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Elizabeth A. Brown
Clerk of Supreme Court

NOAS
DAVID S. LEE, ESQ.
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Attorneys for Dunham Trust Company

DISTRICT COURT
CLARK COUNTY, NEVADA

In the Matter of:

The BEATRICE B. DAVIS FAMILY
HERITAGE TRUST, dated July 28, 2000, as
amended on February 24, 2014

CASE NO.: P-15-083867-T
DEPT. NO.: 26

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN that the DUNHAM TRUST COMPANY, by and through its attorneys, LEE, HERNANDEZ, LANDRUM & CARLSON, APC, hereby appeal to the Supreme Court of Nevada from the Order entered on January 23, 2019, on Motion to Adjudicate the Rights of Counsel to Enforce Amended Attorney's Lien and for Judgment for Attorney's Fees and Costs filed July 9, 2018 by Anthony L. Barney, Ltd. A copy of the Order is attached hereto as *Exhibit "1."*

DATED this 21st day of February, 2019.

LEE, HERNANDEZ, LANDRUM
& CARLSON, APC

By: 

DAVID S. LEE, ESQ.
Nevada Bar No. 6033
CHARLENE N. RENWICK, ESQ.
Nevada Bar No. 10165
7575 Vegas Drive, Suite 150
Las Vegas, NV 89128
Attorneys for Dunham Trust Company

CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of February, 2019, I served a true and correct copy of the above and foregoing **NOTICE OF APPEAL**, by the court's electronic filing system to all parties attached to the case and by first class U.S. mail, postage prepaid, to the following persons or entities:

ATTORNEY	PARTY	PHONE/FAX/E-MAIL
Mark A. Solomon, Esq. Joshua M. Hood, Esq. SOLOMON, DWIGGINS & FREER, LTD. 9060 W. Cheyenne Ave. Las Vegas, NV 89129	Caroline Davis	Phone: (702) 853-5483 Fax: (702) 853-5485 msolomon@sdfnvlaw.com jhood@sdfnvlaw.com
John M. Tyner, Esq. POL SINELLI 900 W. 48 th Place, Suite 900 Kansas City, MO 64112	Caroline Davis (MO counsel)	JTyner@Polsinelli.com 816.360.4140
Thomas Grover, Esq. Michael Olsen, Esq. BLACKROCK LEGAL, LLC 10155 W. Twain Ave., #100 Las Vegas, NV 89147	Christopher Davis	Phone: (702) 855-5658 Fax: (702) 869-8243 tom@goodsellolsen.com mike@goodsellolsen.com
Michael Gallagher, Esq. GALLAGHER & KAISER, LLP 523 Grand Blvd., #1D Kansas City, MO 64106	Counsel for Chris Davis (MO Counsel)	mgallagher@gkkclaw.com
Jonathan W. Barlow, Esq. CLEAR COUNSEL LAW GROUP 1671 W. Horizon Ridge Pkwy., Ste. 200 Henderson, NV 89012	Stephen Lehnardt	Phone: (702) 476-5900 Fax: (702) 924-0709 jonathan@clearcounsel.com
Chris Davis 514 West 26 th Street, #3E Kansas City, MO 64108 And 2934 1/2 North Beverly Glen Circle, Apt. 506 Los Angeles, CA 90077		
Tarja Davis		

1 2 3 4	514 West 26 th Street, #3E Kansas City, MO 64108 And 2934 1/2 North Beverly Glen Circle, Apt. 506 Los Angeles, CA 90077		
5 6	Winfield B. Davis 909 W. Temple St., Apt. 632 A Los Angeles, CA 90012		<u>Winsane@gmail.com</u>
7 8 9	Harriet H. Roland, Esq. ROLAND LAW FIRM 2470 E. St. Rose Pkwy., Ste. 105 Henderson, NV 89074	Christopher D. Davis	Phone: (702) 452-1500 Fax: (702) 920-8903 <u>hroland@rolandlawfirm.com</u>
10 11 12	Anthony L. Barney, Esq. Tiffany S. Barney, Esq. ANTHONY L. BARNEY, LTD. 3317 W. Charleston Blvd. Ste. B Las Vegas, NV 89102	Christopher D. Davis	Phone: (702) 438-7878 Fax: (702) 259-1116 <u>abarney@anthonybarney.com</u>

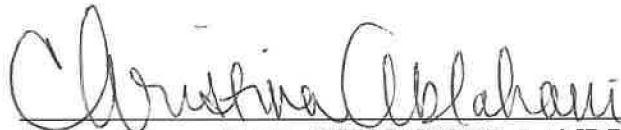

 An employee of LEE, HERNANDEZ, LANDRUM
 & CARLSON

EXHIBIT "1"

Exhibit "1"



1 ANTHONY L. BARNEY, ESQ.
2 Nevada Bar No. 8366
3 TIFFANY S. BARNEY, ESQ.
4 Nevada Bar No. 9754
5 ANTHONY L. BARNEY, LTD.
6 3317 W. Charleston Blvd., Suite B
7 Las Vegas, NV 89102
8 Telephone: (702) 438-7878
9 Facsimile: (702) 259-1116
10 office@anthonybarney.com
11 Prior Attorneys for Christopher D. Davis

8 **EIGHTH JUDICIAL DISTRICT COURT**
9 **CLARK COUNTY, NEVADA**

10 In the matter of:

Case No.: P-15-083867-T

11 The BEATRICE B. DAVIS FAMILY HERITAGE
12 TRUST, dated July 28, 2000, as amended on
13 February 24, 2014.

Dept. No.: 26

14 **NOTICE OF ENTRY OF ORDER**

15 TO: CAROLINE DAVIS, Petitioner, by and through her attorneys, MARK SOLOMON,
16 ESQ., and JOSHUA HOOD, ESQ., of SOLOMON DWIGGINS & FREER, LTD.
17 TO: DUNHAM TRUST, by and through its attorney, CHARLENE RENWICK, ESQ., of
18 LEE HERNANDEZ LANDRUM & GAROFALO
19 TO: STEPHEN LENHARDT by and through his attorney, JONATHAN W. BARLOW,
20 ESQ., of CLEAR COUNSEL LAW GROUP
21 TO: FHT HOLDINGS LLC. A Nevada Limited Liability Company, Respondent through
22 Respondent through Dunham Trust Company
23 TO: WINFIELD B. DAVIS

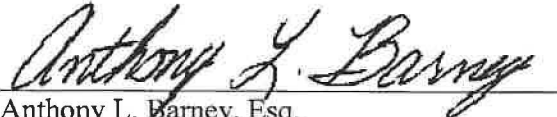
1 TO: ACE DAVIS
2 TO: CHERYL DAVIS
3 TO: TARJA DAVIS
4

5 PLEASE TAKE NOTICE EACH OF YOU, of the following:

6 An **Order and Judgment** was entered and filed on January 22, 2019 in the above-
7 entitled matter. A copy of said Order and Judgment is attached hereto and incorporated herein
8 as Exhibit 1.

9
10 DATED this 23rd day of January 2019.

11 Respectfully Submitted,
12 ANTHONY L. BARNEY, LTD.

13 
14 Anthony L. Barney, Esq.
15 Nevada Bar No. 8366
16 3317 W. Charleston Blvd., Suite B
17 Las Vegas, NV 89102-1835
18 (702) 438-7878
19 Attorneys for Petitioner
20
21
22
23
24
25
26
27
28

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that I am an employee of Anthony L. Barney, Ltd., and not a party to
3 this action. I further certify that on January 22, 2019 I served the foregoing **NOTICE OF**
4 **ENTRY OF ORDER**, by first class US mail, postage prepaid, upon the following persons or
5 entities:
6

7 Tarja Davis
8 3005 North Beverly Glen Circle
9 Los Angeles, California 90077
10 And
11 514 West 26th Street, #3E
12 Kansas City, Missouri 64108

13 Christopher Davis
14 3005 North Beverly Glen Circle
15 Los Angeles, California 90077
16 And
17 514 West 26th Street, #3E
18 Kansas City, Missouri 64108

19 Winfield B. Davis
20 Skyline Terrace Apts.
21 930 Figueroa Terr. Apt. 529
22 Los Angeles, California 90012-3072

23 Ace Davis
24 c/o Winfield B. Davis
25 Skyline Terrace Apts.
26 930 Figueroa Terr. Apt. 529
27 Los Angeles, California 90012-3072

28 ANTHONY L. BARNEY, ESQ.
ANTHONY L. BARNEY, LTD.
3317 W. Charleston Boulevard, Suite B
Las Vegas, NV 89102-1835
office@anthonybarney.com

MARK A. SOLOMON, ESQ.
Solomon Dwiggin & Freer, Ltd.
9060 West Cheyenne Avenue

1 Las Vegas, NV 89129
2 msolomon@sdfnvlaw.com
3 jhood@sdfnvlaw.com
4 Attorneys for Caroline Davis
5
6 CHARLENE RENWICK, ESQ.
7 LEE HERNANDEZ LANDRUM & GAROFALO
8 7575 Vegas Drive #150
9 Las Vegas, Nevada 89128
10 Crenwick@lee-lawfirm.com
11 Attorneys for Dunham Trust Company
12
13 JONATHAN W. BARLOW, ESQ.
14 CLEAR COUNSEL LAW GROUP
15 50 Stephanie Street, Suite 101
16 Henderson, Nevada 89012
17 Jonathan@clearcounsel.com
18 Attorneys for Stephen K. Lenhardt
19
20 FHT Holdings LLC. A Nevada Limited Liability Company, Respondent
21 Dunham Trust Company
22 241 Ridge Street, Suite 100
23 Reno, Nevada 89501
24
25 Cheryl Davis
26 5403 West 134 Terrace Unit 1525
27 Overland Park, Kansas 66209
28 *With the Accompanying Petition*


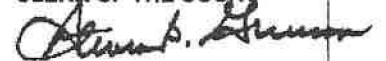

Employee of Anthony L. Barney, Ltd.

EXHIBIT 1



1 ANTHONY L. BARNEY, ESQ.
2 Nevada Bar No. 8366
3 TIFFANY S. BARNEY, ESQ.
4 Nevada Bar No. 9754
5 **ANTHONY L. BARNEY, LTD.**
6 3317 W. Charleston Blvd., Suite B
7 Las Vegas, NV 89102
8 Telephone: (702) 438-7878
9 Facsimile: (702) 259-1116
10 office@anthonybarney.com
11 *Prior Attorneys for Christopher D. Davis*

8 **EIGHTH JUDICIAL DISTRICT COURT**
9 **CLARK COUNTY, NEVADA**

11 In the matter of:

12
13 The BEATRICE B. DAVIS FAMILY HERITAGE
14 TRUST, dated July 28, 2000, as amended on
15 February 24, 2014.

Case No.: P-15-083867-T

Dept. No.: 26

Date of Hearing: August 23, 2018

Time of Hearing: 9:30 a.m.

16 **ORDER AND JUDGMENT**

17 The MOTION TO ADJUDICATE THE RIGHTS OF COUNSEL TO ENFORCE
18 AMENDED ATTORNEY'S LIEN AND FOR JUDGMENT FOR ATTORNEY'S FEES AND
19 COSTS filed July 9, 2018 by ANTHONY L. BARNEY, LTD., prior attorney of record for
20 Christopher D. Davis in the above-entitled matter seeking judgment against The BEATRICE B.
21 DAVIS FAMILY HERITAGE TRUST, dated July 28, 2000, as amended on February 24, 2014
22 ("Trust") and against Christopher D. Davis, jointly and severally, for unpaid attorneys' fees and
23 costs was heard by this Court on August 23, 2018 at 9:30 a.m. The law office of ANTHONY L.
24 BARNEY, LTD. was present and was represented by Anthony L. Barney, Esq. at the hearing.
25 Caroline Davis was not present but was represented at the hearing by Joshua M. Hood, Esq. of
26 the law firm of Solomon, Dwiggins & Freer. By stipulation of the remaining parties with
27
28

1 Caroline Davis, the MOTION FOR PAYMENT OF ATTORNEY'S FEES FROM TRUST
2 AND FOR JUDGMENT FOR ATTORNEY'S FEES AND COSTS WITH INTEREST AND
3 TO ADJUDICATE THE RIGHTS OF COUNSEL TO ENFORCE ATTORNEY'S LIEN
4 FILED AUGUST 1, 2018 by the Roland Law Firm who was present and was represented by
5 Jason Sadow, Esq. and the PETITION FOR AN AWARD OF ATTORNEY FEES WITH
6 INTEREST DATED JULY 11, 2018 by the law firm of Goodsell & Olson, LLP who was
7 present and represented by Thomas Grover, Esq. were also considered before this Court seeking
8 entry of judgment against the Trust and Christopher D. Davis, jointly and severally, for unpaid
9 attorneys's fees and costs. Dunham Trust Company was not present, but was represented by
10 Charlene N. Renwick, Esq. of the law firm of Lee, Hernandez, Landrum & Garofalo.
11

12 I. FINDINGS

13 A. Proper Procedural Notice

- 14 1. Due notice of the hearing was held on August 23, 2018 as to Anthony L. Barney, Ltd.
15 pursuant NRS 155.010.
16
- 17 2. There having been no opposition or objection filed by Christopher D. Davis to the
18 MOTION TO ADJUDICATE THE RIGHTS OF COUNSEL TO ENFORCE
19 AMENDED ATTORNEY'S LIEN AND FOR JUDGMENT FOR ATTORNEY'S FEES
20 AND COSTS filed July 9, 2018 by the law firm of Anthony L. Barney, Ltd., the
21 MOTION FOR PAYMENT OF ATTORNEY'S FEES FROM TRUST AND FOR
22 JUDGMENT FOR ATTORNEY'S FEES AND COSTS WITH INTEREST AND TO
23 ADJUDICATE THE RIGHTS OF COUNSEL TO ENFORCE ATTORNEY'S LIEN
24 FILED AUGUST 1, 2018 by the Roland Law Firm, or the PETITION FOR AN
25 AWARD OF ATTORNEY FEES WITH INTEREST dated JULY 11, 2018 proper
26
27
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1 notice was acknowledged by stipulation between Caroline Davis, the Roland Law Firm,
2 and Goodsell & Olsen, LLP. pursuant to EDCR 2.22.

3 **B. Proper Jurisdiction**

- 4
- 5 1. This Court has proper *in rem* jurisdiction over the Trust pursuant to N.R.S. 164.010.
 - 6 2. This Court has proper *in personam* jurisdiction over Christopher D. Davis pursuant to
7 N.R.S. 155.010, 164.010, and *Davis v. Davis (In re Beatrice B. Davis Family Heritage*
8 *Trust)*, 394 P.3d 1203, 1205, 2017 Nev. LEXIS 39, *1, 133 Nev. Adv. Rep. 26, 2017
9 WL 2303611.

10 **C. Employment of Anthony L. Barney, Ltd and the Roland Law Firm by Christopher D.**
11 **Davis**

- 12
- 13 1. Christopher D. Davis employed the law firms of Anthony L. Barney, Ltd. and the
14 Roland Law Firm as co-counsel in his role as Trust Investment Advisor on behalf of the
15 Trust. Christopher D. Davis signed contractual engagement agreements with both the
16 law firm of Anthony L. Barney, Ltd. and the Roland Law Firm in which he became legal
17 obligated both as a fiduciary and in his individual capacity for the fees and costs arising
18 from the services he received from Anthony L. Barney, Ltd. and the Roland Law Firm.
19 Christopher D. Davis did not object to any of the fees or costs charged to him by
20 Anthony L. Barney, Ltd. or the Roland Law Firm under his respective engagement
21 agreements.
22
 - 23 2. Anthony L. Barney, Ltd. and the Roland Law Firm provided legal services to
24 Christopher D. Davis as part of the legal proceeding both before his Court and as legal
25 counsel filing both a writ and appeal which were later consolidated before the Nevada
26 Supreme Court resulting in the published opinion cited *Davis v. Davis (In re Beatrice B.*
27
28

1 *Davis Family Heritage Trust*), 394 P.3d 1203, 1205, 2017 Nev. LEXIS 39, *1, 133 Nev.
2 Adv. Rep. 26, 2017 WL 2303611.

- 3 3. While this appeal was unsuccessful, their work benefited the Trust in that it resulted in
4 greater clarity within our laws regarding constitutional matters within the state of
5 Nevada and within this case.
- 6 4. Furthermore, the law of Anthony L. Barney, Ltd. and the Roland Law Firm benefited the
7 Trust by working to delineate the beneficial interests of those under the terms of the
8 Trust, which coupled with their work on the appeals, provided greater clarity for an
9 ultimate settlement agreement between Christopher D. Davis and Caroline Davis.
- 10 5. Therefore, the Court is not required to determine in the absence of a benefit conferred
11 upon the Trust, whether the Investment Trust Advisor is still entitled to his fees and
12 costs awarded from the Trust, because the work performed by the law firms of Anthony
13 L. Barney, Ltd. and the Roland Law Firm was performed during the tenure of
14 Christopher D. Davis as Investment Trust Advisor of the Trust and as manager for the
15 wholly Trust owned FHT Holdings, LLC.
- 16 6. This Court never reached a determination of whether Christopher D. Davis breached his
17 duties as Investment Trust Advisor or as manager of FHT Holdings, LLC, and finds the
18 based upon the record before it, the factors set forth in *Brunzell v. Golden Gate National*
19 *Bank*, 85 Nev. 345, 455 P.2d 31 (Nev. 1969) have been met and satisfied by Anthony L.
20 Barney, Ltd. and the Roland Law Firm.
- 21 7. The Trust provided for removal of Christopher D. Davis as Investment Trust Advisor,
22 however no steps were taken by the Trust to remove him during the period in which he
23 was represented by the law firm of Anthony L. Barney, Ltd. and the Roland Law Firm.
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1 8. The law firms of Anthony L. Barney, Ltd. and the Roland Law Firm were properly owed
2 the amounts set forth in their lien, amended lien, and respective pleadings as properly
3 filed with this court and noticed to the parties.
4

5 9. The law firms of Anthony L. Barney, Ltd. and Roland Law Firm made a proper demand
6 upon Dunham Trust Company for payment of their fees and costs on May 25, 2016 for
7 the amounts then due and owing, which Dunham Trust Company rejected.
8

9 II. ORDER AND JUDGMENT

10 Therefore, good cause appearing, this Court orders and reduces the same to judgment
11 against the BEATRICE B. DAVIS FAMILY HERITAGE TRUST, dated July 28, 2000, as
12 amended on February 24, 2014 ("Trust") and Christopher D. Davis as follows:

13 1. The law firm of Anthony L. Barney, Ltd. is hereby awarded its attorney's fees and costs
14 in the amount of \$32,680.17 ("fees and costs award"), which is hereby reduced to
15 judgment against the Trust and Christopher D. Davis as a joint and several liability.
16 This fees and costs award shall be payable from by the Trust and Christopher D. Davis,
17 as a joint and several liability and a priority expense of the Trust's administration prior
18 to any further distributions from the Trust to any Trust beneficiary for any reason.
19

20 2. The Trust and Christopher D. Davis are required to make payment to Anthony L.
21 Barney, Ltd. for the fees and costs award provided by this Court.
22

23 3. The law firm of Anthony L. Barney, Ltd. is hereby awarded its statutory rate of interest
24 in the amount of \$40,199.37 ("interest award"), which is hereby reduced to judgment
25 against Christopher D. Davis individually. This interest award shall be payable by
26 Christopher D. Davis in his individual capacity.
27

28 4. The Court has not adjudicated a dollar amount
for the Roland Firm as it is pending receipt of
billing information for evaluation under Brunzell
and Cadle. *JP*

1 ~~A~~ In addition to the restrictions placed upon the Trust that no distributions be made to any
2 beneficiary of the Trust from the Trust prior to the payment of fees and costs award to
3 Anthony L. Barney, Ltd., Anthony L. Barney, Ltd. shall be able to collect the fees and
4 costs award and the interest award by any lawful means, subject to any legal or equitable
5 defenses or remedies the Trust or any beneficiary thereof may have.
6

