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CASE NO. 78187
Electronically Filed
May 20 2019 10:44 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

VS.

Defendants.

Pursuant to this Honorable Court’s Order to Show Cause, Appellants present the following points and authorities to support jurisdiction as well as the District Court Order Dismissing Great Wash Park LLC from the underlying litigation with prejudice.

On April 25, 2019, this Honorable Court issued to Appellant an Order to Show Cause why it has jurisdiction over this appeal. An appeal may only be taken if, “[a] final judgment is entered in an action or proceeding ...” NRAP3A(b)(1). Great Wash Park LLC was named as a Defendant in the Third Amended Complaint and was properly served on November 3, 2017. See Exhibit “A” attached hereto. However, Great Wash Park LLC did not make an appearance in the case and was not included in the summary judgment order. As such, the summary judgment order was not a final judgment.

Appellant has rectified the appeal's defect. On April 25, 2019, Appellants dismissed Great Wash Park LLC from the litigation with prejudice pursuant to NRCP 41(a)(1), as it had not filed an answer, motion for summary judgment or otherwise made an appearance. See Exhibit "B" attached hereto. In an abundance of caution, Appellants also presented the District Court with a Stipulation and Order to Dismiss Great Wash Park LLC With Prejudice, which the District Court

1 Judge signed on May 13, 2019. See Exhibit “C” attached hereto. Great Wash Park LLC’s dismissal
2 with prejudice formally resolves all claims against it. With no other parties or claims surviving a
3 final order, this Honorable Court has jurisdiction over the appeal.

4 Respectfully submitted this 20th day of May, 2019.

5 **MARX LAW FIRM PLLC**

6
7 By /s/ Bradley Marx

8 Bradley M. Marx

9 Nevada Bar No. 12999

601 S. Rancho Dr.

Las Vegas, Nevada 89106

10 *Attorney for ROBERT G. REYNOLDS, and*
11 *DIAMANTI FINE JEWELERS, LLC*
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CERTIFICATE OF SERVICE

I certify that on this 20th day of May, 2019, I caused to be served a true and correct copy of the foregoing APPELLANT'S RESPONSE TO ORDER TO SHOW CAUSE to be served via the Court's electronic filing and service system to all parties on the current service list.

Terry A. Moore, Esq.
Christian T. Balducci, Esq.
MARQUIS AURBACH COFFING
1001 Park Run Drive
Las Vegas, NV 89145
*Attorneys for RAFFI TUFENKJIAN
and LUXURY HOLDINGS LV, LLC*

By /s/ Bradley Marx

Bradley Marx

EXHIBIT A

EXHIBIT A

**DISTRICT COURT
CLARK COUNTY, NEVADA
DECLARATION OF SERVICE**

ROBERT G. REYNOLDS, et al.,

Case No :A-17-753532

Plaintiff/Petitioner,

vs.

RAFFI TUFENKJIAN, et al.,Defendant/Respondent,
_____ /STATE OF NEVADA,
COUNTY OF CLARK

ss.:

SUMMONS; THIRD AMENDED COMPLAINT Received by NOW! Services, Inc. on 11/02/2017 with instructions to serve **GREAT WASH PARK, LLC c/o Registered Agent: John Lucero at 400 S. Rampart Blvd. Suite 350, Las Vegas, NV89145.**

I, **Mike Nettles**, being duly sworn says: That at all times herein affiant was and is a citizen of the United States, over 18 years of age, not a party to or interested in the proceeding in which this affidavit is made.

I am authorized to serve this process in the circuit/county it was served in.

On **11/02/2017 at 1:58 PM**, deponent served the within **SUMMONS; THIRD AMENDED COMPLAINT** on **GREAT WASH PARK, LLC c/o Registered Agent: John Lucero at 400 S. Rampart Blvd. Suite 350, Las Vegas, NV89145** in the manner indicated below:

By personally delivering and leaving a true copy of this process with **Joanne Mauro**, pursuant to NRS 14.020 as a person of suitable age and discretion at the above address, which is the address of the Resident Agent as shown on the current certificate of designation filed with the Secretary of State.

A description of the **Defendant(s)**, or other person served on behalf of the **Defendant(s)** is as follows:

Sex	Color of skin/race	Color of hair	Age(Approx)	Height(Approx)	Weight(Approx)
Female	Caucasian	Brown	30's	5'07	140
Other Features:					

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

Executed this 3 day of November 2017.

No Notary is required per NRS 53.045.

X

Mike Nettles
Mike Nettles

License#: 1361

NOW! Services, Inc.

