

IN THE SUPREME COURT OF THE STATE OF NEVADA

NONA TOBIN, AS TRUSTEE OF THE
GORDON B. HANSEN TRUST, DATED
8/22/08; AND NONA TOBIN, AN INDIVIDUAL,

Appellants,

vs.

JOEL A. STOKES; SNADRA F. STOKES, AS
TRUSTEE OF JIMI JACK IRREVOCABLE
TRUST; YUEN K. LEE, AN INDIVIDUAL,
D/B/A MANAGER; F. BOUDRANT, LLC; SUN
CITY ANTHEM COMMUNITY
ASSOCIATION, INC.; AND NATIONSTAR
MORTGAGE, LLC

Respondents.

Supreme Court Electronically Filed
Mar 03 2020 05:43 p.m.
District Court Case No. A720032
Elizabeth A. Brown
Clerk of Supreme Court

RESPONSE TO ORDER TO SHOW CAUSE

Comes now NONA TOBIN, AN INDIVIDUAL, by and through her
counsel, the law firm Thomson Law PC, hereby responds to the Order to Show
Cause.

POINTS AND AUTHORITIES

FACTS

1. On February 23, 2017, Sun City Anthem Community Association filed a
Motion to Dismiss Nona Tobin, an individual and Trustee of the Gordon B.
Hansen Trust's Cross Claim (Exhibit 1, Register of Actions: Case No. A-15-
720032; 02/23/2017).

2. On March 23, 2017, Sun City Anthem Community Association's Motion to Dismiss Nona Tobin, an individual and Trustee of the Gordon B. Hansen Trust's Cross Claim was heard before the Honorable Joanna Kishner, and was continued until April 27, 2017 (Exhibit 1, Register of Actions: Case No. A-15-720032; 03/23/2017).

3. On April 27, 2017, Sun City Anthem Community Association's Motion to Dismiss Nona Tobin, and individual and Trustee of the Gordon B. Hansen Trust's Cross Claim was heard before the Honorable Joanna Kirshner, the Motion was Denied Without Prejudice (Exhibit 1, Register of Actions: Case No. A-15-720032; 04/27/2017).

4. On April 20, 2018, Cross Defendant Sun City Anthem Community Association filed their Answer to Cross-Claims by Nona Tobin, an individual and Trustee of the Gordon B. Hansen Trust (Exhibit 1, Register of Actions: Case No. A-15-720032; 04/20/2018)

5. The Trial was held on June 5, 2019 and June 6, 2019 (Exhibit 1, Register of Actions: Case No. A-15-720032; 06/05/2019).

6. The Judgment was filed on June 24, 2019 (Exhibit 1, Register of Actions: Case No. A-15-720032; 06/24/2019) .

7. On June 17, 2019, L. Joe Coppedge, Esq. filed a Motion to Withdraw as Counsel of Record for Nona Tobin, an Individual on Order Shortening Time (Exhibit 1, Register of Actions: Case No. A-15-720032; 06/17/2019).

8. On June 17, 2019, Nona Tobin filed a Motion to Intervene as an Individual (Exhibit 1, Register of Actions: Case No. A-15-720032; 06/17/2019).

9. On June 20, 2019, Proof of Service Re: Nona Tobin, an Individual was filed (Exhibit 1, Register of Actions: Case No. A-15-720032; 06/20/2019).

10. On June 21, 2019, Nona Tobin filed Nona Tobin Declaration in Support of her Rule 24 Motion to Intervene into A-15-720032-C as an Individual (Exhibit 1, Register of Actions: Case No. A-15-720032; 06/21/2019).

11. On July 9, 2019, Mr. Coppedge's Motion to Withdraw as Counsel was Granted (Exhibit 2, Minutes 07/09/2019), however it does not appear that Mr. Coppedge ever prepared or filed an order.

12. On July 23, 2019, Nona Tobin filed a Motion for a New Trial Per Rule 54(B) and Rule 59(1)(A)(B)(C)(F) and a Motion to Dismiss Pursuant to NRS 38.310(2) (Exhibit 1, Register of Actions: Case No. A-15-720032; 07/23/2019).

13. On November 22, 2019 it was Ordered that Nona Tobin's Motion for a New Trial Per Rule 54(B) and Rule 59(1)(A)(B)(C)(F) and Nona Tobin's Motion to Dismiss Pursuant to NRS 38.310(2) be stricken from the Record as a rogue documents.

14. On December 20, 2019 this Notice of Appeal was filed on behalf of Nona Tobin an individual.

The district court record is confusing on the issue of whether or not Nona Tobin was a party before the court as an individual, but it appears that she in fact was a party and was never dismissed until the Order from which Ms. Tobin now appeals. Ms. Tobin constantly and consistently asserted, through counsel and on her own, her individual rights in the case. Many captions and documents listed her as both as an individual and as trustee.

LEGAL ARGUMENT

This brief is a response to the Court's Order to Show Cause filed on January 7, 2020, *sua sponte*. The Court has questioned whether or not Nona Tobin, as an individual, is an aggrieved party within the meaning of NRAP 3A(a), and therefore has standing as a party to appeal. The second issue is whether or not the Court has jurisdiction over Ms. Tobin's individual claims under NRAP 3A(b). The Order appealed from was entered on September 3, 2019 ("Order").¹

Tobin, As An Individual, Was An Aggrieved Party In The District Court Case and This Court has Jurisdiction Over the Issues Decided by the Order.

NRAP 3A(a) states: "A party who is aggrieved by an appealable judgment or order may appeal from that judgment or order, with or without first moving for a

¹ Exhibit 2, Order filed September 3, 2019.

new trial.” A party is ‘aggrieved’ under NRAP 3A(a) when a personal right or property right is “adversely and substantially affected” by an order or judgment of the district court.²

Ms. Tobin’s individual claims in the district court arise from her standing as the sole beneficiary of the Gordon B. Hansen Trust (“Trust”). The beneficiary of a revocable trust, after the trustor has died, has standing as an individual to assert her rights in the assets of the trust.

The surviving asset of the trust is the real property, and any proceeds from the sale thereof, at issue in the district court case. Recently, this Court ruled that the beneficiary of record for the first deed of trust had standing to assert that the first deed of trust was not extinguished by the foreclosure sale.³ This ruling was based in

² *Valley Bank of Nev. V. Ginsburg*, 110 Nev. 440, 446, 874 P.2d 729, 734 (1994) (quoting *Estate of Hughes v. First Nat’l Bank*, 96 Nev. 178, 180, 605 P.2d 1149, 1150 (1980)).

³ *Christiana Tr. v. SFR Invs. Pool 1,2 LLC* (Nev. 2019). “Cf. *Nationstar Mortg., LLC v. SFR Invs. Pool 1, LLC*, 133 Nev. 247, 250-51, 396 P.3d 754, 757-58 (2017) (recognizing, albeit in a different context, that a recorded deed of trust beneficiary has standing to defend the deed of trust in litigation even though the beneficiary of record is not also the note holder).”

part that the beneficiaries standing was important because it's claims "...could render the HOA's foreclosure sale void or voidable." ⁴

By analogy, Ms. Tobin has standing to assert her rights to the subject property and that the foreclosure sale was not proper. The rights of a beneficiary and trustee are different, and each has standing to assert their rights. "To have standing, the party seeking relief [must have] a sufficient interest in the litigation, so as to ensure the litigant will vigorously and effectively present his or her case against an adverse party." ⁵

This subject matter of her Motion for a New Trial, Motion to Dismiss, and Lis Pendens recorded as an individual, directly, adversely, and substantially affected her personal right to collect the excess proceeds from the sale, to sue for damages, and her real property interest in the subject property. Because of the Order appealed from, Ms. Tobin lost the right to contest the foreclosure sale and seek to introduce testimony and documents that were precluded improperly at trial. The evidence denied will show that the sale was improper, restoring Ms. Tobin's

⁴ Id., at 2-3, "See *U.S. Bank, Nat'l Ass'n ND v. Resources Grp., LLC*, 135 Nev., Adv. Op. 26, 444 P.3d 442, 447-49 (2019).

⁵ *Nationstar Mortg., LLC v. SFR Invs. Pool 1, LLC*, 133 Nev. —, —, 396 P.3d 754, 756 (2017) (internal quotation marks omitted). *Saticoy Bay LLC v. Fed. Nat'l Mortg. Ass'n*, 417 P.3d 363 (Nev. 2018).

interest in the subject property or awarding damages for the improper exclusions. Clearly, Ms. Tobin qualifies as an aggrieved party.

The Order appealed from finally disposed of all the remaining issues in the case; it was the district court's intention to do so. This Court should look at "what the order or judgment actually *does*, not what it is called." ⁶ The Order effectively and unfairly resolved, post-trial, all of Ms. Tobin's individual claims without an NRCP 56 motion, or the actual motions filed, being briefed, heard and decided.

Ms. Tobin was not allowed to participate as an individual at the trial, and therefore filed a Motion for New Trial, which was resolved by the Order without being heard. If it was clear from the record before trial that Ms. Tobin as an individual was not a party to the lawsuit, sufficient to preclude her in all ways from participating in the trial, then there should have been no need to issue the post-trial Order with its findings of fact and conclusions of law. Ms. Tobin has a right to appeal the ruling that she has no right to participate in a new trial and to submit evidence by testimony and documents to show that the foreclosure was improper.

