

Case No. 78341

*In the Supreme Court of Nevada*

In the Matter of the Estate of  
MILTON I. SCHWARTZ, deceased.

A. JONATHAN SCHWARTZ, Executor of  
the Estate of MILTON I. SCHWARTZ,

Appellant,

*vs.*

THE DR. MIRIAM AND SHELDON G.  
ADELSON EDUCATIONAL INSTITUTE,

Respondent.

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Elizabeth A. Brown  
Clerk of Supreme Court

**APPEAL**

from the Eighth Judicial District Court, Clark County  
The Honorable GLORIA J. STURMAN, District Judge  
District Court Case No. 07-P061300-E

**APPELLANT'S  
APPENDIX VOLUME 29  
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97	Reply in Support of Motion to Retax Costs Pursuant to NRS 18.110(4) and to Defer Award of Costs Until All Claims are Fully Adjudicated	01/04/19	24	5924–5941
35	Reporter's Transcript of Proceedings	10/08/14	6	1334–1376
98	Reporter's Transcription of Proceedings	01/10/19	24	5942–5993
114	Stipulation and Order Regarding Trial Transcripts	08/05/19	27	6596–6597
31	Supplement to Opposition to Motion for Partial Summary Judgment	07/02/14	6	1274–1280
61	Supplement to Opposition to Motion for Summary Judgment Regarding Breach of Contract and Countermotion for Advisory Jury	08/08/18	10	2387–2416
28	Supplement to Petition for Declaratory Relief to Include Remedies of Specific Performance and Mandatory Injunction	05/28/17	5	1159–1165
64	Supplement to the Estate's Motion for Reconsideration of: The Court's Order Granting Summary Judgment on the Estate's Claim for Breach of Oral Contract	08/14/18	11	2624–2646
60	Supplement to the Estate's Opposition to Motion for Partial Summary Judgment Regarding Fraud	08/08/18	10	2353–2386
105	The Adelson Campus' Motion to Re- Tax and Settle Costs	03/06/19	26	6479–6489

53	The Adelson Campus' Opposition to the Estate's Countermotion for Advisory Jury	07/23/18	9	2156–2161
66	The Adelson Campus' Opposition to the Estate's Motion for Reconsideration of the Court's Order Granting Summary Judgment on the Estate's Claim for Breach of Contract and Countermotion to Strike the 8/14/18 Declaration of Jonathan Schwartz and All Attached Exhibits in Support	08/16/18	12	2765–2792
93	The Adelson Campus' Opposition to the Estate's Motion to Retax Costs Pursuant to NRS 18.110(4) and to Defer Award of Costs Until All Claims are Fully Adjudicated	11/21/18	24	5789–5803
59	The Adelson Campus' Pre-Trial Memorandum	08/07/18	10	2275–2352
54	The Adelson Campus' Reply in Support of Motion for Partial Summary Judgment Regarding Fraud	08/02/18	9	2162–2177
55	The Adelson Campus' Reply in Support of Motion for Partial Summary Judgment Regarding Statute of Limitations	08/02/18	9	2178–2209
111	The Adelson Campus' Reply in Support of Motion to Re-Tax and Settle Costs	04/04/19	27	6547–6553
92	The Dr. Miriam and Sheldon G. Adelson Educational Institute's Opposition to the Estate's Motion for Post-Trial Relief from Judgment on Jury Verdict Entered October 4, 2018	11/21/18	23 24	5694–5750 5751–5788
95	The Dr. Miriam and Sheldon G. Adelson Educational Institute's Opposition to the Estate's Post-Trial	12/21/18	24	5817–5857