7 ~~B~~ The fees and costs award and the interest award to Anthony L. Barney, Ltd. may be
8 enforced as any other judgment or decree entered by this Court and shall accrue interest
9 at the statutory rate in effect on the date of the notice of entry of order of this order and
10 judgment.
11

12 IT IS SO ORDERED, ADJUDGED AND DECREED.

13 Dated January 17th, 2019
14


15 DISTRICT COURT JUDGE

16 RESPECTFULLY SUBMITTED,
17 

18 ANTHONY L. BARNEY, ESQ.
Nevada State Bar No. 8366
19 TIFFANY S. BARNEY, ESQ.
Nevada State Bar No. 9754
20 ANTHONY L. BARNEY, LTD.
3317 W. Charleston Blvd., Suite B
21 Las Vegas, Nevada 89102
22 Former Attorney for Christopher D. Davis

Approved as Form and Content:
23 

24 MARK A. SOLOMON, ESQ.
Nevada State Bar No. 418
25 JOSHUA M. HOOD, ESQ.
Nevada State Bar No. 12777
26 SOLOMON DWIGGINS & FREER, LTD.
9060 West Cheyenne Avenue
27 Las Vegas, Nevada 89129
28 Attorneys for Caroline Davis

24 Approved as Form and Content
25 

26 CHARLENE N. RENWICK, ESQ.
Nevada State Bar No. 10165
27 LEE, HERNANDEZ, LANDRUM &
GAROFALO
7575 Vegas Drive, Suite 150
28 Las Vegas, Nevada 89128
Attorney for Dunham Trust Company

1 4. In addition to the restrictions placed upon the Trust that no distributions be made to any
2 beneficiary of the Trust from the Trust prior to the payment of fees and costs award to
3 Anthony L. Barney, Ltd., Anthony L. Barney, Ltd. shall be able to collect the fees and
4 costs award and the interest award by any lawful means, subject to any legal or equitable
5 defenses or remedies the Trust or any beneficiary thereof may have.
6


7 5. The fees and costs award and the interest award to Anthony L. Barney, Ltd. may be
8 enforced as any other judgment or decree entered by this Court and shall accrue interest
9 at the statutory rate in effect on the date of the notice of entry of order of this order and
10 judgment.
11

12 IT IS SO ORDERED, ADJUDGED AND DECREED.

13 Dated JAN 18, 2019

14 
15 DISTRICT COURT JUDGE


16 RESPECTFULLY SUBMITTED

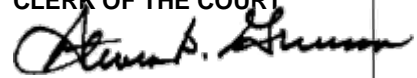
17 Approved as Form and Content: 

18 ANTHONY L. BARNEY, ESQ.
19 Nevada State Bar No. 8366
20 TIFFANY S. BARNEY, ESQ.
21 Nevada State Bar No. 9754
22 ANTHONY L. BARNEY, LTD.
3317 W. Charleston Blvd., Suite B
Las Vegas, Nevada 89102
Former Attorney for Christopher D. Davis

MARK A. SOLOMON, ESQ.
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JOSHUA M. HOOD, ESQ.
Nevada State Bar No. 12777
SOLOMON DWIGGINS & FREER, LTD.
9060 West Cheyenne Avenue
Las Vegas, Nevada 89129
Attorneys for Caroline Davis

23
24 Approved as Form and Content

25 
26 CHARLENE N. RENWICK, ESQ.
27 Nevada State Bar No. 10165
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ASTA
DAVID S. LEE, ESQ.
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crenwick@lee-lawfirm.com
Attorneys for Dunham Trust Company

DISTRICT COURT
CLARK COUNTY, NEVADA

In the Matter of:

The BEATRICE B. DAVIS FAMILY
HERITAGE TRUST, dated July 28, 2000, as
amended on February 24, 2014

CASE NO.: P-15-083867-T
DEPT. NO.: 26

CASE APPEAL STATEMENT

1. Name of appellant filing this case appeal statement:

Dunham Trust Company

2. Identify the judge issuing the decision, judgment, or order appealed from:

The Honorable Judge Gloria J. Sturman

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

Appellant: Dunham Trust Company

Counsel for Appellant:

David S. Lee, Esq.
Charlene N. Renwick Esq.
Lee, Hernandez, Landrum & Carlson, APC
7575 Vegas Drive, Suite 150
Las Vegas, Nevada 89128
(702) 880-9750
Fax: (702) 314-1210

///

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

4 Respondents: Anthony L. Barney, Esq.

5 Counsel for Respondents:

6 Anthony L. Barney, Esq.
7 ANTHONY L. BARNEY, LTD.
8 3317 W. Charleston Blvd., Ste. B
9 Las Vegas, NV 89102
(702) 438-7878
Fax: (702) 259-1116

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

14 N/A

15 **6. Indicate whether appellant was represented by appointed or retained counsel in the**
16 **district court:**

17 Retained counsel

18 **7. Indicate whether appellant is represented by appointed or retained counsel on**
19 **appeal:**

20 Retained counsel

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

23 N/A

24 **9. Indicate the date the proceedings commenced in the district court, e.g., date**
25 **complaint, indictment, information, or petition was filed:**

26 Petition filed February 10, 2015.

27 ///

28 ///

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

The underlying Petition to this action was filed by beneficiary Caroline Davis, who requested that the District Court take jurisdiction over the Beatrice B. Davis Family Heritage Trust dated July 28, 2000, ("Trust"), and amended on February 24, 2014, for an order to confirm appointment of Dunham Trust Company (a Nevada Trustee) as directed Trustee, and to take jurisdiction over, Christopher D. Davis as an investment advisor and as manager of FHT Holdings, LLC, Nevada Limited Liability Company, and confirm appointment of Stephen K. Lehnardt as Distribution Trust Advisor. Beneficiary Christopher D. Davis filed a motion to dismiss alleging that the Trust situs was Alaska, not Nevada, and that the District Court lacked jurisdiction over the Trust. He further alleged that the District Court lacked jurisdiction over him as the investment advisor and manager of FHT Holdings, LLC, for lack of due service of process. Said Motion to Dismiss was denied and Christopher Davis appealed the same to the Nevada Supreme Court, and filed an Emergency Writ Petition, both of which were denied.

The beneficiaries subsequently reached a settlement with respect to the District Court matter, and Christopher Davis' attorneys, Anthony L. Barney, Ltd., Roland Law Firm, Goodsell & Olsen, LLP, each filed motions for payment of attorneys' fees against Christopher Davis and the Trust, and for judgments for attorneys' fees, costs and interest. Said attorneys argued that the work they performed on behalf of Christopher Davis benefitted the Trust given that Mr. Davis was acting in his capacity as a fiduciary of the Trust, and was entitled to have his expenses paid under the terms of the Trust. Despite oppositions by beneficiary Caroline Davis and Dunham Trust Company, the District Court granted each counsel's respective motion, awarding attorney's fees and costs jointly and severally against Mr. Davis and the Trust, and awarding interest as against Mr. Davis only. Moreover, the District Court specifically held that the work that Christopher Davis' attorneys' performed on his behalf benefitted the trust. As such, the subject of this appeal is the District Court's Orders and Judgments awarding Christopher Davis' attorneys, Anthony L. Barney, Ltd., Roland Law Firm, Goodsell & Olsen, LLP, attorney's fees and costs,

to be paid by the Trust. As of the date of filing of the instant Notice of Appeal, the only Order and Judgment that has been entered is the one that applies to Anthony L. Barney, Ltd., however, Appellant believes that the Orders and Judgments for Roland Law Firm and Goodsell & Olsen, LLP will follow shortly, at which point it will amend its Notice of Appeal and Case Appeal Statement for the purpose consolidating its appeals against all three Orders and Judgments.

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

Christopher D. Davis v. The Eighth Judicial District Court of the State of Nevada in and for the county of Clark and the Honorable Judge Gloria J. Sturman, Respondent and Caroline Davis, Real Party in Interest; Case No. 68948.

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

N/A

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

Appellant believes that this matter could be settled if Respondents are willing to mediate this claim in good faith.

DATED this 21st day of February, 2019.

**LEE, HERNANDEZ, LANDRUM
& CARLSON, APC**

By: 


DAVID S. LEE, ESQ.
Nevada Bar No. 6033
CHARLENE N. RENWICK, ESQ.
Nevada Bar No. 10165
7575 Vegas Drive, Suite 150
Las Vegas, NV 89128
Attorneys for Dunham Trust Company

CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of February, 2019, I served a true and correct copy of the above and foregoing **CASE APPEAL STATEMENT**, by the court's electronic filing system to all parties attached to the case and by first class U.S. mail, postage prepaid, to the following persons or entities:

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Tarja Davis		

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5 6	Winfield B. Davis 909 W. Temple St., Apt. 632 A Los Angeles, CA 90012		<u>Winsane@gmail.com</u>
7 8 9	Harriet H. Roland, Esq. ROLAND LAW FIRM 2470 E. St. Rose Pkwy., Ste. 105 Henderson, NV 89074	Christopher D. Davis	Phone: (702) 452-1500 Fax: (702) 920-8903 <u>hroland@rolandlawfirm.com</u>
10 11 12	Anthony L. Barney, Esq. Tiffany S. Barney, Esq. ANTHONY L. BARNEY, LTD. 3317 W. Charleston Blvd. Ste. B Las Vegas, NV 89102	Christopher D. Davis	Phone: (702) 438-7878 Fax: (702) 259-1116 <u>abarney@anthonybarney.com</u>


An employee of LEE, HERNANDEZ, LANDRUM
& CARLSON

CASE SUMMARY**CASE NO. P-15-083867-T****In the Matter of the Trust of:
The Beatrice Davis Heritage Trust**§
§
§
§
§
§Location: **Family Domestic**
Judicial Officer: **Judge Sturman, Probate**
Hearing Master: **Yamashita, Wesley**
Filed on: **02/11/2015**
Cross-Reference Case Number: **P083867**
Supreme Court No.: **68542****CASE INFORMATION**Case Type: **Probate -
Trust/Conservatorships**
Subtype: **Individual Trustee**
Case Flags: **Appealed to Supreme Court
Matter to be heard by District
Court Judge****DATE****CASE ASSIGNMENT****Current Case Assignment**Case Number: P-15-083867-T
Court: Family Domestic
Date Assigned: 02/11/2015
Judicial Officer: Judge Sturman, Probate
Hearing Master: Yamashita, Wesley**PARTY INFORMATION****Petitioner** **Davis, Caroline***Lead Attorneys*
Hood, Joshua M.
Retained
702-853-5483(W)**Trust** **The Beatrice Davis Heritage Trust****DATE****EVENTS & ORDERS OF THE COURT****INDEX****EVENTS**

02/10/2015



Petition to Assume Jurisdiction of Trust

Filed by: Petitioner Davis, Caroline

Petition to Assume Jurisdiction over the Beatrice B. Davis Family Heritage Trust Dated July 28 2000 as Amended on February 24, 2014; to Assume Jurisdiction Over Christopher D Davis As Investment Trust Advisor and Stephen K Lehnardt as Distribution Trust Advisor; to Confirm Dunham Trust Company as Directed Trustee; and for Immediate Disclosure of Documents and Information from Christopher D Davis

02/10/2015



Notice of Hearing

Filed by: Petitioner Davis, Caroline

Notice of Hearing on Petition to Assume Jurisdiction Over the Beatrice B. Davis Family Heritage Trust Dated July 28 2000 as Amended on February 24 2014; to Assume Jurisdiction Over Christopher D. Davis as Investment Trust Advisor and Stephen K Lehnardt as Distribution Trust Advisor; to Confirm Dunham Trust Company as Directed Trustee; and for Immediate Disclosure of Documents and Information from Christopher D. Davis

02/20/2015



Notice of Hearing

Filed by: Petitioner Davis, Caroline

Amended Notice of Hearing on Petition to Assume Jurisdiction Over the Beatrice B. Davis Family Heritage Trust, Dated July 28, 2000, as Amended on February 24, 2014; to Assume Jurisdiction Over Christopher D. Davis as Investment Trust Advisor and Stephen K. Lehnardt

CASE SUMMARY

CASE NO. P-15-083867-T

as Distribution Trust Advisor; to Confirm Dunham Trust Company as Directed Trustee; and for Immediate Disclosure of Documents and Information from Christopher D. Davis

03/04/2015



Motion to Dismiss

Filed by: Other Davis, Christopher D

Christopher D. Davis' Motion To Dismiss Pursuant To NRCP (12)(b) And NRCP 19

03/05/2015



Notice of Hearing

Filed by: Petitioner Davis, Caroline

Second Amended Notice of Hearing on Petition to Assume Jurisdiction over the Beatrice B. Davis Family Heritage Trust, Dated July 28, 2000, as Amended on February 24, 2014; to Assume Jurisdiction Over Christopher David As Investment Trust Advisor and Stephen K. Lehnardt as Distribution Trust Advisor; to Confirm Dunham Trust Company as Directed Trustee; and for Immediate Disclosure of Documents and Information From Christopher D. Davis

03/05/2015



Errata

Filed by: Other Davis, Christopher D

Errata to Christopher D. Davis' Motion to Dismiss Pursuant to NRCP 12(b) and NRCP 19

03/06/2015



Notice of Appearance

Party: Other Dunham Trust Company

Notice of Appearance

03/23/2015



Notice of Motion

Filed by: Other Davis, Christopher D

Notice of Motion on Christopher D. Davis' Motion to Dismiss Pursuant to NRCP 12(b) and NRCP 19

03/24/2015



Certificate of Service

Filed by: Other Davis, Christopher D

Amended Certificate of Service

04/08/2015



Certificate of Service

Filed by: Petitioner Davis, Caroline

Supplemental Certificate of Mailing Of: Second Amended Notice of hearing on Petition to Assume Jurisdiction over the Beatrice Davis Family Heritage Trust, Dated July 28, 2000 as Amended on February 24, 2014; to Assume Jurisdiction Over Christopher D. Davis as Investment Trust Advisor and Stephen K. Lehnardt as Distribution Trust Advisor; to Confirm Dunham Trust Company as Directed Trustee; and for Immediate Disclosure of Documents and Information from Christopher D. Davis

04/13/2015



Opposition to Motion to Dismiss

Filed by: Petitioner Davis, Caroline

Opposition to Christopher D. Davis' Motion to Dismiss Pursuant to NRCP(12)(b) and NRCP 19

04/16/2015



Notice

Filed by: Other Lehnardt, Stephen

Notice of Appearance

04/16/2015



Opposition

Filed by: Other Lehnardt, Stephen

Opposition to Petition to Assume Jurisdiction over the Beatrice B. Davis Family Heritage Trust, dated July 28, 2000, as Amended on February 24, 2014; to Assume Jurisdiction over Christopher D. Davis as Investment Trust Advisor and Stephen K. Lehnardt as Distribution Trust Advisor; to Confirm Dunham Trust Company as Directed Trustee; and for Immediate

CASE SUMMARY

CASE NO. P-15-083867-T

Disclosure of Documents and Information from Christopher D. Davis, and Limited Joinder to Christopher D. Davis's Motion to Dismiss Pursuant to NRCp 12(b) and NRCp 19

04/20/2015



Reply

Filed by: Other Davis, Christopher D

Christopher D. Davis' Reply to Caroline Davis' Opposition to his Motion to Dismiss Pursuant to NRCp (12)(b) and NRCp 19

04/20/2015



Reply

Filed by: Petitioner Davis, Caroline

Reply to Opposition to Petition to Assume Jurisdiction Over the Beatrice B. Davis Family Heritage Trust, Dated July 28, 2000, as Amended on February 24, 2014; to Assume Jurisdiction Over Christopher D. Davis as Investment Trust Advisor and Stephen K. Lehnardt as Distribution Trust Advisor; to Confirm Dunham Trust Company as Directed Trustee; and for Immediate Disclosure of Documents and Information from Christopher D. Davis and Limited Joinder to Christopher D. Davis's Motion to Dismiss Pursuant to NRCp12(b) and NRCp 19

04/28/2015



Recorders Transcript of Hearing

Party: Trust The Beatrice Davis Heritage Trust

Transcrit of Proceedings Motion to Dismiss: Motion on Christopher Davis' Motion to Dismiss Pursuant to NRCp 12(B) and NRCp 19; Petition to Assume Jurisdiction over the Beatrice B. Davis Family Trust, Assume Jurisdiction over Christopher David as Investment Trust Advisor and Stephen K. Lehnardt as Distribution Trust Advisor, to Confirm Dunham Trust Company as Directed Trustee, and for Immediate Disclosure of Documents and Information from Christopher D. Davis April 22, 2015

06/24/2015



Order

Filed by: Other Davis, Christopher D
Order

07/01/2015



Notice of Entry of Order

Filed by: Other Davis, Christopher D
Notice of Entry of Order

07/13/2015



Certificate of Mailing

Filed by: Other Davis, Christopher D
Certificate of Mailing

07/14/2015



Certificate of Mailing

Filed by: Other Davis, Christopher D
Supplement to Certificate of Mailing

07/14/2015



Notice

Filed by: Other Davis, Christopher D

Notice of petition and petition for reconsideration of the order dated may 19, 2015 re: petition to assume jurisdiction over the Beatrice B. Davis family heritage trust dated July 28, 2000, as amended on February 24, 2014, to assume jurisdiction over Christopher D. Davis as investment trust advisor, Stpehen K. Lehnardt as distribution trust advisor, to confirm Dunham Trust Company as directed trustee, and for immediate disclosure of documents and information from Christopher D. Davis;

07/14/2015



Petition

Filed by: Other Davis, Christopher D

Notice of Petition and Petition for Reconsideration of the Order Dated May 19, 2015 Re: Petition to Assumen Jurisdiction over the Beatrice B Davis Family Heritage Trust Dated July 28, 2000, as Amended on February 24, 2014, to Assume Jurisdiction over Christopher D Davis as Investment Trust Advisor, Stephen K. Lehnardt as Distribution Trust Advisor, to

CASE SUMMARY

CASE NO. P-15-083867-T

Confirm Dunham Trust Company as Directed Trustee, and for Immediate Disclosure of Documents and Information from Christopher D Davis

07/16/2015



Certificate of Mailing

Filed by: Other Davis, Christopher D
Certificate Of Mailing

07/23/2015



Ex Parte Application

Filed by: Other Davis, Christopher D
Ex Parte Application for Order Shortening Time on Christopher Davis' Petition to Reconsider Order to Assume Jurisdiction, or in the alternative Petition to Stay the Court's Order Assuming Jurisdiction over Christopher Davis Dated May 19, 2015

07/23/2015



Certificate of Mailing

Filed by: Other Davis, Christopher D
Certificate of Mailing

07/28/2015



Declaration

Filed by: Other Davis, Christopher D
Declaration of Taria Davis

07/29/2015



Response

Filed by: Other Dunham Trust Company
Response to Petition for Reconsideration

07/30/2015



Notice of Appeal

Filed by: Other Davis, Christopher D
Notice of Appeal

07/30/2015



Case Appeal Statement

Filed by: Other Davis, Christopher D
Case Appeal Statement

07/30/2015



Notice of Filing Cost Bond

Filed by: Other Davis, Christopher D
Notice of Posting Cost Bond

07/30/2015



Order Shortening Time

Filed by: Other Davis, Christopher D
Order Shortening Time to Set Hearing

07/31/2015



Objection

Filed by: Petitioner Davis, Caroline
Objection to Petition for Reconsideration of the Order Dated May 19, 2015 Re: Petition to Assume Jurisdiction Over the Beatrice B. Davis Family Heritage Trust Dated July 28l 2000, as Amended on February 24, 2014, to Assume Jurisdiction Over Christopher D. Davis an Investment Trust Advisor, Stephen K. Lehnardt as Distribution Trust Advisor to Confirm Dunham Trust Company as Directed Trustee and for Immediate Disclosure of Documents and Information from Christopher D. Davis; AND Counter Petition for Sanctions

