg, the following exhibits were ordered admitted by the Court:  
**Plaintiff's exhibits 1-4, 6-22, 24-27, 29-36, 38-40, 42, 45-46, 48 and 50**  
**Amina Marie Johnson-Johns** was called by counsel Moore, sworn, testified and cross-examined by counsel Hall.  
During the testimony of witness Johnson-Johns, the following exhibits were ordered admitted by the Court:  
**Plaintiff's exhibits 72, 54, 60, 68, 63, 69, 70, 71, 66, 55**  
**Joint Exhibit 77**  
Also during the testimony of witness Johnson-Johns, counsel Moore requested to make copies of the extra documents the witness brought up with her to the stand. The Court made inquiries of witness Johnson-John; Johnson-John responded. COURT ORDERED: Request to make copies denied.  
Counsel Moore informed the Court that his next two witnesses are scheduled for Tuesday.  
COURT ORDERED: Trial is hereby continued to Tuesday, August 21, 2018 at 1:00 p.m.

CASE NO. CV15-00281

LINDBERG, ETAL. VS. REYNOLDS, ETAL

DATE, JUDGE  
OFFICERS OF  
COURT PRESENT

APPEARANCES-HEARING

---

08/21/18  
HON. JEROME M.  
POLAHA  
DEPT. NO. 3  
G. Bartlett  
(Clerk)  
J. Dotson  
(Reporter)

TRIAL - NON JURY (DAY 2)

Plaintiffs, John Lindberg, Judith Lindberg and Michal Lindberg, present with counsel, John Moore, Esq.

Defendant, Amina Johns, present with counsel, Glade Hall, Esq.

**Sherrie Cartinella** was called by counsel Moore, sworn, testified and cross-examined by counsel Hall.

The Court made inquiries of witness Cartinella; Cartinella responded thereto.

**Ron Cohen** was called by counsel Moore, sworn, testified and cross-examined by counsel Hall.

During the testimony of witness Cohen, the following exhibits were admitted by the Court:

**Plaintiffs exhibits 10, 43, 23 and 28.**

The Court made inquiries of witness Cohen; Cohen responded thereto.

Counsel Moore further moved to admit exhibits 5 and 64; no objection by counsel Hall.

COURT ORDERED: **Plaintiffs exhibits 5 and 64** are hereby admitted.

**Plaintiffs rested.**

**Amina Marie Johnson-Johns** was called by counsel Hall, sworn, testified and cross-examined.

The Court made inquiries of witness Johnson-Johns; Johnson-Johns responded thereto.

During the testimony of witness Johnson-Johns, the following exhibits were admitted by the Court:

**Plaintiffs exhibits 59, 61**

Counsel Hall informed the Court that his next witness is not available until Wednesday.

COURT ORDERED: Trial is hereby continued to Wednesday, August 22, 2018 at 11:00 a.m.

---



CASE NO. CV15-00281

LINDBERG, ETAL. VS. REYNOLDS, ETAL.

DATE, JUDGE  
OFFICERS OF  
COURT PRESENT

APPEARANCES-HEARING

---

08/22/18  
HON. JEROME M.  
POLAHA  
DEPT. NO. 3  
G. Bartlett  
(Clerk)  
J. Dotson  
(Reporter)

TRIAL - NON JURY (DAY3)

Plaintiffs, John Lindberg, Judith Lindberg and Michal Lindberg, present with counsel, John Moore, Esq.

Defendant, Amina Johns, present with counsel, Glade Hall, Esq.

**Gloria Grubic** was called by counsel Hall, sworn, testified and cross-examined. Counsel Moore objected to any documents that the witness might produce during her testimony and stated that counsel was not at the exhibit marking and discovery has closed; response by counsel Hall; response by counsel Hall.

COURT ORDERED: Counsel may use documents during her testimony. The motion for sanctions filed by counsel Moore will be against defense counsel only. During the testimony of witness Grubic, the following exhibits were ordered marked and admitted by the Court:

**Defendants' exhibits 78, 79**

**Defense rested.**

Counsel Moore marked and moved to admit exhibit 80; no objection by counsel Hall.