	Brief Regarding the Parties' Equitable Claims and for Entry of Judgment			
85	The Dr. Miriam and Sheldon G. Adelson Educational Institute's Verified Memorandum of Costs	10/11/18	19	4576-4579
71	The Estate's Motion for Judgment as a Matter of Law Regarding Construction of Will	09/03/18	18	4334-4341
89	The Estate's Motion for Post-Trial Relief from Judgment on Jury Verdict Entered October 4, 2018	10/22/18	21 22	5168-5250 5251-5455
63	The Estate's Motion for Reconsideration of: The Court's Order Granting Summary Judgment on the Estate's Claim for Breach of Oral Contract and Ex Parte Application for an Order Shortening Time	08/14/18	11	2539-2623
110	The Estate's Opposition to the Adelson Campus' Motion to Re-Tax and Settle Costs	03/25/19	27	6522-6546
57	The Estate's Pretrial Memorandum	08/06/18	9 10	2246-2250 2251-2263
58	The Estate's Pretrial Memorandum	08/06/18	10	2264-2274
94	The Estate's Reply to Adelson Campus's Opposition to Motion for Post-Trial Relief from Judgment on Jury Verdict Entered on October 4, 2018	12/21/18	24	5804-5816
96	The Estate's Response to the Adelson Campus' Post-Trial Brief on Outstanding Claims	12/21/18	24	5858-5923
32	Transcript for Motion for Summary Judgment	07/09/14	6	1281-1322
21	Transcript of Proceeding: Motion for Reconsideration	12/10/13	3	639-669
42	Transcript of Proceedings: Motion for Protective Order on Order Shortening Time	04/19/17	6	1465-1482

22	Transcription of Discovery Commissioner Hearing Held on January 29, 2014	01/29/14	3	670–680
136	Trial Exhibit 111		28	6868–6869
152	Trial Exhibit 1116A		29	7008
137	Trial Exhibit 112		28	6870
138	Trial Exhibit 113		28	6871
139	Trial Exhibit 114		28	6872
140	Trial Exhibit 115		28	6873
141	Trial Exhibit 118		28	6874–6876
142	Trial Exhibit 128		28	6877
143	Trial Exhibit 130		28	6878–6879
144	Trial Exhibit 134		28	6880–6882
145	Trial Exhibit 139		28	6683–6884
123	Trial Exhibit 14		27	6626–6628
146	Trial Exhibit 149		28	6885–6998
147	Trial Exhibit 158		28	6999
148	Trial Exhibit 159		28	7000
149	Trial Exhibit 162		28	7001
150	Trial Exhibit 165		29	7002
124	Trial Exhibit 17		27	6629–6638
125	Trial Exhibit 22		27	6639–6645
126	Trial Exhibit 28		27	6646–6647
118	Trial Exhibit 3		27	6607–6609
127	Trial Exhibit 38		27	6648–6649
151	Trial Exhibit 384		29	7003–7007
119	Trial Exhibit 4		27	6610–6611
128	Trial Exhibit 41		27	6650–6675
129	Trial Exhibit 43		27	6676–6679
130	Trial Exhibit 44		27	6680–6682
120	Trial Exhibit 5		27	6612–6620
131	Trial Exhibit 51		27	6683–6684
132	Trial Exhibit 52		27	6685–6686
133	Trial Exhibit 55		27	6687–6713
121	Trial Exhibit 6		27	6621
134	Trial Exhibit 61		27	6714–6750
			28	6751–6799

135	Trial Exhibit 62		28	6800–6867
122	Trial Exhibit 9		27	6622–6625
69	Trial Transcripts (Rough Drafts)	09/03/18	12 13 14 15 16 17 18	2903–3000 3001–3250 3251–3500 3501–3750 3751–4000 4001–4250 4251–4304
76	Verdict Form	09/05/18	19	4513–4516
103	Verified Memorandum of Costs of A. Jonathan Schwartz, Executor of the Estate of Milton I. Schwartz	02/27/19	25	6111–6015

149

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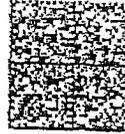


THE MILTON I. SCHWARTZ  
HEBREW ACADEMY

The Dr. Miriam & Sheldon G.  
Adelson Educational Campus

9700 West Hillpointe Road  
Las Vegas, Nevada 89134

EDUCATION FOR LIFE

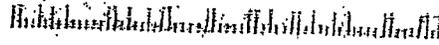


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Exhibit AF

Mr. Jonathan Schwartz  
2293 Duneville St.  
Las Vegas, NV 89146

5314653145



Jonathan-  
Victor informed me that you did not yet receive our save the date. I was happy to confirm your address & get this out to you right away. The invite will also be going out next week, so please keep an eye out for it. We look forward to seeing you at this year's gala fundraiser and I am happy to help in any way I can with your tribute this year. All the best!