07/31/2015



Notice of Hearing

Filed by: Petitioner Davis, Caroline
Notice of Hearing on Counter Petition for Sanctions



08/04/2015



Certificate of Mailing

CASE SUMMARY

CASE NO. P-15-083867-T

	<p>Filed by: Other Davis, Christopher D <i>Certificate of Mailing</i></p>
08/04/2015	<p> Notice of Entry of Order Filed by: Other Davis, Christopher D <i>Notice of Entry of Order Shortening Time for Hearing</i></p>
08/05/2015	<p> Notice of Hearing Filed by: Petitioner Davis, Caroline <i>Amended Notice of Hearing on Counter Petition for Sanctions</i></p>
08/05/2015	<p> Notice of Hearing Filed by: Petitioner Davis, Caroline <i>Notice of Hearing on Amendment and Supplement to Counter Petition for Sanctions and Petition for an Order Shortening Time</i></p>
08/10/2015	<p> Notice of Hearing Filed by: Petitioner Davis, Caroline <i>Notice of Hearing on Motion to Amend or Modify Order Pursuant to NRCP 60(b)(3)</i></p>
08/10/2015	<p> Supplemental Filed by: Petitioner Davis, Caroline <i>Amendment and Supplement to Counter Petition for Sanctions</i></p>
08/10/2015	<p> Notice of Hearing Filed by: Petitioner Davis, Caroline <i>Amended Notice of Hearing on Amendment and Supplement to Counter Petition for Sanctions</i></p>
08/10/2015	<p> Motion Filed by: Petitioner Davis, Caroline For: Petitioner Davis, Caroline <i>Motion to Amend or Modify Order Pursuant to NRCP 60(b)(3)</i></p>
08/11/2015	<p> Stipulation and Order Filed by: Other Dunham Trust Company <i>Stipulation and Order to Continue Hearing on Christopher Davis' Petition for Reconsideration of the Order Dated May 19, 2015, Etc.</i></p>
08/13/2015	<p> Motion Filed by: Other Davis, Christopher D <i>Notice of Petition and Petition to Stay Discovery until the August 19, 2015 Hearing on Motion for Reconsideration...</i></p>
08/17/2015	<p> Motion Filed by: Petitioner Davis, Caroline <i>Motion to Compel Harriet Roland, Esq., to Produce Documents Responsive to Subpoena Duces Tecum; and for Attorneys' Fees and Costs</i></p>
08/17/2015	<p> Notice of Hearing Filed by: Petitioner Davis, Caroline <i>Notice of Hearing on Motion to Compel Harriet Roland, Esq. to Produce Documents Responsive to Subpoena Duces Tecum; for Attorney's Fees and Costs</i></p>
08/17/2015	<p> Motion Filed by: Petitioner Davis, Caroline</p>

CASE SUMMARY

CASE NO. P-15-083867-T

Motion to Hold Christopher D. Davis in Contempt and for Attorneys' Fees and Costs

08/17/2015



Notice of Hearing

Filed by: Petitioner Davis, Caroline

Notice of Hearing on Motion to Hold Christopher D. Davis in Contempt and for Attorneys' Fees and Costs

08/18/2015



Notice of Hearing

Filed by: Other Davis, Christopher D

Re-Notice of Hearing

08/27/2015



Errata

Filed by: Other Davis, Christopher D

Errata To Petition For Reconsideration Of The Order Dated May 19, 2015 To Assume Jurisdiction Over The Beatrice B. Davis Family Heritage Trust, Dated July 28, 2000, As Amended On February 24, 2014, To Assume Jurisdiction Over Christopher D. Davis As Investment Trust Advisor, Stephen K. Lehnardt As Distribution Trust Advisor, To Confirm Dunham Trust Company As Directed Trustee, And For Immediate Disclosure Of Documents And Information From Christopher D. Davis

08/27/2015



Opposition

Filed by: Other Davis, Christopher D

Opposition to Caroline Davis' Motion to Hold Christopher D. Davis in Contempt and for Attorney's Fees and Costs

08/27/2015



Opposition

Filed by: Other Davis, Christopher D

Christopher D. Davis' Opposition to Caroline Davis' Motion to Amend or Modify Order Pursuant to NRCP 60(b)(3)

08/27/2015



Receipt of Copy

Filed by: Trust The Beatrice Davis Heritage Trust

Receipt Of Copy

08/27/2015



Declaration

Filed by: Other Davis, Christopher D

Declaration Of Christopher D. Davis

08/27/2015



Filed Under Seal

Filed by: Other Davis, Christopher D

Christopher D. Davis' Reply to Caroline Davis' Objection to Petition for Reconsideration of the Order Dated May 19, 2015 re: Petition to Assume Jurisdiction over the Beatrice B. Davis Family Heritage Trust Dated July 28, 2000, as Amended on February 24, (Sealed Pending Motion to Strike)

08/28/2015



Ex Parte

Filed by: Other Davis, Christopher D

Ex-Parte Application for Order Shortening Time on Christopher D. Davis' Motion for a Protective Order, to Quash or Modify the Subpoena, and for Attorney Fees and Costs Pursuant to NRCP 37 (a)(4)

08/28/2015



Ex Parte











Filed by: Other Davis, Christopher D

Ex-Parte Application for Order Shortening Time on Christopher D. Davis' Motion for a Protective Order and to Quash or Modify the Subpoena

08/28/2015

CASE SUMMARY





CASE NO. P-15-083867-T

	 Objection Filed by: Petitioner Davis, Caroline <i>Objection to Petition to Stay Discovery Until the August 19, 2015 Hearing on Motion for Reconsideration or in the Alternative, Petition for Protective Order From Discovery by Subpoena.</i>
08/28/2015	 Order Shortening Time Filed by: Other Davis, Christopher D <i>Order Shortening Time on Christopher D. Davis' Motion for a Protective Order and to Quash or Modify the Subpoena</i>
08/28/2015	 Notice of Entry of Order Filed by: Other Davis, Christopher D <i>Notice of Entry of Order</i>
08/28/2015	 Receipt of Copy Filed by: Petitioner Davis, Caroline <i>Receipt Of Copy</i>
08/28/2015	 Motion for Protective Order Filed by: Other Davis, Christopher D <i>Christopher D. Davis' Motion for Protective Order and to Modify or Quash the Subpoena</i>
08/31/2015	 Notice of Entry of Stipulation and Order Filed by: Other Dunham Trust Company <i>Notice of Entry of Stipulation and Order to Continue Hearing on Christopher Davis' Petition for Reconsideration of the Order Dated May 19, 2015, Etc.</i>
08/31/2015	 Opposition to Motion to Compel Filed by: Other Davis, Christopher D <i>Opposition to Caroline Davis' Motion to Compel Harriet H. Roland, Esq. to Produce Documents Responsive to Subpoena Duces Tecum; Counter Motion to Quash</i>
09/01/2015	 Document Filed Filed by: Petitioner Davis, Caroline <i>Addendum to and Withdrawal of Certain Statements Referenced in the: (1)Objection to Petition for Reconsideration of the Order dated May 19, 2015 Re: Petition to Assume Jurisdiction Over the Beatrice B. Davis Family Heritage Trust dated July 28, 2000, as Amended on February 24, 2014, to Assume Jurisdiction Over Christopher D. Davis as Investment Trust Advisor, Stephen K. Lehnardt as Distribution Trust Advisor, to Confirm Dunham Trust Company as Directed Trustee, and for Immediate Disclosure of Documents and Information from Christopher D. Davis; and Counterpetition for Sanctions; (2)Amendment and Supplement to Counterpetition for Sanctions; and (3)Motion to Amend or Modify Order Pursuant to NRCP 60(b)(3)</i>
09/01/2015	 Opposition to Motion Filed by: Petitioner Davis, Caroline <i>Opposition to Christopher D. Davis' Motion for a Protective Order and to Quash or Modify Subpoena</i>
09/01/2015	 Supplemental Filed by: Petitioner Davis, Caroline <i>Supplement to Objection to Petition for Reconsideration of the Order Dated May 19 2015 RE: Petition to Assume Jurisdiction over the Beatrice B Davis Family Heritage Trust Dated July 28, 2000 as Amended on February 24, 2014 to Assume Jurisdiction Over Christopher D. Davis as investment trust advisor, Stephen K. Lehnardt as Distribution Trust Advisor to Confirm Dunham Trust Company as Directed Trustee, and for Immediate Disclosure of Documents and</i>

CASE SUMMARY








CASE NO. P-15-083867-T

Information from Christopher D. Davis and Counter Petition for Sanctions

09/01/2015	 Reply Filed by: Other Davis, Christopher D <i>Christopher D. Davis' Reply to Caroline Davis' Opposition to His Motion for a Protective Order and to Quash or Modify Subpoena</i>
09/01/2015	 Motion to Strike Filed by: Petitioner Davis, Caroline <i>Motion to Strike Christopher D Davis' Arguments and Requests for Relief in his Reply to Caroline D Davis' Objection to Petition for Reconsideration in Excess of Thirty (30) Pages as the Reply Violates EDCR 2.20</i>
09/02/2015	 Certificate of Mailing Filed by: Other Davis, Christopher D <i>Certificate of Mailing</i>
09/03/2015	 Notice Filed by: Other Davis, Christopher D <i>Notice of Non-Appearance of Christopher D. Davis</i>
09/03/2015	 Receipt of Copy Filed by: Trust The Beatrice Davis Heritage Trust <i>Receipt Of Copy</i>
09/14/2015	 Notice Filed by: Other Davis, Christopher D <i>Notice of Partial Withdrawal of Petition and Partial Withdrawal of Petition to Stay Discovery until the August 19th, 2015 Hearing on Motion for Reconsideration or in the Alternative, Petition for Protective Order from Discovery by Subpeona</i>
09/14/2015	 Certificate of Mailing Filed by: Petitioner Davis, Caroline <i>Certificate of Service of Copy of Correspondence to Judge Sturman with Enclosures dated September 14, 2015</i>
09/15/2015	 Errata Filed by: Other Davis, Christopher D <i>Errata to Christopher D. Davis' Petition to Stay Discovery Until the August 19, 2015 Hearing on Motion for Reconsideration or in the Alternative, Petition for Protective Order from Discovery by Subpoena</i>
09/16/2015	 Opposition to Motion Filed by: Other Davis, Christopher D <i>Christopher D. Davis' Opposition to Caroline Davis' Motion to Strike Christopher D. Davis' Arguments and Requests for Relief in his Reply to Caroline D. Davis' Objection to Petition for Reconsideration in Excess of Thirty (30) Pages as the Reply Violates EDCR 2.20 and Countermotion for Leave to File a Reply in Excess of Thirty (30) Pages</i>
09/18/2015	 Recorders Transcript of Hearing <i>Transcript of Proceedings All Pending Motions, September 2, 2015</i>
09/23/2015	 Motion Filed by: Petitioner Davis, Caroline <i>Motion to Compel Attendance at Deposition and Motion for Sanctions</i>

CASE SUMMARY

CASE NO. P-15-083867-T

09/23/2015	 Notice Filed by: Petitioner Davis, Caroline <i>Notice of Hearing on Motion to Compel Attendance at Deposition and Motion for Sanctions</i>
09/28/2015	 Supplement Filed by: Petitioner Davis, Caroline <i>Supplement to Opposition to Caroline Davis' Motion to Hold Christopher D. Davis in Contempt and for Attorney's Fees and Costs</i>
09/29/2015	 Reply Filed by: Petitioner Davis, Caroline <i>Reply to Christopher D. Davis Opposition to Caroline Davis' Motion to Hold Christopher D. Davis in Contempt and for Attorneys' Fees and Costs</i>
10/09/2015	 Receipt of Copy Filed by: Petitioner Davis, Caroline <i>Receipt Of Copy</i>
10/09/2015	 Receipt of Copy Filed by: Other Davis, Christopher D <i>Receipt of Copy</i>
10/13/2015	 Recorders Transcript of Hearing <i>Motion to Compel: Caroline D. Davis's Motion to Compel Harriet Roland, Esq. to Produce Documents Responsive to Subpoena Duces Tecum; for Attorney's Fees and Costs Motion: Caroline D. Davis's Motion to Hold Christopher D. Davis in Contempt and for Attorneys' Fees and Costs Wednesday, September 30, 2015</i>
10/13/2015	 Recorders Transcript of Hearing <i>Motion: Petition to Stay Discovery Until the August 19, 2015 Hearing on Motion for Reconsideration or in the Alternative, Petition for Protective Order From Discovery by Subpoena Wednesday, September 16, 2015</i>
10/13/2015	 Order Filed by: Petitioner Davis, Caroline <i>Order</i>
10/15/2015	 Notice of Entry of Order Filed by: Petitioner Davis, Caroline <i>Notice of Entry of Order (September 2 Hearing)</i>
10/20/2015	 Receipt of Copy Filed by: Trust The Beatrice Davis Heritage Trust <i>Receipt Of Copy</i>
10/23/2015	 Certificate Filed by: Petitioner Davis, Caroline <i>Certificate of Intent to Amend Order</i>
12/16/2015	 Receipt of Copy Filed by: Petitioner Davis, Caroline <i>Receipt Of Copy</i>
12/31/2015	 Order Filed by: Petitioner Davis, Caroline

CASE SUMMARY
CASE NO. P-15-083867-T

Order Granting Motion to Amend May 19, 2015 Order and Denying Petition for Reconsideration

12/31/2015	 Notice of Entry Filed by: Petitioner Davis, Caroline <i>Notice of Entry of Order (Granting Motion to Amend May 19, 2015 Order and Denying Petition for Reconsideration)</i>
03/28/2016	 Substitution of Attorney Filed by: Other Davis, Christopher D <i>Substitution of Counsel</i>
04/18/2016	 Notice <i>Notice of Date Change Re: Status Check (Appeal Stay)</i>
06/29/2017	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>Nevada Supreme Court Clerk's Certificate Judgment - Dismissed; Petition Denied; Petition for Rehearing Granted; Dismissed; Writ Petition Denied</i>
07/14/2017	 Notice of Attorney Lien Filed by: Other Davis, Christopher D <i>Notice of Attorney's Lien and Lien</i>
01/18/2018	 Attorney Lien <i>Notice of Attorney's Lien and Lien</i>
02/01/2018	 Notice of Attorney Lien Filed by: Other Davis, Christopher D <i>Notice of Amended Attorney's Lien and Amended Lien</i>
02/01/2018	 Request for Special Notice Party: Other Davis, Christopher D <i>Request for Special Notice</i>
02/14/2018	 Request for Special Notice Party: Other Davis, Christopher D <i>Request for Special Notice</i>
07/09/2018	 Motion Filed by: Other Parties Receiving Notice <i>Motion to Adjudicate the Rights of Counsel to Enforce Amended Attorney's Lien and for Judgment for Attorney's Fees and Costs</i>
07/11/2018	 Certificate of Service Filed by: Other Parties Receiving Notice <i>Amended Certificate of Service</i>
07/11/2018	 Petition <i>Petition for an Award of Attorney Fees with Interest</i>
07/12/2018	 Certificate of Service Filed by: Other Davis, Christopher D <i>Certificate of Service</i>

CASE SUMMARY

CASE NO. P-15-083867-T

07/12/2018	 Certificate of Service Filed by: Other Davis, Christopher D <i>Certificate of Service</i>
07/16/2018	 Certificate of Service Filed by: Other Davis, Christopher D <i>Certificate of Service</i>
07/30/2018	 Opposition Filed by: Petitioner Davis, Caroline <i>Opposition to Motion to Adjudicate the Rights of Counsel to Enforce Amended Attorney Lien and for Judgment for Attorney's Fees and Costs; and Objection to Petition for an Award of Attorney's Fees with Interest</i>
07/31/2018	 Supplement <i>Supplement to Motion to Adjudicate the Rights of Counsel to Enforce Amended Attorney's Lien and for Judgment for Attorney's Fees and Costs</i>
08/01/2018	 Motion Filed by: Other Davis, Christopher D <i>Motion for Payment of Attorney's Fees from Trust and for Judgment for Attorney's fees and Costs with Interest and to Adjudicate the Rights of Counsel to Enforce Attorney's Lien</i>
08/01/2018	 Joinder Filed by: Other Dunham Trust Company <i>Dunham Trust Company's Joinder to Caroline Davis Opposition to Motion to Adjudicate the Rights of Counsel to Enforce Amended Attorney Lien and for Judgment for Attorney s Fees and Costs; and Objection to Petition for an Award of Attorney Fees with Interest</i>
08/03/2018	 Order Shortening Time Filed by: Other Davis, Christopher D <i>Petition for an Order Shortening Time to Hear Petition to Withdraw as Counsel of Record</i>
08/03/2018	 Acceptance of Service Filed by: Other Davis, Christopher D <i>Acceptance of Service</i>
08/06/2018	 Acceptance of Service Filed by: Other Davis, Christopher D <i>Acceptance of Service</i>
08/06/2018	 Acceptance of Service Filed by: Other Davis, Christopher D <i>Acceptance of Service</i>
08/06/2018	 Notice of Entry of Order Filed by: Other Davis, Christopher D <i>Notice of Entry of Order Shortening Time to hear Petition to Withdraw as Counsel of Record</i>
08/07/2018	 Certificate of Service Filed by: Other Davis, Christopher D <i>Certificate of Service</i>
08/08/2018	 Opposition <i>Opposition to Motion for Payment of Attorney's Fees from the Trust and for Judgment for</i>

CASE SUMMARY

CASE NO. P-15-083867-T

Attorney's Fees and Costs with Interest and to Adjudicate Rights of Counsel to Enforce Attorney's Fees

08/10/2018



Declaration

Filed by: Other Davis, Christopher D
Declaration of Service

08/16/2018



Reply

Reply in Support of Petition for an Award of Attorney Fees with Interest

08/17/2018



Reply to Opposition

Filed by: Other Parties Receiving Notice
Reply To Opposition To Motion To Adjudicate The Rights Of Counsel To Enforce Amended Attorney's Lien And For Judgment For Attorney's Fees And Costs And Reply To Objection To Petition For An Award Of Attorney's Fees With Interest and Reply To Dunham Trust Company's Joinder

08/21/2018



Joinder

Filed by: Other Dunham Trust Company
Dunham Trust Company's Joinder to Caroline Davis Opposition to Motion for Payment of Attorney s Fees from Trust and for Judgment for Attorney s Fees and Costs With Interest and to Adjudicate Rights of Counsel to Enforce Attorney s Lien

08/21/2018



Joinder

Joinder to Reply to Opposition to Motion

08/22/2018



Certificate of Service

Filed by: Other Roland Law Firm
Certificate of Service

08/27/2018



Certificate of Mailing

Filed by: Other Roland Law Firm
Certificate of Service

09/11/2018



Declaration

Filed by: Other Davis, Christopher D
Declaration of Service

09/27/2018



Supplement

Filed by: Other Roland Law Firm
Supplement to the Motion for Payment of Attorney s Fees from Trust and for Judgment for Attorney s Fees and Costs with Interest and to Adjudicate the Rights of Counsel to Enforce Attorney s Lien

10/02/2018



Certificate of Mailing

Filed by: Other Roland Law Firm
Certificate of Service

01/08/2019



Petition

Filed by: Other Dunham Trust Company
Petition for Instructions Regarding Surrender of Assets, Termination of Trust and Distribution on Order Shortening Time

01/16/2019



Joinder

Caroline D. Davis's Joinder to Petition for Instructions Regarding Surrender of Assets,