Looking further at what the Order actually does, Ms. Tobin, after the Order, lost her rights to contest the trial results based on NRS 38.310(2), which states that

⁶ *Valley Bank of Nev. V. Ginsburg*, 110 Nev. 440, 445, 874 P.2d 729, 733 (1994) (emphasis in original).

the civil action must be dismissed unless mediation and the administrative remedies have all been exhausted. Ms. Tobin's rights under that statute were adjudicated by the Order, without due process or briefing.

In addition, Ms. Tobin's right to put the world on notice of her individual rights in the subject property were adjudicated when the district court struck her *Lis Pendens* without due process as outlined in NRS 14.015.

The doctrine of *lis pendens* provides constructive notice to the world that a dispute involving real property is ongoing. NRS 14.010(3). The purpose of a *lis pendens* is to prevent the transfer or loss of real property which is the subject of dispute in the action that provides the basis for the *lis pendens*.⁷ Therefore, under Nevada law, the filing of a notice of pendency is limited to actions involving "the foreclosure of a mortgage upon real property, or affecting the title or possession of real property."⁸

Because the Order was final and at last resolved the outstanding matters, Ms. Tobin has standing and this Court has jurisdiction over the issues appealed. "To be

⁷ *Levinson v. District Court*, 109 Nev. 747, 750, 857 P.2d 18, 20 (1993); see NRS 86.351(1) (providing that "[t]he interest of each member of a limited-liability company is personal property").

⁸ NRS 14.010(1); NRS 14.015(2)(a); see *Thomas v. Nevans*, 67 Nev. 122, 130, 215 P.2d 244, 247-48 (1950) (providing that "[t]he doctrine of constructive notice resulting from the filing with the county recorder of a notice of *lis pendens* applies ... only to actions affecting real property").

final, an order or judgment must ‘dispose of all the issues presented in the case, and leave nothing for the future consideration of the court, except for post-judgment issues such as attorney’s fees and costs.’”⁹

When Ms. Tobin’s Motion for a New Trial, her Motion to Dismiss, and her Lis Pendens was stricken by the district court, her rights as the sole beneficiary of the Trust were adversely and substantially affected. In fact, shortly after the November 22, 2019 Order was filed, the subject real property was sold to Ms. Tobin’s detriment on December 27, 2019. In addition, the excess proceeds from the improper foreclosure sale belong to the Trust, and therefore to Ms. Tobin. Those funds have yet to be distributed to Ms. Tobin, despite demand and claims to them by Ms. Tobin in the district court case.

CONCLUSION

Ms. Tobin’s personal and property rights have been adversely and substantially affected by the district court’s Order. Looking at what the Order actually does, instead of what it is called, brings to light the substantive appealable

⁹ *Brown v. MHC Stagecoach*, 301 P.3d 850, 851 (Nev. 2013) (quoting *Lee v. GNLV Corp.*, 116 Nev. 424, 426, 996 P.2d 416, 417 (2000)).

issues subject to this Court's jurisdiction.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies on March 3, 2020, a true and correct copy of RESPONSE TO ORDER TO SHOW CAUSE was served via the Court's Eflex service system to the following:

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/s/ Kim Vroman

An employee of the Thomson Law PC

EXHIBIT “1”

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REGISTER OF ACTIONS

CASE No. A-15-720032-C

Joel Stokes, Plaintiff(s) vs. Bank of America NA, Defendant(s)

§
§
§
§
§
§
§

Case Type: **Other Title to Property**

Date Filed: **06/16/2015**

Location: **Department 31**

Cross-Reference Case Number: **A720032**

Supreme Court No.: **79295**

RELATED CASE INFORMATION

Related Cases

A-16-730078-C (Companion Case)

PARTY INFORMATION

		Lead Attorneys
Counter Claimant	Gordon B. Hansen Trust Dated 8/22/08	
Counter Claimant	Nationstar Mortgage, LLC	Melanie D. Morgan <i>Retained</i> 702-634-5000(W)
Counter Claimant	Tobin, Nona	Pro Se
Counter Defendant	Stokes, Joel A	Joseph Y. Hong <i>Retained</i> 702-870-1777(W)
Counter Defendant	Stokes, Sandra F	Joseph Y. Hong <i>Retained</i> 702-870-1777(W)
Cross Claimant	Gordon B. Hansen Trust Dated 8/22/08	
Cross Claimant	Tobin, Nona	Pro Se
Cross Defendant	Lee, Yuen K.	
Cross Defendant	Sun City Anthem Community Association Inc	David A. Clark <i>Retained</i> 7023822200(W)
Defendant	Bank of America NA	Dana J. Nitz <i>Retained</i> 702-475-7964(W)
Defendant	Sun City Anthem Community Association Inc	David A. Clark <i>Retained</i> 7023822200(W)

Plaintiff JimiJack Irrevocable Trust

Joseph Y. Hong
Retained
702-870-1777(W)

EVENTS & ORDERS OF THE COURT

DISPOSITIONS

- 10/16/2015 **Default Judgment** (Judicial Officer: Kishner, Joanna S.)
Debtors: Bank of America NA (Defendant)
Creditors: JimiJack Irrevocable Trust (Plaintiff)
Judgment: 10/16/2015, Docketed: 10/23/2015
- 08/09/2017 **Summary Judgment** (Judicial Officer: Kishner, Joanna S.)
Debtors: Nona Tobin (Cross Claimant)
Creditors: Oppurtunity Homes LLC (Cross Defendant)
Judgment: 08/09/2017, Docketed: 08/09/2017
- 08/09/2017 **Order of Dismissal** (Judicial Officer: Kishner, Joanna S.)
Debtors: Nona Tobin (Cross Claimant)
Creditors: Oppurtunity Homes LLC (Cross Defendant)
Judgment: 08/09/2017, Docketed: 08/09/2017
- 09/19/2017 **Order of Dismissal Without Prejudice** (Judicial Officer: Kishner, Joanna S.)
Debtors: Nona Tobin (Cross Claimant)
Creditors: Sun City Anthem Community Association Inc (Cross Defendant)
Judgment: 09/19/2017, Docketed: 09/20/2017
Comment: Certain Claims
- 02/20/2019 **Order of Dismissal Without Prejudice** (Judicial Officer: Kishner, Joanna S.)
Debtors: F. Bondurant LLC (Counter Defendant), Oppurtunity Homes LLC (Counter Defendant)
Creditors: Nationstar Mortgage, LLC (Counter Claimant)
Judgment: 02/20/2019, Docketed: 02/20/2019
- 04/17/2019 **Summary Judgment** (Judicial Officer: Kishner, Joanna S.)
Debtors: Nona Tobin (Cross Claimant)
Creditors: Sun City Anthem Community Association Inc (Cross Defendant)
Judgment: 04/17/2019, Docketed: 04/17/2019
- 05/31/2019 **Order of Dismissal With Prejudice** (Judicial Officer: Kishner, Joanna S.)
Debtors: JimiJack Irrevocable Trust (Counter Defendant)
Creditors: Nationstar Mortgage, LLC (Counter Claimant)
Judgment: 05/31/2019, Docketed: 06/03/2019
- 06/24/2019 **Judgment** (Judicial Officer: Kishner, Joanna S.)
Debtors: Nona Tobin (Counter Claimant, Cross Claimant), Gordon B. Hansen Trust Dated 8/22/08 (Counter Claimant, Cross Claimant)
Creditors: JimiJack Irrevocable Trust (Counter Defendant), Yuen K. Lee (Cross Defendant)
Judgment: 06/24/2019, Docketed: 06/25/2019

OTHER EVENTS AND HEARINGS

- 06/16/2015 **Complaint**
Complaint
- 08/12/2015 **Summons**
Summons
- 08/19/2015 **Default**
Default
- 08/20/2015 **Three Day Notice of Intent to Default**
Notice Of Intent To Take Default Judgment
- 08/25/2015 **Memorandum of Costs and Disbursements**
Memorandum Of Costs And Disbursements
- 08/25/2015 **Application for Default Judgment**
Application For Entry Of Default Judgment
- 09/08/2015 **Notice of Hearing**
Notice of Hearing
- 10/05/2015 **Notice of Change of Hearing**
Notice of Change of Hearing
- 10/13/2015 **Motion for Prove Up** (10:00 AM) (Judicial Officer Kishner, Joanna S.)
Plaintiff's Motion for Hearing on Entry of Default Judgment
[Parties Present](#)
[Minutes](#)
10/13/2015 Reset by Court to 10/13/2015
Result: Granted
- 10/16/2015 **Default Judgment**
Judgment By Default Against Defendant, Bank Of America, N.A.
- 04/12/2016 **Motion for Substitution**
Motion to Substitute Party, Intervene and Set Aside Default Judgment
- 04/12/2016 **Initial Appearance Fee Disclosure**
Initial Appearance Fee Disclosure
- 04/12/2016 **Declaration**
Declaration of Edgar C. Smith in Support of Motion to Substitute Party, Intervene and Set Aside Default Judgment
- 04/26/2016 **Opposition to Motion**
Plaintiff, JimiJack Irrevocable Trust's, Opposition To Proposed Intervenor, Nationstar Mortgage, LLC's, Motion To Substitute Party, Intervene And Set Aside Default Judgment

05/10/2016 **Reply in Support**
Reply in Support of Motion to Substitute Party, Intervene and Set Aside Default Judgment