- Davida Simis

EST-00032

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The Milton I. Schwartz  
Hebrew Academy in Summerlin

9700 W. Hillpointe Rd., Las Vegas, NV 89134  
(702) 255-4500 Fax: (702) 255-7232



HEBREW ACADEMY  
SUMMERLIN

Exhibit AI

*SD. ok  
Jennifer -  
12-20-11*

December 2, 2011

Mr. Jonathan Schwartz  
2293 Duneville Street  
Las Vegas, NV 89146

Dear Mr. Schwartz:

The Board of Trustees, staff and families at the Dr. Miriam and Sheldon G. Adelson Educational Campus want to offer our sincere appreciation for your donation of \$12,500.00 to the *In Pursuit of Excellence Gala* honoring Alan Dershowitz. Your recognition of quality education is truly invaluable.

One Hundred percent of the proceeds from this year's gala go towards scholarships for families in need. In a time when your support is more important than ever, you can feel proud to have ensured that scholarships will be available for our students in the 2012-2013 school year. The Adelson Educational Campus not only offers students Jewish values and an excellent secular education, but our mission is to provide children with an *Education for Life*. Our comprehensive approach emphasizes education each student to be academically stimulated, emotionally secure and physically healthy. Our goal is to send students who possess confidence and a strong sense of self into the world. It is your generous support that helps make this important effort possible.

Thanks again for your support as we grow and strengthen our school. We know the sacrifices and dedication it takes to send a child to private school, and likewise we are committed to teaching our students to give back as they become educated, responsible citizens of the world.

*Todah Rabah* and thank you,  
The 2011-2012 Gala Committee

*This letter is your receipt to acknowledge your contribution of \$12,500. The Adelson Educational Campus is a 501 (c) (3) nonprofit corporation as determined by the Internal Revenue Service, making the amount fully deductible to the extent allowed by law. Our non-profit tax ID# is 94-2701113*



Accreditation: Northwest Association of Schools and Colleges



License: State of Nevada Department of Education



Member: National Association of Independent Schools

EST-00033

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**THE MILTON I. SCHWARTZ HEBREW ACADEMY****BOARD OF TRUSTEES MEETING**

November 29, 1990

AGENDA

1. Picture Taking
2. Approval of Minutes
3. Gala Evaluation
4. Gala Proceeds
5. Shlomo Ertel - Fee
6. By-laws Revision (Amendments)
7. Student Pick-up Procedures
8. Distribution of Harvard Business School article and discussion of Board's responsibilities
9. Parents - School Contractual Agreement
10. Fund Raising

REMINDERS

1. Open House, December 5, 1990, at 7:00 P.M.
2. Dedication of School - Affixing of Mezzuza Sunday, December 16, 1990, 2:30 - 4:30 P.M.
3. Chanukkah School Assembly, Friday, December 14, 1990, 8:30 A.M., 10:15 A.M. and 2:15 P.M.

**MINUTES OF THE BOARD OF TRUSTEES OF  
THE MILTON I. SCHWARTZ HEBREW ACADEMY**

November 29, 1990, 5:00 p.m.

PRESENT: Milton I. Schwartz  
Geri Rentchler  
Frederic I. Berkley  
Lenard E. Schwartz  
Roberta Sabbath  
Elliot Klain  
Dr. Tamar Lubin  
Dr. Richard Ellis  
Neville Pakroy  
Sam Ventura  
George Rudiak

The Board voted to accept the minutes as corrected.

The Board corrected the draft of the revised By-Laws by eliminating paragraph 6 of Article II and naming the corporation after Milton I. Schwartz in perpetuity.