CASE SUMMARY

CASE NO. P-15-083867-T

Termination of Trust and Distribution on OST

01/18/2019	 Supplement Filed by: Other Dunham Trust Company <i>Supplement to Petition for Instructions Regarding Surrender of Assets and Distribution on Order Shortening Time</i>
01/22/2019	 Order Filed by: Other Davis, Christopher D <i>Order And Judgment</i>
01/23/2019	 Notice of Entry of Order Filed by: Other Davis, Christopher D <i>Notice Of Entry Of Order</i>
01/28/2019	 Joinder <i>Joinder to Petition for Instructions Regarding Surrender of Assets, Termination of Trust and Distribution on Order Shortening Time</i>
01/28/2019	 Notice Filed by: Other Roland Law Firm <i>Notice of "In Camera" Submission of Unredacted Billing Invoices in Support of Motion for Payment of Attorney's fees from Trust and for Judgement for Attorney's fees and Costs with Interest and to Adjudicate the Rights of Counsel to Enforce Attorney's Lien</i>
01/28/2019	 Notice of Non Opposition Filed by: Other Dunham Trust Company <i>Notice of Non Opposition to Petition for Instructions Regarding Surrender of Assets, Termination of Trust and Distribution on Order Shortening Time</i>
01/28/2019	 Motion for Attorney Fees and Costs Filed by: Other Roland Law Firm <i>Motion for Payment of Attorney's Fees from Trust and for Judgment for Attorney's Fees and Costs with Interest and to Adjudicate the Rights of Counsel to Enforce Attorney's Lien</i>
01/29/2019	 Certificate of Service Filed by: Other Davis, Christopher D <i>Certificate of Service</i>
01/29/2019	 Notice of Change of Firm Name Filed by: Other Davis, Christopher D <i>Notice of Change of Firm Name</i>
01/29/2019	 Certificate of Mailing <i>Certificate of Service</i>
01/29/2019	 Notice of Hearing <i>Notice of Hearing</i>
01/30/2019	 Joinder <i>Partial Joinder to Petition for Instructions Regarding Surrender of Assets, Termination of Trust and Distribution on Order Shortening Time</i>
02/11/2019	 Opposition <i>Opposition to Motion for Payment of Attorney's Fees from Trust and for Judgment for</i>

CASE SUMMARY

CASE NO. P-15-083867-T

Attorney's Fees and Costs with Interest and to Adjudicate Rights of Counsel to Enforce Attorney's Lien

02/11/2019



Joinder

Filed by: Other Dunham Trust Company
Dunham Trust Company's Joinder to Caroline Davis Opposition to Motion for Payment of Attorney's Fees from Trust and for Judgment for Attorney's Fees and Costs With Interest and to Adjudicate Rights of Counsel to Enforce Attorney's Lien

02/19/2019



Certificate of Service

Filed by: Other Davis, Christopher D
Certificate of Service

02/21/2019



Notice of Appeal

Filed by: Other Dunham Trust Company
Notice of Appeal

02/21/2019



Case Appeal Statement

Filed by: Other Dunham Trust Company
Case Appeal Statement

02/21/2019



Reply

Reply to Opposition to Motion for Payment of Attorney's Fees from Trust and for Judgment for Attorney's Fees and Costs with Interest and to Adjudicate the Rights of Counsel to Enforce Attorney's Lien

HEARINGS

03/06/2015



Petition - HM (9:30 AM) (Hearing Master: Yamashita, Wesley)

Events: 02/10/2015 Petition to Assume Jurisdiction of Trust
Petition to Assume Jurisdiction Over the Beatrice B. Davis Family Heritage Trust Dated July 28 2000 as Amended on February 24 2014; to Assume Jurisdiction Over Christopher D. Davis as Investment Trust Advisor and Stephen K Lehnardt as Distribution Trust Advisor; to Confirm Dunham Trust Company as Directed Trustee; and for Immediate Disclosure of Documents and Information from Christopher D. Davis

04/22/2015

Petition (9:00 AM) (Judicial Officer: Sturman, Gloria)

Events: 03/05/2015 Notice of Hearing
Petition to Assume Jurisdiction over the Beatrice B. Davis Family Heritage Trust, Dated July 28, 2000, as Amended on February 24, 2014; to Assume Jurisdiction Over Christopher David As Investment Trust Advisor and Stephen K. Lehnardt as Distribution Trust Advisor; to Confirm Dunham Trust Company as Directed Trustee; and for Immediate Disclosure of Documents and Information From Christopher D. Davis

04/22/2015

Motion to Dismiss (9:00 AM) (Judicial Officer: Sturman, Gloria)

Events: 03/04/2015 Motion to Dismiss
Motion on Christopher D. Davis' Motion to Dismiss Pursuant to NRCP 12(b) and NRCP 19

04/22/2015



All Pending Motions (9:00 AM) (Judicial Officer: Sturman, Gloria)

09/02/2015

Petition (9:00 AM) (Judicial Officer: Sturman, Gloria)






Events: 07/14/2015 Petition
Petition for Reconsideration of the Order Dated May 19, 2015 Re: Petition to Assume Jurisdiction over the Beatrice B Davis Family Heritage Trust Dated July 28, 2000, as Amended on February 24, 2014, to Assume Jurisdiction over Christopher D Davis as Investment Trust Advisor, Stephen K. Lehnardt as Distribution Trust Advisor, to Confirm Dunham Trust Company as Directed Trustee, and for Immediate Disclosure of Documents and Information from Christopher D Davis

09/02/2015


Objection (9:00 AM) (Judicial Officer: Sturman, Gloria)

CASE SUMMARY

CASE NO. P-15-083867-T

	Events: 07/31/2015 Objection <i>Objection to Petition for Reconsideration by Caroline Davis, Petitioner and Counter-Petition for Sanctions</i>
09/02/2015	Motion (9:00 AM) (Judicial Officer: Sturman, Gloria) Events: 08/10/2015 Motion <i>To Amend or Modify Order Pursuant to NRCP 60(b)(3)</i>
09/02/2015	Motion (9:00 AM) (Judicial Officer: Sturman, Gloria) Events: 08/28/2015 Motion for Protective Order <i>Christophers Davis' Motion for protection order and to quash or modify the subpoena</i>
09/02/2015	 All Pending Motions (9:00 AM) (Judicial Officer: Sturman, Gloria)
09/16/2015	Motion (9:00 AM) (Judicial Officer: Sturman, Gloria) Events: 08/13/2015 Motion <i>Petition to Stay Discovery until the August 19, 2015 Hearing on Motion for Reconsideration Or in the Alternative, Petition for Protective Order from Discovery By Subpoena</i>
09/30/2015	Motion (9:00 AM) (Judicial Officer: Sturman, Gloria) Events: 08/17/2015 Notice of Hearing <i>Caroline D. Davis's Motion To Hold Christopher D. Davis in Contempt and for Attorneys' Fees and Costs</i>
09/30/2015	 Motion to Compel (9:00 AM) (Judicial Officer: Sturman, Gloria) Events: 08/17/2015 Motion <i>Caroline D. Davis's Motion to Compel Harriet Roland, Esq. to Produce Documents Responsive to Subpoena Duces Tecum; for Attorney's Fees and Costs</i>
09/30/2015	 All Pending Motions (9:00 AM) (Judicial Officer: Sturman, Gloria)
10/07/2015	Motion to Strike (9:00 AM) (Judicial Officer: Sturman, Gloria) <i>Caroline D. Davis' Motion to Strike Christopher D. Davis' Arguments and Requests for Relief in his Reply to Caroline D. Davis' Objection to Petition for Reconsideration in Excess of Thirty (30) Pages as the Reply Violates EDCR 2.20</i>
10/07/2015	Opposition & Countermotion (9:00 AM) (Judicial Officer: Sturman, Gloria) <i>Christopher D. Davis' Opposition to Caroline Davis' Motion to Strike Christopher D. Davis' Arguments and Requests for Relief in his Reply to Caroline D. Davis' Objection to Petition for Reconsideration in Excess of Thirty (30) Pages as the Reply Violates EDCR 2.20 and Countermotion for Leave to File a Reply in Excess of Thirty (30) Pages</i>
10/07/2015	 All Pending Motions (9:00 AM) (Judicial Officer: Sturman, Gloria)
10/28/2015	Motion to Compel (9:00 AM) (Judicial Officer: Sturman, Gloria) <i>Motion to Compel Attendance at Deposition and Motion for Sanctions</i>
10/28/2015	Motion to Compel (9:00 AM) (Judicial Officer: Sturman, Gloria) <i>Caroline D. Davis's Motion to Compel Harriet Roland, Esq. to Produce Documents Responsive to Subpoena Duces Tecum; for Attorney's Fees and Costs</i>
10/28/2015	Motion for Contempt (9:00 AM) (Judicial Officer: Sturman, Gloria) <i>Caroline D. Davis's Motion To Hold Christopher D. Davis in Contempt and for Attorneys' Fees and Costs</i>
10/28/2015	 Status Check (9:00 AM) (Judicial Officer: Sturman, Gloria) <i>Status Check: Appeal Stay</i>
01/27/2016	CANCELED Status Check (9:00 AM) (Judicial Officer: Sturman, Gloria)

CASE SUMMARY**CASE NO. P-15-083867-T**

	<i>Vacated - per Judge</i> <i>Status Check: Appeal Stay</i>
01/27/2016	 Status Check (9:30 AM) (Judicial Officer: Sturman, Gloria) 01/27/2016, 06/01/2016, 08/31/2016, 03/01/2017, 05/31/2017, 07/19/2017 <i>Status Check: Appeal Stay</i>
10/18/2017	 Status Check (10:00 AM) (Judicial Officer: Sturman, Gloria) 10/18/2017, 01/18/2018 <i>Re: Settlement</i>
03/29/2018	 Status Check (9:30 AM) (Judicial Officer: Sturman, Gloria) 03/29/2018, 07/12/2018 <i>Status Check: Petition/Settlement</i>
08/09/2018	 Petition to Withdraw as Counsel (9:30 AM) (Judicial Officer: Sturman, Gloria) <i>Petition for an Order Shortening Time to Hear Petition to Withdraw as Counsel of Record</i>
08/23/2018	 Motion (9:30 AM) (Judicial Officer: Sturman, Gloria) <i>Motion to Adjudicate the Rights of Counsel to Enforce Amended Attorney's Lien and for Judgment for Attorney's Fees and Costs</i>
09/06/2018	 Motion - HM (9:30 AM) (Judicial Officer: Sturman, Gloria) 09/06/2018, 09/20/2018, 10/05/2018, 11/02/2018, 01/18/2019, 02/12/2019 <i>Roland Law's Motion for Payment of Attorney's Fees from Trust and for Judgment for Attorney's fees and Costs with Interest and to Adjudicate the Rights of Counsel to Enforce Attorney's Lien</i>
11/20/2018	 Minute Order (9:30 AM) (Judicial Officer: Sturman, Gloria)
01/31/2019	 Petition - HM (9:30 AM) (Judicial Officer: Sturman, Gloria) 01/31/2019, 03/14/2019 <i>Dunham Trust Co.'s Petition for Instructions Regarding Surrender of Assets, Termination of Trust and Distribution on Order Shortening Time</i>
02/28/2019	Motion for Attorney Fees (9:30 AM) (Judicial Officer: Sturman, Gloria) <i>Caroline Davis' Motion for Payment of Attorney's Fees from Trust and for Judgment for Attorney's Fees and Costs with Interest and to Adjudicate the Rights of Counsel to Enforce Attorney's Lien</i>

DATE**FINANCIAL INFORMATION**

Attorney Roland, Harriet H	
Total Charges	5.00
Total Payments and Credits	5.00
Balance Due as of 2/25/2019	0.00
Other Davis, Christopher D	
Total Charges	247.00
Total Payments and Credits	247.00
Balance Due as of 2/25/2019	0.00
Other Dunham Trust Company	
Total Charges	247.00
Total Payments and Credits	247.00
Balance Due as of 2/25/2019	0.00
Other Lehnardt, Stephen	
Total Charges	223.00

CASE SUMMARY

CASE NO. P-15-083867-T

Total Payments and Credits	223.00
Balance Due as of 2/25/2019	0.00
Petitioner Davis, Caroline	
Total Charges	547.00
Total Payments and Credits	547.00
Balance Due as of 2/25/2019	0.00
Other Davis, Christopher	
Registry and Trust Account-Probate Balance as of 2/25/2019	500.00

**EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA
FAMILY COURT COVER SHEET**

CASE NO. _____ (To be assigned by the Clerk's Office)

Do you or any other party in this case (including any minor child) have any other current case(s) or past case(s) in the Family Court or Juvenile Court in Clark County?

☐ YES ☐ NO

If yes, complete the other side of this form

PARTY INFORMATION (Please Print)

Plaintiff/Petitioner		Defendant/Respondent/Co-Petitioner/Ward/Decedent	
Last Name: Davis		Last Name: Beatrice Davis Heritage trust	
First Name: Caroline	Middle Name:	First Name:	Middle Name:
Home Address: 2501 Nob Hill Place North		Home Address: deceased	
City, State, Zip: Seattle Washington 98109		City, State, Zip:	
Mailing Address: same		Mailing Address:	
City, State, Zip: same		City, State, Zip:	
Phone #: 206-240-9956	Date of Birth: 6/24/54	Phone #:	Date of Birth:
Attorney Information		Attorney Information	
Name: Mark A Solomon	Bar No. 0418	Name: not applicable	Bar No:
Address: 9060 West Cheyenne Avenue		Address:	
City, State, Zip: Las Vegas, NV 89129		City, State, Zip:	
Phone #: 702-589-3524		Phone #:	

(Check one box only for the type of case being filed with this cover sheet)

DOMESTIC	MISC. DOMESTIC RELATIONS PETITIONS	GUARDIANSHIP	PROBATE
Marriage Dissolution <input type="checkbox"/> Annulment <input type="checkbox"/> Divorce—No minor child(ren) <input type="checkbox"/> Divorce—With minor child(ren) <input type="checkbox"/> Foreign Decree <input type="checkbox"/> Joint Petition—No minor child(ren) <input type="checkbox"/> Joint Petition—With minor child(ren) <input type="checkbox"/> Separate Maintenance	<input type="checkbox"/> Adoption—Minor <input type="checkbox"/> Adoption—Adult <input type="checkbox"/> Mental Health <input type="checkbox"/> Name Change <input type="checkbox"/> Paternity <input type="checkbox"/> Permission to Marry <input type="checkbox"/> Temporary Protective Order (TPO) <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> Child Support/Custody <input type="checkbox"/> Other (identify) _____	Guardianship of an Adult <input type="checkbox"/> Person <input type="checkbox"/> Estate <input type="checkbox"/> Person and Estate Guardianship of a Minor <input type="checkbox"/> Person <input type="checkbox"/> Estate <input type="checkbox"/> Person and Estate <input type="checkbox"/> Guardianship Trust	<input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside Estates <input type="checkbox"/> Trust/Conservatorships <input type="checkbox"/> Individual Trustee <input type="checkbox"/> Corporate Trustee <input type="checkbox"/> Other Probate
MISC. JUVENILE PETITIONS	DA CHILD SUPPORT PETITIONS		
<input type="checkbox"/> Emancipation	<input type="checkbox"/> DA—UIFSA <input type="checkbox"/> DA—Child Support In State		

List children involved in this case (If more than 3 children, please enter the information on the reverse side)

Last Name	First Name	Middle Name	Date of Birth	Relationship
1.n/a				
2.				
3.				

MARK A. SOLOMON, ESQ.

/s/ MARK A. SOLOMON, ESQ.

2/10/15

Printed Name of Preparer

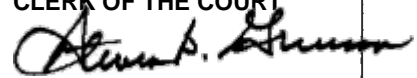
Signature of Preparer

Date

Revised 07/01/12

Nevada AOC Research & Statistics Unit
Pursuant to NRS 3.275

Supply the following information about any other proceeding (check all that apply):



1 ANTHONY L. BARNEY, ESQ.
Nevada Bar No. 8366
2 TIFFANY S. BARNEY, ESQ.
Nevada Bar No. 9754
3 **ANTHONY L. BARNEY, LTD.**
4 3317 W. Charleston Blvd., Suite B
Las Vegas, NV 89102
5 Telephone: (702) 438-7878
6 Facsimile: (702) 259-1116
office@anthonybarney.com
7 *Prior Attorneys for Christopher D. Davis*

8 **EIGHTH JUDICIAL DISTRICT COURT**
9 **CLARK COUNTY, NEVADA**

10
11 In the matter of:

12
13 The BEATRICE B. DAVIS FAMILY HERITAGE
14 TRUST, dated July 28, 2000, as amended on
February 24, 2014.

Case No.: P-15-083867-T

Dept. No.: 26

Date of Hearing: August 23, 2018

Time of Hearing: 9:30 a.m.

15
16 **ORDER AND JUDGMENT**

17 The MOTION TO ADJUDICATE THE RIGHTS OF COUNSEL TO ENFORCE
18 AMENDED ATTORNEY'S LIEN AND FOR JUDGMENT FOR ATTORNEY'S FEES AND
19 COSTS filed July 9, 2018 by ANTHONY L. BARNEY, LTD., prior attorney of record for
20 Christopher D. Davis in the above-entitled matter seeking judgment against The BEATRICE B.
21 DAVIS FAMILY HERITAGE TRUST, dated July 28, 2000, as amended on February 24, 2014
22 ("Trust") and against Christopher D. Davis, jointly and severally, for unpaid attorneys' fees and
23 costs was heard by this Court on August 23, 2018 at 9:30 a.m. The law office of ANTHONY L.
24 BARNEY, LTD. was present and was represented by Anthony L. Barney, Esq. at the hearing.
25 Caroline Davis was not present but was represented at the hearing by Joshua M. Hood, Esq. of
26 the law firm of Solomon, Dwiggins & Freer. By stipulation of the remaining parties with
27
28

1 Caroline Davis, the MOTION FOR PAYMENT OF ATTORNEY'S FEES FROM TRUST
2 AND FOR JUDGMENT FOR ATTORNEY'S FEES AND COSTS WITH INTEREST AND
3 TO ADJUDICATE THE RIGHTS OF COUNSEL TO ENFORCE ATTORNEY'S LIEN
4 FILED AUGUST 1, 2018 by the Roland Law Firm who was present and was represented by
5 Jason Sadow, Esq. and the PETITION FOR AN AWARD OF ATTORNEY FEES WITH
6 INTEREST DATED JULY 11, 2018 by the law firm of Goodsell & Olson, LLP who was
7 present and represented by Thomas Grover, Esq. were also considered before this Court seeking
8 entry of judgment against the Trust and Christopher D. Davis, jointly and severally, for unpaid
9 attorneys's fees and costs. Dunham Trust Company was not present, but was represented by
10 Charlene N. Renwick, Esq. of the law firm of Lee, Hernandez, Landrum & Garofalo.

13 I. FINDINGS

14 A. Proper Procedural Notice

- 15 1. Due notice of the hearing was held on August 23, 2018 as to Anthony L. Barney, Ltd.
16 pursuant NRS 155.010.
17
- 18 2. There having been no opposition or objection filed by Christopher D. Davis to the
19 MOTION TO ADJUDICATE THE RIGHTS OF COUNSEL TO ENFORCE
20 AMENDED ATTORNEY'S LIEN AND FOR JUDGMENT FOR ATTORNEY'S FEES
21 AND COSTS filed July 9, 2018 by the law firm of Anthony L. Barney, Ltd., the
22 MOTION FOR PAYMENT OF ATTORNEY'S FEES FROM TRUST AND FOR
23 JUDGMENT FOR ATTORNEY'S FEES AND COSTS WITH INTEREST AND TO
24 ADJUDICATE THE RIGHTS OF COUNSEL TO ENFORCE ATTORNEY'S LIEN
25 FILED AUGUST 1, 2018 by the Roland Law Firm, or the PETITION FOR AN
26 AWARD OF ATTORNEY FEES WITH INTEREST dated JULY 11, 2018 proper
27
28

notice was acknowledged by stipulation between Caroline Davis, the Roland Law Firm, and Goodsell & Olsen, LLP. pursuant to EDCR 2.22.