COURT ORDERED: **Exhibit 80 admitted.**

Respective counsel presented closing arguments.

The Court made inquiries of respective counsel during their presentations; respective counsel responded thereto.

COURT ORDERED: Matter under advisement.

---

**TRIAL EXHIBITS**

PLTF: **John Lindberg, et al.**  
DEFT: **Harry Richard Reynolds, et al.**

PATY: **John Moore**  
DATY: **Glade Hall**

Case No: **CV15-00281** Dept. No: **3** Clerk: **G. Bartlett** Date: August 20 - 22, 2018

Exhibit No.	Party	Description	Marked	Offered	Admitted
1	PLAINTIFF	Seller's Real Property Disclosures Form – KW 2 – KW 5	8/16/18	No obj.	8/20/18
2	PLAINTIFF	Listing dated 12/1/2012 – KW 6 – KW 7	8/16/18	No obj.	8/20/18
3	PLAINTIFF	Counter Offer dated 01/04/2013 – KW 8	8/16/18	No obj.	8/20/18
4	PLAINTIFF	Offer and Acceptance Agreement dated 01/03/2013 – KW 9 – KW 15	8/16/18	No obj.	8/20/18
5	PLAINTIFF	Check for Earnest Money Deposit – KW 16	8/16/18	No obj.	8/21/18
6	PLAINTIFF	Listing dated 12/1/2012 with initials – KW 21 – KW 22	8/16/18	No obj.	8/20/18
7	PLAINTIFF	Uniform Building Inspection Report dated 1/29/2013 – KW 24 – KW 32	8/16/18	No obj.	8/20/18
8	PLAINTIFF	Well Water Analysis Report dated 2/8/2013 – KW 33 – KW 35	8/16/18	No obj.	8/20/18
9	PLAINTIFF	Septic System Inspection Report dated January 18, 2013 – KW 36 – KW 42	8/16/18	No obj.	8/20/18
10	PLAINTIFF	Estimate to Repair Barn, if required – LIND 0001	8/16/18	No obj.	8/21/18
11	PLAINTIFF	Consulting Estimate – LIND 0002 – LIND 0003	8/16/18	No obj.	8/20/18
12	PLAINTIFF	Email Correspondence regarding Variance Application – LIND 0004 – LIND 0006	8/16/18	No obj.	8/20/18

**TRIAL EXHIBITS**

PLTF: **John Lindberg, et al.**  
DEFT: **Harry Richard Reynolds, et al.**

PATY: **John Moore**  
DATY: **Glade Hall**

Case No: **CV15-00281** Dept. No: **3** Clerk: **G. Bartlett** Date: **August 20 - 22, 2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
13	PLAINTIFF	Receipt for Payment of Variance Application – LIND 0007 – LIND 0008	8/16/18	No obj.	8/20/18
14	PLAINTIFF	Application for Variance dated 2/2/2016 – LIND 0009	8/16/18	No obj.	8/20/18
15	PLAINTIFF	Tri-State Surveying Invoices – LIND 0012 – LIND 0013	8/16/18	No obj.	8/20/18
16	PLAINTIFF	Origins 8 Architecture Invoices – LIND 0014 – LIND 0017	8/16/18	No obj.	8/20/18
17	PLAINTIFF	Building Permit Payment Receipts – LIND 0018 – LIND 0021	8/16/18	No obj.	8/20/18
18	PLAINTIFF	Building Permit 14-2339 dated 9/2/2014 – LIND 0023	8/16/18	No obj.	8/20/18
19	PLAINTIFF	Correction Notice dated 9/5/2014 – LIND 0024	8/16/18	No obj.	8/20/18
20	PLAINTIFF	Permit Detail 14-2339 dated 9/2/2014 – LIND 0025	8/16/18	No obj.	8/20/18
21	PLAINTIFF	Building Permit Payment Receipt – LIND 0026	8/16/18	No obj.	8/20/18
22	PLAINTIFF	Plan Review and Status Correction Report – LIND 0027 – LIND 0029	8/16/18	No obj.	8/20/18
23	PLAINTIFF	Email regarding Septic Variance – LIND 0030 – LIND 0031	8/16/18	No obj.	8/21/18
24	PLAINTIFF	Detail for Permit 94-1759 – LIND 0032 – LIND 0040	8/16/18	No obj.	8/20/18