The Gala was evaluated. Concerns were expressed that not enough parents participated. The financial results were as follows:

Receipts	\$80,500
Receivables	17,500
Total	97,000
Expenses	<u>(30,000)</u>
Net	<u>\$68,000</u>

Further evaluation needs to be done.

Board congratulated Roberta Sabbath for a job well done.

Shlomo Ertel's bill for \$3,635 was not well earned but due under his contract. R. Sabbath moved, Elliot Klain seconded, to pay Mr. Ertel.

Student pickup was discussed. It was proposed to institute a system of valet pickup by car pool number. A letter of the procedures and an explanation of the reason for adopting the procedure. Motion made to adopt procedure by M. Schwartz and seconded by Geri Rentchler. Motion passed 9 to 2.

Student contract form may have to be amended to provide that the payment of subsequent deposits be considered adoption of the contract for the upcoming school year.

A tuition increase was discussed. It was tabled to next meeting.

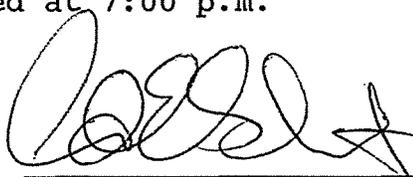
Mr. Schwartz discussed a meeting with a Mr. Kreiger and Tracy Weiss, parents, concerning a PTO meeting at which it was alleged that Tamar Lubin said the school was a dictatorship. Geri Rentchler said that Dr. Lubin did respond to the question whether this is a democracy by saying "No, it is a school." Dr. Lubin responded that Mr. Kreiger has a private agenda that includes taking over control of the school. She confirmed what Mr. Rentchler said. Dr. Lubin said that the proper channel of communications must be used and parents should not be allowed to go outside the channels of communications. It was discussed that Dr. Lubin should try and diffuse the problem by reaching out to the disgruntled parents.

A motion was made by Roberta Sabbath and seconded by George Rudiak that Dr. Lubin should be honored by naming the Tamar Lubin-Saposhnik Elementary School. The motion was passed unanimously.

Geri Rentchler recommended and the Board approved a resolution that Board members should attend the Northwest School and Colleges Association convention and seminars in Las Vegas on December 8, 9 and 10.

Richard Ellis was unanimously elected to the Board of Trustees.

The meeting was adjourned at 7:00 p.m.



Lenard E. Schwartz  
Secretary

LES:csz

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MINUTES OF THE BOARD OF TRUSTEES OF  
THE MILTON I. SCHWARTZ HEBREW ACADEMY

November 29, 1990, 5:00 p.m.

*Julie  
These  
minutes  
were  
corrected  
ask to Lenny  
please  
mail us the corrected  
version + the  
corrected By-Laws*

PRESENT: Milton I. Schwartz  
Gari Rentschler  
Frederic I. Berkley  
Lenard E. Schwartz  
Roberta Sabbath  
Elliot Klain  
Dr. Tamar Lubin  
Dr. Richard Ellis  
Neville Pakroy  
Sam Ventura  
George Rudiak

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Shlomo Ertel's bill for \$3,635 was not well earned but due under his contract. R. Sabbath moved, Elliot Klain seconded, to pay Mr. Ertel.

Student pickup was discussed. It was proposed to institute a system of valet pickup by car pool number. A letter of the procedures, and an explanation of the reason for adopting the procedure, *will be sent to the parents by Milton Schwartz.* Motion made to adopt procedure by M. Schwartz and seconded by Gari Rentschler. Motion passed 9 to 2.

007006

007006

Student contract may have to be amended to provide that subsequent deposits will be considered adoption of the current contract and school policies.

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A motion was made by Roberta Sabbath and seconded by George Rudiak that Dr. Lubin should be honored naming ~~The Dr.~~ Tamar Lubin <sup>Saposh</sup> Elementary School. The motion was passed unanimously.

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Lenard E. Schwartzer  
Secretary

LES:csz