05/17/2016 **Motion for Substitution** (9:00 AM) (Judicial Officer Kishner, Joanna S.)
Other Nationstar Mortgage LL's Motion to Substitute party, Intervene and set aside Default Judgment
[Parties Present](#)
[Minutes](#)
 Result: Granted

06/02/2016 **Answer and Counterclaim**
Defendant in Intervention Nationstar Mortgage, LLC's Answer to Plaintiffs' Complaint and Counterclaim

06/03/2016 **Notice of Lis Pendens**
Notice of Lis Pendens

06/07/2016 **Order**
Order Granting in Part Nationstar Mortgage, LLC's Motion to Substitute Party, Intervene and Set Aside Default Judgment

06/08/2016 **Notice of Entry of Order**
Notice of Entry of Order

06/09/2016 **Motion to Dismiss**
Plaintiff, Jimijack Irrevocable Trust's, Through Its Trustees, Motion To Dismiss Defendant In Intervention Nationstar Mortgage, LLC.'s Answer And Counterclaim

06/16/2016 **Ex Parte Application**
Plaintiff's Ex Parte Application For Order Shortening Time

06/17/2016 **Order Shortening Time**
Order Shortening Time

06/17/2016 **Opposition to Motion to Dismiss**
Nationstar's Opposition to Motion to Dismiss

06/21/2016 **Reply to Opposition**
Plaintiff, Jimijack Irrevocable Trust's Reply to Nationstar's Opposition to Motion to Dismiss

06/23/2016 **Motion to Dismiss** (9:30 AM) (Judicial Officer Kishner, Joanna S.)
Plaintiff, Jimijack Irrevocable Trust's, Through Its Trustees, Motion To Dismiss Defendant In Intervention Nationstar
[Parties Present](#)
[Minutes](#)
 07/14/2016 Reset by Court to 06/23/2016
 Result: Denied Without Prejudice

06/27/2016 **Affidavit of Service**
Affidavit of Service

06/28/2016 **Notice of Early Case Conference**
Notice of N.R.C.P. 16.1 Early Case Conference

06/30/2016 **Motion to Consolidate**
Jimijack Irrevocable Trust's Motion To Consolidate Case No. A-16-730078-C And Case No. A-15-720032-C

07/06/2016 **Motion for Summary Judgment**
Plaintiff, Jimijack Irrevocable Trust's, Through Its Trustees, Motion For Summary Judgment On Order Shortening Time

07/14/2016 **Status Check** (9:30 AM) (Judicial Officer Kishner, Joanna S.)
RE: Possible consolidation with A730078 (DC 23 case)
[Parties Present](#)
[Minutes](#)
 07/14/2016 Reset by Court to 07/14/2016
 Result: Matter Heard

07/19/2016 **Non Opposition**
Nationstar Mortgage, LLC's Non-Opposition to JimiJack Irrevocable Trust's Motion to Consolidate

07/20/2016 **Opposition to Motion For Summary Judgment**
Nationstar's Opposition to Motion for Summary Judgment

07/21/2016 **Order**
Order Denying JimiJack Irrevocable Trust's Motion to Dismiss

07/25/2016 **Reply to Opposition**
Plaintiff, Jimijack Irrevocable Trust's, Through Its Trustees, Reply To Nationstar Mortgage, LLC's Opposition To Motion For Summary Judgment On Order Shortening Time

07/26/2016 **Order**
Order

07/29/2016 **Notice of Entry of Order**
Notice Of Entry Of Order

08/04/2016 **Motion to Consolidate** (9:30 AM) (Judicial Officer Kishner, Joanna S.)
Jimijack Irrevocable Trust's Motion To Consolidate Case No. A-16-730078-C And Case No. A-15-720032-C
[Parties Present](#)
 08/05/2016 Reset by Court to 08/04/2016
 Result: Granted

08/04/2016 **Motion for Summary Judgment** (9:30 AM) (Judicial Officer Kishner, Joanna S.)
Plaintiff, Jimijack Irrevocable Trust's, Through Its Trustees, Motion For Summary Judgment On Order Shortening Time
[Parties Present](#)
 08/16/2016 Reset by Court to 08/04/2016
 Result: Denied Without Prejudice

08/04/2016 **All Pending Motions** (9:30 AM) (Judicial Officer Kishner, Joanna S.)
[Parties Present](#)
[Minutes](#)
 Result: Matter Heard

08/10/2016 **Notice of Department Reassignment**
Notice of Department Reassignment

08/11/2016 **Notice of Entry of Order**
Notice of Entry of Order Denying Jimijack Irrevocable Trust's Motion to Dismiss

08/26/2016 **Order Granting Motion**
Order Granting Motion to Consolidate and Denying Motion for Summary Judgment

08/30/2016 **Opposition to Motion**
Plaintiff, JimiJack Irrevocable Trust's, Opposition To Nona Tobin And Steve Hansen's Motion To Intervene

09/09/2016 **Reply to Opposition**
Reply to Plaintiff, JimiJack Irrevocable Trust's Opposition to Nona Tobin and Steve Hansen's Motion to Intervene

09/16/2016 **Notice of Change of Hearing**
Notice of Change of Hearing

09/23/2016 **Affidavit in Support**
Affidavit of Nona Tobin in Support of Nona Tobin and Steve Hansen's Motion to Intervene

09/29/2016 **Motion to Intervene** (9:00 AM) (Judicial Officer Kishner, Joanna S.)
Third Parties Nona Tobin and Steve Hansen's Motion to Intervene
[Parties Present](#)
[Minutes](#)
09/16/2016 Reset by Court to 09/29/2016
Result: Denied Without Prejudice

11/15/2016 **Motion to Intervene**
Motion to Intervene Into Consolidated Quiet Title Cases A-15-720032-C and Former Case A-16-730078

12/05/2016 **Opposition to Motion**
Plaintiff, JimiJack Irrevocable Trust's, Opposition To Motion To Intervene

12/12/2016 **Reply to Opposition**
Reply to Plaintiff, JimiJack Irrevocable Trust's Opposition to Motion to Intervene

12/20/2016 **Motion to Intervene** (9:00 AM) (Judicial Officer Kishner, Joanna S.)
Nona Tobin's Motion to Intervene Into Consolidated Quiet Title Cases A-15-720032-C and Former Case A-16-730078
[Parties Present](#)
[Minutes](#)
Result: Granted

01/11/2017 **Order**
Order Granting Applicant Nona Tobin's Motion to Intervene

01/12/2017 **Notice of Entry of Order**
Notice of Entry of Order Granting Applicant Nona Tobin's Motion to Intervene

01/31/2017 **Crossclaim**
Nona Tobin's Crossclaim for Quiet Title Against Sun City Anthem Community Association, Inc. (HOA)

02/01/2017 **Answer and Counterclaim**
Nona Tobin's Answer to Plaintiff's Complaint and Counterclaim

02/01/2017 **Initial Appearance Fee Disclosure**
Initial Appearance Fee Disclosure

02/01/2017 **Crossclaim**
Nona Tobin's Crossclaim Against Thomas Lucas D/B/A Opportunity Homes, LLC

02/01/2017 **Crossclaim**
Nona Tobin's Crossclaim Against Yuen K. Lee d/b/a F. Bondurant, LLC

02/05/2017 **Summons**
Summons Yuen K. Lee dba F. Bondurant

02/05/2017 **Summons**
Summons - Sun City Anthem Community Association Inc

02/06/2017 **Summons**
Summons Thomas Lucas d/b/a Opportunity Homes LLC

02/23/2017 **Motion to Dismiss**
Sun City Anthem Community Association's Motion to Dismiss Nona Tobin, an Individual and Trustee of the Gordon B. Hansen Trust's Cross-Claim

02/23/2017 **Initial Appearance Fee Disclosure**
Initial Appearance Fee Disclosure

03/03/2017 **Opposition and Countermotion**
(Withdrawn 9/19/17) Opposition to Sun City anthem Community Association's Motion to Dismiss and Counter Motion for Order Voiding the HOA Sale

03/07/2017 **Three Day Notice of Intent to Default**
Three Day Notice of Intent to Take Default

03/07/2017 **Three Day Notice of Intent to Default**
Three Day Notice of Intent to Take Default

03/07/2017 **Three Day Notice of Intent to Default**
Three Day Notice of Intent to Take Default

03/08/2017 **Motion for Summary Judgment**
Thomas Lucas's and Opportunity Homes, LLC's Motion for Summary Judgment

03/08/2017 **Disclaimer of Interest**
Disclaimer of Interest

03/13/2017 **Disclaimer of Interest**
Disclaimer Of Interest

03/13/2017 **Reply to Counterclaim**
Plaintiff's Reply To Nona Tobin's Counterclaim

03/13/2017 **Answer to Crossclaim**
Yuen K. Lee's Answer To Nona Tobin's Crossclaim

03/16/2017 **Substitution of Attorney**
Cross-Defendant Sun City Anthem Community Association's Substitution Of Counsel Pursuant To EDCR Rule 7.40 (B)(1)

03/22/2017 **Motion to Dismiss**
Cross-Defendant Sun City Anthem Community Association's Motion To Dismiss Nona Tobin's Cross-Claims

03/22/2017 **Opposition to Motion For Summary Judgment**
Opposition to Cross-Defendants, Thomas Lucas' and Opportunity Homes, LLC's, Motin for Summary Judgment