**TRIAL EXHIBITS**

**PLTF: John Lindberg, et al.**  
**DEFT: Harry Richard Reynolds, et al.**

**PATY: John Moore**  
**DATY: Glade Hall**

Case No: **CV15-00281** Dept. No: **3** Clerk: **G. Bartlett** Date: August 20 - 22, 2018

Exhibit No.	Party	Description	Marked	Offered	Admitted
25	PLAINTIFF	Complaint related to In-Laws Structure – LIND 0041 – LIND 0042	8/16/18	No obj.	8/20/18
26	PLAINTIFF	Detail for Permit 92-0322 – LIND 0045 – LIND 0046	8/16/18	No obj.	8/20/18
27	PLAINTIFF	Detail for Permit 96 – 3555 – LIND 0047 – LIND 0048	8/16/18	No obj.	8/20/18
28	PLAINTIFF	Emails from Ron Cohen to Washoe County – LIND 0050 – LIND 0054	8/16/18	No obj.	8/21/18
29	PLAINTIFF	Receipt for Permit 15-1410 – LIND 0057	8/16/18	No obj.	8/20/18
30	PLAINTIFF	Agenda regarding Variance #1-16S dated 2/28/2016 – LIND 0060 – LIND 0063	8/16/18	No obj.	8/20/18
31	PLAINTIFF	Emails related to Variance – LIND 0065 – LIND 0066	8/16/18	No obj.	8/20/18
32	PLAINTIFF	Emails related to RTC Fees and Credits – LIND 0067 – LIND 0075	8/16/18	No obj.	8/20/18
33	PLAINTIFF	Variance Action Order – LIND 0076 – LIND 0080	8/16/18	No obj.	8/20/18
34	PLAINTIFF	Check related to payment of Permit Charges – LIND 0081	8/16/18	No obj.	8/20/18
35	PLAINTIFF	Estimate to Install Second Septic and Leach Field – LIND 0082	8/16/18	No obj.	8/20/18

# TRIAL EXHIBITS

PLTF: **John Lindberg, et al.**  
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Case No: **CV15-00281** Dept. No: **3** Clerk: **G. Bartlett** Date: August 20 - 22, 2018

Exhibit No.	Party	Description	Marked	Offered	Admitted
36	PLAINTIFF	Estimate to Install Hand Pump in Well – LIND 0084 – LIND 0085	8/16/18	No obj.	8/20/18
37	PLAINTIFF	Check to Install Hand Pump in Well – LIND 0086	8/16/18		
38	PLAINTIFF	Invoice for Septic Install – LIND 0087	8/16/18	No obj.	8/20/18
39	PLAINTIFF	Checks for Payment of Septic Install – LIND 0088 – LIND 0089	8/16/18	No obj.	8/20/18
40	PLAINTIFF	Invoice for Preconstruction Consulting – LIND 0090	8/16/18	No obj.	8/20/18
41	PLAINTIFF	Letter from John Lindberg dated 8/26/2015 – LIND 0109	8/16/18		
42	PLAINTIFF	Administrative Review Packet and Application – LIND 0111 – LIND 0117	8/16/18	No obj.	8/20/18
43	PLAINTIFF	Permit No. 15-1410 – LIND 0118 – LIND 0120	8/16/18	No obj.	8/21/18
44	PLAINTIFF	Plans submitted for Permit 96-3555 – LIND 0176 – LIND 0182	8/16/18		
45	PLAINTIFF	Moore Law Group Redacted Invoices – LIND 0183 – LIND 0193	8/16/18	No obj.	8/20/18
46	PLAINTIFF	Brohawn Law Firm Redacted Invoices – LIND 0194 – LIND 0199	8/16/18	No obj.	8/20/18



**TRIAL EXHIBITS**

PLTF: **John Lindberg, et al.**  
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Case No: **CV15-00281** Dept. No: **3** Clerk: **G. Bartlett** Date: August 20 - 22, 2018