3210 W. Charleston Blvd., Ste. 3

Las Vegas, NV89102

(702) 669-7378

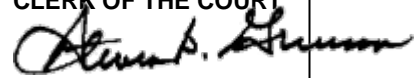


18515

Client File No:

EXHIBIT B

EXHIBIT B



VDSM

Bradley M. Marx
Nevada Bar No. 12999
MARX LAW FIRM, PLLC
601 S. Rancho Dr. Ste. B14
Las Vegas, Nevada 89106
Telephone: (702) 900-2541
brad@marxfirm.com
Attorney for Plaintiffs

**DISTRICT COURT
CLARK COUNTY, NEVADA**

ROBERT G. REYNOLDS, an Individual, and
DIAMANTI FINE JEWELERS, LLC, a Nevada
Limited Liability Company,

Plaintiffs,

vs.

RAFFI TUFENKJIAN, an individual, and
LUXURY HOLDINGS LV, LLC, a Nevada
Limited Liability Company, GREAT WASH
PARK, LLC, a Nevada Limited Liability
Company d/b/a TIVOLI VILLAGE, DOES 1-
10, and ROE CORPORATIONS 1-10 inclusive,

Defendants.

CASE NO. A-17-753532-B
DEPT NO. XIII

**VOLUNTARY DISMISSAL OF
GREAT WASH PARK, LLC, WITH
PREJUDICE**

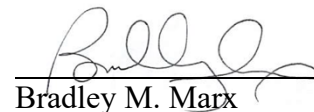
HEARING REQUESTED

Plaintiffs, ROBERT G. REYNOLDS and DIAMANTI FINE JEWELERS, LLC, through counsel undersigned, and pursuant to NRCP 41(a)(1), hereby dismisses its claims against GREAT WASH PARK, LLC, with prejudice and without attorney's fees or costs to either party. This notice of dismissal is being filed before GREAT WASH PARK, LLC serves an answer, files a motion for summary judgment or otherwise makes an appearance.

DATED this 25th day of April, 2019.

MARX LAW FIRM PLLC

By




Bradley M. Marx
Nevada Bar No. 12999
601 S. Rancho Dr. B14
Las Vegas, Nevada 89106
Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I certify that on this 25th day of April, 2019, and pursuant to NRCP 5, I caused to be served a true and correct copy of the foregoing **VOLUNTARY DISMISSAL OF GREAT WASH PARK, LLC WITH PREJUDICE**, to be served via the Court's electronic filing and service system to all parties on the current service list.

Terry A. Moore, Esq.
Christian T. Balducci, Esq.
MARQUIS AURBACH COFFING
1001 Park Run Drive
Las Vegas, NV 89145
Attorneys for Defendants

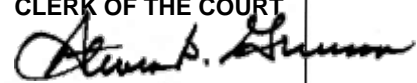
By



Bradley Marx

EXHIBIT C

EXHIBIT C



Bradley M. Marx
Nevada Bar No. 12999
MARX LAW FIRM, PLLC
601 S. Rancho Dr. Ste. B14
Las Vegas, Nevada 89106
Telephone: (702) 900-2541
brad@marxfirm.com
Attorney for Plaintiffs

**DISTRICT COURT
CLARK COUNTY, NEVADA**

ROBERT G. REYNOLDS, an Individual, and
DIAMANTI FINE JEWELERS, LLC, a Nevada
Limited Liability Company,

CASE NO. A-17-753532-B
DEPT NO. XIII

Plaintiffs,

vs.

**STIPULATION AND ORDER FOR
DISMISSAL OF GREAT WASH
PARK, LLC, WITH PREJUDICE**

RAFFI TUFENKJIAN, an individual, and
LUXURY HOLDINGS LV, LLC, a Nevada
Limited Liability Company, GREAT WASH
PARK, LLC, a Nevada Limited Liability
Company d/b/a TIVOLI VILLAGE, DOES 1-
10, and ROE CORPORATIONS 1-10 inclusive,

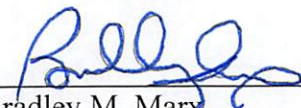
Defendants.

Plaintiffs, ROBERT G. REYNOLDS and DIAMANTI FINE JEWELERS, LLC, hereby
stipulates to dismiss their claims against GREAT WASH PARK, LLC, with prejudice and without
attorney's fees or costs to either party.

DATED this 13th day of ^{May} April, 2019.

MARX LAW FIRM PLLC

By


Bradley M. Marx
Nevada Bar No. 12999
601 S. Rancho Dr. B14
Las Vegas, Nevada 89106
Attorney for Plaintiffs

IT IS SO ORDERED

Dated this 13th day of ^{May} April, 2019


DISTRICT COURT JUDGE