03/27/2017 **Declaration**
Declaration of Nationstar Mortgage, LLC in Support of Nationstar's Opposition to Opportunity Homes, LLC's Motion for Summary Judgment

03/27/2017 **Opposition to Motion For Summary Judgment**
Nationstar's Opposition to Opportunity Homes, LLC's Motion for Summary Judgment

03/27/2017 **Reply in Support**
Cross-Defendant Sun City Anthem Community Association's Reply in Support of its Motion to Dismiss

03/28/2017 **Motion to Dismiss** (9:30 AM) (Judicial Officer Kishner, Joanna S.)
03/28/2017, 04/27/2017, 05/25/2017
Sun City Anthem Community Association's Motion to Dismiss Nona Tobin, an Individual and Trustee of the Gordon B. Hansen Trust's Cross-Claim
[Parties Present](#)
[Minutes](#)
Result: Continued

03/28/2017 **Disclaimer of Interest**
Disclaimer of Interest

03/31/2017 **Opposition**
(Withdrawn 9/19/17) Cross-Defendant Sun City Anthem Community Association's Opposition to Nona Tobin's Countermotion to Void the Sale

04/05/2017 **Opposition to Motion to Dismiss**
Opposition to Sun City Anthem's Motion to Dismiss

04/10/2017 **Reply to Opposition**
Reply to Sun City Anthem Community Association's Opposition to Nona Tobin's Motion to Void the Sale

04/18/2017 **Reply in Support**
Sun City Anthem Community Association's Reply in Support of its Motion to Dismiss

04/19/2017 **Reply to Opposition**
Thomas Lucas and Opportunity Homes, LLC's Reply to Nona Tobin's Opposition to Motion for Summary Judgment

04/20/2017 **Reply to Opposition**
Opportunity Homes, LLC's Reply to Nationstar Mortgage, LLC's Opposition to Motion for Summary Judgment

04/27/2017 **Opposition and Countermotion** (9:30 AM) (Judicial Officer Kishner, Joanna S.)
Opposition To Sun City Anthem Community Association's Motion To Dismiss And Counter Motion For Order Voiding The HOA Sale
03/28/2017 Reset by Court to 04/06/2017
04/06/2017 Reset by Court to 04/27/2017
Result: Denied Without Prejudice

04/27/2017 **Motion for Summary Judgment** (9:30 AM) (Judicial Officer Kishner, Joanna S.)
Thomas Lucas's and Opportunity Homes, LLC's Motion for Summary Judgment
04/18/2017 Reset by Court to 04/27/2017
Result: Motion Granted

04/27/2017 **Motion to Dismiss** (9:30 AM) (Judicial Officer Kishner, Joanna S.)
Cross-Defendant Sun City Anthem Community Association's Motion To Dismiss Nona Tobin's Cross-Claims
Result: Denied Without Prejudice

04/27/2017 **All Pending Motions** (9:30 AM) (Judicial Officer Kishner, Joanna S.)
[Parties Present](#)
[Minutes](#)
Result: Matter Heard

05/23/2017 **Status Check** (9:30 AM) (Judicial Officer Kishner, Joanna S.)
05/23/2017, 05/25/2017
Status Check: Corporate Counsel (Gordon B. Hansen Trust)
[Parties Present](#)
[Minutes](#)
05/18/2017 Reset by Court to 05/23/2017
Result: Continued

05/24/2017 **Notice of Appearance**
Notice of Appearance of Counsel

05/25/2017 **All Pending Motions** (9:30 AM) (Judicial Officer Kishner, Joanna S.)
[Parties Present](#)
[Minutes](#)
Result: Matter Heard

06/21/2017 **Order Denying Motion**
Order Denying Motion for Summary Judgment

06/22/2017 **Notice of Entry of Order**
Notice of Entry of Order Denying Motion for Summary Judgment

08/09/2017 **Order**
Order Granting Thomas Lucs and Opportunity Homes, LLC's Motion for Summary Judgment

08/11/2017 **Notice of Entry**
Notice of Entry of Order Granting Thomas Lucas and Opportunity Homes, LLC's Motion for Summary Judgment

08/16/2017 **Memorandum of Costs and Disbursements**
Thomas Lucas and Opportunity Homes, LLC S Memorandum of Costs

09/15/2017 **Notice of Early Case Conference**
Notice of N.R.C.P. 16.1 Early Case Conference

09/19/2017 **Order**
Order

09/20/2017 **Notice of Entry**
Notice of Entry of Order

11/09/2017 **Notice**
Notice of Completion of Mediation Pursuant to NRS 38.310

02/09/2018 **Individual Case Conference Report**
Individual Case Conference Report

03/16/2018 **Notice to Appear for Discovery Conference**
Notice to Appear for Discovery Conference

04/10/2018 **Substitution of Attorney**
Substitution Of Counsel For Defendant In Intervension And Counterclaimant Nationstar Mortgage Llc,

04/17/2018 **Discovery Conference** (10:30 AM) (Judicial Officer Bulla, Bonnie)
Discovery Conference
[Parties Present](#)
[Minutes](#)
Result: Matter Heard

04/20/2018 **Answer to Crossclaim**
Cross-Defendant Sun City Anthem Community Association s Answer To Cross-Claims By Nona Tobin, An Individual And Trustee Of The Gordon B. Hansen Trust

05/15/2018 **Status Check** (9:30 AM) (Judicial Officer Bulla, Bonnie)
Status Check: JCCR
[Parties Present](#)
[Minutes](#)
 Result: Scheduling Order Will Issue

05/15/2018 **Joint Case Conference Report**
Joint Case Conference Report

07/10/2018 **Scheduling Order**
Scheduling Order

09/13/2018 **Order Setting Civil Non-Jury Trial and Calendar Call**
Order Setting Civil Non Jury Trial, Pre Trial Conference, Calendar Call and Status Check

11/30/2018 **Motion to Amend**
Motion to Amend Answer, Counterclaim, and Crossclaims

12/05/2018 **Notice of Appearance**
Notice of Appearance

01/10/2019 **Motion to Amend Answer** (9:00 AM) (Judicial Officer Kishner, Joanna S.)
Defendant In Intervention/Counterclaimant/Cross-Claimant's, Nona Tobin, as Trustee of the Gordon B. Hansen Trust, Motion to Amend Answer, Counterclaim and Crossclaims
[Parties Present](#)
[Minutes](#)
 Result: Motion Granted

02/04/2019 **Notice**
Notice of Issuance of Subpoena Duces Tecum to Americana, LLC dba Berkshire Hathaway Home Services Nevada Properties

02/04/2019 **Notice**
Notice of Issuance of Subpoena Duces Tecum to Red Rock Financial Services, LLC

02/04/2019 **Notice**
Notice of Issuance of Subpoena Duces Tecum to Nevada Legal News

02/05/2019 **Motion for Summary Judgment**
Cross-Defendant Sun City Anthem Community Association s Motion For Summary Judgment

02/12/2019 **Joinder**
Nationstar Mortgage LLC's Limited Joinder To Sun City Anthem Community Association's Motion For Summary Judgment

02/13/2019 **Initial Appearance Fee Disclosure**
Initial Appearance Fee Disclosure

02/20/2019 **Stipulation and Order for Dismissal Without Prejudice**
Stipulation and Order for Dismissal Without Prejudice as to Claims Against Opportunity Homes LLC and F. Bondurant LLC

02/20/2019 **Notice of Entry of Stipulation and Order**
Notice of Entry of Stipulation and Order for Dismissal Without Prejudice as to Claims Against Opportunity Homes, LLC and F. Bondurant, LLC

03/05/2019 **Motion for Summary Judgment** (4:45 PM) (Judicial Officer Kishner, Joanna S.)
03/05/2019, 03/26/2019
Cross-Defendant Sun City Anthem Community Association's Motion For Summary Judgment
[Parties Present](#)
03/12/2019 Reset by Court to 03/05/2019
 Result: Granted

03/05/2019 **Joinder** (4:45 PM) (Judicial Officer Kishner, Joanna S.)
03/05/2019, 03/26/2019
Nationstar Mortgage LLC's Limited Joinder To Sun City Anthem Community Association's Motion For Summary Judgment
[Parties Present](#)
03/12/2019 Reset by Court to 03/05/2019
 Result: Granted

03/05/2019 **Opposition to Motion For Summary Judgment**
Cross-Claimant Nona Tobin's Opposition to Cross-Defendant Sun City Anthem Community Association's Motion for Summary Judgment

03/05/2019 **All Pending Motions** (4:45 PM) (Judicial Officer Kishner, Joanna S.)
[Minutes](#)
 Result: Matter Heard

03/06/2019 **Reply in Support**
Cross-Defendant Sun City Anthem Community Association s Reply In Support Of Its Motion For Summary Judgment

03/07/2019 **Stipulation and Order**
Stipulation and Order Reforming Caption

03/07/2019 **Notice of Entry of Stipulation and Order**
Notice of Entry of Stipulation and Order Reforming Caption

03/12/2019 **Amended Notice of Entry of Order**
Amended Notice of Entry of Stipulation and Order Reforming Caption

03/18/2019 **Three Day Notice of Intent to Default**
Nationstar Mortgage Llc's Three Day Notice Of Intent To Take Default Against Jimijack Irrevocable Trust