Exhibit No.	Party	Description	Marked	Offered	Admitted
47	PLAINTIFF	Permit 96-3555 and proposed plans – LIND 0228 – LIND 0232	8/16/18		
48	PLAINTIFF	Origin 8 Architecture Plans – LIND 0242 – LIND 0251	8/16/18	No obj.	8/20/18
49	PLAINTIFF	Nevada Law and Reference Guide – LIND 0453 – LIND 0620	8/16/18		
50	PLAINTIFF	Moore Law Group Invoices – LIND 0624 – LIND 0630	8/16/18	No obj.	8/20/18
51	PLAINTIFF	Documents related to December 2012 Offer/Counter Offer – RFP docs from A.J. Johnson 0001 – 0015	8/16/18		
52	PLAINTIFF	Documents related to Continuing Education Courses – RFP docs from A.J. Johnson 0016 – 0058	8/16/18		
53	PLAINTIFF	Exhibits 19 – 21 to A.J. Johnson's deposition	8/16/18		
54	PLAINTIFF	Various Property Listings – REY00001 – REY00010	8/16/18	No obj.	8/20/18
55	PLAINTIFF	Email Correspondence – REY00011 – REY00016	8/16/18	No obj.	8/20/18
56	PLAINTIFF	Permit History – REY00017	8/16/18		
57	PLAINTIFF	Various Permits – REY00018 – REY00023	8/16/18		

**TRIAL EXHIBITS**

PLTF: **John Lindberg, et al.**  
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Case No: **CV15-00281** Dept. No: **3** Clerk: **G. Bartlett** Date: August 20 - 22, 2018

Exhibit No.	Party	Description	Marked	Offered	Admitted
58	PLAINTIFF	Exclusive Right to Sell – REY00024 – REY00025 (also at JJvL 001 – JJvL002)	8/16/18		
59	PLAINTIFF	Duties Owed by Realtor – REY00026 (also at JJvL003)	8/16/18	No obj.	8/21/18
60	PLAINTIFF	Residential Listing Input Form – REY00027 – REY00029	8/16/18	No obj.	8/20/18
61	PLAINTIFF	Letter dated January 3, 2013 – REY00038	8/16/18	No obj.	8/21/18
62	PLAINTIFF	Real Property Disclosure Form – REY00048 – REY00051 (also at JJvL 014 – JJvL 0018)	8/16/18		
63	PLAINTIFF	September 5, 2012 Appraisal – REY00067 – REY00089	8/16/18	No obj.	8/20/18
64	PLAINTIFF	Portions of September 5, 2012 Appraisal – JJvL 031 – JJvL 045	8/16/18	No obj.	8/21/18
65	PLAINTIFF	Amendment to Escrow – REY00093	8/16/18		
66	PLAINTIFF	Commission Instructions – REY00138 – REY00140	8/16/18	No obj.	8/20/18
67	PLAINTIFF	Title Instructions – REY00141	8/16/18		
68	PLAINTIFF	Two Pages from Residential Listing Input Form – JJvL 004 – JJvL 005	8/16/18	No obj.	8/20/18

**TRIAL EXHIBITS**

PLTF: **John Lindberg, et al.**  
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Case No: **CV15-00281** Dept. No: **3** Clerk: **G. Bartlett** Date: August 20 - 22, 2018

Exhibit No.	Party	Description	Marked	Offered	Admitted
69	PLAINTIFF	Emails with Questions related to the Septic System – JJvL 048 – JJvL 052	8/16/18	No obj.	8/20/18
70	PLAINTIFF	Numerous Emails – JJvL 106 – JJvL 128	8/16/18	No obj.	8/20/18
71	PLAINTIFF	Defendants' January 11, 2018 responses to the Plaintiffs' written interrogatories dated December 13, 2017.	8/16/18	No obj.	8/20/18
72	PLAINTIFF	Defendants' January 11, 2018 responses to the Plaintiffs' written requests for production of documents dated December 13, 2017.	8/16/18	No obj.	8/20/18
73	PLAINTIFF	Defendants' January 11, 2018 responses and February 15, 2018 amended responses to Plaintiffs' written requests for admission.	8/16/18		
74	PLAINTIFF	Documents produced by way of subpoena from Barry Wardell during the deposition of Barry Wardell	8/16/18		
75	PLAINTIFF	Documents produced by way of subpoena from Pamela Beko Molini during the deposition of Pamela Beko Molini	8/16/18		