B. Proper Jurisdiction

1. This Court has proper *in rem* jurisdiction over the Trust pursuant to N.R.S. 164.010.
2. This Court has proper *in personam* jurisdiction over Christopher D. Davis pursuant to N.R.S. 155.010, 164.010, and *Davis v. Davis (In re Beatrice B. Davis Family Heritage Trust)*, 394 P.3d 1203, 1205, 2017 Nev. LEXIS 39, *1, 133 Nev. Adv. Rep. 26, 2017 WL 2303611.

C. Employment of Anthony L. Barney, Ltd and the Roland Law Firm by Christopher D. Davis

1. Christopher D. Davis employed the law firms of Anthony L. Barney, Ltd. and the Roland Law Firm as co-counsel in his role as Trust Investment Advisor on behalf of the Trust. Christopher D. Davis signed contractual engagement agreements with both the law firm of Anthony L. Barney, Ltd. and the Roland Law Firm in which he became legal obligated both as a fiduciary and in his individual capacity for the fees and costs arising from the services he received from Anthony L. Barney, Ltd. and the Roland Law Firm. Christopher D. Davis did not object to any of the fees or costs charged to him by Anthony L. Barney, Ltd. or the Roland Law Firm under his respective engagement agreements.
2. Anthony L. Barney, Ltd. and the Roland Law Firm provided legal services to Christopher D. Davis as part of the legal proceeding both before his Court and as legal counsel filing both a writ and appeal which were later consolidated before the Nevada Supreme Court resulting in the published opinion cited *Davis v. Davis (In re Beatrice B.*

1 *Davis Family Heritage Trust*), 394 P.3d 1203, 1205, 2017 Nev. LEXIS 39, *1, 133 Nev.
2 Adv. Rep. 26, 2017 WL 2303611.

- 3 3. While this appeal was unsuccessful, their work benefited the Trust in that it resulted in
4 greater clarity within our laws regarding constitutional matters within the state of
5 Nevada and within this case.
- 6 4. Furthermore, the law of Anthony L. Barney, Ltd. and the Roland Law Firm benefited the
7 Trust by working to delineate the beneficial interests of those under the terms of the
8 Trust, which coupled with their work on the appeals, provided greater clarity for an
9 ultimate settlement agreement between Christopher D. Davis and Caroline Davis.
- 10 5. Therefore, the Court is not required to determine in the absence of a benefit conferred
11 upon the Trust, whether the Investment Trust Advisor is still entitled to his fees and
12 costs awarded from the Trust, because the work performed by the law firms of Anthony
13 L. Barney, Ltd. and the Roland Law Firm was performed during the tenure of
14 Christopher D. Davis as Investment Trust Advisor of the Trust and as manager for the
15 wholly Trust owned FHT Holdings, LLC.
- 16 6. This Court never reached a determination of whether Christopher D. Davis breached his
17 duties as Investment Trust Advisor or as manager of FHT Holdings, LLC, and finds the
18 based upon the record before it, the factors set forth in *Brunzell v. Golden Gate National*
19 *Bank*, 85 Nev. 345, 455 P.2d 31 (Nev. 1969) have been met and satisfied by Anthony L.
20 Barney, Ltd. and the Roland Law Firm.
- 21 7. The Trust provided for removal of Christopher D. Davis as Investment Trust Advisor,
22 however no steps were taken by the Trust to remove him during the period in which he
23 was represented by the law firm of Anthony L. Barney, Ltd. and the Roland Law Firm.
- 24
- 25
- 26
- 27
- 28

1 8. The law firms of Anthony L. Barney, Ltd. and the Roland Law Firm were properly owed
2 the amounts set forth in their lien, amended lien, and respective pleadings as properly
3 filed with this court and noticed to the parties.
4

5 9. The law firms of Anthony L. Barney, Ltd. and Roland Law Firm made a proper demand
6 upon Dunham Trust Company for payment of their fees and costs on May 25, 2016 for
7 the amounts then due and owing, which Dunham Trust Company rejected.
8

9 **II. ORDER AND JUDGMENT**

10 Therefore, good cause appearing, this Court orders and reduces the same to judgment
11 against the BEATRICE B. DAVIS FAMILY HERITAGE TRUST, dated July 28, 2000, as
12 amended on February 24, 2014 ("Trust") and Christopher D. Davis as follows:

13 1. The law firm of Anthony L. Barney, Ltd. is hereby awarded its attorney's fees and costs
14 in the amount of \$32,680.17 ("fees and costs award"), which is hereby reduced to
15 judgment against the Trust and Christopher D. Davis as a joint and several liability.
16 This fees and costs award shall be payable from by the Trust and Christopher D. Davis,
17 as a joint and several liability and a priority expense of the Trust's administration prior
18 to any further distributions from the Trust to any Trust beneficiary for any reason.
19

20 2. The Trust and Christopher D. Davis are required to make payment to Anthony L.
21 Barney, Ltd. for the fees and costs award provided by this Court.
22

23 3. The law firm of Anthony L. Barney, Ltd. is hereby awarded its statutory rate of interest
24 in the amount of \$40,199.37 ("interest award"), which is hereby reduced to judgment
25 against Christopher D. Davis individually. This interest award shall be payable by
26 Christopher D. Davis in his individual capacity.
27

28 4. The Court has not indicated a Dollar amount
for the Roland Firm been pending receipt of
billing information for evaluation under Brunzell
and Cable. *NT*

1 ~~As~~ In addition to the restrictions placed upon the Trust that no distributions be made to any
2 beneficiary of the Trust from the Trust prior to the payment of fees and costs award to
3 Anthony L. Barney, Ltd., Anthony L. Barney, Ltd. shall be able to collect the fees and
4 costs award and the interest award by any lawful means, subject to any legal or equitable
5 defenses or remedies the Trust or any beneficiary thereof may have.

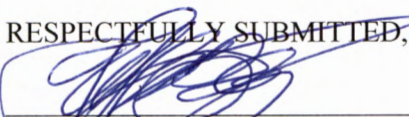
6 ~~6~~
7 ~~5.~~ The fees and costs award and the interest award to Anthony L. Barney, Ltd. may be
8 enforced as any other judgment or decree entered by this Court and shall accrue interest
9 at the statutory rate in effect on the date of the notice of entry of order of this order and
10 judgment.
11

12 IT IS SO ORDERED, ADJUDGED AND DECREED.

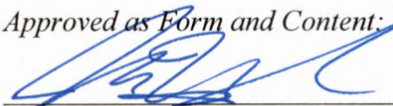
13 Dated January 17th, 2019

14 
15 DISTRICT COURT JUDGE


16 RESPECTFULLY SUBMITTED,

17 
18 ANTHONY L. BARNEY, ESQ.
Nevada State Bar No. 8366
19 TIFFANY S. BARNEY, ESQ.
Nevada State Bar No. 9754
20 ANTHONY L. BARNEY, LTD.
3317 W. Charleston Blvd., Suite B
21 Las Vegas, Nevada 89102
22 Former Attorney for *Christopher D. Davis*

Approved as Form and Content:

17 
18 MARK A. SOLOMON, ESQ.
Nevada State Bar No. 418
19 JOSHUA M. HOOD, ESQ.
Nevada State Bar No. 12777
20 SOLOMON DWIGGINS & FREER, LTD.
9060 West Cheyenne Avenue
21 Las Vegas, Nevada 89129
22 Attorneys for *Caroline Davis*

23
24 Approved as Form and Content

25 
26 CHARLENE N. RENWICK, ESQ.
Nevada State Bar No. 10165
27 LEE, HERNANDEZ, LANDRUM &
GAROFALO
7575 Vegas Drive, Suite 150
28 Las Vegas, Nevada 89128
Attorney for Dunham Trust Company

1 4. In addition to the restrictions placed upon the Trust that no distributions be made to any
2 beneficiary of the Trust from the Trust prior to the payment of fees and costs award to
3 Anthony L. Barney, Ltd., Anthony L. Barney, Ltd. shall be able to collect the fees and
4 costs award and the interest award by any lawful means, subject to any legal or equitable
5 defenses or remedies the Trust or any beneficiary thereof may have.
6


7 5. The fees and costs award and the interest award to Anthony L. Barney, Ltd. may be
8 enforced as any other judgment or decree entered by this Court and shall accrue interest
9 at the statutory rate in effect on the date of the notice of entry of order of this order and
10 judgment.
11


12 IT IS SO ORDERED, ADJUDGED AND DECREED.

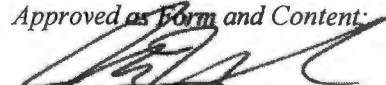
13 Dated JAN 18, 2019

14 
15 DISTRICT COURT JUDGE


16 RESPECTFULLY SUBMITTED,

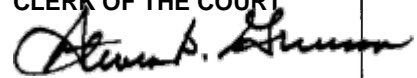
17 Approved as Form and Content: 

18 
19 ANTHONY L. BARNEY, ESQ.
Nevada State Bar No. 8366
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Nevada State Bar No. 9754
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Former Attorney for *Christopher D. Davis*

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24 MARK A. SOLOMON, ESQ.
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Nevada State Bar No. 12777
26 SOLOMON DWIGGINS & FREER, LTD.
9060 West Cheyenne Avenue
27 Las Vegas, Nevada 89129
Attorneys for *Caroline Davis*

28 Approved as Form and Content

29 
30 CHARLENE N. RENWICK, ESQ.
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31 LEE, HERNANDEZ, LANDRUM &
32 GAROFALO
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33 Las Vegas, Nevada 89128
Attorney for *Dunham Trust Company*



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6 Facsimile: (702) 259-1116
office@anthonybarney.com
7 *Prior Attorneys for Christopher D. Davis*

8 **EIGHTH JUDICIAL DISTRICT COURT**
9 **CLARK COUNTY, NEVADA**

10
11 In the matter of:

Case No.: P-15-083867-T

12
13 The BEATRICE B. DAVIS FAMILY HERITAGE
14 TRUST, dated July 28, 2000, as amended on
February 24, 2014.

Dept. No.: 26

15
16
17 **NOTICE OF ENTRY OF ORDER**

18 TO: CAROLINE DAVIS, Petitioner, by and through her attorneys, MARK SOLOMON,
19 ESQ., and JOSHUA HOOD, ESQ., of SOLOMON DWIGGINS & FREER, LTD.
20
21 TO: DUNHAM TRUST, by and through its attorney, CHARLENE RENWICK, ESQ., of
22 LEE HERNANDEZ LANDRUM & GAROFALO
23
24 TO: STEPHEN LENHARDT by and through his attorney, JONATHAN W. BARLOW,
ESQ., of CLEAR COUNSEL LAW GROUP
25
26 TO: FHT HOLDINGS LLC. A Nevada Limited Liability Company, Respondent through
27 Respondent through Dunham Trust Company
28
TO: WINFIELD B. DAVIS

1 TO: ACE DAVIS

2 TO: CHERYL DAVIS

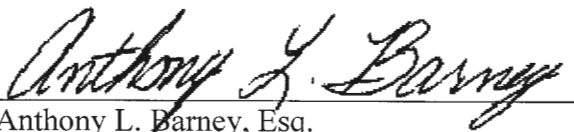
3 TO: TARJA DAVIS

4
5 **PLEASE TAKE NOTICE EACH OF YOU**, of the following:

6 An **Order and Judgment** was entered and filed on January 22, 2019 in the above-
7 entitled matter. A copy of said Order and Judgment is attached hereto and incorporated herein
8 as Exhibit 1.

9 DATED this 23rd day of January 2019.

10
11 Respectfully Submitted,
12 **ANTHONY L. BARNEY, LTD.**

13 

14 Anthony L. Barney, Esq.
15 Nevada Bar No. 8366
16 3317 W. Charleston Blvd., Suite B
17 Las Vegas, NV 89102-1835
18 (702) 438-7878
19 *Attorneys for Petitioner*
20
21
22
23
24
25
26
27
28

1 CERTIFICATE OF SERVICE

2 I hereby certify that I am an employee of Anthony L. Barney, Ltd., and not a party to
3 this action. I further certify that on January 22, 2019 I served the foregoing NOTICE OF
4 ENTRY OF ORDER, by first class US mail, postage prepaid, upon the following persons or
5 entities:
6

7 Tarja Davis
8 3005 North Beverly Glen Circle
9 Los Angeles, California 90077
10 And
11 514 West 26th Street, #3E
12 Kansas City, Missouri 64108

13 Christopher Davis
14 3005 North Beverly Glen Circle
15 Los Angeles, California 90077
16 And
17 514 West 26th Street, #3E
18 Kansas City, Missouri 64108

19 Winfield B. Davis
20 Skyline Terrace Apts.
21 930 Figueroa Terr. Apt. 529
22 Los Angeles, California 90012-3072

23 Ace Davis
24 c/o Winfield B. Davis
25 Skyline Terrace Apts.
26 930 Figueroa Terr. Apt. 529
27 Los Angeles, California 90012-3072

28 ANTHONY L. BARNEY, ESQ.
ANTHONY L. BARNEY, LTD.
3317 W. Charleston Boulevard, Suite B
Las Vegas, NV 89102-1835
office@anthonybarney.com

MARK A. SOLOMON, ESQ.
Solomon Dwiggin & Freer, Ltd.
9060 West Cheyenne Avenue

1 Las Vegas, NV 89129
2 msolomon@sdfnvlaw.com
3 jhood@sdfnvlaw.com
4 Attorneys for Caroline Davis

5 CHARLENE RENWICK, ESQ.
6 LEE HERNANDEZ LANDRUM & GAROFALO
7 7575 Vegas Drive #150
8 Las Vegas, Nevada 89128
9 Crenwick@lee-lawfirm.com
10 Attorneys for Dunham Trust Company

11 JONATHAN W. BARLOW, ESQ.
12 CLEAR COUNSEL LAW GROUP
13 50 Stephanie Street, Suite 101
14 Henderson, Nevada 89012
15 Jonathan@clearcounsel.com
16 Attorneys for Stephen K. Lenhardt

17 FHT Holdings LLC. A Nevada Limited Liability Company, Respondent
18 Dunham Trust Company
19 241 Ridge Street, Suite 100
20 Reno, Nevada 89501

21 Cheryl Davis
22 5403 West 134 Terrace Unit 1525
23 Overland Park, Kansas 66209
24 *With the Accompanying Petition*

25
26
27
28


Employee of Anthony L. Barney, Ltd.

EXHIBIT 1



1 ANTHONY L. BARNEY, ESQ.
Nevada Bar No. 8366
2 TIFFANY S. BARNEY, ESQ.
Nevada Bar No. 9754
3 **ANTHONY L. BARNEY, LTD.**
4 3317 W. Charleston Blvd., Suite B
Las Vegas, NV 89102
5 Telephone: (702) 438-7878
6 Facsimile: (702) 259-1116
office@anthonybarney.com
7 *Prior Attorneys for Christopher D. Davis*

8 **EIGHTH JUDICIAL DISTRICT COURT**
9 **CLARK COUNTY, NEVADA**

10
11 In the matter of:

12
13 The BEATRICE B. DAVIS FAMILY HERITAGE
14 TRUST, dated July 28, 2000, as amended on
February 24, 2014.

Case No.: P-15-083867-T

Dept. No.: 26

Date of Hearing: August 23, 2018

Time of Hearing: 9:30 a.m.

15
16 **ORDER AND JUDGMENT**

17 The MOTION TO ADJUDICATE THE RIGHTS OF COUNSEL TO ENFORCE
18 AMENDED ATTORNEY'S LIEN AND FOR JUDGMENT FOR ATTORNEY'S FEES AND
19 COSTS filed July 9, 2018 by ANTHONY L. BARNEY, LTD., prior attorney of record for
20 Christopher D. Davis in the above-entitled matter seeking judgment against The BEATRICE B.
21 DAVIS FAMILY HERITAGE TRUST, dated July 28, 2000, as amended on February 24, 2014
22 ("Trust") and against Christopher D. Davis, jointly and severally, for unpaid attorneys' fees and
23 costs was heard by this Court on August 23, 2018 at 9:30 a.m. The law office of ANTHONY L.
24 BARNEY, LTD. was present and was represented by Anthony L. Barney, Esq. at the hearing.
25 Caroline Davis was not present but was represented at the hearing by Joshua M. Hood, Esq. of
26 the law firm of Solomon, Dwiggins & Freer. By stipulation of the remaining parties with
27
28

1 Caroline Davis, the MOTION FOR PAYMENT OF ATTORNEY'S FEES FROM TRUST
2 AND FOR JUDGMENT FOR ATTORNEY'S FEES AND COSTS WITH INTEREST AND
3 TO ADJUDICATE THE RIGHTS OF COUNSEL TO ENFORCE ATTORNEY'S LIEN
4 FILED AUGUST 1, 2018 by the Roland Law Firm who was present and was represented by
5 Jason Sadow, Esq. and the PETITION FOR AN AWARD OF ATTORNEY FEES WITH
6 INTEREST DATED JULY 11, 2018 by the law firm of Goodsell & Olson, LLP who was
7 present and represented by Thomas Grover, Esq. were also considered before this Court seeking
8 entry of judgment against the Trust and Christopher D. Davis, jointly and severally, for unpaid
9 attorneys's fees and costs. Dunham Trust Company was not present, but was represented by
10 Charlene N. Renwick, Esq. of the law firm of Lee, Hernandez, Landrum & Garofalo.

13 I. FINDINGS

14 A. Proper Procedural Notice

- 15 1. Due notice of the hearing was held on August 23, 2018 as to Anthony L. Barney, Ltd.
16 pursuant NRS 155.010.
- 17 2. There having been no opposition or objection filed by Christopher D. Davis to the
18 MOTION TO ADJUDICATE THE RIGHTS OF COUNSEL TO ENFORCE
19 AMENDED ATTORNEY'S LIEN AND FOR JUDGMENT FOR ATTORNEY'S FEES
20 AND COSTS filed July 9, 2018 by the law firm of Anthony L. Barney, Ltd., the
21 MOTION FOR PAYMENT OF ATTORNEY'S FEES FROM TRUST AND FOR
22 JUDGMENT FOR ATTORNEY'S FEES AND COSTS WITH INTEREST AND TO
23 ADJUDICATE THE RIGHTS OF COUNSEL TO ENFORCE ATTORNEY'S LIEN
24 FILED AUGUST 1, 2018 by the Roland Law Firm, or the PETITION FOR AN
25 AWARD OF ATTORNEY FEES WITH INTEREST dated JULY 11, 2018 proper
26
27
28

1 notice was acknowledged by stipulation between Caroline Davis, the Roland Law Firm,
2 and Goodsell & Olsen, LLP. pursuant to EDCR 2.22.

3 **B. Proper Jurisdiction**

- 4
- 5 1. This Court has proper *in rem* jurisdiction over the Trust pursuant to N.R.S. 164.010.
 - 6 2. This Court has proper *in personam* jurisdiction over Christopher D. Davis pursuant to
7 N.R.S. 155.010, 164.010, and *Davis v. Davis (In re Beatrice B. Davis Family Heritage*
8 *Trust)*, 394 P.3d 1203, 1205, 2017 Nev. LEXIS 39, *1, 133 Nev. Adv. Rep. 26, 2017
9 WL 2303611.