03/21/2019 **Motion for Summary Judgment**
Nationstar Mortgage LLC's Motion for Summary Judgment (Hearing Requested)

03/22/2019 **Clerk's Notice of Hearing**
Notice of Hearing

03/25/2019 **Reply to Counterclaim**
Jimijack Irrevocable Trust's Reply To Nationstar Mortgage, LLC.'s Counterclaim

03/26/2019 **Status Check** (9:30 AM) (Judicial Officer Kishner, Joanna S.)
[Parties Present](#)
03/14/2019 Reset by Court to 03/26/2019
 Result: Matter Heard

03/26/2019 **All Pending Motions** (9:30 AM) (Judicial Officer Kishner, Joanna S.)
[Parties Present](#)
[Minutes](#)
 Result: Matter Heard

04/12/2019 **Notice of Settlement**
Notice of Settlement

04/15/2019 **Stipulation and Order**
Stipulation and Order to Extend Briefing Schedule for Nationstar Mortgage LLC's Motion for Summary Judgment and Continue Hearing

04/17/2019 **Findings of Fact, Conclusions of Law and Order**
Findings Of Fact, Conclusions Of Law And Order On Cross-Defendant Sun City Anthem Community Association s Motion For Summary Judgment

04/18/2019 **Notice of Entry**
NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON CROSS-DEFENDANT SUN CITY ANTHEM COMMUNITY ASSOCIATION S MOTION FOR SUMMARY JUDGMENT

04/19/2019 **Response**
Nationstar Mortgage LLC's Response to Nona Tobin's Opposition to Nationstar Mortgage LLC's Motion for Summary Judgment against Jimijack and Countermotion for Summary Judgment

04/22/2019 **Notice of Entry of Stipulation and Order**
Notice Of Entry Of Stipulation And Order To Extend Briefing Schedule For Nationstar Mortgage LLC s Motion For Summary Judgment Anc [sic] Continue Hearing

04/23/2019 **Opposition and Countermotion** (9:30 AM) (Judicial Officer Kishner, Joanna S.)
Tobin Opposition to Nationstar Motion for Summary Judgment Against Jimijack and Countermotion for Summary Judgment
 Result: Matter Heard

04/23/2019 **Opposition and Countermotion** (9:30 AM) (Judicial Officer Kishner, Joanna S.)
Tobin Opposition to Nationstar Motion for Summary Judgment Against Jimijack and Countermotion for Summary Judgment
 Result: Matter Heard

04/23/2019 **Notice of Withdrawal of Motion**
Notice of Withdrawal of Nationstar Mortgage LLC's Motion for Summary Judgment

04/23/2019 **All Pending Motions** (9:00 AM) (Judicial Officer Kishner, Joanna S.)
[Parties Present](#)
[Minutes](#)
 Result: Matter Heard

04/25/2019 **Pre Trial Conference** (10:15 AM) (Judicial Officer Kishner, Joanna S.)
[Parties Present](#)
[Minutes](#)
 Result: Matter Heard

04/29/2019 **Motion**
Motion for Reconsideration

04/30/2019 **Clerk's Notice of Hearing**
Notice of Hearing

04/30/2019 **Notice of Lis Pendens**
Notice of Lis Pendens

05/02/2019 **Opposition**
Cross-Defendant Sun City Anthem Community Association's Opposition ti Cross Claimant Nona Tobin's Motion for Reconsideration

05/03/2019 **Joinder**
Nationstar Mortgage Llc's Limited Joinder To Sun City Anthem Community Association's Opposition To Nona Tobin's Motion For Reconsideration

05/03/2019 **Joinder to Opposition to Motion**
Joel Stokes And Sandra F. Stokes, As Trustees Of The Jimijack Irrevocable Trust s, Joinder To Sun City Anthem Community Association s Opposition To Nona Tobin s Motion For Reconsideration

05/07/2019 **CANCELED Motion for Summary Judgment** (9:30 AM) (Judicial Officer Becker, Nancy)
*Vacated - per Judge
 NationStar Mortgage LLC's Motion for Summary Judgment
 04/23/2019 Reset by Court to 05/07/2019*

05/21/2019 **Status Check** (9:00 AM) (Judicial Officer Kishner, Joanna S.)
Status Check: Settlement Documents
[Parties Present](#)
[Minutes](#)
 Result: Matter Heard

05/23/2019 **Motion**
Motion to Substitute Real Party in Interest and to Withdraw as Counsel of Record for Counterclaimant Nona Tobin on Order Shortening Time

05/23/2019 **Reply**
Reply to Cross-Defendant Sun City Anthem Community Association s Opposition to Tobin s Motion for Reconsideration

05/24/2019 **Receipt of Copy**
Receipt of Copy - Akerman

05/24/2019 **Receipt of Copy**
Receipt of Copy - Lipson Neilson

05/24/2019 **Receipt of Copy**
Receipt of Copy - Hong

05/24/2019 **Receipt of Copy**
Receipt of Copy - Tobin

05/24/2019 **Opposition to Motion**
CROSS-DEFENDANT SUN CITY ANTHEM COMMUNITY ASSOCIATION S OPPOSITION TO MOTION TO SUBSTITUTE REAL PARTY IN INTEREST AND TO WITHDRAW AS COUNSEL OF RECORD FOR COUNTERCLAIMANT NONA TOBIN ON ORDER SHORTENING TIME

05/24/2019 **Supplement**
Supplement to Motion to Substitute Real Party in Interest and to Withdraw as Counsel of Record for Counterclaimant Nona Tobin

05/24/2019 **Opposition to Motion**
Joel A. Stokes And Sandra F. Stokes, As Trustees Of The Jimijack Irrevocable Trust s, Opposition To Motion To Substitute Real Party In Interest And To Withdraw As Counsel Of Record For Counterclaimant Nona Tobin On Order Shortening Time

05/29/2019 **Motion For Reconsideration** (8:30 AM) (Judicial Officer Kishner, Joanna S.)
Cross-Claimant Nona Tobin's Motion For Reconsideration
05/30/2019 *Reset by Court to 05/29/2019*
Result: Denied

05/29/2019 **Motion for Substitution** (8:30 AM) (Judicial Officer Kishner, Joanna S.)
Motion To Substitute Real Party In Interest And To Withdraw As Counsel Of Record For Counterclaimant Nona Tobin On Order Shortening Time
Result: Off Calendar

05/29/2019 **All Pending Motions** (8:30 AM) (Judicial Officer Kishner, Joanna S.)
All Pending Motions (5/29/2019)
Parties Present
Minutes
Result: Matter Heard

05/31/2019 **Order Denying**
Order Denying Motion for Reconsideration

05/31/2019 **Notice of Entry**
Notice of Entry of Order Denying Motion for Reconsideration

05/31/2019 **Stipulation and Order for Dismissal With Prejudice**
(A720032, A730078) Stipulation and Order for the Dismissal of Nationstar Mortgage LLC's Claims Against Jimijack Irrevocable Trust with Prejudice

05/31/2019 **Notice of Entry of Stipulation & Order for Dismissal**
Notice of Entry of Stipulation and Order for the Dismissal of Nationstar Mortgage LLC's Claims Against Jimijack Irrevocable Trust with Prejudice

06/03/2019 **Calendar Call** (8:45 AM) (Judicial Officer Kishner, Joanna S.)
Parties Present
Minutes
05/21/2019 *Reset by Court to 05/23/2019*
05/23/2019 *Reset by Court to 06/03/2019*
Result: Matter Heard

06/03/2019 **Pre-trial Memorandum**
Counterclaimant, Nona Tobin's Pretrial Memorandum

06/03/2019 **Finding of Fact and Conclusions of Law**
(UNSIGNED BY JUDGE) Counterclaimant, Nona Tobin's [Proposed] Findings of Fact and Conclusions of Law

06/05/2019 **Bench Trial** (8:30 AM) (Judicial Officer Kishner, Joanna S.)
06/05/2019, 06/06/2019
Parties Present
Minutes
05/28/2019 *Reset by Court to 06/05/2019*
Result: Trial Continues

06/05/2019 **Findings of Fact, Conclusions of Law and Judgment**
Counterdefendants, Joel A. Stokes And Sandra F. Stokes, As Trustees Of The Jimijack Irrevocable Trust And Yuen K. Lee, An Individual, D/B/A Manager, F. Bondurant, LLC. s Proposed Findings Of Facts, Conclusions Of Law And Judgment

06/17/2019 **Motion to Withdraw As Counsel**
Motion to Withdraw as Counsel of Record for Nona Tobin, an Individual on Order Shortening Time

06/17/2019 **Motion to Intervene**
TOBIN MOTION TO INTERVENE AS AN INDIVIDUAL PER RULE 24

06/20/2019 **Proof of Service**
Proof of Service Re: Nona Tobin, An Individual

06/21/2019 **Decision** (3:00 AM) (Judicial Officer Kishner, Joanna S.)
Minutes
Result: Minute Order - No Hearing Held

06/21/2019 **Declaration**
Nona Tobin Declarations in support of MINV as an individual

06/24/2019 **Order**
Order on Findings of Fact, Conclusions of Law, and Judgment

06/24/2019 **Notice of Entry of Findings of Fact, Conclusions of Law**
Notice Of Entry Of Findings Of Facts, Conclusions Of Law And Judgment