**TRIAL EXHIBITS**

PLTF: **John Lindberg, et al.**  
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Case No: **CV15-00281** Dept. No: **3** Clerk: **G. Bartlett** Date: August 20 - 22, 2018

Exhibit No.	Party	Description	Marked	Offered	Admitted
76	PLAINTIFF	Documents produced by way of subpoena from Forrest Barbee during the deposition of Forrest Barbee, previously produced to Defendants.	8/16/18		
77	JOINT	MLS Property Search w/ signatures	8/20/18	No obj.	8/20/18
78	RESERVED				
79	RESERVED				
80	DEFENDANT				
81	DEFENDANT				
82	DEFENDANT				
83	DEFENDANT				
84	DEFENDANT				
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91	DEFENDANT				
92	DEFENDANT				
93	DEFENDANT				
94	DEFENDANT				
95	DEFENDANT				
96	RESERVED				

### TRIAL EXHIBITS

PLTF: **John Lindberg, et al.**

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Case No: **CV15-00281** Dept. No: **3** Clerk: **G. Bartlett** Date: **August 20 - 22, 2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
97	RESERVED				
98	RESERVED				
99					

Code 1350

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

JOHN LINDBERG, an individual; MICHAL  
LINDBERG, an individual; and JUDITH L.  
LINDBERG, an individual,

Plaintiffs,

Case No. CV15-00281

vs.

Dept. No. 3

HARRY RICHARD REYNOLDS, an  
individual; DEANN REYNOLDS, an  
individual; J.E. JOHNS & ASSOCIATES, a  
Nevada business entity; JAMES E. JOHNS, an  
individual; A.J. JOHNSON, an individual;  
BRIAN F. KINCANNON, an individual;  
GROUP ONE, INC., a Nevada corporation  
dba Keller Williams Realty; ROBERT  
CLEMENT, an individual; and DOES 3  
through 10, inclusive,

Defendants.

**CERTIFICATE OF CLERK AND TRANSMITTAL – NOTICE OF APPEAL**

I certify that I am an employee of the Second Judicial District Court of the State of Nevada,  
County of Washoe; that on the 26th day of February, 2019, I electronically filed the Notice of  
Appeal in the above entitle matter to the Nevada Supreme Court.

The Notice of Appeal contains sealed documents. I certify that I deposited in the Washoe  
County mailing system for postage and mailing in the United States Postal Service in Reno,  
Nevada, a copy of the sealed minutes addressed to the Nevada Supreme Court, 201 S. Carson  
Street, Suite 201, Carson City, Nevada 89701.

1 I further certify that the transmitted documents are true and correct copies of the original  
2 pleadings on file with the Second Judicial District Court.

3 Dated this 26th day of February, 2019.

4 Jacqueline Bryant  
5 Clerk of the Court

6 By /s/Yvonne Vilorio  
7 Yvonne Vilorio  
8 Deputy Clerk  
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HERITAGE BANK OF NEVADA  
RENO, NV 89510

1602

94-181/1212

CHECK ASSURE  
FRAUD PROTECTIONMOORE LAW GROUP, PC  
3715 LAKESIDE DRIVE STE. A  
RENO, NV 89509  
PH. 775-336-1600

3/2/2019

PAY TO THE  
ORDER OF

Clerk of the Supreme Court

\$ \*\*250.00

Two Hundred Fifty and 00/100\*\*\*\*\*

DOLLARS

Clerk of the Supreme Court

MEMO

CV15-00281

Cost to file notice of appeal.

VALID VALID  
VALID VALID  
VALID VALID  
VALID VALID

AUTHORIZED SIGNATURE

⑈001602⑈ 121201814⑈

⑈1040009852⑈