10

11 **C. Employment of Anthony L. Barney, Ltd and the Roland Law Firm by Christopher D.**
12 **Davis**

- 13
- 14 1. Christopher D. Davis employed the law firms of Anthony L. Barney, Ltd. and the
15 Roland Law Firm as co-counsel in his role as Trust Investment Advisor on behalf of the
16 Trust. Christopher D. Davis signed contractual engagement agreements with both the
17 law firm of Anthony L. Barney, Ltd. and the Roland Law Firm in which he became legal
18 obligated both as a fiduciary and in his individual capacity for the fees and costs arising
19 from the services he received from Anthony L. Barney, Ltd. and the Roland Law Firm.
20 Christopher D. Davis did not object to any of the fees or costs charged to him by
21 Anthony L. Barney, Ltd. or the Roland Law Firm under his respective engagement
22 agreements.
 - 23 2. Anthony L. Barney, Ltd. and the Roland Law Firm provided legal services to
24 Christopher D. Davis as part of the legal proceeding both before his Court and as legal
25 counsel filing both a writ and appeal which were later consolidated before the Nevada
26 Supreme Court resulting in the published opinion cited *Davis v. Davis (In re Beatrice B.*
27
28

1 *Davis Family Heritage Trust*), 394 P.3d 1203, 1205, 2017 Nev. LEXIS 39, *1, 133 Nev.
2 Adv. Rep. 26, 2017 WL 2303611.

- 3 3. While this appeal was unsuccessful, their work benefited the Trust in that it resulted in
4 greater clarity within our laws regarding constitutional matters within the state of
5 Nevada and within this case.
- 6 4. Furthermore, the law of Anthony L. Barney, Ltd. and the Roland Law Firm benefited the
7 Trust by working to delineate the beneficial interests of those under the terms of the
8 Trust, which coupled with their work on the appeals, provided greater clarity for an
9 ultimate settlement agreement between Christopher D. Davis and Caroline Davis.
- 10 5. Therefore, the Court is not required to determine in the absence of a benefit conferred
11 upon the Trust, whether the Investment Trust Advisor is still entitled to his fees and
12 costs awarded from the Trust, because the work performed by the law firms of Anthony
13 L. Barney, Ltd. and the Roland Law Firm was performed during the tenure of
14 Christopher D. Davis as Investment Trust Advisor of the Trust and as manager for the
15 wholly Trust owned FHT Holdings, LLC.
- 16 6. This Court never reached a determination of whether Christopher D. Davis breached his
17 duties as Investment Trust Advisor or as manager of FHT Holdings, LLC, and finds the
18 based upon the record before it, the factors set forth in *Brunzell v. Golden Gate National*
19 *Bank*, 85 Nev. 345, 455 P.2d 31 (Nev. 1969) have been met and satisfied by Anthony L.
20 Barney, Ltd. and the Roland Law Firm.
- 21 7. The Trust provided for removal of Christopher D. Davis as Investment Trust Advisor,
22 however no steps were taken by the Trust to remove him during the period in which he
23 was represented by the law firm of Anthony L. Barney, Ltd. and the Roland Law Firm.
- 24 25
26
27
28

1 8. The law firms of Anthony L. Barney, Ltd. and the Roland Law Firm were properly owed
2 the amounts set forth in their lien, amended lien, and respective pleadings as properly
3 filed with this court and noticed to the parties.
4

5 9. The law firms of Anthony L. Barney, Ltd. and Roland Law Firm made a proper demand
6 upon Dunham Trust Company for payment of their fees and costs on May 25, 2016 for
7 the amounts then due and owing, which Dunham Trust Company rejected.

8 **II. ORDER AND JUDGMENT**

9
10 Therefore, good cause appearing, this Court orders and reduces the same to judgment
11 against the BEATRICE B. DAVIS FAMILY HERITAGE TRUST, dated July 28, 2000, as
12 amended on February 24, 2014 ("Trust") and Christopher D. Davis as follows:

13 1. The law firm of Anthony L. Barney, Ltd. is hereby awarded its attorney's fees and costs
14 in the amount of \$32,680.17 ("fees and costs award"), which is hereby reduced to
15 judgment against the Trust and Christopher D. Davis as a joint and several liability.
16 This fees and costs award shall be payable from by the Trust and Christopher D. Davis,
17 as a joint and several liability and a priority expense of the Trust's administration prior
18 to any further distributions from the Trust to any Trust beneficiary for any reason.
19

20 2. The Trust and Christopher D. Davis are required to make payment to Anthony L.
21 Barney, Ltd. for the fees and costs award provided by this Court.
22

23 3. The law firm of Anthony L. Barney, Ltd. is hereby awarded its statutory rate of interest
24 in the amount of \$40,199.37 ("interest award"), which is hereby reduced to judgment
25 against Christopher D. Davis individually. This interest award shall be payable by
26 Christopher D. Davis in his individual capacity.
27

28 4. The Court has not adjudicated a dollar amount
for the Roland Firm as in pending receipt of
billing information for evaluation under Brunzell
and Cadle. *gk*

1 ~~4~~ In addition to the restrictions placed upon the Trust that no distributions be made to any
2 beneficiary of the Trust from the Trust prior to the payment of fees and costs award to
3 Anthony L. Barney, Ltd., Anthony L. Barney, Ltd. shall be able to collect the fees and
4 costs award and the interest award by any lawful means, subject to any legal or equitable
5 defenses or remedies the Trust or any beneficiary thereof may have.

6 ~~6~~
7 ~~5~~. The fees and costs award and the interest award to Anthony L. Barney, Ltd. may be
8 enforced as any other judgment or decree entered by this Court and shall accrue interest
9 at the statutory rate in effect on the date of the notice of entry of order of this order and
10 judgment.
11

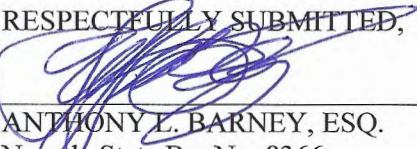
12 IT IS SO ORDERED, ADJUDGED AND DECREED.

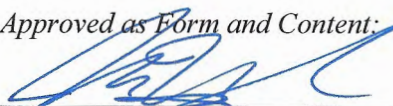
13 Dated January 17th, 2019

14 
15 DISTRICT COURT JUDGE


16 RESPECTFULLY SUBMITTED,

17 *Approved as Form and Content:*

18 
19 ANTHONY L. BARNEY, ESQ.
Nevada State Bar No. 8366
20 TIFFANY S. BARNEY, ESQ.
Nevada State Bar No. 9754
21 ANTHONY L. BARNEY, LTD.
3317 W. Charleston Blvd., Suite B
22 Las Vegas, Nevada 89102
Former Attorney for *Christopher D. Davis*

17 
18 MARK A. SOLOMON, ESQ.
Nevada State Bar No. 418
19 JOSHUA M. HOOD, ESQ.
Nevada State Bar No. 12777
20 SOLOMON DWIGGINS & FREER, LTD.
9060 West Cheyenne Avenue
21 Las Vegas, Nevada 89129
22 Attorneys for *Caroline Davis*

23 *Approved as Form and Content*

24 
25 CHARLENE N. RENWICK, ESQ.
26 Nevada State Bar No. 10165
27 LEE, HERNANDEZ, LANDRUM &
GAROFALO
28 7575 Vegas Drive, Suite 150
Las Vegas, Nevada 89128
Attorney for Dunham Trust Company

1 4. In addition to the restrictions placed upon the Trust that no distributions be made to any
2 beneficiary of the Trust from the Trust prior to the payment of fees and costs award to
3 Anthony L. Barney, Ltd., Anthony L. Barney, Ltd. shall be able to collect the fees and
4 costs award and the interest award by any lawful means, subject to any legal or equitable
5 defenses or remedies the Trust or any beneficiary thereof may have.
6

7 5. The fees and costs award and the interest award to Anthony L. Barney, Ltd. may be
8 enforced as any other judgment or decree entered by this Court and shall accrue interest
9 at the statutory rate in effect on the date of the notice of entry of order of this order and
10 judgment.
11


12 IT IS SO ORDERED, ADJUDGED AND DECREED.

13 Dated


JAN 18, 2019

14
15 
DISTRICT COURT JUDGE

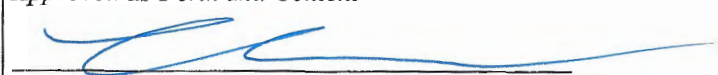
16 RESPECTFULLY SUBMITTED

17 
18 ANTHONY L. BARNEY, ESQ.
Nevada State Bar No. 8366
19 TIFFANY S. BARNEY, ESQ.
Nevada State Bar No. 9754
20 ANTHONY L. BARNEY, LTD.
3317 W. Charleston Blvd., Suite B
21 Las Vegas, Nevada 89102
22 Former Attorney for Christopher D. Davis

Approved as Form and Content: 

17 
18 MARK A. SOLOMON, ESQ.
Nevada State Bar No. 418
19 JOSHUA M. HOOD, ESQ.
Nevada State Bar No. 12777
20 SOLOMON DWIGGINS & FREER, LTD.
9060 West Cheyenne Avenue
21 Las Vegas, Nevada 89129
22 Attorneys for Caroline Davis

23
24 Approved as Form and Content

25 
26 CHARLENE N. RENWICK, ESQ.
Nevada State Bar No. 10165
27 LEE, HERNANDEZ, LANDRUM &
GAROFALO
7575 Vegas Drive, Suite 150
28 Las Vegas, Nevada 89128
Attorney for Dunham Trust Company

**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Probate -
Trust/Conservatorships**

COURT MINUTES

March 06, 2015

P-15-083867-T In the Matter of the Trust of:
The Beatrice Davis Heritage Trust

March 06, 2015 9:30 AM Petition - HM

HEARD BY: Yamashita, Wesley **COURTROOM:** RJC Courtroom 03F

COURT CLERK: Carol Foley; Sharon Chun

PARTIES:

Caroline Davis, Petitioner, not present	Joshua Hood, Attorney, not present
Christopher Davis, Other, not present	Thomas Grover, Attorney, not present
Dunham Trust Company, Other, not present	Charlene Renwick, Attorney, not present
Parties Receiving Notice, Other, not present	Anthony Barney, Attorney, not present
Roland Law Firm, Other, not present	Jason Sadow, Attorney, not present
Stephen Lehnardt, Other, not present	Jonathan Barlow, Attorney, not present
The Beatrice Davis Heritage Trust, Trust, not present	

JOURNAL ENTRIES

- PETITION TO ASSUME JURISDICTION OVER THE BEATRICE B. DAVIS FAMILY HERITAGE TRUST DATED JULY 28 2000 AS AMENDED ON FEBRUARY 24 2014; TO ASSUME JURISDICTION OVER CHRISTOPHER D. DAVIS AS INVESTMENT TRUST ADVISOR AND STEPHEN K LEHNARDT AS DISTRIBUTION TRUST ADVISOR; TO CONFIRM DUNHAM TRUST COMPANY AS DIRECTED TRUSTEE; AND FOR IMMEDIATE DISCLOSURE OF DOCUMENTS AND INFORMATION FROM CHRISTOPHER D. DAVIS

Joshua Hood, Esq. present on behalf of Caroline Davis, Petitioner.

Mr. Hood noted the opposing party, Christopher Davis, would like to have matter heard by the Probate Judge. Mr. Hood advised this petition has been re-noticed for 4/22/15 before Judge Sturman. COMMISSIONER RECOMMENDED, matter OFF CALENDAR.

PRINT DATE:	02/25/2019	Page 1 of 43	Minutes Date:	March 06, 2015
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	02/25/2019	Page 2 of 43	Minutes Date:	March 06, 2015
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Probate - Trust/Conservatorships

COURT MINUTES

April 22, 2015

P-15-083867-T	In the Matter of the Trust of: The Beatrice Davis Heritage Trust
---------------	---

April 22, 2015 9:00 AM All Pending Motions

HEARD BY: Sturman, Gloria

COURTROOM: RJC Courtroom 03H

COURT CLERK: Linda Denman

PARTIES:

Caroline Davis, Petitioner, not present
Christopher Davis, Other, not present
Dunham Trust Company, Other, not present
Parties Receiving Notice, Other, not present
Roland Law Firm, Other, not present
Stephen Lehnardt, Other, not present
The Beatrice Davis Heritage Trust, Trust, not present

Joshua Hood, Attorney, not present
Thomas Grover, Attorney, not present
Charlene Renwick, Attorney, present
Anthony Barney, Attorney, not present
Jason Sadow, Attorney, not present
Jonathan Barlow, Attorney, present

JOURNAL ENTRIES

- CHRISTOPHER D. DAVIS' MOTION TO DISMISS PURSUANT TO NRCP 12(b) AND NRCP 19

Counsel argued whether this Court has jurisdiction over the trust since not all the beneficiaries approved the transfer as required by the trust. Court and Mr. Solomon expressed confusion over which beneficiary did not agree to the transfer. Mr. Barney explained the wife of Christopher Davis, Tarre Davis, did not sign.

PETITION TO ASSUME JURISDICTION OVER THE BEATRICE B. DAVIS FAMILY HERITAGE TRUST, DATED JULY 28, 2000, AS AMENDED ON FEBRUARY 24, 2014; TO ASSUME JURISDICTION OVER CHRISTOPHER DAVIS AS INVESTMENT TRUST ADVISORY AND STEPHEN K. LEHNARDT AS DISTRIBUTION TRUST ADVISOR; TO CONFIRM DUNHAM TRUST COMPANY AS DIRECTED TRUSTEE; AND FOR IMMEDIATE DISCLOSURE OF DOCUMENTS AND INFORMATION FROM CHRISTOPHER D. DAVIS

PRINT DATE:	02/25/2019	Page 3 of 43	Minutes Date:	March 06, 2015
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

Mr. Solomon explained the trust was funded by a \$35 million life insurance policy taken out on Cheryl Davis, ex-wife of Christopher. The policy has a \$4 million line of credit, which Christopher has allegedly borrowed against individually and through his companies. Under the terms of the trust, his sister, Caroline, is a one-half lifetime beneficiary and she brings this petition in order to get information and an accounting on the trust. The first amendment moved the trust from Alaska to Nevada, signed by all beneficiaries, retained Dunham Trust Company as directed trustee, named Christopher as investment trust advisor, and Stephen Lehnardt as . Mr. Solomon argued that if Christopher was remarried at the time of the first amendment, then his wife would be the only person to have standing to oppose this Petition. Mr. Barlow, representing the trust protector, Stephen Lehnardt, argued his client should not be a named party as there are no current claims alleged against him. Ms. Renwick concurred with Mr. Solomon that Dunham should be confirmed as directed trustee.

Mr. Barney argued that the first amendment relocating the trust to Nevada was defective as a condition precedent had not been met. He stated this Court has no jurisdiction over the trust and asked the Court to deny the Petition.

COURT STATED ITS FINDINGS that since the first amendment, Christopher has been directing the trust in Nevada, and that everyone involved relied on this amendment as being proper. Further, the Court has no affidavit that another beneficiary existed at the time the first amendment was signed. COURT FURTHER FINDS it has jurisdiction as a constructive trust because action on behalf of the trust has been taken in Nevada. COURT ORDERED Petition to Assume Jurisdiction over the Beatrice B. Davis Family Heritage Trust, dated July 28, 2000, as amended on February 24, 2014 GRANTED as a constructive trust. COURT FURTHER ORDERED Petition to Assume Jurisdiction Over Christopher D. Davis as Investment Trust Advisor GRANTED WITHOUT PREJUDICE. COURT FURTHER ORDERED Petition to Assume Jurisdiction Over Stephen K. Lehnardt as Distribution Trust Advisor DENIED until a more definite statement is filed. COURT FURTHER ORDERED Petition to Confirm Dunham Trust Company as Directed Trustee GRANTED. COURT FURTHER ORDERED Petition for Immediate Disclosure of Documents and Information from Christopher D. Davis GRANTED as to all information in his possession. As to Christopher D. Davis' Motion to Dismiss, COURT ORDERED motion DENIED.

Upon agreement of all parties, this Court will retain jurisdiction and all matters will be heard by the Probate Judge.

Mr. Solomon to prepare proposed Order; opposing counsel to review as to form and content.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	02/25/2019	Page 4 of 43	Minutes Date:	March 06, 2015
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Probate - Trust/Conservatorships

COURT MINUTES

September 02, 2015

P-15-083867-T	In the Matter of the Trust of: The Beatrice Davis Heritage Trust
---------------	---

September 02, 9:00 AM All Pending Motions
2015

HEARD BY: Sturman, Gloria

COURTROOM: RJC Courtroom 03H

COURT CLERK: Linda Denman

PARTIES:

Caroline Davis, Petitioner, not present
Christopher Davis, Other, not present
Dunham Trust Company, Other, not present
Parties Receiving Notice, Other, not present
Roland Law Firm, Other, not present
Stephen Lehnardt, Other, not present
The Beatrice Davis Heritage Trust, Trust, not present

Joshua Hood, Attorney, not present
Thomas Grover, Attorney, not present
Charlene Renwick, Attorney, present
Anthony Barney, Attorney, not present
Jason Sadow, Attorney, not present
Jonathan Barlow, Attorney, present

JOURNAL ENTRIES

- CHRISTOPHER D. DAVIS' PETITION FOR RECONSIDERATION OF THE ORDER DATED MAY 19, 2015 REGARDING PETITION TO ASSUME JURISDICTION OVER THE BEATRICE B DAVIS FAMILY HERITAGE TRUST DATED JULY 28, 2000, AS AMENDED ON FEBRUARY 24, 2014; TO ASSUME JURISDICTION OVER CHRISTOPHER D DAVIS AS INVESTMENT TRUST ADVISOR, STEPHEN K. LEHNARDT AS DISTRIBUTION TRUST ADVISOR; TO CONFIRM DUNHAM TRUST COMPANY AS DIRECTED TRUSTEE; AND FOR IMMEDIATE DISCLOSURE OF DOCUMENTS AND INFORMATION FROM CHRISTOPHER D DAVIS . . . OBJECTION TO PETITION FOR RECONSIDERATION BY CAROLINE DAVIS, PETITIONER AND COUNTER-PETITION FOR SANCTIONS . . . CAROLINE DAVIS' MOTION TO AMEND OR MODIFY ORDER PURSUANT TO NRCP 60(b)(3) . . . CHRISTOPHER DAVIS' MOTION FOR PROTECTIVE ORDER AND TO QUASH OR MODIFY THE SUBPOENA

PRINT DATE:	02/25/2019	Page 5 of 43	Minutes Date:	March 06, 2015
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

As to the Motion for Reconsideration, counsel argued whether the Court erred in the law by not having affirmed the first amendment to the revocable trust was valid. Counsel also argued whether a new affidavit submitted by Taria Davis confirmed her status as a beneficiary and entitled her to notice and consent before a change in situs. Dunham Trust took no position on the Petition for Reconsideration but only sought clarification of their role. As to these arguments, COURT FINDS Taria Davis does not meet the definition of a spouse under the terms of the trust. FURTHER, COURT FINDS the first amendment VALID. The Court did not rule on the Counter-Petition for sanctions.

As to the Motion to Amend or Modify, counsel argued over the type of limited jurisdiction taken by the Court. COURT FINDS Nevada law allows discovery to satisfy jurisdictional disputes regardless of whether assumption was by constructive trust or defacto trust. COURT STATED ITS INTENTION that if the matter is remanded, the Court would indicate its intention to assume jurisdiction over this Trust.

As to the Motion for Protective Order and to Quash or Modify the Subpoena, COURT FINDS there is no basis for a protective order or to quash the subpoena as the Court has jurisdiction over Christopher. As to modifying the subpoena given Mr. Barney s concerns regarding proper service, Court directed the parties to address the matter with the Discovery Commissioner.