06/28/2019 **Opposition to Motion**
Counterdefendants Opposition To Nona Tobin s Motion To Intervene Consolidated Cases A-15-720032-C And A-16-730078 Per Rule 24

07/01/2019 **Reply in Support**
NONA TOBIN REPLY IN SUPPORT OF MUSHKIN WITHDRAWAL AS COUNSEL OF RECORD

07/02/2019 **Reply**
NONA TOBIN REPLY TO OPPOSITION TO MOTION TO INTERVENE

07/08/2019 **Transcript of Proceedings**
Recorder's Transcript of Hearing: All Pending Motions April 27, 2017

07/08/2019 **Transcript of Proceedings**
Recorder's Transcript of Hearing: All Pending Motions April 23, 2019

07/09/2019 **Motion to Withdraw as Counsel** (9:00 AM) (Judicial Officer Barker, David)
Motion To Withdraw As Counsel
Parties Present
Minutes
Result: Granted

07/16/2019 **Order to Statistically Close Case**
Civil Order to Statistically Close Case

07/16/2019 **Transcript of Proceedings**
Transcript: All Pending Motions 5/25/17

07/16/2019 **Transcript of Proceedings**
Transcript: All Pending Motions 1/10/19

07/16/2019 **Transcript of Proceedings**
Transcript: All Pending Motions 3/26/19

07/16/2019 **Transcript of Proceedings**
Transcript: Pretrial Conference 4/25/19

07/16/2019 **Transcript of Proceedings**
Transcript: Status Check - Settlement Documents 5/21/19

07/16/2019 **Transcript of Proceedings**
Transcript: All Pending Motions 5/29/19

07/16/2019 **Transcript of Proceedings**
Transcript: Calendar Call 6/3/19

07/16/2019 **Transcript of Proceedings**
Transcript: Bench Trial - Day 1 - 6/5/19

07/19/2019 **Transcript of Proceedings**
Amended Transcript of Proceedings of Pretrial Conference to Correct Attorney Name Only 4/25/19

07/23/2019 **Notice of Hearing**
Notice of Hearing

07/23/2019 **Notice of Appeal**
Notice of Appeal

07/23/2019 **Case Appeal Statement**
Case Appeal Statement

07/23/2019 **Notice of Appearance**
Notice of Appearance

07/24/2019 **Case Appeal Statement**
NONA TOBIN'S INDIVIDUAL CASE APPEAL STATEMENT

07/24/2019 **Notice of Appeal**
NONA TOBIN'S INDIVIDUAL NOTICE OF APPEAL

07/25/2019 **Case Appeal Statement**
Case Appeal Statement

07/26/2019 **Amended Case Appeal Statement**
NONA TOBIN'S SIGNED CASE APPEAL STATEMENT

07/26/2019 **Notice**
Notice of Nona Tobin/Gordon B. Hansen Trust Dated 8/22/08 Completion of Mediation Pursuant to NRS 38.310

07/30/2019 **Clerk's Notice of Hearing**
Notice of Hearing

08/06/2019 **Notice of Posting of Cost Bond**
Notice of Posting Cost Bond on Appeal

08/07/2019 **Response**
Counterdefendants Response To Nona Tobin s Motion For A New Trial Per Rule 54(B) And Rule 59(1)(A)(B) (C) (F) And Motion To Dismiss Pursuant To NRS 38.310(2) And Countermotion To Strike From The Record The Rogue Motions And For Attorney s Fees And Costs Pursuant To E.D.C.R. Rule 7.60(b)(1) And/Or (3)

08/07/2019 **Notice of Lis Pendens**
Notice of Lis Pendens

08/08/2019 **Motion for Attorney Fees and Costs**
Counter-Defendant Sun City Anthem Community Association's Motion for Attorneys' Fees and Costs Against the Gordon B. Hansen Trust

08/08/2019 **Joinder**
Sun City Anthem Community Association's Joinder to: Counterdefendants Response to Nona Tobin's Motion for a New Trial per Rule 54(B) and Rule 59 (1)((A)(B)(C)(F) and Motion to Dismiss Pursuant to NRS 38.310(2) and Countermotion to Strike from the Record the Rogue Motions and Sun City Anthem Community Associations Countermotion to Strike Notice of Lis Pendens with Attached Complaint, for a Vexatious Litigant Order, and for Attorneys' Fees Pursuant to NRS 18.010 and EDCR 7.60

08/09/2019 **Clerk's Notice of Hearing**
Notice of Hearing

08/13/2019 **Joinder**
Counterdefendants Joinder To Sun City Anthem Community Association s Countermotion To Strike Notice Of Lis Pendens With Attached Complaint

08/14/2019 **Notice**
Notice of Transcripts Requested For Appeal

08/14/2019 **Notice of Posting of Cost Bond**
Notice of Posting of Cost Bond

08/14/2019 **Notice of Lis Pendens**
Notice of Lis Pendens

08/19/2019 **Opposition**
Opposition to Counterdefendant Sun City Anthem Community Association's Motion for Attorney's Fees and Costs Against the Gordon B. Hansen Trust

08/22/2019 **Reply in Support**
Counter-Defendant Sun City Anthem Community Association's Reply in Support of its Motion for Attorney's Fees and Costs Against the Gordon B. Hansen Trust

08/26/2019 **Recorders Transcript of Hearing**
Recorder's Transcript of Hearing All Pending Motions 9/29/16

08/26/2019 **Recorders Transcript of Hearing**
Amended Transcript to correct title of motion: Third Parties Nona Tobin and Steve Hansen's Motion to Intervene 9/29/16

08/26/2019 **Recorders Transcript of Hearing**
Recorder's Transcript of Hearing Nona Tobin's Motion to Intervene Into Consolidated Quiet Title Cases A-15-720032-C and Former Case A-16-730078 12/20/16

08/26/2019 **Recorders Transcript of Hearing**
Transcript: Sun City Anthem Community Association's Motion to Dismiss Nona Tobin, an Individual and Trustee of the Gordon B. Hansen Trust's Cross-Claim 3/28/17

08/26/2019 **Recorders Transcript of Hearing**
Recorder's Transcript of Hearing: Status Check Tuesday, May 23, 2017

08/26/2019 **Recorders Transcript of Hearing**
Transcript: Bench Trial Day 2 - 6/6/19

08/26/2019 **Findings of Fact, Conclusions of Law and Order**
Nona Tobin's Proposed Findings of Fact, Conclusions of Law, and Order of Dismissal Pursuant to NRS 38.310(2)

09/03/2019 **Motion for New Trial (9:30 AM)** (Judicial Officer Kishner, Joanna S.)
Nona Tobin's Motions for a New Trial Per Rule 54 (B) and Rule 59 (1)(A)(B)(C)(F)
08/27/2019 Reset by Court to 09/03/2019
Result: Stricken

09/03/2019	Motion to Dismiss (9:30 AM) (Judicial Officer Kishner, Joanna S.) <i>Tobin Motion to Dismiss Pursuant to NRS 38.310(2)</i> Result: Stricken
09/03/2019	Response and Countermotion (9:30 AM) (Judicial Officer Kishner, Joanna S.) <i>Counter-Defendants' Response To Nona Tobin's Motion For A New Trial Per Rule 54(B) And Rule 59(1)(A)(B) (C) (F) And Motion To Dismiss Pursuant To NRS 38.310(2) And Countermotion To Strike From The Record The Rogue Motions And For Attorney's Fees And Costs Pursuant To E.D.C.R. Rule 7.60(b)(1) And/Or (3)</i> Result: Granted in Part
09/03/2019	Joinder (9:30 AM) (Judicial Officer Kishner, Joanna S.) <i>Sun City Anthem Community Association's Joinder to: Counterdefendants Response to Nona Tobin's Motion for a New Trial per Rule 54(B) and Rule 59 (1)((A)(B)(C)(F) and Motion to Dismiss Pursuant to NRS 38.310(2) and Countermotion to Strike from the Record the Rogue Motions and Sun City Anthem Community Associations Countermotion to Strike Notice of Lis Pendens with Attached Complaint, for a Vexatious Litigant Order, and for Attorneys' Fees Pursuant to NRS 18.010 and EDCR 7.60</i> Result: Granted in Part
09/03/2019	Joinder (9:30 AM) (Judicial Officer Kishner, Joanna S.) <i>Counterdefendants' Joinder to Sun City Anthem Community Association's Countermotion to Strike Notice of Lis Pendens With Attached Complaint</i> Result: Granted
09/03/2019	All Pending Motions (9:30 AM) (Judicial Officer Kishner, Joanna S.) <i>All Pending Motions (9/03/2019)</i> Parties Present Minutes Result: Matter Heard
09/05/2019	Recorders Transcript of Hearing <i>Transcript: Pending Motions 9/3/19</i>
09/10/2019	Motion for Attorney Fees and Costs (10:00 AM) (Judicial Officer Kishner, Joanna S.) <i>Counter-Defendant Sun City Anthem Community Association's Motion for Attorneys' Fees and Costs Against the Gordon B. Hansen Trust 09/10/2019 Reset by Court to 09/10/2019</i> Result: Denied
09/10/2019	Opposition and Countermotion (10:00 AM) (Judicial Officer Kishner, Joanna S.) <i>Opposition to Sun City Anthem's Motions and to Strike Lis Pendens and for A Vexatious Litigant Order and Two Motions for Attorney Fees and Countermotion for an Order to Show Cause Why Sanctions Should not be Imposed</i> Result: Stricken
09/10/2019	All Pending Motions (10:00 AM) (Judicial Officer Kishner, Joanna S.) <i>All Pending Motions (9/10/2019)</i> Parties Present Minutes Result: Matter Heard
09/24/2019	Order Denying Motion <i>Order Denying Sun City Anthem Community Association's Motion for Attorney's Fees and Costs Against the Gordon B. Hansen Trust</i>
09/24/2019	Amended Notice of Entry of Order <i>Notice of Entry of Order Denying sun City Anthem Community Association s Motion For Attorney s Fees And Cost Against The Gordon B. Hansen Trust</i>
11/22/2019	Findings of Fact, Conclusions of Law and Order <i>Findings of Fact, Conclusions of Law and Order</i>
11/22/2019	Notice of Entry of Order <i>Notice of Entry of Order of Findings of Fact, Conclusions of Law and Order</i>
12/19/2019	Notice of Appeal <i>Notice of Appeal</i>
12/20/2019	Notice of Appeal <i>Notice of Appeal</i>
12/30/2019	Case Appeal Statement <i>Case Appeal Statement</i>
01/06/2020	Case Appeal Statement <i>Case Appeal Statement</i>

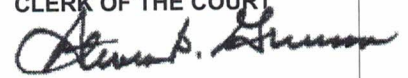
FINANCIAL INFORMATION

Counter Claimant Gordon B. Hansen Trust Dated 8/22/08				24.00
Total Financial Assessment				24.00
Total Payments and Credits				0.00
Balance Due as of 03/03/2020				
12/20/2019	Transaction Assessment		Gordon B. Hansen Trust Dated 8/22/08	24.00
12/20/2019	Efile Payment	Receipt # 2019-76264-CCCLK		(24.00)
Counter Claimant Nationstar Mortgage, LLC				623.00
Total Financial Assessment				623.00
Total Payments and Credits				0.00
Balance Due as of 03/03/2020				
04/13/2016	Transaction Assessment		Nationstar Mortgage, LLC	223.00
04/13/2016	Efile Payment	Receipt # 2016-36130-CCCLK		(223.00)
02/13/2019	Transaction Assessment		Nationstar Mortgage, LLC	200.00
02/13/2019	Efile Payment	Receipt # 2019-09744-CCCLK		(200.00)
03/21/2019	Transaction Assessment		Nationstar Mortgage, LLC	200.00
03/21/2019	Efile Payment	Receipt # 2019-17897-CCCLK		(200.00)

Counter Claimant Tobin, Nona				495.00
Total Financial Assessment				295.00
Total Payments and Credits				200.00
Balance Due as of 03/03/2020				
02/01/2017	Transaction Assessment			223.00
02/01/2017	Efile Payment	Receipt # 2017-10421-CCCLK	Tobin, Nona	(223.00)
04/10/2019	Transaction Assessment			200.00
07/23/2019	Transaction Assessment			24.00
07/23/2019	Efile Payment	Receipt # 2019-44889-CCCLK	Nona Tobin, as Trustee of the Gordon B. Hansen Trust	(24.00)
07/24/2019	Transaction Assessment			24.00
07/24/2019	Efile Payment	Receipt # 2019-45267-CCCLK	Nona Tobin, as Trustee of the Gordon B. Hansen Trust	(24.00)
12/19/2019	Transaction Assessment			24.00
12/19/2019	Efile Payment	Receipt # 2019-76059-CCCLK	Tobin, Nona	(24.00)
Counter Defendant F. Bondurant LLC				223.00
Total Financial Assessment				223.00
Total Payments and Credits				0.00
Balance Due as of 03/03/2020				
03/14/2017	Transaction Assessment			223.00
03/14/2017	Efile Payment	Receipt # 2017-24401-CCCLK	F. Bondurant LLC	(223.00)
Counter Defendant JimiJack Irrevocable Trust				281.50
Total Financial Assessment				281.50
Total Payments and Credits				0.00
Balance Due as of 03/03/2020				
06/16/2015	Transaction Assessment			270.00
06/16/2015	Efile Payment	Receipt # 2015-63177-CCCLK	JimiJack Irrevocable Trust	(270.00)
07/15/2016	Transaction Assessment			2.00
07/15/2016	Payment (Window)	Receipt # 2016-67788-CCCLK	Kristen E Madden	(2.00)
06/03/2019	Transaction Assessment			4.50
06/03/2019	Payment (Window)	Receipt # 2019-33478-CCCLK	Nona Tobin	(4.50)
07/12/2019	Transaction Assessment			5.00
07/12/2019	Payment (Window)	Receipt # 2019-42597-CCCLK	Now Services Inc	(5.00)
Counter Defendant Oppurtunity Homes LLC				200.00
Total Financial Assessment				200.00
Total Payments and Credits				0.00
Balance Due as of 03/03/2020				
03/08/2017	Transaction Assessment			200.00
03/08/2017	Efile Payment	Receipt # 2017-22640-CCCLK	Oppurtunity Homes LLC	(200.00)
Counter Defendant Stokes, Joel A				200.00
Total Financial Assessment				200.00
Total Payments and Credits				0.00
Balance Due as of 03/03/2020				
07/06/2016	Transaction Assessment			200.00
07/06/2016	Efile Payment	Receipt # 2016-64601-CCCLK	Stokes, Joel A	(200.00)
Cross Defendant Lee, Yuen K.				30.00
Total Financial Assessment				30.00
Total Payments and Credits				0.00
Balance Due as of 03/03/2020				
03/14/2017	Transaction Assessment			30.00
03/14/2017	Efile Payment	Receipt # 2017-24402-CCCLK	Lee, Yuen K.	(30.00)
Cross Defendant Sun City Anthem Community Association Inc				423.00
Total Financial Assessment				423.00
Total Payments and Credits				0.00
Balance Due as of 03/03/2020				
02/23/2017	Transaction Assessment			223.00
02/23/2017	Efile Payment	Receipt # 2017-18239-CCCLK	Sun City Anthem Community Association Inc	(223.00)
02/06/2019	Transaction Assessment			200.00
02/06/2019	Efile Payment	Receipt # 2019-07861-CCCLK	Sun City Anthem Community Association Inc	(200.00)

|

EXHIBIT “2”



LIPSON NEILSON P.C.
KALEB D. ANDERSON, ESQ.
Nevada Bar No. 7582
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Attorneys for Cross-Defendant
Sun City Anthem Community Association

DISTRICT COURT

CLARK COUNTY, NEVADA

JOEL STOKES and SANDRA F.
STOKES, as trustees of the JIMI JACK
IRREVOCABLE TRUST,

Plaintiff,

vs.

BANK OF AMERICA, N.A.; SUN CITY
ANTHEM COMMUNITY ASSOCIATION,
INC.; DOES I through X and ROE
BUSINESSENTITIES I through X,
inclusive,

Defendants.

NATIONSTAR MORTGAGE, LLC

Counter-Claimant,

vs.

JIMI JACK IRREVOCABLE TRUST;
OPPORTUNITY HOMES, LLC, a Nevada
limited liability company; F. BONDURANT,
LLC, a Nevada limited liability company;
DOES I through X, inclusive; and ROE
CORPORATIONS XI through XX,
inclusive,

Counter-Defendants.

NONA TOBIN, an individual, and Trustee
of the GORDON B. HANSEN TRUST.

CASE NO.: A-15-720032-C

Dept. XXXI

**NOTICE OF ENTRY OF FINDINGS OF
FACT, CONCLUSIONS OF LAW AND
ORDER**

Lipson Neilson P.C.
9900 Covington Cross Drive, Suite 120
Las Vegas, Nevada 89144
(702) 382-1500 FAX: (702) 382-1512

1 Dated 8/22/08

2 Counter-Claimant,

3 vs.

4 JOEL A. STOKES and SANDRA F.
5 STOKES, as trustees of the JIMI JACK
6 IRREVOCABLE TRUST,

6 Counter-Defendants.

7 NONA TOBIN, an individual, and Trustee
8 of the GORDON B. HANSEN TRUST.
Dated 8/22/08

9 Cross-Claimant,

10 vs.

11 SUN CITY ANTHEM COMMUNITY
12 ASSOCIATION, INC., DOES 1-10, AND
ROE CORPORATIONS 1-10, inclusive,

13 Counter-Defendants.

14 NONA TOBIN, an individual, and Trustee
15 of the GORDON B. HANSEN TRUST.
Dated 8/22/08

16 Cross-Claimant,

17 vs.

18 OPPORTUNITY HOMES, LLC, THOMAS
19 LUCAS, Manager,

20 Counter-Defendant.

21 NONA TOBIN, an individual, and Trustee
22 of the GORDON B. HANSEN TRUST.
Dated 8/22/08

23 Cross-Claimant,

24 vs.

25 YUEN K. LEE, an Individual, d/b/a
26 Manager, F. BONDURANT, LLC,

27 Counter-Defendant.

NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

Please take notice that the Findings of Fact, Conclusions of Law and Order was filed with this court on the 22nd day of November, 2019, a copy of which is hereto attached as Exhibit "A".

Dated this 22nd day of November, 2019.

LIPSON NEILSON P.C.

/s/ DAVID OCHOA

By:

KALEB ANDERSON, ESQ. (NV Bar No. 7582)
DAVID T. OCHOA, ESQ. (NV Bar No. 10414)
9900 Covington Cross Drive, Suite 120
Las Vegas, Nevada 89144
Attorneys for Defendant SUN CITY ANTHEM
COMMUNITY ASSOCIATION

CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of November, 2019, service of the foregoing
NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER
to the Clerk's Office using the Odyssey E-File & Serve System for filing and transmittal
to the following Odyssey E-File & Serve registrants:

Melanie D Morgan, Esq.
Donna Wittig, Esq.
AKERMAN LLP
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Attorneys for Defendants

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Steven B. Scow
KOCH & SCOW LLC
11500 S. Eastern Ave. Suite 210
Henderson, NV 89052

*Attorneys for Cross-Defendant Red Rock
Financial Services, LLC*

Joseph Y. Hong, Esq.
HONG & HONG
1980 Festival Plaza Dr., Suite 650
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Attorneys for Plaintiff

Joe Coppedge, Esq.
Michael R. Mushkin & Associates, P.C.
4475 S. Pecos Road
Las Vegas, NV 89121

*Attorney for Nona Tobin an individual and
Trustee of the Gordon B. Hansen Trust,
dated 8/22/25*

/s/ Juan Cerezo

An Employee of LIPSON NEILSON P.C.

EXHIBIT “A”

Steven D. Grierson

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Sun City Anthem Community Association

DISTRICT COURT

CLARK COUNTY, NEVADA

JOEL STOKES and SANDRA F.
STOKES, as trustees of the JIMI JACK
IRREVOCABLE TRUST,

Plaintiffs,

vs.

BANK OF AMERICA, N.A.,

Defendant.

NATIONSTAR MORTGAGE, LLC

Counter-Claimant,

vs.

JIMI JACK IRREVOCABLE TRUST,

Counter-Defendant.

NONA TOBIN, Trustee of the GORDON
B. HANSEN TRUST. Dated 8/22/08

Counter-Claimant,

vs.

JOEL A. STOKES and SANDRA F.
STOKES, as trustees of the JIMI JACK
IRREVOCABLE TRUST, SUN CITY
ANTHEM COMMUNITY ASSOCIATION.

CASE NO.: A-15-720032-C

Dept. XXXI

**FINDINGS OF FACT, CONCLUSIONS
OF LAW AND ORDER**

Lipson, Neilson P.C.
9900 Covington Cross Drive, Suite 120
Las Vegas, Nevada 89144
(702) 382-1500 FAX: (702) 382-1512

INC., YUEN K. LEE, an Individual, d/b/a/
Manager, F. BONDURANT, LLC, and
DOES 1-10, and ROE CORPORATIONS
1-10, inclusive,

Counter-Defendants,

On September 3, 2019, the Court heard and considered the following Motions:

(1) Nona Tobin's Motion for a New Trial Per Rule 54(B) and RULE 59(1)(A)(B)(C)(F) ("Motion for New Trial");

(2) Nona Tobin's Motion to Dismiss Pursuant to NRS 38.310(2) ("Motion to Dismiss");

(3) Counterdefendants' Response to Nona Tobin's Motion for New Trial and Motion to Dismiss and Countermotion to Strike from the Record the Rogue Motions and for Attorney's Fees and Costs Pursuant to EDCR Rule 7.6(b)(1) and/or (3);

(4) Sun City Anthem Community Association's Joinder to Counterdefendants' Response and Sun City Anthem Community Association's Countermotion to Strike Notice of Lis Pendens, for a Vexatious Litigant Order, and for Attorney's Fees Pursuant to NRS 18.010 and EDCR 7.6.

Non Party Nona Tobin appeared on her own behalf; Joseph Hong, Esq. appeared for Counterdefendants Joel A Stokes and Sandra F. Stokes, as Trustees of the Jimijack Irrevocable Trust, Yuen K Lee and F. Dondurant, LLC; Kaleb Anderson, Esq. appeared for Sun City Anthem Community Association; and Donna Wittig, Esq. appeared for Nationstar Mortgage, LLC.

Being fully briefed, and the Court having considered the Motions, Oppositions, and Replies, and being fully advised in the premises, finds as follows:

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FINDINGS OF FACT

1. Nona Tobin, an individual, is not, and has never been, a party to this case.
2. Nona Tobin's involvement in this case is limited to her role as trustee of the GORDON B. HANSEN TRUST Dated 8/22/08.
3. Nona Tobin, as Trustee of the GORDON B. HANSEN TRUST Dated 8/22/08 is represented in this matter by Joe Coppedge Esq.
4. Despite pronouncements from this Court regarding Nona Tobin's status as a non-party in this matter, all parties to the case have perpetuated confusion as to Nona Tobin's status as a party by continuing to make reference to Nona Tobin, as an individual, as a party to the case.
5. Although this Court orally granted a Motion to Withdraw by Attorney Coppedge, no final Order was filed. Pursuant to *Division of Child and Family Services, Dept. of Human Resources, State of Nevada v. Eighth Judicial District Court ex rel. County of Clark*, 120 Nev. 445, 92 P.3d 1239 (2004), the oral pronouncement of the Court is ineffectual without a written, signed, and filed order.
6. On July 23, 2019, Nona Tobin, as Trustee of the GORDON B. HANSEN TRUST Dated 8/22/08 filed a Notice of Appeal.
7. On July 22, 2019, Nona Tobin, as an individual, filed a Motion for a New Trial Per Rule 54(B) and RULE 59(1)(A)(B)(C)(F).
8. On July 29, 2019, Nona Tobin, as an individual, filed a Motion to Dismiss Pursuant to NRS 38.310(2).
9. On August 7, 2019, Nona Tobin, as an individual, filed a Notice of Lis Pendens.

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CONCLUSIONS OF LAW

1. Because she is not now, nor has she ever been, as party to this case, Nona Tobin is not authorized to file anything with this court in her individual capacity.
2. The only way Nona Tobin is involved in this matter is in her capacity as Trustee of the GORDON B. HANSEN TRUST Dated 8/22/08. In this capacity, she is represented by attorney Joe Coppedge, Esq..
3. Because she is not a party to the case, all documents filed with this Court by Nona Tobin as an individual, are rogue documents and are stricken from the record. This includes both the Motion to Dismiss and Motion for New Trial (and all oppositions or replies) and the Notice of Lis Pendens.
4. In addition to being stricken as rogue documents, the Motion to Dismiss and Motion for a New Trial denied under NRCP 62.1, as there is no ^{basis for} relief possible given the pending appeal *and the lack of authority provided.*
5. Counterdefendants have requested attorney's fees from Nona Tobin as part of their response to the Motion to Dismiss and Motion for a New Trial. Because ^{inter alia} the Court has no jurisdiction over Nona Tobin as an individual, ^{the} this Court has no jurisdiction over her. *See provided basis upon which fees could be assessed by her.*
6. Further, all parties to the case have contributed to the confusion regarding Nona Tobin's (as an individual) status in the case, so this Court finds no basis for an award of attorney's fees.

ORDER

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that non-party Nona Tobin's Motion for a New Trial Per Rule 54(B) and RULE 59(1)(A)(B)(C)(F) is stricken from the Record as a rogue document.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that non-party Nona Tobin's Motion to Dismiss Pursuant to NRS 38.310(2) is stricken from the Record as a rogue document.

1
2 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Motion to
3 expunge the lis pendens is GRANTED.

4 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Counter
5 defendants' Requests for Attorney's fees are denied without prejudice.

6 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
7 Counterdefendant Sun City Anthem Community Association's Counter Motion to have
8 Nona Tobin deemed a vexation litigant is denied *without prejudice.*

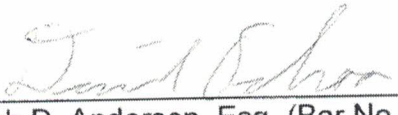
9 Dated this 20 day of ~~October~~ *November*, 2019.

10  JOANNA S. KISHNER

11
12 HONORABLE JOANNA KISHNER

13
14 Submitted by:

15 LIPSON NEILSON, P.C.

16
17 By: 
18 Kaleb D. Anderson, Esq. (Bar No. 7582)
19 David T. Ochoa, Esq. (Bar No. 10414)
20 9900 Covington Cross Drive, Suite 120
21 Las Vegas, Nevada 89144

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23
24
25
26
27
28
Attorneys for Cross-Defendant
Sun City Anthem Community Association

1 Approved as to form and content

2 Dated this ____ day of October, 2019

3 **AKERMAN, LLP**

4
5 By: Signature waived
6 Melanie D. Morgan, Esq. (Bar No. 8215)
7 1635 Village Center Circle Ste. 200
8 Las Vegas, NV 89134

9 *Attorneys for Defendants*

Dated this 29th day of October, 2019

HONG & HONG

By: s/ Joseph Hong
Joseph Y. Hong, Esq. (Bar No: 5995)
1980 Festival Plaza Dr., Suite 650
Las Vegas, NV 89135

*Attorney for Plaintiff/Counterdefendant
Jimijack Irrevocable Trust*

10 Dated this ____ day of October, 2019

11 **MUSHKIN CICA COPPEDGE**

12
13 By: Declined to sign
14 Joe Coppedge, Esq. (Bar No. 4954)
15 4495 S. Pecos Rd.
16 Las Vegas, NV 89121

17 *Attorney for Nona Tobin*