INTERIM CONDITIONS:

FUTURE HEARINGS:

PRINT DATE:	02/25/2019	Page 6 of 43	Minutes Date:	March 06, 2015
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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Probate -
Trust/Conservatorships**

COURT MINUTES

September 16, 2015

P-15-083867-T In the Matter of the Trust of:
The Beatrice Davis Heritage Trust

**September 16, 9:00 AM Motion
2015**

HEARD BY: Sturman, Gloria

COURTROOM: RJC Courtroom 03H

COURT CLERK: Linda Denman

PARTIES:

Caroline Davis, Petitioner, not present	Joshua Hood, Attorney, not present
Christopher Davis, Other, not present	Thomas Grover, Attorney, not present
Dunham Trust Company, Other, not present	Charlene Renwick, Attorney, present
Parties Receiving Notice, Other, not present	Anthony Barney, Attorney, not present
Roland Law Firm, Other, not present	Jason Sadow, Attorney, not present
Stephen Lehnardt, Other, not present	Jonathan Barlow, Attorney, not present
The Beatrice Davis Heritage Trust, Trust, not present	

JOURNAL ENTRIES

- PETITION TO STAY DISCOVERY UNTIL THE AUGUST 19, 2015 HEARING ON MOTION FOR RECONSIDERATION OR, IN THE ALTERNATIVE, PETITION FOR PROTECTIVE ORDER FROM DISCOVERY BY SUBPOENA

Court noted the Petition to Stay Discovery portion of the motion was withdrawn by counsel and is MOOT. Counsel first argued over whether the subpoena issued to Harriet Roland, counsel for Christopher Davis, breached attorney/client privilege and then the ten individual categories of records being sought. After argument on the issues of in personam jurisdiction over Christopher Davis, client's expectation of confidentiality and privilege, and relevancy, COURT FINDS there is a limited exception to attorney-client privilege when an attorney represents a fiduciary. This limited exception allows a beneficiary to breach the attorney/client privilege. COURT FURTHER FINDS it has in personam jurisdiction over Christopher in his role as trust advisor to the Family Heritage Trust

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(FHT) and as manager of FHT Holdings, LLC, a Nevada company.

As to the specific categories documents were requested from, COURT ORDERED Petition for Protective Order GRANTED IN PART; to the extent documents produced back to the date of Beatrice Davis' incompetence for now, if additional documents are needed prior to that date, the issue can be raised again; produce records listed in all categories of any and all documents related to the FHT and FHT Holdings under the law firm's control and custody. COURT FURTHER ORDERED records produced within thirty (30) days of notice of entry of order. Any further disputes should be addressed before the Discovery Commissioner.

Ms. Roland to prepare proposed Order; Mr. Solomon to review as to form and content.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Probate -
Trust/Conservatorships**

COURT MINUTES

September 30, 2015

P-15-083867-T	In the Matter of the Trust of: The Beatrice Davis Heritage Trust
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September 30, 2015	9:00 AM	All Pending Motions
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HEARD BY: Sturman, Gloria

COURTROOM: RJC Courtroom 03H

COURT CLERK: Linda Denman

PARTIES:

Caroline Davis, Petitioner, not present	Joshua Hood, Attorney, not present
Christopher Davis, Other, not present	Thomas Grover, Attorney, not present
Dunham Trust Company, Other, not present	Charlene Renwick, Attorney, not present
Parties Receiving Notice, Other, not present	Anthony Barney, Attorney, not present
Roland Law Firm, Other, not present	Jason Sadow, Attorney, not present
Stephen Lehnardt, Other, not present	Jonathan Barlow, Attorney, not present
The Beatrice Davis Heritage Trust, Trust, not present	

JOURNAL ENTRIES

- CAROLINE D. DAVIS' MOTION TO COMPEL HARRIET ROLAND, ESQ. TO PRODUCE DOCUMENTS RESPONSIVE TO SUBPOENA DUCES TECUM; FOR ATTORNEY'S FEES AND COSTS . . . Counsel reached an agreement to continue this matter to the 10/28 hearing stating that sufficient progress has been made in producing documents. COURT SO ORDERED.

CAROLINE D. DAVIS' MOTION TO HOLD CHRISTOPHER D. DAVIS IN CONTEMPT AND FOR ATTORNEYS' FEES AND COSTS . . . Counsel argued whether Chris Davis was required to obey the Court's prior Order since they question whether the Court has jurisdiction over him and whether he was properly served. Court stated the Court has already taken in personam jurisdiction over him as the Investments Trust Advisor and as the managing director of a Nevada corporation. Court stated the Motion to Hold in Contempt was a very serious step and should not be undertaken first. The Court also stated Rule 37 should be followed and deadlines set before any other sanctions are

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requested. COURT ORDERED initial disclosures deadline SET for October 23, 2015 and progress will be reported at the 28th hearing.

CONTINUED TO 10/28/2015 AT 9:00AM STATUS CHECK: PRODUCTION OF DOCUMENTS

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Probate -
Trust/Conservatorships**

COURT MINUTES

October 07, 2015

P-15-083867-T In the Matter of the Trust of:
The Beatrice Davis Heritage Trust

October 07, 2015 9:00 AM All Pending Motions

HEARD BY: Sturman, Gloria

COURTROOM: RJC Courtroom 03H

COURT CLERK: Linda Denman

PARTIES:

Caroline Davis, Petitioner, not present
Christopher Davis, Other, not present
Dunham Trust Company, Other, not present
Parties Receiving Notice, Other, not present
Roland Law Firm, Other, not present
Stephen Lehnardt, Other, not present
The Beatrice Davis Heritage Trust, Trust, not present

Joshua Hood, Attorney, not present
Thomas Grover, Attorney, not present
Charlene Renwick, Attorney, not present
Anthony Barney, Attorney, not present
Jason Sadow, Attorney, not present
Jonathan Barlow, Attorney, not present

JOURNAL ENTRIES

- CAROLINE D. DAVIS' MOTION TO STRIKE CHRISTOPHER D. DAVIS' ARGUMENTS AND REQUESTS FOR RELIEF IN HIS REPLY TO CAROLINE D. DAVIS' OBJECTION TO PETITION FOR RECONSIDERATION IN EXCESS OF THIRTY (30) PAGES AS THE REPLY VIOLATES EDCR 2.20 . . . CHRISTOPHER D. DAVIS' OPPOSITION TO CAROLINE DAVIS' MOTION TO STRIKE CHRISTOPHER D. DAVIS' ARGUMENTS AND REQUESTS FOR RELIEF IN HIS REPLY TO CAROLINE D. DAVIS' OBJECTION TO PETITION FOR RECONSIDERATION IN EXCESS OF THIRTY (30) PAGES AS THE REPLY VIOLATES EDCR 2.20 AND COUNTERMOTION FOR LEAVE TO FILE A REPLY IN EXCESS OF THIRTY (30) PAGES

Following argument by counsel, COURT ORDERED Motion to Strike DENIED; Countermotion for Leave to File a Reply in Excess of Thirty (30) Pages GRANTED; FINDING that counsel represented the reply was also an opposition to another pleading plaintiff ultimately withdrew. Court clarified the granting of the countermotion was after the fact and in the future the proper procedure is to

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request leave before a pleading over 30 pages is filed.

Mr. Barney to prepare proposed Order; Mr. Hood to review as to form and content.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Probate -
Trust/Conservatorships**

COURT MINUTES

October 28, 2015

P-15-083867-T In the Matter of the Trust of:
The Beatrice Davis Heritage Trust

October 28, 2015 9:00 AM Status Check

HEARD BY: Sturman, Gloria

COURTROOM: RJC Courtroom 03H

COURT CLERK: Linda Denman

PARTIES:

Caroline Davis, Petitioner, not present	Joshua Hood, Attorney, not present
Christopher Davis, Other, not present	Thomas Grover, Attorney, not present
Dunham Trust Company, Other, not present	Charlene Renwick, Attorney, not present
Parties Receiving Notice, Other, not present	Anthony Barney, Attorney, not present
Roland Law Firm, Other, not present	Jason Sadow, Attorney, not present
Stephen Lehnardt, Other, not present	Jonathan Barlow, Attorney, not present
The Beatrice Davis Heritage Trust, Trust, not present	

JOURNAL ENTRIES

- STATUS CHECK: APPEAL STAY

Court inquired as to the length of time they believed the appeal would be held in the Supreme Court. After some discussion, COURT ORDERED status check RESET.

CONTINUED TO 1/27/16 AT 9:00AM

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Probate -
Trust/Conservatorships**

COURT MINUTES

January 27, 2016

P-15-083867-T In the Matter of the Trust of:
The Beatrice Davis Heritage Trust

January 27, 2016 9:30 AM Status Check

HEARD BY: Sturman, Gloria

COURTROOM: RJC Courtroom 03H

COURT CLERK: Linda Denman

PARTIES:

Caroline Davis, Petitioner, not present	Joshua Hood, Attorney, present
Christopher Davis, Other, not present	Thomas Grover, Attorney, not present
Dunham Trust Company, Other, not present	Charlene Renwick, Attorney, not present
Parties Receiving Notice, Other, not present	Anthony Barney, Attorney, present
Roland Law Firm, Other, not present	Jason Sadow, Attorney, not present
Stephen Lehnardt, Other, not present	Jonathan Barlow, Attorney, not present
The Beatrice Davis Heritage Trust, Trust, not present	

JOURNAL ENTRIES

- STATUS CHECK: APPEAL STAY

Counsel advised the Nevada Supreme Court still has the matter under review. COURT ORDERED status check CONTINUED.

CONTINUED TO 5/4/2016 AT 9:30AM

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Probate -
Trust/Conservatorships**

COURT MINUTES

June 01, 2016

P-15-083867-T In the Matter of the Trust of:
The Beatrice Davis Heritage Trust

June 01, 2016 9:30 AM Status Check

HEARD BY: Sturman, Gloria

COURTROOM: RJC Courtroom 03H

COURT CLERK: Linda Denman

PARTIES:

Caroline Davis, Petitioner, not present
Christopher Davis, Other, not present
Dunham Trust Company, Other, not present
Parties Receiving Notice, Other, not present
Roland Law Firm, Other, not present
Stephen Lehnardt, Other, not present
The Beatrice Davis Heritage Trust, Trust, not present

Joshua Hood, Attorney, not present
THOMAS GROVER, Attorney, present
Charlene Renwick, Attorney, not present
Anthony Barney, Attorney, not present
Jason Sadow, Attorney, not present
Jonathan Barlow, Attorney, not present

JOURNAL ENTRIES

- STATUS CHECK: APPEAL STAY

Counsel reported they are waiting for the Nevada Supreme Court to issue a decision on the appeal.
COURT ORDERED status check SET.

CONTINUED TO 8/31/2016 AT 9:30AM

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Probate -
Trust/Conservatorships**

COURT MINUTES

August 31, 2016

P-15-083867-T In the Matter of the Trust of:
The Beatrice Davis Heritage Trust

August 31, 2016 9:30 AM Status Check

HEARD BY: Sturman, Gloria

COURTROOM: RJC Courtroom 03H

COURT CLERK: Nora Pena

PARTIES:

Caroline Davis, Petitioner, not present	Joshua Hood, Attorney, present
Christopher Davis, Other, not present	THOMAS GROVER, Attorney, present
Dunham Trust Company, Other, not present	Charlene Renwick, Attorney, not present
Parties Receiving Notice, Other, not present	Anthony Barney, Attorney, not present
Roland Law Firm, Other, not present	Jason Sadow, Attorney, not present
Stephen Lehnardt, Other, not present	Jonathan Barlow, Attorney, not present
The Beatrice Davis Heritage Trust, Trust, not present	

JOURNAL ENTRIES

- Mr. Grover advised it's still on appeal with the Supreme Court and it's been brief in April or May. Mr. Hood stated the Honeycutt went back. No opposition by counsel, COURT ORDERED, matter CONTINUED Six months.

CONTINUED TO: 3/01/17 9:30 AM

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Probate -
Trust/Conservatorships**

COURT MINUTES

March 01, 2017

P-15-083867-T In the Matter of the Trust of:
The Beatrice Davis Heritage Trust

March 01, 2017 9:30 AM Status Check

HEARD BY: Sturman, Gloria

COURTROOM: RJC Courtroom 10D

COURT CLERK: Tena Jolley

PARTIES:

Caroline Davis, Petitioner, not present
Christopher Davis, Other, not present
Dunham Trust Company, Other, not present
Parties Receiving Notice, Other, not present
Roland Law Firm, Other, not present
Stephen Lehnardt, Other, not present
The Beatrice Davis Heritage Trust, Trust, not present

Joshua Hood, Attorney, not present
Thomas Grover, Attorney, not present
Charlene Renwick, Attorney, not present
Anthony Barney, Attorney, not present
Jason Sadow, Attorney, not present
Jonathan Barlow, Attorney, not present

JOURNAL ENTRIES

- As a Request for Rehearing is currently on file, COURT ORDERED, matter CONTINUED ninety (90) days.

CONTINUED TO: 5/31/17 9:30 AM

INTERIM CONDITIONS:

FUTURE HEARINGS: Mar 01, 2017 9:30AM Status Check
Status Check: Appeal Stay
RJC Courtroom 10D Sturman, Gloria

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Probate -
Trust/Conservatorships**

COURT MINUTES

May 31, 2017

P-15-083867-T In the Matter of the Trust of:
The Beatrice Davis Heritage Trust

May 31, 2017 9:30 AM Status Check

HEARD BY: Sturman, Gloria

COURTROOM: RJC Courtroom 10D

COURT CLERK: Lorna Shell

PARTIES:

Caroline Davis, Petitioner, not present	Joshua Hood, Attorney, not present
Christopher Davis, Other, not present	Thomas Grover, Attorney, not present
Dunham Trust Company, Other, not present	Charlene Renwick, Attorney, not present
Parties Receiving Notice, Other, not present	Anthony Barney, Attorney, not present
Roland Law Firm, Other, not present	Jason Sadow, Attorney, not present
Stephen Lehnardt, Other, not present	Jonathan Barlow, Attorney, not present
The Beatrice Davis Heritage Trust, Trust, not present	

JOURNAL ENTRIES

- There being no parties present at the call of the case, COURT FINDS the appeal was published on May 25, 2017 and the parties need to discuss how to proceed with the case now that the final decision has been made, AND THEREFORE ORDERED, Status Check: Appeal CONTINUED.

CONTINUED TO: 07/19/17 9:30 AM

CLERK'S NOTE: A copy of this minute order was electronically served to all Wiznet registered parties by the Judicial Executive Assistant./ls 5-31-17

INTERIM CONDITIONS:

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FUTURE HEARINGS: May 31, 2017 9:30AM Status Check
Status Check: Appeal Stay
RJC Courtroom 10D Sturman, Gloria

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Probate -
Trust/Conservatorships**

COURT MINUTES

July 19, 2017

P-15-083867-T In the Matter of the Trust of:
The Beatrice Davis Heritage Trust

July 19, 2017 10:00 AM Status Check

HEARD BY: Sturman, Gloria

COURTROOM: RJC Courtroom 10D

COURT CLERK: Lorna Shell

PARTIES:

Caroline Davis, Petitioner, not present	Joshua Hood, Attorney, not present
Christopher Davis, Other, not present	THOMAS GROVER, Attorney, present
Dunham Trust Company, Other, not present	Charlene Renwick, Attorney, present
Parties Receiving Notice, Other, not present	Anthony Barney, Attorney, not present
Roland Law Firm, Other, not present	Jason Sadow, Attorney, not present
Stephen Lehnardt, Other, not present	Jonathan Barlow, Attorney, not present
The Beatrice Davis Heritage Trust, Trust, not present	

JOURNAL ENTRIES

- Ms. Renwick requested time to see if the parties were able to settle the case based on the Supreme Court decision. COURT ORDERED, Stay LIFTED; Status Check Re: Settlement SET.

10/18/17 10:00 AM STATUS CHECK: SETTLEMENT

INTERIM CONDITIONS:

FUTURE HEARINGS: Jul 19, 2017 10:00AM Status Check
Status Check: Appeal Stay
RJC Courtroom 10D Sturman, Gloria

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Probate -
Trust/Conservatorships**

COURT MINUTES

October 18, 2017

P-15-083867-T In the Matter of the Trust of:
The Beatrice Davis Heritage Trust

October 18, 2017 10:00 AM Status Check

HEARD BY: Sturman, Gloria

COURTROOM: RJC Courtroom 10D

COURT CLERK: Lorna Shell

PARTIES:

Caroline Davis, Petitioner, not present
Christopher Davis, Other, not present
Dunham Trust Company, Other, not present
Parties Receiving Notice, Other, not present
Roland Law Firm, Other, not present
Stephen Lehnardt, Other, not present
The Beatrice Davis Heritage Trust, Trust, not present

Joshua Hood, Attorney, not present
Thomas Grover, Attorney, not present
Charlene Renwick, Attorney, present
Anthony Barney, Attorney, not present
Jason Sadow, Attorney, not present
Jonathan Barlow, Attorney, not present

JOURNAL ENTRIES

- Mr. Evans stated the parties were discussing a global settlement regarding the Missouri trust and requested a 90 day continuance. COURT ORDERED, Status Check CONTINUED.

CONTINUED TO: 01/18/18 9:30 AM

CLERK'S NOTE: Following calendar Ms. Renwick appeared and the Clerk advised her of the hearing outcome.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Probate -
Trust/Conservatorships**

COURT MINUTES

January 18, 2018

P-15-083867-T In the Matter of the Trust of:
The Beatrice Davis Heritage Trust

January 18, 2018 9:30 AM Status Check

HEARD BY: Sturman, Gloria

COURTROOM: RJC Courtroom 10D

COURT CLERK: Sharon Chun

PARTIES:

Caroline Davis, Petitioner, not present
Christopher Davis, Other, not present
Dunham Trust Company, Other, not present
Parties Receiving Notice, Other, not present
Roland Law Firm, Other, not present
Stephen Lehnardt, Other, not present
The Beatrice Davis Heritage Trust, Trust, not present

Joshua Hood, Attorney, not present
Thomas Grover, Attorney, not present
Charlene Renwick, Attorney, present
Anthony Barney, Attorney, not present
Jason Sadow, Attorney, not present
Jonathan Barlow, Attorney, not present

JOURNAL ENTRIES

- Re: Settlement

ALSO PRESENT: Anthony Barney, Esq. on behalf of his firm, the lienholder.

COURT NOTED we are now back from the Supreme Court and inquired of the status.

Ms. Dwiggins stated they are working with out of state counsel and are close to a settlement. She requested a status check set in sixty to ninety days.

COURT ORDERED, STATUS CHECK SET for 3/29/18 at 9:30 AM.

3/29/18 9:30 AM STATUS CHECK: PETITION/SETTLEMENT

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INTERIM CONDITIONS:

FUTURE HEARINGS: Jan 18, 2018 9:30AM Status Check
Re: Settlement
RJC Courtroom 10D Sturman, Gloria

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Probate -
Trust/Conservatorships**

COURT MINUTES

March 29, 2018

P-15-083867-T In the Matter of the Trust of:
The Beatrice Davis Heritage Trust

March 29, 2018 9:30 AM Status Check

HEARD BY: Sturman, Gloria

COURTROOM: RJC Courtroom 10D

COURT CLERK: Haly Pannullo

PARTIES:

Caroline Davis, Petitioner, not present	Joshua Hood, Attorney, not present
Christopher Davis, Other, not present	Thomas Grover, Attorney, not present
Dunham Trust Company, Other, not present	Charlene Renwick, Attorney, not present
Parties Receiving Notice, Other, not present	Anthony Barney, Attorney, not present
Roland Law Firm, Other, not present	Jason Sadow, Attorney, not present
Stephen Lehnardt, Other, not present	Jonathan Barlow, Attorney, not present
The Beatrice Davis Heritage Trust, Trust, not present	

JOURNAL ENTRIES

- Danna Dwiggins, Esq., present on behalf of Petitioner. Charlene Renwick, esq., present on behalf of Dunham Trust Company. Zachary Holyoak, Esq., present on behalf of Anthony L. Barney. Roman Harper, Esq., present on behalf of Chris Davis.

Upon Court's inquiry, Ms. Renwick advised the settlement is being handled by Missouri counsel, they are trying to resolve all matter and counsel here is just waiting. MATTER TRAILED.

MATTER RECALLED. Ms. Dwiggins stated she spoke with Joshua which indicated they are trying to work on a more formalized settlement agreement, there was a petition filed and a hearing in Missouri that is pending regarding that. COURT ORDERED, matter CONTINUED 45 days.

CONTINUED TO: 07/12/18 9:30 AM

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CLERK'S NOTE: Minute Order emailed to the following regarding the correct Court date:
'crenwick@lee-lawfirm.com'; 'holyoakz@unlv.nevada.edu'; 'roman@goodsellolsen.com';
'ddwiggins@sdfnlaw.com' hvp/03/29/18

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Probate -
Trust/Conservatorships**

COURT MINUTES

July 12, 2018

P-15-083867-T In the Matter of the Trust of:
The Beatrice Davis Heritage Trust

July 12, 2018 9:30 AM Status Check

HEARD BY: Sturman, Gloria

COURTROOM: RJC Courtroom 10D

COURT CLERK: Lorna Shell

PARTIES:

Caroline Davis, Petitioner, not present	Joshua Hood, Attorney, present
Christopher Davis, Other, not present	Thomas Grover, Attorney, not present
Dunham Trust Company, Other, not present	Charlene Renwick, Attorney, present
Parties Receiving Notice, Other, not present	Anthony Barney, Attorney, not present
Roland Law Firm, Other, not present	Jason Sadow, Attorney, not present
Stephen Lehnardt, Other, not present	Jonathan Barlow, Attorney, not present
The Beatrice Davis Heritage Trust, Trust, not present	

JOURNAL ENTRIES

- Mr. Hood stated he was filing a Motion to Dismiss with Prejudice and that would leave only a couple motions for fees; which he noted would not effect the settlement.

Court stated once everything was resolved and the pending motions for fees heard, the court would no longer retain jurisdiction.

INTERIM CONDITIONS:

FUTURE HEARINGS: Jul 12, 2018 9:30AM Status Check
Status Check: Petition/Settlement
RJC Courtroom 10D Sturman, Gloria

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Probate -
Trust/Conservatorships**

COURT MINUTES

August 09, 2018

P-15-083867-T In the Matter of the Trust of:
The Beatrice Davis Heritage Trust

**August 09, 2018 9:30 AM Petition to Withdraw as
Counsel**

HEARD BY: Sturman, Gloria

COURTROOM: RJC Courtroom 10D

COURT CLERK: Lorna Shell

PARTIES:

Caroline Davis, Petitioner, not present	Joshua Hood, Attorney, not present
Christopher Davis, Other, not present	Thomas Grover, Attorney, not present
Dunham Trust Company, Other, not present	Charlene Renwick, Attorney, not present
Parties Receiving Notice, Other, not present	Anthony Barney, Attorney, not present
Roland Law Firm, Other, not present	Jason Sadow, Attorney, not present
Stephen Lehnardt, Other, not present	Jonathan Barlow, Attorney, not present
The Beatrice Davis Heritage Trust, Trust, not present	

JOURNAL ENTRIES

- Mr. Harper stated he hadn't heard from Mr. Davis.

Upon inquiry by the Court regarding whether Mr. Davis was the trustee, Mr. Harper stated he was an investment advisor.

Court stated the trustee must have counsel; however it was unclear if an investment advisor needed an attorney. COURT THEREFORE ORDERED, Petition to Withdraw GRANTED as unopposed; as it doesn't appear Mr. Davis was representing an entity and he is allowed to represent himself.

INTERIM CONDITIONS:

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FUTURE HEARINGS:

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Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Probate -
Trust/Conservatorships**

COURT MINUTES

August 23, 2018

P-15-083867-T In the Matter of the Trust of:
The Beatrice Davis Heritage Trust

August 23, 2018 9:30 AM Motion

HEARD BY: Sturman, Gloria

COURTROOM: RJC Courtroom 10D

COURT CLERK: Lorna Shell

PARTIES:

Caroline Davis, Petitioner, not present	Joshua Hood, Attorney, present
Christopher Davis, Other, not present	Thomas Grover, Attorney, present
Dunham Trust Company, Other, not present	Charlene Renwick, Attorney, present
Parties Receiving Notice, Other, not present	Anthony Barney, Attorney, present
Roland Law Firm, Other, not present	Jason Sadow, Attorney, present
Stephen Lehnardt, Other, not present	Jonathan Barlow, Attorney, not present
The Beatrice Davis Heritage Trust, Trust, not present	

JOURNAL ENTRIES

- Mr. Barney argued that pursuant to NRS 18 and under the contract Mr. Davis signed, the attorney's fees and costs should be paid out of the trust. Mr. Barney argued the motion met the Brunzell factors, the matters were pursued in good faith, the appeal was an issue of first impression, and there was a good faith benefit as it provided clarity for the trust.

Mr. Hood argued he did not believe clarity was a benefit to the trust and that he had to problem with judgment against Chris Davis but not the trust.

Ms. Renwick argued she failed to see how an action by Mr. Davis was a benefit to the trust or it's beneficiaries rather it was a detriment to the trust. Ms. Renwick stated they received requests for multiple attorneys for payment of attorney's fees and they had denied them.

Mr. Grover stated his interests were aligned with Mr. Barney

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Court stated this was a contract with Mr. Barney; however the issue was if it was joint and several with the estate.

Mr. Barney argued he submitted his billing request to the trust company and thought it would be paid or Mr. Davis would be fired; however neither happened.

Ms. Renwick argued they didn't have the authority to remove Mr. Davis and that payment was denied since the benefit was to Mr. Davis not the estate.

COURT STATED FINDINGS AND ORDERED, Attorney's Fees GRANTED as they were joint and several; Interest DENIED as Mr. Davis was solely responsible; Payment STAYED 30 days at which time counsel may initiate collection efforts; Mr. Barney to prepare the order.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Probate -
Trust/Conservatorships**

COURT MINUTES

September 06, 2018

P-15-083867-T In the Matter of the Trust of:
The Beatrice Davis Heritage Trust

**September 06, 9:30 AM Motion - HM
2018**

HEARD BY: Sturman, Gloria

COURTROOM: RJC Courtroom 10D

COURT CLERK: Lorna Shell

PARTIES:

Caroline Davis, Petitioner, not present	Joshua Hood, Attorney, present
Christopher Davis, Other, not present	Thomas Grover, Attorney, not present
Dunham Trust Company, Other, not present	Charlene Renwick, Attorney, not present
Parties Receiving Notice, Other, not present	Anthony Barney, Attorney, not present
Roland Law Firm, Other, not present	Jason Sadow, Attorney, not present
Stephen Lehnardt, Other, not present	Jonathan Barlow, Attorney, not present
The Beatrice Davis Heritage Trust, Trust, not present	

JOURNAL ENTRIES

- Court stated there were no itemized billings from Ms. Roman and a clarification was needed.

Mr. Hood stated he would contact her and request she supplement her bill.

COURT ORDERED, Motion CONTINUED.

CONTINUED TO: 09/21/18 Chamber Calendar

INTERIM CONDITIONS:

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FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Probate - Trust/Conservatorships

COURT MINUTES

September 20, 2018

P-15-083867-T	In the Matter of the Trust of: The Beatrice Davis Heritage Trust
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September 20, 2018 **7:00 AM** **Motion - HM**

HEARD BY: Sturman, Gloria

COURTROOM:

COURT CLERK: Lorna Shell

PARTIES:

Caroline Davis, Petitioner, not present	Joshua Hood, Attorney, not present
Christopher Davis, Other, not present	Thomas Grover, Attorney, not present
Dunham Trust Company, Other, not present	Charlene Renwick, Attorney, not present
Parties Receiving Notice, Other, not present	Anthony Barney, Attorney, not present
Roland Law Firm, Other, not present	Jason Sadow, Attorney, not present
Stephen Lehnardt, Other, not present	Jonathan Barlow, Attorney, not present
The Beatrice Davis Heritage Trust, Trust, not present	

JOURNAL ENTRIES

- - Following further consideration of supplemental billing records, COURT FINDS nothing has been filed as of this date AND THEREFORE ORDERED, Motion CONTINUED two additional weeks for Ms. Roland to supplement her billing records to confirm the amount to be awarded. Court has held that fees are to be awarded jointly and severally to Mr. Davis and the Trust, interest on fees is awarded only against Mr. Davis.

CONTINUED TO: 10/04/18 Chambers Calendar

CLERK'S NOTE: A copy of this minute order was e-mailed, mailed, or faxed as follows: David Lee, Esq. (dlee@lee-lawfirm.com), Mark Solomon, Esq. (msolomon@sdfnlaw.com), John Tyner, Esq. (JTynr@Polsinelli.com), Thomas Grover, Esq. (tom@goodsellolsen.com), Michael Gallagher, Esq. (mgallagher@gkkclaw.com), Jonathan Barlow, Esq. (jonathan@clearcounsel.com), and Harriet

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P-15-083867-T

Roland, Esq. (hroland@rolandlawfirm.com). /ls 9-20-18

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Probate -
Trust/Conservatorships**

COURT MINUTES

November 20, 2018

P-15-083867-T In the Matter of the Trust of:
The Beatrice Davis Heritage Trust

**November 20, 9:30 AM Minute Order
2018**

HEARD BY: Sturman, Gloria

COURTROOM: RJC Courtroom 10D

COURT CLERK: Lorna Shell

PARTIES:

Caroline Davis, Petitioner, not present	Joshua Hood, Attorney, not present
Christopher Davis, Other, not present	Thomas Grover, Attorney, not present
Dunham Trust Company, Other, not present	Charlene Renwick, Attorney, not present
Parties Receiving Notice, Other, not present	Anthony Barney, Attorney, not present
Roland Law Firm, Other, not present	Jason Sadow, Attorney, not present
Stephen Lehnardt, Other, not present	Jonathan Barlow, Attorney, not present
The Beatrice Davis Heritage Trust, Trust, not present	

JOURNAL ENTRIES

- This matter came on for consideration on the Court's Chambers calendar following the hearing on the Motion for an Award of Attorney's Fees filed by Harriet Roland. The Court has already held that fees will be awarded jointly and severally against the Trust and Christopher Davis and any interest was awarded against Davis only. However, the amount could not be finalized as the Motion only contained information addressing certain elements for the Brunzell analysis (qualities of the advocate, rate charged and result) and the specific billing information was not provided to determine the reasonableness of the fees charged. Supplemental information was provided to the Court in Chambers as to the time entries but the related tasks were entirely redacted. This limited information does not permit this court to evaluate the reasonableness of the time. COURT THEREFORE ORDERED, Fee Request Ruling DECLINED at this time. See, In re: Margaret Mary Adams 2006 Trust, (WL 1423378, March 26, 2015) wherein the Nevada Supreme Court held that in considering an award of attorney's fees where counsel's block billed time was not necessarily inappropriate, so long

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as each entry was sufficiently detailed to allow the nature of the tasks billed to be determined. Here, with no such information, the Court is without any basis for an award of fees.

CLERK'S NOTE: A copy of this minute order was e-mailed, mailed, or faxed as follows: Mark Solomon, Esq. (msolomon@sdfnvlaw.com), Thomas Grover, Esq. (tom@goodsellolsen.com), Charlene Renwick, Esq. (crenwick@lee-lawfirm.com), Jonathan Barlow, Esq. (jonathan@clearcounsel.com), and Anthony Barney, Esq. (anthony@anthonybarney.com) ./ls 11-28-18

INTERIM CONDITIONS:

FUTURE HEARINGS:

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Mr. Hood stated he'd spoken with an advisor for the policy and that the payout would be \$7 million less the \$3 million.

Ms. Renwick stated she hadn't discussed this with the beneficiaries.

Mr. Hood stated he joined the petition and noted he'd brought invoices today for in-camera review.

Mr. Routsong stated he too joined the petition and he further requested the fees be paid.

Court stated the problem was the poor management, that the policy was expensive to maintain, that there were no assets to pay the premium, and that the pharmacy asset was in jeopardy from Christopher Davis having taken \$700,000 and various other loans from the trust. Court inquired as to what relief counsel was seeking.

Tarja Davis argued the \$3 million loan was to purchase the pharmacy, which was the biggest asset and the only one making money, that Christopher never purchased anything for himself, that he spent a lot of money on pharmacy expenses, and that he hadn't received a distribution in years. Tarja Davis requested a distribution from the trust as they needed money to pay their living expenses.

Christopher Davis stated he was encouraged to take out the policy on the pharmacy, that the \$700,000 was expense reimbursement, that it was documented, and that Dunham was not the trustee effective 2018.

Court ADVISED until another trustee replaced Dunham they remained the trustee and further stated the problem was lack of cash flow to pay the policy premium.

Christopher Davis argued there was \$200,000 in missing fees from the trust.

Court ADVISED the problem was the policy was not liquid and there was a risk of the policy lapsing at which point no one would receive anything.

Christopher Davis argued this hearing was just so the attorney's could collect fees as there was no benefit from being here.

Tarja Davis requested a disbursement for living fees and inquired why the attorney's were involved.

Ms. Renwick argued that through tortured motion practice, due to Christopher Davis' refusal for discovery cooperation, they must do what was in the best interest of the trust.

COURT FINDS the annual costs exceeded the liquid assets of the policy.

Ms. Renwick argued that under Article 12 of the Trust, if the annual cost exceeded 15% of the annual

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income it was no longer economically feasible and further noted there had been no distributions made since the pending litigation.

COURT FINDS it appeared the sale of the assets may generate approximately \$7 million and it appeared to be the only feasible option. Court noted Christopher and Tarja Davis had stated they did not have any money to live on and that the \$3 million was to pay for the pharmacy.

Ms. Renwick argued she had never received any documentation regarding the \$3 million or the \$700,000.

Court ADVISED there was nothing in the record to document the \$3 million, that the Court could see no way forward, that the trust was no longer liquid, and that the only asset did not have the money to pay the administrative policy costs. Court further stated it appeared the sale of the pharmacy was the only option.

Tarja Davis inquired regarding how much it took to maintain the policy and stated the pharmacy was making enough money. Ms. Davis requested time to get documentation and to appear personally or hire counsel.

COURT ORDERED, Petition CONTINUED for 30 days for Christopher Davis to provide information indicating he didn't benefit the \$3 million, rather that it was used to purchase the pharmacy, and that the \$700,000 was expenses in the purchase of the pharmacy; supplemental briefing regarding how the \$3 million and the 700,000 did not benefit Christopher Davis and to show that it was a good investment shall be completed by March 1, 2019.

COURT FINDS the pharmacy appeared to be a bad investment and the policy could not be maintained. Court stated if there was a counterproposal she was willing to hear that; however she needed to know as a matter of law how she could justify maintaining the policy when the carrying costs exceeded the policy assets.

Ms. Renwick requested documentation indicating where the \$650,000 in tangible assets in Christopher Davis' control were.

Tarja Davis requested money from the trust to pay attorney's fees as they didn't have adequate funds to live on.

Ms. Renwick argued the assets were collateralized and to liquidate anything would just speed up the death of the policy.

CONTINUED TO: 03/14/19 9:30 AM

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

**Probate -
Trust/Conservatorships**

COURT MINUTES

February 12, 2019

P-15-083867-T In the Matter of the Trust of:
The Beatrice Davis Heritage Trust

February 12, 2019 9:30 AM Motion - HM

HEARD BY: Sturman, Gloria

COURTROOM: RJC Courtroom 10D

COURT CLERK: Lorna Shell

PARTIES:

Caroline Davis, Petitioner, not present
Christopher Davis, Other, not present
Dunham Trust Company, Other, not present
Parties Receiving Notice, Other, not present
Roland Law Firm, Other, not present
Stephen Lehnardt, Other, not present
The Beatrice Davis Heritage Trust, Trust, not present

Joshua Hood, Attorney, not present
Thomas Grover, Attorney, not present
Charlene Renwick, Attorney, not present
Anthony Barney, Attorney, not present
Jason Sadow, Attorney, not present
Jonathan Barlow, Attorney, not present

JOURNAL ENTRIES

- COURT having reviewed the un-redacted billing statements provided for in camera review HEREBY FINDS the Brunzell factors have been met as there was no issue as to the rate billed or the expertise of the Roland Law Firm in this area of practice. The actual billing entries were the only issue in question and upon review COURT FINDS the billing entries were appropriate for the legal tasks in question, a courtesy discount was applied in the amount of \$6,342, and credit was given for payment received as to the initial cost bill of \$14,906.25. COURT FURTHER DECLINES to consider whether the initial payment for costs was appropriate as the record lacks sufficient information to determine that the costs were reasonable, necessary, and actually incurred see: Cadle v Woods Erickson LLP, 345 P.3d 1049 . 131 Nev. Adv. Op.15 (2015 NV 15 No. 633382). Never the less, the unpaid amount for attorney's fees incurred was \$36,538 and costs were \$2,693.06 totaling \$39,301.06. Further, the fee agreement also provided for interest on unpaid amounts. Christopher Davis signed the retainer agreement and the COURT PREVIOUSLY HELD that any responsibility for interest charges on the unpaid billing should be borne by Mr. Davis alone, however the fees incurred are the

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joint responsibility of Mr. Davis and the Trust, as he was acting in his capacity as Trust Advisor. COURT THEREFORE ORDERED, Roland Law Firm's Motion for Attorney's fees GRANTED in the amount of \$39,501.63 as to Christopher Davis and the Trust, plus interest at the rate of 1.5% per month which as of January 29, 2019 totaled \$18,350.31 as to Mr. Davis only, for a total of fees, costs, and interest of \$57,851.37.

CLERK'S NOTE: A copy of this minute order was e-mailed, mailed, or faxed as follows: Dana Dwiggins, Esq. (ddwiggins@sdfnvlaw.com), Thomas Grover, Esq. (tom@goodsellolsen.com), Johathan Barlow, Esq. (johathan@clearcounsel.com), Anthony Barney, Esq. (anthony@anthonybarney.com), and Harriet Rowland, Esq. (hroland@rolandlawfim.com) ./ls 02-13-19

INTERIM CONDITIONS:

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EXHIBIT LIST

Case No: **P083867**

Dept. No.: XXVI

Petitioner: **BEATRICE DAVIS HERITAGE TRUST**

Hearing Date:

Judge: Colonia Sturman

Court Clerk: LORNA Shell

Recorder: Kenny ESPARZA

Counsel for Petitioner:

Dana Dwiggins, Esq

Counsel for Respondent:

Thomas Groves, Esq

VS.

HEARING BEFORE THE COURT

COURT EXHIBITS

[illegible]



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE
NOTICE OF DEFICIENCY
ON APPEAL TO NEVADA SUPREME COURT

DAVID S. LEE, ESQ.
7575 VEGAS DR., STE 150
LAS VEGAS, NV 89128

DATE: February 25, 2019
CASE: P-15-083867-T

RE CASE: In the Matter of the Trust of: THE BEATRICE DAVIS HERITAGE TRUST

NOTICE OF APPEAL FILED: February 21, 2019

YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

- ☒ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)**
 - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)**
- ☒ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)**
 - NRAP 7: Bond For Costs On Appeal in Civil Cases
- ☐ Case Appeal Statement
 - NRAP 3 (a)(1), Form 2
- ☐ Order
- ☐ Notice of Entry of Order

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. The district court clerk shall apprise appellant of the deficiencies in writing, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (e) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

Please refer to Rule 3 for an explanation of any possible deficiencies.

***Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.*

Certification of Copy

State of Nevada }
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT
DOCKET ENTRIES; CIVIL COVER SHEET; ORDER AND JUDGMENT; NOTICE OF ENTRY OF
ORDER; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

In the Matter of the Trust of:

THE BEATRICE DAVIS HERITAGE TRUST

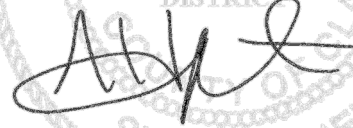
Case No: P-15-083867-T

Dept No: FAMILY DOMESTIC

now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 25 day of February 2019.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk