NOAS
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Attorneys for Defendants
TRUDI LEE LYTLE AND JOHN ALLEN LYTLE, AS TRUSTEES OF THE LYTLE TRUST

DISTRICT COURT

CLARK COUNTY, NEVADA

MARJORIE B. BOULDEN, TRUSTEE OF THE MARJORIE B. BOULDEN TRUST, LINDA LAMOTHE AND JACQUES LAMOTHE, TRUSTEES OF THE JACQUES & LINDA LAMOTHE LIVING TRUST

Plaintiff,

v.

TRUDI LEE LYTLE, JOHN ALLEN LYTLE, THE LYTLE TRUST, DOES I through X, inclusive, and ROE CORPORATIONS I through X,

Defendants.

Case No.: A-16-747800-C
Dept.: XVIII

NOTICE OF APPEAL

SEPTEMBER TRUST, DATED MARCH 23, 1972; GERRY R. ZOBRIST AND JOLIN G. ZOBRIST, AS TRUSTEES OF THE GERRY R. ZOBRIST AND JOLIN G. ZOBRIST FAMILY TRUST; RAYNALDO G. SANDOVAL AND JULIE MARIE SANDOVAL GEGEN, AS TRUSTEES OF THE RAYNALDO G. AND EVELYN A. SANDOVAL JOINT LIVING AND DEVOLUTION TRUST DATED MAY 27, 1992; and DENNIS A. GEGEN AND JULIE S. GEGEN, HUSBAND AND WIFE, AS JOINT TENANTS,

Plaintiff,

v.

Case No.: A-17-765372-C
Dept.: XVIII

TRUDI LEE LYTLE AND JOHN ALLEN LYTLE, AS TRUSTEES OF THE LYTLE TRUST; JOHN DOES I through V, inclusive, ROE ENTITIES I through V, inclusive,

Defendants.

NOTICE IS HEREBY GIVEN that Defendants TRUDI LEE LYTLE AND JOHN ALLEN LYTLE, AS TRUSTEES OF THE LYTLE TRUST (hereinafter the "Lytle" or "Defendants") hereby appeals to the Supreme Court of Nevada from the District Court's, Clark County, Nevada Order Granting Plaintiffs MARJORIE B. BOULDEN, TRUSTEE OF THE MARJORIE B. BOULDEN TRUST, LINDA LAMOTHE AND JACQUES LAMOTHE, TRUSTEES OF THE JACQUES & LINDA LAMOTHE LIVING TRUST Motion for Attorney's Fees and Costs and Order Denying Defendants' Motion to Retax and Settle Costs, entered on September 20, 2019, in Case No. A-16-747800-C.

DATED: October 4, 2019

GIBBS GIDEN LOCHER TURNER SENET & WITTBRODT LLP

By: _____

Richard E. Haskin, Esq.
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Attorneys for Defendants
TRUDI LEE LYTLE AND JOHN ALLEN LYTLE, AS TRUSTEES OF THE LYTLE TRUST

CERTIFICATE OF MAILING

The undersigned, an employee of the law firm of GIBBS GIDEN LOCHER TURNER SENET & WITTBRODT LLP, hereby certifies that on October 4, 2019, she served a copy of the foregoing **NOTICE OF APPEAL** by electronic service through the Regional Justice Center for Clark County, Nevada's ECF System:

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Attorneys for Defendants
TRUDI LEE LYTLE AND JOHN ALLEN LYTLE, AS TRUSTEES OF THE LYTLE TRUST

DISTRICT COURT

CLARK COUNTY, NEVADA

MARJORIE B. BOULDEN, TRUSTEE OF THE MARJORIE B. BOULDEN TRUST, LINDA LAMOTHE AND JACQUES LAMOTHE, TRUSTEES OF THE JACQUES & LINDA LAMOTHE LIVING TRUST

Plaintiff,

v.

TRUDI LEE LYTLE, JOHN ALLEN LYTLE, THE LYTLE TRUST, DOES I through X, inclusive, and ROE CORPORATIONS I through X,

Defendants.

Case No.: A-16-747800-C
Dept.: XVIII

CASE APPEAL STATEMENT

SEPTEMBER TRUST, DATED MARCH 23, 1972; GERRY R. ZOBRIST AND JOLIN G. ZOBRIST, AS TRUSTEES OF THE GERRY R. ZOBRIST AND JOLIN G. ZOBRIST FAMILY TRUST; RAYNALDO G. SANDOVAL AND JULIE MARIE SANDOVAL GEGEN, AS TRUSTEES OF THE RAYNALDO G. AND EVELYN A. SANDOVAL JOINT LIVING AND DEVOLUTION TRUST DATED MAY 27, 1992; and DENNIS A. GEGEN AND JULIE S. GEGEN, HUSBAND AND WIFE, AS JOINT TENANTS,

Plaintiff,

v.

Case No.: A-17-765372-C
Dept.: XVIII

TRUDI LEE LYTLE AND JOHN ALLEN LYTLE, AS TRUSTEES OF THE LYTLE TRUST; JOHN DOES I through V, inclusive, ROE ENTITIES I through V, inclusive,

Defendants.

CASE APPEAL STATEMENT

1. Name of appellant filing this appeal statement:

Trudi Lee Lytle, John Allen Lytle, as Trustees of the Lytle Trust (collectively, the "Lytles")

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

The Honorable Timothy C. Williams

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

Appellants: Trudi Lee Lytle, John Allen Lytle, Trustee of the Lytle Trust

Counsel for Appellant:

Richard E. Haskin, Esq.
GIBBS, GIDEN, LOCHER, TURNER, SENET & WITTBIRDT, LLP
1140 N. Town Center Drive, Suite 300
Las Vegas, Nevada 89144
(702) 836-9800

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

Respondents: MARJORIE B. BOULDEN, TRUSTEE OF THE MARJORIE B. BOULDEN TRUST, LINDA LAMOTHE AND JACQUES LAMOTHE, TRUSTEES OF THE JACQUES & LINDA LAMOTHE LIVING TRUST

Counsel for Respondents:

Daniel T. Foley
Foley & Oakes, PC
1210 So. Valley View Blvd., Suite 208
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(702) 384-2070

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

All counsel identified above are licensed to practice in Nevada.

6. Indicate whether appellant was represented by appointed or retain counsel in the district court: Retained.

7. Indicate whether appellant is represented by appointed or retained counsel on appeal: Retained.

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

Appellant has not requested leave to proceed in forma pauperis in this matter.

9. Indicate the date the proceedings commenced in the district court (e.g., date complaint, indictment, information, or petition was filed): The original action, district court case number A-16-747800-C, commenced on December 8, 2016. Case number A-17-765372-C was commenced on November 30, 2017, and was consolidated with case number A-16-747800-C on February 28, 2018.

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:

Plaintiffs and Respondents MARJORIE B. BOULDEN, TRUSTEE OF THE MARJORIE B. BOULDEN TRUST, LINDA LAMOTHE AND JACQUES LAMOTHE, TRUSTEES OF THE JACQUES & LINDA LAMOTHE LIVING TRUST ("Plaintiffs") commenced the underlying action to dispute the validity and legal effect of abstracts of judgment the Lytles recorded against their respective properties in relation to a judgment the Lytles obtained against the Rosemere Estates Property Owners Association, whereas the all parties' properties are included as property of and within the association. On April 26, 2017, the district court awarded Plaintiffs summary judgment. The Lytles appealed that order in Docket No. 73039.

The Parties all voluntarily dismissed the litigation after the Supreme Court affirmed the district court's affirmance in Docket No. 73039. Plaintiffs filed their Motion for Attorneys' Fees. The Lytles now appeal the district court's September 20, 2019 Order Granting Plaintiffs' Motion for Attorneys' Fees and Costs and Order Denying Defendants' Motion to Retax and Settle Costs.

11. Order appealed from:

Order Granting MARJORIE B. BOULDEN, TRUSTEE OF THE MARJORIE B. BOULDEN TRUST, LINDA LAMOTHE AND JACQUES LAMOTHE, TRUSTEES OF THE JACQUES & LINDA LAMOTHE LIVING TRUST's Motion for Attorneys' Fees and Costs and Order Denying Defendants' Motion to Retax and Settle Costs, entered on September 20, 2019.

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

The Lytles appealed the underlying district court order granting Plaintiffs' Motion for Summary Judgment, Docket No. 73039. The following other Docket Nos. relate to the underlying litigation: 76198, 77007.

13. Indicate whether this appeal involves child custody or visitation: No.

14. If this is a civil case, indicate whether this appeal involves the possibility of settlement: The Lytles believe this case involves the possibility of settlement.

DATED: October 4, 2019

GIBBS GIDEN LOCHER TURNER SENET & WITTBRODT LLP

By: _____

Richard E. Haskin, Esq.
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Attorneys for Defendants
TRUDI LEE LYTLE AND JOHN ALLEN LYTLE, AS TRUSTEES OF THE LYTLE TRUST

CERTIFICATE OF MAILING

The undersigned, an employee of the law firm of GIBBS GIDEN LOCHER TURNER SENET & WITTBRODT LLP, hereby certifies that on October 4, 2019, she served a copy of the foregoing **CASE APPEAL STATEMENT** by electronic service through the Regional Justice Center for Clark County, Nevada's ECF System:

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Shara Berry

An employee of
Gibbs Giden Locher Turner
Senet & Wittbrodt LLP

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-16-747800-C

Marjorie B. Boulden Trust, Plaintiff(s)	§	Location:	**Department 16**
vs.	§	Judicial Officer:	**Williams, Timothy C.**
Trudi Lytle, Defendant(s)	§	Filed on:	**12/08/2016**
	§	Case Number History:	
	§	Cross-Reference Case Number:	**A747800**
	§	Supreme Court No.:	**73039**
	§		**76198**
			77007

CASE INFORMATION

Related Cases
A-17-765372-C (Consolidated)

Statistical Closures
01/14/2019 Stipulated Dismissal

Case Type: **Other Title to Property**

Case Status: **01/14/2019 Dismissed**

DATE CASE ASSIGNMENT

Current Case Assignment

Case Number	A-16-747800-C
Court	Department 16
Date Assigned	04/11/2019
Judicial Officer	Williams, Timothy C.

PARTY INFORMATION

		Lead Attorneys
Plaintiff	**Boulden, Marjorie B**	**Foley, Daniel Thomas, ESQ** *Retained* 702-384-2070(W)
	Jacques & Linda Lamothe Living Trust	**Foley, Daniel Thomas, ESQ** *Retained* 702-384-2070(W)
	Lamothe, Jacques	**Foley, Daniel Thomas, ESQ** *Retained* 702-384-2070(W)
	Lamothe, Linda	**Foley, Daniel Thomas, ESQ** *Retained* 702-384-2070(W)
	Marjorie B. Boulden Trust	**Foley, Daniel Thomas, ESQ** *Retained* 702-384-2070(W)
Defendant	**Lytle Trust**	**Haskin Esq, Richard Edward** *Retained* 702-836-9800(W)
	Lytle, John Allen	**Haskin Esq, Richard Edward** *Retained* 702-836-9800(W)
	Lytle, Trudi Lee	**Haskin Esq, Richard Edward** *Retained* 702-836-9800(W)
Counter Claimant	**Lytle Trust** Removed: 01/14/2019	**Haskin Esq, Richard Edward** *Retained*

	Dismissed	702-836-9800(W)
	Lytle, John Allen Removed: 01/14/2019 Dismissed	**Haskin Esq, Richard Edward** *Retained* 702-836-9800(W)
	Lytle, Trudi Lee Removed: 01/14/2019 Dismissed	**Haskin Esq, Richard Edward** *Retained* 702-836-9800(W)
Counter Defendant	**Disman, Robert Z** Removed: 01/14/2019 Dismissed	**Wang, Christina H.** *Retained* 702-667-3000(W)
	Disman, Yvonne A Removed: 01/14/2019 Dismissed	**Wang, Christina H.** *Retained* 702-667-3000(W)
	Jacques & Linda Lamothe Living Trust Removed: 01/14/2019 Dismissed	**Foley, Daniel Thomas, ESQ** *Retained* 702-384-2070(W)
	Lamothe, Jacques Removed: 01/14/2019 Dismissed	**Foley, Daniel Thomas, ESQ** *Retained* 702-384-2070(W)
	Lamothe, Linda Removed: 01/14/2019 Dismissed	**Foley, Daniel Thomas, ESQ** *Retained* 702-384-2070(W)
Cross Claimant	**Disman, Robert Z** Removed: 01/14/2019 Dismissed	**Wang, Christina H.** *Retained* 702-667-3000(W)
	Disman, Yvonne A Removed: 01/14/2019 Dismissed	**Wang, Christina H.** *Retained* 702-667-3000(W)
Cross Defendant	**Boulden, Marjorie B** Removed: 01/14/2019 Dismissed	**Foley, Daniel Thomas, ESQ** *Retained* 702-384-2070(W)
Other Plaintiff	**Gegen, Dennis A**	**Smith, Wesley J., ESQ** *Retained* 702-255-1718(W)
	Gegen, Julie S	**Smith, Wesley J., ESQ** *Retained* 702-255-1718(W)
	Gerry R. Zobrist and Jolin G. Zobrist Family Trust	**Smith, Wesley J., ESQ** *Retained* 702-255-1718(W)
	September Trust Dated March 23, 1972	**Smith, Wesley J., ESQ** *Retained* 702-255-1718(W)
	The Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated	**Smith, Wesley J., ESQ** *Retained* 702-255-1718(W)
Trustee	**Boulden, Marjorie B** Removed: 01/14/2019 Dismissed	**Foley, Daniel Thomas, ESQ** *Retained* 702-384-2070(W)
	Lamothe, Jacques Removed: 01/14/2019 Dismissed	**Foley, Daniel Thomas, ESQ** *Retained* 702-384-2070(W)

Lamothe, Linda
Removed: 01/14/2019
Dismissed

Foley, Daniel Thomas, ESQ
Retained
702-384-2070(W)

Lytle, John Allen
Removed: 01/14/2019
Dismissed

Haskin Esq, Richard Edward
Retained
702-836-9800(W)

Lytle, Trudi Lee
Removed: 01/14/2019
Dismissed

Haskin Esq, Richard Edward
Retained
702-836-9800(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX

EVENTS

12/08/2016 Complaint
Filed By: Plaintiff Marjorie B. Boulden Trust
Complaint

01/11/2017 Motion for Temporary Restraining Order
Filed By: Plaintiff Marjorie B. Boulden Trust
Motion for Temporary Restraining Order and Preliminary Injunction on Order Shortening Time

01/12/2017 Response
Filed by: Plaintiff Marjorie B. Boulden Trust
Response to Ex-Parte Motion to Continue Hearing

01/17/2017 Acceptance of Service
Filed By: Plaintiff Marjorie B. Boulden Trust
Acceptance of Service of Summons and Complaint

01/17/2017 Receipt of Copy
Filed by: Plaintiff Marjorie B. Boulden Trust
Receipt of Copy

01/17/2017 Ex Parte Motion
Filed By: Defendant Lytle, Trudi Lee
Ex Parte Emergency Motion on Order Shortening Time by Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust to Continue Hearing Set for January 17, 2017

01/18/2017 Opposition to Motion
Filed By: Defendant Lytle, Trudi Lee
Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust Opposition to Motion for Temporary Restraining Order

01/18/2017 Declaration
Filed By: Defendant Lytle, Trudi Lee
Declaration of Richard E. Haskin in Support of Opposition to Motion for Temporary Restraining Order

01/18/2017 Request for Judicial Notice
Filed By: Defendant Lytle, Trudi Lee
Request for Judicial Notice in Support of Opposition to Motion for Temporary Restraining Order

01/18/2017 Receipt of Copy

Filed by: Defendant Lytle, Trudi Lee
Receipt of Copy

02/08/2017 Answer to Complaint
Filed by: Defendant Lytle, Trudi Lee
Defendants Trudi Lee Lytle and John Allen Lytle, Trustees of The Lytle Trust's Answer to Plaintiffs' Complaint

02/08/2017 Motion to Dismiss
Filed By: Defendant Lytle, Trudi Lee
Trudi Lee Lytle and John Allen Lytle's Motion to Dismiss Plaintiffs' Complaint

02/09/2017 Initial Appearance Fee Disclosure
Filed By: Defendant Lytle, Trudi Lee
Initial Appearance Fee Disclosure

02/24/2017 Motion for Partial Summary Judgment
Filed By: Plaintiff Marjorie B. Boulden Trust
Motion for Partial Summary Judgment

02/28/2017 Opposition to Motion to Dismiss
Filed By: Plaintiff Marjorie B. Boulden Trust
Opposition to Motion to Dismiss

03/10/2017 Amended Complaint
Filed By: Plaintiff Marjorie B. Boulden Trust
Amended Complaint

03/10/2017 Stipulation and Order
Filed by: Plaintiff Marjorie B. Boulden Trust
Stipulation and Order for Leave for Plaintiffs to File Amended Complaint

03/23/2017 Stipulation and Order
Filed by: Defendant Lytle, Trudi Lee
Stipulation and Order to Continue Hearing Date Re Motion for Partial Summary Judgment

03/24/2017 Request for Judicial Notice
Filed By: Defendant Lytle, Trudi Lee
Request for Judicial Notice in Support of Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust Opposition to Motion for Summary Judgment and Countermotion for Summary Judgment

03/24/2017 Declaration
Filed By: Defendant Lytle, Trudi Lee
Declaration of Richard E. Haskin in Support of Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust Opposition to Motion for Summary Judgment and Countermotion for Summary Judgment

03/27/2017 Countermotion For Summary Judgment
Filed By: Defendant Lytle, Trudi Lee
Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust Opposition to Motion for Summary Judgment and Countermotion for Summary Judgment

03/27/2017 Notice of Entry of Stipulation and Order
Filed By: Defendant Lytle, Trudi Lee

Notice of Entry of Stipulation and Order to Continue Hearing Date Re Motion for Partial Summary Judgment

03/30/2017 Commissioners Decision on Request for Exemption - Granted
Commissioner's Decision on Request for Exemption - Granted

04/05/2017 Reply to Opposition
Filed by: Plaintiff Marjorie B. Boulden Trust
Reply to the Opposition to Motion for Partial Summary Judgment and Opposition to Countermotion for Summary Judgment

04/26/2017 Findings of Fact, Conclusions of Law and Order
Filed By: Plaintiff Marjorie B. Boulden Trust
Findings of Fact, Conclusions of Law, and Order Granting Plaintiffs' Motion for Partial Summary Judgment

04/27/2017 Notice of Entry of Findings of Fact, Conclusions of Law
Filed By: Plaintiff Marjorie B. Boulden Trust; Plaintiff Jacques & Linda Lamothe Living Trust; Plaintiff Boulden, Marjorie B; Plaintiff Lamothe, Jacques; Plaintiff Lamothe, Linda
Notice of Entry of Findings of Fact, Conclusions of Law, and Order Granting Plaintiffs' Motion for Partial Summary Judgment

04/28/2017 Motion for Attorney Fees and Costs
Filed By: Plaintiff Marjorie B. Boulden Trust; Plaintiff Jacques & Linda Lamothe Living Trust; Plaintiff Boulden, Marjorie B; Plaintiff Lamothe, Jacques; Plaintiff Lamothe, Linda
Motion for Attorney's Fees and Costs

05/09/2017 Notice of Lis Pendens
Filed by: Defendant Lytle, Trudi Lee
Notice of Lis Pendens

05/09/2017 Notice of Lis Pendens
Filed by: Defendant Lytle, Trudi Lee
Notice of Lis Pendens

05/09/2017 Notice of Appeal
Filed By: Defendant Lytle, Trudi Lee
Notice of Appeal

05/09/2017 Notice
Filed By: Defendant Lytle, Trudi Lee
Notice of Depositing Security for Costs on Appeal

05/09/2017 Case Appeal Statement
Filed By: Defendant Lytle, Trudi Lee
Case Appeal Statement

05/15/2017 Motion to Reconsider
Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
Defendants Trudi Lee Lytle, John Allen Lytle, and The Lytle Trust's Motion for Reconsideration or, in the Alternative, Motion to Alter or Amend Judgment

05/15/2017 Opposition to Motion
Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
Defendants Trudi Lee Lytle, John Allen Lytle, and The Lytle Trust's Opposition to Plaintiffs'

Motion for Attorneys' Fees and Costs

05/16/2017 Errata
Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
Notice of Errata Re: Defendants Trudi Lee Lytle, John Allen Lytle, and the Lytle Trust's Motion for Reconsideration or, in the Alternative, Motion to Alter or Amend Judgment

05/22/2017 Motion to Cancel Lis Pendens
Filed By: Plaintiff Marjorie B. Boulden Trust; Plaintiff Jacques & Linda Lamothe Living Trust; Plaintiff Boulden, Marjorie B; Plaintiff Lamothe, Jacques; Plaintiff Lamothe, Linda
Motion to Cancel Two Lis Pendens and Motion to Hold Defendants and/or Their Counsel in Contempt of Court on Order Shortening Time

05/25/2017 Stipulation and Order
Filed by: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
Stipulation and Order to Continue Hearing Date Re Motion for Reconsideration

05/26/2017 Notice of Entry of Stipulation and Order
Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
Notice of Entry of Stipulation and Order to Continue Hearing Date Re Motion for Reconsideration

05/31/2017 Opposition to Motion
Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
Defendants Trudi Lee Lytle, John Allen Lytle, and the Lytle Trust's Opposition to Plaintiff's Motion to Cancel Two Lis Pendens and Motion to Hold Defendants and/or Counsel in Contempt of Court

06/01/2017 Opposition to Motion
Filed By: Plaintiff Marjorie B. Boulden Trust; Plaintiff Jacques & Linda Lamothe Living Trust; Plaintiff Boulden, Marjorie B; Plaintiff Lamothe, Jacques; Plaintiff Lamothe, Linda
Opposition to Motion for Reconsideration

06/02/2017 Reply to Opposition
Filed by: Plaintiff Marjorie B. Boulden Trust; Plaintiff Jacques & Linda Lamothe Living Trust; Plaintiff Boulden, Marjorie B; Plaintiff Lamothe, Jacques; Plaintiff Lamothe, Linda
Reply to Defendants' Opposition to Motion to Cancel Two Lis Pendens and Motion to Hold Defendants and/or Their Counsel in Contempt of Court

06/23/2017 Order Granting Motion
Filed By: Plaintiff Marjorie B. Boulden Trust; Plaintiff Jacques & Linda Lamothe Living Trust; Plaintiff Boulden, Marjorie B; Plaintiff Lamothe, Jacques; Plaintiff Lamothe, Linda
Order Granting Plaintiffs' Motion to Cancel Lis Pendens and Order Denying Motion to Hold Defendants and/or Their Counsel in Contempt of Court

06/23/2017 Reply to Opposition
Filed by: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
Defendants Trudi Lee Lytle, John Allen Lytle, and the Lytle Trust's Reply to Opposition to Motion for Reconsideration or, in the Alternative, Motion to Alter or Amend Judgment

06/27/2017 Notice of Entry of Order
Filed By: Plaintiff Marjorie B. Boulden Trust; Plaintiff Jacques & Linda Lamothe Living Trust; Plaintiff Boulden, Marjorie B; Plaintiff Lamothe, Jacques; Plaintiff Lamothe, Linda
Notice of Entry of Order

06/29/2017 Notice of Release of Lis Pendens

Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
Notice of Release of Lis Pendens

06/29/2017 Notice of Release of Lis Pendens
Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
Notice of Release of Lis Pendens

06/30/2017 Motion for Leave to File
Party: Plaintiff Marjorie B. Boulden Trust; Plaintiff Jacques & Linda Lamothe Living Trust; Plaintiff Boulden, Marjorie B; Plaintiff Lamothe, Jacques; Plaintiff Lamothe, Linda
Plaintiffs' Motion for Leave to File Second Amended Complaint

07/25/2017 Order Granting Motion
Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
Order Granting Motion to Alter or Amend Findings of Fact and Conclusions of Law

07/25/2017 Stipulation and Order
Filed by: Plaintiff Marjorie B. Boulden Trust; Plaintiff Jacques & Linda Lamothe Living Trust; Plaintiff Boulden, Marjorie B; Plaintiff Lamothe, Jacques; Plaintiff Lamothe, Linda
Stipulation and Order for Leave for Plaintiffs to File Second Amended Complaint

07/25/2017 Second Amended Complaint
Filed By: Plaintiff Marjorie B. Boulden Trust; Plaintiff Jacques & Linda Lamothe Living Trust; Plaintiff Boulden, Marjorie B; Plaintiff Lamothe, Jacques; Plaintiff Lamothe, Linda
Second Amended Complaint

07/25/2017 Notice of Entry of Order
Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
Notice of Entry of Order Granting Motion to Alter or Amend Findings of Fact and Conclusions of Law

07/25/2017 Notice of Entry of Stipulation and Order
Filed By: Plaintiff Marjorie B. Boulden Trust; Plaintiff Jacques & Linda Lamothe Living Trust; Plaintiff Boulden, Marjorie B; Plaintiff Lamothe, Jacques; Plaintiff Lamothe, Linda
Notice of Entry of Stipulation and Order

08/02/2017 Joint Case Conference Report
Filed By: Plaintiff Marjorie B. Boulden Trust; Plaintiff Jacques & Linda Lamothe Living Trust; Plaintiff Boulden, Marjorie B; Plaintiff Lamothe, Jacques; Plaintiff Lamothe, Linda
Joint Case Conference Report

08/11/2017 Answer and Counterclaim
Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
Defendants Trudi Lee Lytle and John Allen Lytle, Trustees of The Lytle Trust's Answer to Plaintiff's Second Amended Complaint and Counterclaim

08/15/2017 Summons
Filed by: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
Summons

08/15/2017 Summons
Filed by: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
Summons

08/23/2017 Affidavit of Service

	Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust *Affidavit of Service*
08/23/2017	Affidavit of Service Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust *Affidavit of Service*
09/05/2017	Answer to Counterclaim Filed By: Plaintiff Marjorie B. Boulden Trust; Plaintiff Jacques & Linda Lamothe Living Trust; Plaintiff Boulden, Marjorie B; Plaintiff Lamothe, Jacques; Plaintiff Lamothe, Linda *Plaintiffs' Answer to Counter Complaint*
09/13/2017	Scheduling Order *Scheduling Order*
09/21/2017	Order Setting Civil Non-Jury Trial *Order Setting Civil Non-Jury Trial, Pre-Trial/Calendar Call*
09/26/2017	Answer Filed By: Cross Claimant Disman, Robert Z; Cross Claimant Disman, Yvonne A *Counter-Defendants and Cross-Claimants Robert Z. Disman and Yvonne A. Disman's Answer and Counterclaim*
09/26/2017	Initial Appearance Fee Disclosure Filed By: Cross Claimant Disman, Yvonne A *Initial Appearance Fee Disclosure*
10/13/2017	Answer Filed By: Plaintiff Marjorie B. Boulden Trust *Plaintiff's Answer to Cross-Complaint*
12/08/2017	Motion Filed By: Cross Claimant Disman, Robert Z; Cross Claimant Disman, Yvonne A *Counter-Defendants/Cross-Claimants Robert Z. Disman and Yvonne A. Disman's Motion to Extend Discovery Deadlines and Trial Setting*
12/14/2017	Order Shortening Time Filed By: Cross Claimant Disman, Robert Z; Cross Claimant Disman, Yvonne A *Order Shortening Time RE: Counter-Defendants/Cross-Claimants Robert Z. Disman and Yvonne A. Disman's Motion to Extend Discovery Deadlines and Trial Setting*
12/15/2017	Notice of Entry of Order Filed By: Cross Claimant Disman, Robert Z; Cross Claimant Disman, Yvonne A *Notice of Entry of Order Shortening Time RE: Counter-Defendants/Cross-Claimants Robert Z. Disman and Yvonne A. Disman's Motion to Extend Discovery Deadlines and Trial Setting*
12/26/2017	Opposition Filed By: Plaintiff Marjorie B. Boulden Trust *Opposition to Motion to Extend Discovery Deadlines and Trial Setting*
01/02/2018	Opposition Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust *Defendants Trudi Lee Lytle, John Allen Lytle, and the Lytle Trust s Opposition to Motion to Extend Discovery Deadlines*

01/09/2018 Reply in Support
Filed By: Cross Claimant Disman, Robert Z; Cross Claimant Disman, Yvonne A
Counter-Defendants/Cross-Claimants Robert Z. Disman and Yvonne A. Disman's Reply in Support of Motion to Extend Discovery Deadlines and Trial Setting

01/16/2018 Motion to Consolidate
Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff The Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A
Motion to Consolidate Case No. A-16-747800-C with Case No. A-17-765372-C

01/18/2018 Notice of Department Reassignment
Notice of Department Reassignment

01/23/2018 Order
Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff The Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A
Plaintiffs' Ex Parte Motion for Order Shortening Time and Order Shortening

01/23/2018 Reporters Transcript
Court Reporters transcript of Proceedings June 6, 2017

01/24/2018 Peremptory Challenge
Filed by: Plaintiff Marjorie B. Boulden Trust
Peremptory Challenge of Judge

01/25/2018 Notice of Department Reassignment
Notice of Department Reassignment

01/29/2018 Notice of Change of Hearing
Filed by: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff The Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A
Notice of Change of Hearing

02/01/2018 Ex Parte Order
Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff The Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A
Amended Order Granting Order Shortening Time

02/05/2018 Notice of Entry of Order
Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff The Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A
Notice of Entry of Amended Order Granting Order Shortening Time

02/06/2018 Amended Order Setting Civil Non-Jury Trial
Amended Order Setting Civil Bench Trial

02/07/2018	Notice of Change of Address Filed By: Cross Claimant Disman, Robert Z; Cross Claimant Disman, Yvonne A *Notice of Change of Firm Address*
02/13/2018	Stipulation and Order Filed by: Cross Claimant Disman, Robert Z; Cross Claimant Disman, Yvonne A *Stipulation and Order to Extend Discovery Deadlines and Trial Setting (First Requested Extension)*
02/13/2018	Notice of Entry of Stipulation and Order Filed By: Cross Claimant Disman, Robert Z; Cross Claimant Disman, Yvonne A *Notice of Entry of Stipulation and Order to Extend Discovery Deadlines and Trial Setting (First Requested Extension)*
02/22/2018	Notice of Early Case Conference Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust *Notice of Early Case Conference*
02/28/2018	Order Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff The Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A *Order Granting Motion to Consolidate Case No. A-16-747800-C with Case No. A-17-765372-C*
03/01/2018	Request Filed by: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff The Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A *Request to Set Hearing Date on Motion for Summary Judgment or, in the Alternative, Motion for Judgment on the Pleadings*
03/01/2018	Motion for Summary Judgment *Plaintiffs' Motion for Summary Judgment (Filed 11/30/17 in Subordinate Case A-17-765372-C)*
03/01/2018	Opposition and Countermotion Filed By: Defendant Lytle Trust *Defendant Trudi Lee Lytle, John Allen Lytle, The Lytle Trust (1) Opposition to Motion for Summary Judgment, or, in the Alternative, Motion for Judgment on the Pleadings;and (2) Counter Motion for Summary Judgment (Filed 02/09/18 in subordinate case A-17-795372-C)*
03/01/2018	Reply to Opposition *Plaintiffs' Reply to Defendants' Opposition to the Motion for Summary Judgment, or, in the Alternative, Motion for Judgment on the Pleadings and Opposition to Plaintiffs' Countermotion for Summary Judgment (Filed 2/21/18 in subordinate case A-17-765372-C)*
03/05/2018	Notice Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff The Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A *Notice of Entry of Order Granting Motion to Consolidate Case No. A-16-747800-C with Case No. A-17-765372-C*
05/24/2018	

	Order Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff The Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A *(A765372) Order Granting Motion for Summary Judgment or, in the Alternative, Motion for Judgment on the Pleadings and Denying Countermotion for Summary Judgment*
05/25/2018	Notice of Entry of Order Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff The Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A *Notice of Entry of Order Granting Motion for Summary Judgment or, in the Alternative, Motion for Judgment on the Pleadings and Denying Countermotion for Summary Judgment*
06/04/2018	Motion for Attorney Fees and Costs Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff The Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A *Plaintiffs' Motion for Attorney's Fees and Costs*
06/04/2018	Memorandum Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff The Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A *Memorandum of Costs and Disbursements*
06/04/2018	Declaration Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff The Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A *Declaration of Counsel in Support of Plaintiffs' Motion for Attorney's Fees and Costs*
06/06/2018	Notice Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff The Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A *Notice of Hearing on Plaintiffs' Motion for Attorney's Fees and Costs*
06/08/2018	Motion to Retax Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust *Defendants' Motion to Retax and Settle Memorandum of Costs*
06/13/2018	Release Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust *Release of Abstract of Judgment*
06/13/2018	Release Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust *Release of Abstract of Judgment*
06/13/2018	Release

Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
Release of Abstract of Judgment

06/13/2018 Release
Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
Release of Abstract of Judgment

06/15/2018 Opposition
Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff The Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A
Plaintiffs' Opposition to Defendants' Motion to Retax and Settle Memorandum of Costs

06/15/2018 Declaration
Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff The Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A
Declaration of Counsel in Support of Plaintiffs' Opposition to Defendants' Motion to Retax and Settle Memorandum of Costs

06/19/2018 Notice of Appeal
Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
Notice of Appeal

06/19/2018 Case Appeal Statement
Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
Case Appeal Statement

06/22/2018 Opposition to Motion
Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
Defendants' Opposition to Plaintiffs' Motion for Attorney's Fees and Costs

06/28/2018 Motion for Summary Judgment
Filed By: Cross Claimant Disman, Robert Z; Cross Claimant Disman, Yvonne A
Robert Z. Disman and Yvonne A. Disman's Motion to Summary Judgment or, in the Alternative, Motion for Judgmetn on the Pleadings

07/05/2018 Reply to Opposition
Filed by: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff The Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A
Reply to Defendants' Opposition to Plaintiffs' Motion for Attorney's Fees and Costs

07/05/2018 Declaration
Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff The Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A
Declaration of Counsel in Support of Reply to Defendants' Opposition to Plaintiffs' Motion for Attorney's Fees and Costs

07/06/2018 Notice of Change of Hearing
Notice of Change of Hearing

07/26/2018 Opposition to Motion For Summary Judgment
Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust Opposition to Motion for Summary Judgment, or, in the Alternative, Motion for Judgment on the Pleadings

08/01/2018 Reply in Support
Filed By: Cross Claimant Disman, Robert Z; Cross Claimant Disman, Yvonne A

08/27/2018 Recorders Transcript of Hearing
Recorder's Transcript of Hearing Re: Defendants' Motion to Retax and Settle Memorandum of Costs; Plaintiffs' Motion for Attorney's Fees and Costs 6/26/18

08/27/2018 Recorders Transcript of Hearing
Recorder's Transcript of Hearing Re: Decision - Defendants' Motion to Retax and Settle Memorandum of Costs; Decision - Plaintiffs' Motion for Attorney's Fees; Robert Z. Disman and Yvonne A. Dismans' Motion for Summary Judgment or, in the Alternative, Motion for Judgment on the Pleadings 8/9/18

09/12/2018 Order
Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff The Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A
Order Regarding Plaintiffs' Motion for Attorney's Fees and Costs and Memorandum of Costs and Disbursements and Defendants' Motion to Retax and Settle Memorandum of Costs

09/13/2018 Notice
Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff The Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A
Notice of Entry of Order Regardinf Plaintiffs' Motion for Attorney's Fees and Costs and Memorandum of Costs and Disbursements and Defendants' Motion to Retax and Settle Memorandum of Costs

09/14/2018 Notice of Appeal
Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
Notice of Appeal

09/28/2018 Motion to Stay
Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
Defendant John Allen Lytle and Trudi Lee Lytles' Motion to Stay Proceedings to Enforce Judgment and Request to Post Cash Deposit in Lieu of a Supersedeas Bond on Order Shortening Time

10/01/2018 Response
Filed by: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff The Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A
Plaintiffs' Response to Defendants' Motion to Stay Proceedings to Enforce Judgment and Request to Post Cash Deposit in Lieu of Supersedeas Bond

10/01/2018 Case Appeal Statement
Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
Case Appeal Statement

10/02/2018	Reply Filed by: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust *Defendant John Allen Lytle and Trudi Lytles' Reply to Plaintiffs' Response to Motion to Stay Proceedings to Enforce Judgment and Request to Post Cash Deposit in Lieu of a Supersedeas Bond*
10/05/2018	Stipulation and Order Filed by: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust *Stipulation and Order to Continue Hearing on Motion to Stay Proceedings to Enforce Judgment and Request to Post Cash Deposit in Lieu of a Supersedeas Bond*
10/08/2018	Notice of Entry of Stipulation and Order Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust *Notice of Entry of Stipulation and Order to Continue Hearing on Motion to Stay Proceedings to Enforce Judgment and Request to Post Cash Deposit in Lieu of a Supersedeas Bond*
10/09/2018	Change of Address Filed By: Plaintiff Boulden, Marjorie B *Change of Address*
11/16/2018	Motion to Reconsider Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust *Defendants' Motion to Reconsider Court's Ruling Granting Plaintiffs' Attorney's Fees*
11/16/2018	Order Shortening Time Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust *Order Shortening Time*
11/21/2018	Opposition Filed By: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff The Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A *Opposition to Defendants' Motion to Reconsider Court's Ruling Granting Plaintiffs' Attorney's Fees*
12/03/2018	Recorders Transcript of Hearing *Recorder's Transcript of Hearing Re: Request of Court - Clarification of Order: In Re: Competing Orders; Defendants' Motion to Reconsider Court's Ruling Granting Plaintiffs' Attorneys' Fees. Heard on November 27, 2018.*
12/12/2018	Amended Order Setting Civil Non-Jury Trial *Amended Order Setting Civil Non-Jury Trial*
12/27/2018	Order Filed By: Cross Claimant Disman, Robert Z; Cross Claimant Disman, Yvonne A *Order Denying Robert Z. Disman and Yvonne A. Disman's Motion for Summary Judgment or, in the Alternative, Motion for Judgment on the Pleadings*
01/03/2019	Notice of Entry of Order Filed By: Cross Claimant Disman, Robert Z; Cross Claimant Disman, Yvonne A *Notice of Entry of Order Denying Robert Z. Disman and Yvonne A. Disman's Motion for Summary Judgment or, in the Alternative, Motion for Judgment on the Pleadings*
01/05/2019	Notice of Change of Hearing *Notice of Change of Hearing*

01/07/2019	Case Reassigned to Department 9 *Judicial Reassignment - From Judge Bailus to Vacant, DC9*
01/08/2019	NV Supreme Court Clerks Certificate/Judgment - Affirmed *Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Affirmed*
01/14/2019	Stipulation and Order Filed by: Plaintiff Boulden, Marjorie B *Stipulation and Order to Dismiss Remaining Claims without Prejudice*
01/14/2019	Notice of Entry Filed By: Plaintiff Boulden, Marjorie B *Notice Of Entry Of Stipulation And Order To Dismiss All Remaining Claims Without Prejudice*
01/16/2019	Memorandum of Costs and Disbursements Filed By: Plaintiff Boulden, Marjorie B *Plaintiffs' Memorandum of Costs and Disbursements*
01/16/2019	Motion Filed By: Plaintiff Boulden, Marjorie B *Motion to Attorney's Fees and Costs*
01/18/2019	Motion to Retax Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust *Defendants' Motion to Retax and Settle Memorandum of Costs*
01/23/2019	Motion for Attorney Fees Filed By: Counter Defendant Disman, Robert Z.; Counter Defendant Disman, Yvonne A. *Robert Z. Disman and Yvonne A. Disman's Motion for Attorney's Fees*
01/29/2019	Opposition to Motion Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust *Defendants' Opposition to Plaintiffs' Motion for Attorney's Fees and Costs*
02/04/2019	Opposition Filed By: Plaintiff Boulden, Marjorie B *Plaintiffs' Opposition to Motion to Retax Costs*
02/07/2019	Reply Filed by: Plaintiff Boulden, Marjorie B *Reply To Defendants Opposition To Motion For Attorneys Fees And Costs*
02/12/2019	Opposition to Motion Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust *Defendants' Opposition to Robert Z. Disman and Yvonne A. Disman's Motion for Attorney's Fees and Costs*
02/15/2019	Reply to Opposition Filed by: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust *Defendants' Reply to Opposition to Motion to Retax and Settle Memorandum of Costs*
02/20/2019	Reply Filed by: Counter Defendant Disman, Robert Z.; Counter Defendant Disman, Yvonne A.

Robert Z. Disman and Yvonne A. Disman's Reply in Support of Motion for Attorney's Fees

04/10/2019 Notice of Hearing
Notice of Hearing

04/11/2019 Notice of Department Reassignment
Notice of Department Reassignment

04/22/2019 Stipulation and Order
Filed by: Counter Defendant Disman, Robert Z.; Counter Defendant Disman, Yvonne A.
Stipulation and Order to Continue Hearing Date on Pending Motions

04/25/2019 Notice of Entry
Filed By: Counter Defendant Disman, Robert Z.; Counter Defendant Disman, Yvonne A.
Notice of Entry of Stipulation and Order to Continue Hearing Date on Pending Motions

05/07/2019 Request
Filed by: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
Trudi Lee Lytle, John Allen Lytle, The Lytle Trust Request to Set Hearing on Order Certifying Supreme Court Intent to Reconsider Motion for Attorneys' Fees and Costs

05/24/2019 Notice of Change of Address
Filed By: Counter Defendant Disman, Robert Z.; Counter Defendant Disman, Yvonne A.
Notice of Change of Firm Address

06/10/2019 Reporters Transcript
Court Reporters transcript of Proceedings (Civil) 5-16-19

09/06/2019 Findings of Fact, Conclusions of Law and Order
Filed By: Counter Defendant Disman, Robert Z.; Counter Defendant Disman, Yvonne A.
Findings of Fact, Conclusions of Law and Order Granting Robert Z. Disman and Yvonne A. Disman's Motion for Attorney's Fees

09/06/2019 Notice of Entry of Order
Filed By: Counter Defendant Disman, Robert Z.; Counter Defendant Disman, Yvonne A.
Notice of Entry of Findings of Fact, Conclusions of Law and Order Granting Robert Z. Disman and Yvonne A. Disman Motion for Attorney's Fees

09/20/2019 Order
Filed By: Plaintiff Boulden, Marjorie B
Order Granting Plaintiffs; Motion for Attorneys' Fees and Costs and Order Denying Defendants' Motion to Retax and Settle Costs

09/20/2019 Notice of Entry
Filed By: Plaintiff Boulden, Marjorie B
Notice Of Entry Of Order Granting Plaintiffs Motion For Attorneys Fees And Costs And Order Denying Defendants Motion To Retax And Settle Costs

09/30/2019 Notice of Appeal
Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
Notice of Appeal

09/30/2019 Case Appeal Statement
Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust

Case Appeal Statement

10/04/2019 Notice of Appeal
Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
Notice of Appeal

10/04/2019 Case Appeal Statement
Filed By: Defendant Lytle, Trudi Lee; Defendant Lytle, John Allen; Defendant Lytle Trust
Case Appeal Statement

DISPOSITIONS

04/26/2017 **Partial Summary Judgment** (Judicial Officer: Williams, Timothy C.)
Debtors: Lytle Trust (Defendant)
Creditors: Marjorie B. Boulden Trust (Plaintiff), Marjorie B Boulden (Trustee), Linda Lamothe (Trustee)
Judgment: 04/26/2017, Docketed: 05/03/2017

07/25/2017 **Partial Summary Judgment** (Judicial Officer: Williams, Timothy C.)
Debtors: Trudi Lee Lytle (Defendant), John Allen Lytle (Defendant)
Creditors: Marjorie B. Boulden Trust (Plaintiff), Jacques & Linda Lamothe Living Trust (Plaintiff)
Judgment: 07/25/2017, Docketed: 07/25/2017

01/08/2019 **Clerk's Certificate** (Judicial Officer: Vacant, DC 9)
Debtors: Trudi Lee Lytle (Defendant), John Allen Lytle (Defendant), Lytle Trust (Defendant)
Creditors: Marjorie B. Boulden Trust (Plaintiff), Jacques & Linda Lamothe Living Trust (Plaintiff), Marjorie B Boulden (Plaintiff), Jacques Lamothe (Plaintiff), Linda Lamothe (Plaintiff)
Judgment: 01/08/2019, Docketed: 01/14/2019
Comment: Supreme Court No.73039 APPEAL AFFIRMED

01/14/2019 **Order of Dismissal Without Prejudice** (Judicial Officer: Vacant, DC 9)
Debtors: Trudi Lee Lytle (Defendant, Trustee), John Allen Lytle (Defendant, Trustee), Lytle Trust (Defendant)
Creditors: Marjorie B. Boulden Trust (Plaintiff), Jacques & Linda Lamothe Living Trust (Plaintiff), Marjorie B Boulden (Plaintiff, Trustee), Jacques Lamothe (Plaintiff, Trustee), Linda Lamothe (Plaintiff, Trustee)
Judgment: 01/14/2019, Docketed: 01/14/2019
Comment: Certain Causes
Debtors: Trudi Lee Lytle (Counter Claimant), John Allen Lytle (Counter Claimant), Lytle Trust (Counter Claimant)
Creditors: Jacques & Linda Lamothe Living Trust (Counter Defendant), Jacques Lamothe (Counter Defendant), Linda Lamothe (Counter Defendant), Robert Z Disman (Counter Defendant), Yvonne A Disman (Counter Defendant)
Judgment: 01/14/2019, Docketed: 01/14/2019
Debtors: Robert Z Disman (Cross Claimant), Yvonne A Disman (Cross Claimant)
Creditors: Marjorie B Boulden (Cross Defendant)
Judgment: 01/14/2019, Docketed: 01/14/2019

09/06/2019 **Order** (Judicial Officer: Williams, Timothy C.)
Debtors: Trudi Lee Lytle (Counter Claimant), John Allen Lytle (Counter Claimant), Lytle Trust (Counter Claimant)
Creditors: Robert Z. Disman (Counter Defendant), Yvonne A. Disman (Counter Defendant)
Judgment: 09/06/2019, Docketed: 09/06/2019
Total Judgment: 35,676.00

09/20/2019 **Order** (Judicial Officer: Williams, Timothy C.)
Debtors: Trudi Lee Lytle (Defendant), John Allen Lytle (Defendant), Lytle Trust (Defendant)
Creditors: Marjorie B. Boulden Trust (Plaintiff), Jacques & Linda Lamothe Living Trust (Plaintiff), Marjorie B Boulden (Plaintiff), Jacques Lamothe (Plaintiff), Linda Lamothe (Plaintiff)
Judgment: 09/20/2019, Docketed: 09/23/2019

Total Judgment: 77,146.80

HEARINGS

01/19/2017 **Motion for Temporary Restraining Order** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Plaintiffs Motion for Temporary Restraining Order and Preliminary Injunction on Order Shortening Time
Withdrawn;
Journal Entry Details:
Mr. Foley stated this was regarding a judgment obtained against a third-party that was recorded against his clients, that his clients were not a party in the case, and that the Deft.'s just listed his client's parcel numbers on their judgment. Mr. Foley stated his clients home was set to close escrow tomorrow; however this $361,000 judgment prevented the title company from issuing a title policy. Mr. Foley stated he did not want a Temporary Restraining Order and then be forced to get a bond when the title company could still say they can't issue the title policy. Mr. Foley noted he thought if everything was consolidated he could try this case in one day. Mr. Haskin agreed with Mr. Foley's statements and further stated there were equitable issues; however those were questions of law and that he wanted to reserve the right to dispute. Court stated this case had a history and inquired regarding the effect of the judgment. Following further colloquy by counsel regarding the preliminary injunction and a trial on the merits, Mr. Foley WITHDREW his motion and stated he would proceed from here and no status check was necessary at this time.;

03/14/2017 *CANCELED* **Motion to Dismiss** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Vacated - per Stipulation and Order
Trudi Lee Lytle and John Allen Lytle's Motion to Dismiss Plaintiffs' Complaint

04/13/2017 **Motion for Partial Summary Judgment** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Motion for Partial Summary Judgment
Granted;

04/13/2017 **Opposition and Countermotion** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust Opposition to Motion for Summary Judgment and Countermotion for Summary Judgment
Denied;

04/13/2017 **All Pending Motions** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Matter Heard;
Journal Entry Details:
MOTION FOR PARTIAL SUMMARY JUDGMENT PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND COUNTER-MOTION TO CONTINUE TRIAL AND EXTEND DISCOVERY DEADLINES Following extensive arguments by counsel based on the briefs, COURT ORDERED, Motion for Summary Judgment GRANTED; Deft.'s Countermotion DENIED.;

05/30/2017 **Motion for Attorney Fees and Costs** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
05/30/2017, 06/29/2017
Deft's Motion for Attorney's Fees and Costs
Matter Continued; Motion for Attorney's Fees and Costs
Vacate;
Matter Continued; Motion for Attorney's Fees and Costs
Vacate;
Journal Entry Details:
Following arguments of counsel, Court stated that from a practical standpoint this motion will be decided without additional argument following the Motion for Reconsideration currently set for June 29, 2017. Accordingly, COURT ORDERED, matter CONTINUED. CONTINUED TO: 6/29/17 9:00 AM;

06/01/2017 **Motion to Cancel Lis Pendens** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
06/01/2017, 06/06/2017

Plaintiffs' Motion to Cancel Two Lis Pendens and Motion to Hold Defendants and/or Their Counsel in Contempt of Court on Order Shortening Time
Matter Continued; Plaintiffs' Motion to Cancel Two Lis Pendens and Motion to Hold Defendants and/or Their Counsel in Contempt of Court on Order Shortening Time Granted;
Journal Entry Details:
Daniel Foley, Esq., appeared on behalf of Pltfs Richard Haskin, Esq., appeared on behalf of Defts The Court and counsel noted the matter was fully briefed and counsel invited questions from the Court. Mr. Haskin began to argue the contempt issue; however, the Court stated it would not hold Defts in contempt and entered into colloquy with Mr. Haskin regarding the lis pendes. After hearing argument from both sides, COURT STATED ITS FINDINGS, and ORDERED, Motion GRANTED cancelling the two lis pendens and reiterated that the Court would not hold Defts in contempt; however, no more lis pendens. Further, Mr. Foley addressed his request for fees and the Court advised it would consider the matter as currently set on June 29, 2017. Court directed Mr. Foley to submit the proposed order.;
Matter Continued; Plaintiffs' Motion to Cancel Two Lis Pendens and Motion to Hold Defendants and/or Their Counsel in Contempt of Court on Order Shortening Time Granted;
Journal Entry Details:
Plaintiffs' Motion to Cancel Two Lis Pendens and Motion to Hold Defendants and/or Their Counsel in Contempt of Court on Order Shortening Time Mr. Foley noted that Mr. Haskin only contested this matter yesterday. A copy of the opposition was handed to the Court and matter was trailed to enable Mr. Foley and the Court to review it. When matter was recalled later in the calendar, Mr. Haskin stated that under 14.015 the opposition was untimely. COURT ORDERED, matter CONTINUED to Tuesday, 6/6/17 upon Mr. Foley's agreement to that date. CONTINUED TO: 6/6/17 9:00 AM;

06/29/2017 **Motion For Reconsideration** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Defendants Trudi Lee Lytle, John Allen Lytle, and The Lytle Trust's Motion for Reconsideration or, in the Alternative, Motion to Alter or Amend Judgment
Motion Granted;

06/29/2017 **All Pending Motions** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Matter Heard;
Journal Entry Details:
DEFENDANTS TRUDI LEE LYTLE, JOHN ALLEN LYTLE, AND THE LYTLE TRUST'S MOTION FOR RECONSIDERATION OR, IN THE ALTERNATIVE, MOTION TO ALTER OR AMEND JUDGMENT...DEFT'S MOTION FOR ATTORNEY'S FEES AND COSTS Mr. Haskin argued in support of the Motion for Reconsideration, stating that and Order was entered granting Summary Judgment in favor of the Plaintiff, wherein there was a Finding against Defendant Lytle Trust as to slander of title; however, there was no evidence presented during arguments regarding slander of title. Upon Court's inquiry, Mr. Foley stated that the causes of action appropriately dealt with through the Court's ruling on the Summary Judgment were as follows: Quiet Title, Declaratory Relief, and Slander of Title. Mr. Foley argued in opposition to the Motion for Reconsideration, stating that the Lytles recorded abstracts of judgment on Plaintiffs' parcel numbers, in order to attach the to the properties, which was slander of title and a knowing malicious effort. Additionally, Mr. Foley stated that the case had developed as follows: Mr. Haskin had submitted another judgment obtained on behalf of the Lytle's against the HOA, which must be disclosed; therefore, the Complaint must be amended, and declaratory relief would be needed, to ensure that the findings from the judgment would not waive the claim for slander of title damages for loss of sale. Pursuant to those representations, Mr. Foley stated that he would seek leave to amend the Complaint, and would withdraw the Motion for Attorney's Fees and Costs. COURT ORDERED the Motion for Reconsideration was hereby DENIED; however, the Alternative Motion to Alter or Amend Judgment was GRANTED as to the Slander of Title Findings. Pursuant to Mr. Foley's representations, COURT ORDERED the Motion for Attorney's Fees and Costs was VACATED. Mr. Haskin to amend the Judgment, and forward it to opposing counsel for approval as to form and content.;

08/01/2017 *CANCELED* **Motion to Amend Complaint** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Vacated - per Stipulation and Order
Plaintiffs' Motion for Leave to File a Second Amended Complaint

01/16/2018 **Motion to Extend Discovery** (9:00 AM) (Judicial Officer: Williams, Timothy C.)

Counter Defendants/Cross Claimants Robert Z. Disman and Yvonne A. Disman's Motion to Extend Discovery Deadlines and Trial Setting (First Requested Extension)
Recused;
Stip & Order to Extend Discovery submitted & signed by Judge - Mtn to Extend not necessary
Journal Entry Details:
Court represented to the parties that a new law clerk will be starting in Dept. 16 on January 22, 2018 and that she is the daughter of Plaintiff's counsel. Although the court could and would rule fairly and without bias, recusal is appropriate in the present case in accordance with Canon 2.11 (C) of the Nevada Code of Judicial Conduct in order to avoid the appearance of impartiality or implied bias. Thus, the Court RECUSES itself from the matter and request that it be randomly reassigned in accordance with appropriate procedures.;

02/07/2018 **Motion to Consolidate** (9:00 AM) (Judicial Officer: Bailus, Mark B)
Plaintiffs' Motion to Consolidate Case No. A-16-747800-C with Case No. A-17-765372-C

MINUTES

Stip & Order to Extend Discovery submitted, signed by Judge - motion not necessary
Reset; Plaintiffs' Motion to Consolidate Case No. A-16-747800-C with Case No. A-17-765372-C
Journal Entry Details:
Court notes opposition not received by Court or opposing counsel. COURT ORDERED, CONTINUED for Plaintiff's response to opposition filed. CONTINUED TO: 02/21/18 9:00 a.m.;

SCHEDULED HEARINGS

Motion to Consolidate (02/21/2018 at 9:00 AM) (Judicial Officer: Bailus, Mark B)
Plaintiffs' Motion to Consolidate Case No. A-16-747800-C with Case No. A-17-765372-C

02/21/2018 **Motion to Consolidate** (9:00 AM) (Judicial Officer: Bailus, Mark B)
Plaintiffs' Motion to Consolidate Case No. A-16-747800-C with Case No. A-17-765372-C
Granted;
Journal Entry Details:
The Court noted no opposition filed. COURT ORDERED, MOTION GRANTED, will not grant fees and costs.;

03/21/2018 **Motion for Summary Judgment** (9:00 AM) (Judicial Officer: Bailus, Mark B)
Events: 03/01/2018 Request
Plaintiffs' Motion for Summary Judgment or, in the alternative, Motion for Judgment on the Pleadings

MINUTES

Request
Filed by: Other Plaintiff September Trust Dated March 23, 1972; Other Plaintiff Gerry R. Zobrist and Jolin G. Zobrist Family Trust; Other Plaintiff The Raynaldo G and Evelyn A Sandoval Joint Living and Devolution Trust Dated; Other Plaintiff Gegen, Julie S; Other Plaintiff Gegen, Dennis A
Request to Set Hearing Date on Motion for Summary Judgment or, in the Alternative, Motion for Judgment on the Pleadings
Continued for Chambers Decision; Plaintiff's Motion for Summary Judgment or, in the alternative, Motion for Judgment on the Pleadings

SCHEDULED HEARINGS

Decision (05/02/2018 at 9:00 AM) (Judicial Officer: Bailus, Mark B)
Decision: Plaintiffs' Motion for Summary Judgment or, in the alternative, Motion for Judgment on the Pleadings Decision: Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust's Countermotion for Summary Judgment

All Pending Motions (03/21/2018 at 9:00 AM) (Judicial Officer: Bailus, Mark B)

03/21/2018 **Opposition and Countermotion** (9:00 AM) (Judicial Officer: Bailus, Mark B)
Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust (1) Opposition to Motion for Summary Judgment, or in the Alternative, Motion for Judgment on the Pleadings; and (2)

Countermotion for Summary Judgment
Continued for Chambers Decision; Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust (1) Opposition to Motion for Summary Judgment, or in the Alternative, Motion for Judgment on the Pleadings; and (2) Countermotion for Summary Judgment

03/21/2018 **All Pending Motions** (9:00 AM) (Judicial Officer: Bailus, Mark B)
Matter Heard;
Journal Entry Details:
Plaintiffs' Motion for Summary Judgment or, in the alternative, Motion for Judgment on the Pleadings ... Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust's Countermotion for Summary Judgment Arguments by counsel. COURT ORDERED, CONTINUED for Decision. 04/04/18 9:00 a.m. Decision: Plaintiffs' Motion for Summary Judgment or, in the alternative, Motion for Judgment on the Pleadings /// Decision: Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust's Countermotion for Summary Judgment;

04/04/2018 **All Pending Motions** (9:00 AM) (Judicial Officer: Bailus, Mark B)
Decision: Plaintiffs' Motion for Summary Judgment or, in the alternative, Motion for Judgment on the Pleadings Decision: Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust's Countermotion for Summary Judgment
Hearing Date;
Journal Entry Details:
Decision: Plaintiffs' Motion for Summary Judgment or, in the alternative, Motion for Judgment on the Pleadings Decision: Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust's Countermotion for Summary Judgment HEARING CONTINUED TO 4/11/18 @ 9:00 FOR ORAL DECISION CLERK'S NOTE: All parties advised of date and appearance requested. ac/04/04/18.;

05/02/2018 **Decision** (9:00 AM) (Judicial Officer: Bailus, Mark B)
Decision: Plaintiffs' Motion for Summary Judgment or, in the alternative, Motion for Judgment on the Pleadings Decision: Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust's Countermotion for Summary Judgment
Decision Made;
Journal Entry Details:
Decision: As to Plaintiffs' Motion for Summary Judgment or, in the alternative, Motion for Judgment on the Pleadings, COURT FINDS after review of Judge Williams' previous order in this case, that order addressed a majority of the issues raised in this matter, and this Court hereby adopts the Findings of Fact, Conclusions of Law from Judge Williams' order as they may pertain to the issues in this matter. Court notes Judge Williams' order addresses additional facts and he did not take any findings that the Defendants Lytle Trust was entitled to the property and that issue was left to the trier of fact. Additionally, that order is the law of the case; based on relevant issues it is applicable in this case. The order in this matter, COURT ORDERED, MOTION GRANTED expunging and striking the abstract(s) of judgment recorded against the Plaintiffs' properties, restraining, enjoining Lytles' from selling or attempting to sell the Plaintiffs' properties; and, from taking any action in the future against the Plaintiffs or their properties based upon any litigation the Lytles have commenced against the association. In addition to the Findings of Fact Conclusions of Laws in this matter, Court Finds that the ruling in this matter be consistent with Judge Williams' order; that being the law of the case. Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust's Countermotion for Summary Judgment COURT ORDERED, MOTION DENIED. Mr. Smith to prepare the order within 10 days and have parties review as to form and content and distribute a filed copy to all parties involved in this matter.;

07/26/2018 **Motion for Attorney Fees and Costs** (9:00 AM) (Judicial Officer: Bailus, Mark B)
Plaintiffs' Motion for Attorney's Fees and Costs

MINUTES

Continued for Chambers Decision; Plaintiffs' Motion for Attorney's Fees and Costs

SCHEDULED HEARINGS

All Pending Motions (07/26/2018 at 9:00 AM) (Judicial Officer: Bailus, Mark B)

07/26/2018 **Motion to Retax** (9:00 AM) (Judicial Officer: Bailus, Mark B)

Defendants' Motion to Retax and Settle Memorandum of Costs

MINUTES

Continued for Chambers Decision;

SCHEDULED HEARINGS

Decision (08/09/2018 at 9:00 AM) (Judicial Officer: Bailus, Mark B)
Decision - Defendants' Motion to Retax and Settle Memorandum of Costs Decision - Plaintiff's Motion for Attorney's Fees

07/26/2018 **All Pending Motions** (9:00 AM) (Judicial Officer: Bailus, Mark B)
Matter Heard;
Journal Entry Details:
Defendants' Motion to retax and Settle Memorandum of Costs ... Plaintiffs' Motion for Attorney's Fees and Costs Court notes clarification on some of the factual issues with these motions. Arguments by counsel. Based on the arguments by counsel, Court is going to go back and review the legal argument and the exhibits. Further, Court notes he wants this case to mirror the case before Judge Williams since much of the decisions on issues in this case were decided by rulings in the other case before this Court ever got this case. 08/09/18 9:00 a.m. Decision - Defendants' Motion to retax and Settle Memorandum of Costs /// Decision: Plaintiffs' Motion for Attorney's Fees and Costs;

08/09/2018 **Motion for Summary Judgment** (9:00 AM) (Judicial Officer: Bailus, Mark B)
Robert Z Disman and Yvonne A Disman's Motion for Summary Judgment or in the ALternative Motion for Judgment on the Pleadings

MINUTES

Continued for Chambers Decision; Robert Z Disman and Yvonne A Disman's Motion for Summary Judgment or in the Alternative Motion for Judgment on the Pleadings

SCHEDULED HEARINGS

Decision (08/17/2018 at 3:00 AM) (Judicial Officer: Bailus, Mark B)
Decision - Robert Z Disman and Yvonne A Disman's Motion for Summary Judgment or in the Alternative Motion for Judgment on the Pleadings

08/09/2018 **Decision** (9:00 AM) (Judicial Officer: Bailus, Mark B)
Decision - Defendants' Motion to Retax and Settle Memorandum of Costs Decision - Plaintiff's Motion for Attorney's Fees

MINUTES

Decision Made; Decision - Defendants' Motion to Retax and Settle Memorandum of Costs

SCHEDULED HEARINGS

All Pending Motions (08/09/2018 at 9:00 AM) (Judicial Officer: Bailus, Mark B)

08/09/2018 **All Pending Motions** (9:00 AM) (Judicial Officer: Bailus, Mark B)
Matter Heard;
Journal Entry Details:

Decision - Plaintiff's Motion for Attorney's Fees COURT having considered the matter and applied Brunzell factors and Pursuant to NRS 18.020(1); NRS 18.050; and, 18.010(2)(b) and ORDERED, Plaintiff's Motion for Attorney's Fees is GRANTED. Decision - Defendants' Motion to Retax and Settle Memorandum of Costs In review of the fees and costs submitted and for good cause shown, COURT ORDERS, Defendants' Motion to Retax is GRANTED. COURT ORDERED, attorney's fees and costs GRANTED AS FOLLOWS: As to September Trust: $13,513.26 Attorney fees GRANTED $250.87 Costs GRANTED As to Zobrist Trust: $13,331.26 Attorney fees GRANTED $250.87 Costs GRANTED As to Sandoval Trust: $12,616.26 Attorney fees GRANTED $250.87 Costs GRANTED As to Dennis & Julie Gegan: $12,590.26 Attorney fees GRANTED $250.87 Costs GRANTED For a Total of $52,051.04 Attorney's fees; and, $1,003.48 Costs GRANTED. Mr. Smith to prepare the order within 10 days and distribute a filed copy to all parties involved in this matter. The order must include last known addresses and all future scheduled court dates. Both the Plaintiff and Defendant are required to be present at the next court date. Robert Z. Disman and Yvonne A. Disman's Motion for Summary Judgment or in the Alternative Motion for Judgment on the Pleadings

Arguments by counsel. Court continued matter to chambers for further review and decision will be rendered by way of Minute Order.;

08/17/2018 **Decision** (3:00 AM) (Judicial Officer: Bailus, Mark B)

Decision - Robert Z Disman and Yvonne A Disman's Motion for Summary Judgment or in the Alternative Motion for Judgment on the Pleadings

Decision Made; Decision - Robert Z Disman and Yvonne A Disman's Motion for Summary Judgment or in the Alternative Motion for Judgment on the Pleadings

Journal Entry Details:

This Court having hear argument, reviewed the pleadings and papers on file, and good cause appearing therefrom ORDERS, Robert Z. Disman and Yvonne A. Disman's Motion for Summary Judgment or, in the Alternative, Judgment on the Pleadings is DENIED Without Prejudice. Mr. Haskin is to prepare the order consistent with the opposition, submit to opposing counsel for approval as to content and form and submit to Chambers for consideration. CLERK'S NOTE: The above minute order has been distributed to: Christina Wang, Esq.; and, Richard Haskin, Esq.;

10/23/2018 **Motion to Stay** (9:00 AM) (Judicial Officer: Bailus, Mark B)

Defendant John Allen Lytle and Trudi Lytles' Motion to Stay Proceedings to Enforce Judgment and Request to Post Cash Deposit in Lieu of a Supersedeas Bond on Order Shortening Time

Granted; Defendant John Allen Lytle and Trudi Lytles' Motion to Stay Proceedings to Enforce Judgment and Request to Post Cash Deposit in Lieu of a Supersedeas Bond on Order Shortening Time

Journal Entry Details:

Matter submitted. Court Finds cash Bond issue addressed in past and amount posted sufficient to indemnify Defendants if they prevail. COURT ORDERS, Defendant John Allen Lytle and Trudi Lytles' Motion to Stay Proceedings to Enforce Judgment and Request to Post Cash Deposit in Lieu of a Supersedeas Bond is GRANTED. Mr. Haskin to prepare the order within 10 days and have opposing counsel review as to form and content and distribute a filed copy to all parties involved in this matter.;

11/27/2018 **Request of Court** (9:00 AM) (Judicial Officer: Bailus, Mark B)

Request of Court - Clarification of Order: In RE: Competing Orders

MINUTES

Matter Heard; Request of Court - Clarification of Order: In RE: Competing Orders

SCHEDULED HEARINGS

All Pending Motions (11/27/2018 at 9:00 AM) (Judicial Officer: Bailus, Mark B)

11/27/2018 **Motion For Reconsideration** (9:00 AM) (Judicial Officer: Bailus, Mark B)

Defendants' Motion to Reconsider Court's Ruling Granting Plaintiffs' Attorney's Fees

Decision Made; Defendants' Motion to Reconsider Court's Ruling Granting Plaintiffs' Attorney's Fees

11/27/2018 **All Pending Motions** (9:00 AM) (Judicial Officer: Bailus, Mark B)

Matter Heard;

Journal Entry Details:

Request of Court - Clarification of Order: In RE: Competing Orders ... Defendants' Motion to Reconsider Court's Ruling Granting Plaintiffs' Attorney's Fees Court advised regarding review of competing orders received. Court does not find that either order complies with this Court's ruling form the hearing. Colloquy regarding the law of the case based on prior ruling in this matter by Judge Williams. Court notes this Court was not aware these proceedings were before the Nevada Supreme Court (NVSC) on the order this Court based its ruling upon, otherwise the Court would have deferred ruling the matter until NVSC had ruled, however, since there is no order on file from the hearing on the motion for summary judgment, COURT VACATES PRIOR RULING and Defers Judgment on Robert Z Disman and Yvonne A Disman's Motion for Summary Judgment or in the Alternative Motion for Judgment on the Pleadings pending ruling by NVSC, which may resolve this issue in its entirety. Ms. Wang to prepare the order consistent with this Court's findings within 10 days and have opposing counsel review as to form and content and distribute a filed copy to all parties involved in this matter.;

01/08/2019	**Pre Trial Conference** (8:30 AM) (Judicial Officer: Barker, David) Off Calendar; Journal Entry Details: *Mr. Foley advised the case has resolved and they will submit a stipulation and order. COURT ORDERED, trial date VACATED and matter OFF CALENDAR. ;*
02/05/2019	*CANCELED* **Calendar Call** (9:00 AM) (Judicial Officer: Holthus, Mary Kay) *Vacated - per Judge*
02/19/2019	*CANCELED* **Bench Trial** (10:00 AM) (Judicial Officer: Williams, Timothy C.) *Vacated - per Judge*
02/20/2019	**Motion for Attorney Fees and Costs** (3:00 AM) (Judicial Officer: Williams, Timothy C.) **02/20/2019, 04/10/2019, 05/16/2019** *Plaintiff's Motion for Attorney's Fees and Costs* Continued; Continued; Motion Granted; Continued; Continued; Motion Granted; Continued; Continued; Motion Granted; Journal Entry Details: *No parties present. COURT ORDERED, matter CONTINUED to this Court's hearing calendar. CONTINUED TO: 4/3/19 8:30 AM CLERK S NOTE: Minute order electronically served through the Eighth Judicial District Court s EFT System. -amt;*
02/27/2019	**Motion to Retax** (3:00 AM) (Judicial Officer: Williams, Timothy C.) **02/27/2019, 04/10/2019, 05/16/2019** *Defendants' Motion to Retax and Settle Memorandum of Costs* Continued; Continued; Motion Denied; Continued; Continued; Motion Denied; Continued; Continued; Motion Denied;
02/27/2019	**Motion for Attorney Fees and Costs** (3:00 AM) (Judicial Officer: Williams, Timothy C.) **02/27/2019, 04/10/2019, 05/16/2019** *Robert Z. Disman and Yvonne Disman's Motion for Attorney's Fees* Continued; Continued; Motion Granted; Continued; Continued; Motion Granted; Continued; Continued; Motion Granted;
02/27/2019	**All Pending Motions** (3:00 AM) (Judicial Officer: Thompson, Charles) Matter Heard; Journal Entry Details: *DEFENDANT'S MOTION TO RETAX AND SETTLE MEMORANDUM OF COSTS ...*

ROBERT Z. DISMAN AND YVONNE DISMAN'S MOTION FOR ATTORNEY'S FEES COURT ORDERED, matter CONTINUED to be heard by Judge Barker. CONTINUED TO: 4/3/19 8:30 AM CLERK S NOTE: Minute order electronically served through the Eighth Judicial District Court s EFT System. -amt 2/27/19;

04/10/2019 **All Pending Motions** (8:30 AM) (Judicial Officer: Barker, David)
Matter Heard;
Journal Entry Details:
MOTION FOR ATTORNEY FEES AND COSTS ... ROBERT Z. DISMAN AND YVONNE DISMAN'S MOTION FOR ATTORNEY'S FEES ... DEFENDANTS' MOTION TO RETAX AND SETTLE MEMORANDUM OF COSTS Upon Court's inquiry, Mr. Foley advised they believe the motions should be heard by Judge Williams, noting Judge Williams recused because his daughter was hired as Judge William's law clerk, however; that position is now over. Mr. Haskin concurred, however, requested the matter be trailed so he can speak to his client. Court noted it will only transfer the case if all parties are in agreement, noting the Court will reach out to Judge Williams to see if he is willing to take the case back. Matter TRAILED. Matter RECALLED. Mr. Haskin advised his client is amenable to returning to Judge Williams. COURT ORDERED, matter SET for Status Check. CONTINUED TO: 5/1/19 9:00 AM (DEPT. 16) CLERK'S NOTE: Subsequent to Court, COURT ORDERED, Motions CONTINUED to Dept. 16's calendar to be heard by Judge Williams. COURT FURTHER ORDERED, matter TRANSFERRED to Department 16. -amt 4/10/19 CLERK'S NOTE: Subsequent to previous rulings, Court noted it will contact Judge Weise and have the case transferred to Department 16 as opposed to having the Clerk's Office reassign the case via this minute order. -amt 4/11/19 ;

04/11/2019 **Minute Order** (2:00 PM) (Judicial Officer: Wiese, Jerry A.)
Minute Order - No Hearing Held;
Journal Entry Details:
The above-referenced matter was previously handled by Judge Timothy Williams. Motions for Summary Judgment were apparently granted, resulting in an Appeal and affirmance. Judge Williams previously recused from the case, due to the fact that his law clerk was related to one of attorneys for one of the parties. Following remand from the Supreme Court, various motions have been filed including a Motion to Retax, and Motion for Attorney's Fees. These matters are currently in Department 9. Judge David Barker, is sitting in Department 9, and recently had a hearing with the attorneys, who indicated that they believed Judge Williams was much more familiar with the facts and circumstances of the case, and would be in a better position to rule on the pending motions. It is noted that the law clerk which previously resulted in Judge Williams recusal is no longer Judge Williams law clerk, so no conflict currently exists. Judge Williams has indicated his willingness to handle this matter. Pursuant to EDCR 1.31, and good cause appearing, the Presiding Civil Judge hereby ORDERS that the Clerk's Office Reassign Case No. A747800 from Department IX to Department XVI (Judge Williams), as Judge Williams (as the prior handling Judge) has more information with regard to the pending case, and such transfer will promote judicial economy. ;

05/16/2019 **All Pending Motions** (9:00 AM) (Judicial Officer: Williams, Timothy C.)
Matter Heard;
Journal Entry Details:
MOTION FOR ATTORNEY'S FEES AND COSTS...ROBERT Z. DISMAN AND YVONNE DISMAN'S MOTION FOR ATTORNEY'S FEES...DEFENDANTS' MOTION TO RETAX AND SETTLE MEMORANDUM OF COSTS Arguments by Mr. Foley, Mr. Haskin, and Ms. Wang. COURT ORDERED, fees and costs awarded. Court stated will take review of attorney fee amounts. FURTHER ORDERED, as to Motion to Retax, costs given. Prevailing party to submit respective orders.;

05/17/2019 **Minute Order** (2:51 PM) (Judicial Officer: Williams, Timothy C.)
re: Motions for Attorneys' Fees
Matter Heard;
Journal Entry Details:
After a review and consideration of the record, the points and authorities on file herein, and oral argument of counsel, the Court determined as follows: The Court has ruled that the CC&R s control the award of attorney s fees in this matter. Pursuant to paragraph 25 of the CC&R s regarding attorney s fees, the losing party or parties shall pay in such amount as may be fixed the court. Applying the language of the CC&R s the Court determined that the

Boulden and Lamothe Plaintiffs and Disman Counter Defendants are the winning parties, the Lytle Defendants are the losing party and the language is mandatory regarding the assessment of attorney fees against the losing party. In addition, after considering the Brunzell factors, the Court awards the Boulden and Lamothe Plaintiffs attorney s fees in the requested amount of $75,733.80 and the Disman Counter Defendants attorney s fees in the requested amount of $35, 676.00. Lastly, the Court declines to make the determination that the Defendants actions lacked reasonable grounds except for the filing of Lis Pendens, which was clearly unreasonable in light of the procedural history of the case. Counsel for the Boulden and Lamothe Plaintiffs and Disman Counter Defendants shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order, but also on the record on file herein. This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections, prior to submitting to the Court for review and signature CLERK'S NOTE: This Minute Order has been electronically served to the parties through Odyssey eFile. ;

DATE	FINANCIAL INFORMATION	
	Cross Claimant Disman, Robert Z	
	Total Charges	200.00
	Total Payments and Credits	200.00
	Balance Due as of 10/8/2019	**0.00**
	Cross Claimant Disman, Yvonne A	
	Total Charges	253.00
	Total Payments and Credits	253.00
	Balance Due as of 10/8/2019	**0.00**
	Defendant Lytle Trust	
	Total Charges	30.00
	Total Payments and Credits	30.00
	Balance Due as of 10/8/2019	**0.00**
	Defendant Lytle, John Allen	
	Total Charges	30.00
	Total Payments and Credits	30.00
	Balance Due as of 10/8/2019	**0.00**
	Defendant Lytle, Trudi Lee	
	Total Charges	766.00
	Total Payments and Credits	766.00
	Balance Due as of 10/8/2019	**0.00**
	Plaintiff Jacques & Linda Lamothe Living Trust	
	Total Charges	30.00
	Total Payments and Credits	30.00
	Balance Due as of 10/8/2019	**0.00**
	Plaintiff Marjorie B. Boulden Trust	
	Total Charges	931.50
	Total Payments and Credits	931.50
	Balance Due as of 10/8/2019	**0.00**
	Defendant Lytle, Trudi Lee	
	Appeal Bond Balance as of 10/8/2019	**500.00**
	Defendant Lytle, Trudi Lee	
	Appeal Bond Balance as of 10/8/2019	**500.00**
	Defendant Lytle, Trudi Lee	
	Supersedeas Bond Balance as of 10/8/2019	**53,054.52**

A-16-747800-C

XVI

DISTRICT COURT CIVIL COVER SHEET

County, Nevada

Case No.
(Assigned by Clerk's Office)

I. Party Information *(provide both home and mailing addresses if different)*

Plaintiff(s) (name/address/phone):	Defendant(s) (name/address/phone):
Marjorie Boulden, 1960 Rosemere Ct., Las Vegas, NV 89117	Trudi Lee Lytle
Jacques Lamothe, 1830 Rosemere Ct., Las Vegas, NV 89117	John Allen Lytle
Linda Lamothe, 1830 Rosemere Ct., Las Vegas, NV 89117	
Attorney (name/address/phone):	Attorney (name/address/phone):
Daniel T. Foley	
626 So. 8th Street, Las Vegas, NV 89101	
702-384-2070	

II. Nature of Controversy *(please select the one most applicable filing type below)*

Civil Case Filing Types

Real Property

Landlord/Tenant
- ☐ Unlawful Detainer
- ☐ Other Landlord/Tenant

Title to Property
- ☐ Judicial Foreclosure
- ☒ Other Title to Property

Other Real Property
- ☐ Condemnation/Eminent Domain
- ☐ Other Real Property

Torts

Negligence
- ☐ Auto
- ☐ Premises Liability
- ☐ Other Negligence

Malpractice
- ☐ Medical/Dental
- ☐ Legal
- ☐ Accounting
- ☐ Other Malpractice

Other Torts
- ☐ Product Liability
- ☐ Intentional Misconduct
- ☐ Employment Tort
- ☐ Insurance Tort
- ☐ Other Tort

Probate

Probate *(select case type and estate value)*
- ☐ Summary Administration
- ☐ General Administration
- ☐ Special Administration
- ☐ Set Aside
- ☐ Trust/Conservatorship
- ☐ Other Probate

Estate Value
- ☐ Over $200,000
- ☐ Between $100,000 and $200,000
- ☐ Under $100,000 or Unknown
- ☐ Under $2,500

Construction Defect & Contract

Construction Defect
- ☐ Chapter 40
- ☐ Other Construction Defect

Contract Case
- ☐ Uniform Commercial Code
- ☐ Building and Construction
- ☐ Insurance Carrier
- ☐ Commercial Instrument
- ☐ Collection of Accounts
- ☐ Employment Contract
- ☐ Other Contract

Judicial Review/Appeal

Judicial Review
- ☐ Foreclosure Mediation Case
- ☐ Petition to Seal Records
- ☐ Mental Competency

Nevada State Agency Appeal
- ☐ Department of Motor Vehicle
- ☐ Worker's Compensation
- ☐ Other Nevada State Agency

Appeal Other
- ☐ Appeal from Lower Court
- ☐ Other Judicial Review/Appeal

Civil Writ

Civil Writ
- ☐ Writ of Habeas Corpus
- ☐ Writ of Mandamus
- ☐ Writ of Quo Warrant
- ☐ Writ of Prohibition
- ☐ Other Civil Writ

Other Civil Filing

Other Civil Filing
- ☐ Compromise of Minor's Claim
- ☐ Foreign Judgment
- ☐ Other Civil Matters

Business Court filings should be filed using the Business Court civil coversheet.

12/7/16
Date

Signature of initiating party or representative

See other side for family-related case filings.

ORDR
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DISTRICT COURT
CLARK COUNTY, NEVADA

MARJORIE B. BOULDEN, TRUSTEE OF THE MARJORIE B. BOULDEN TRUST, LINDA LAMOTHE AND JACQUES LAMOTHE, TRUSTEES OF THE JACQUES & LINDA LAMOTHE LIVING TRUST Plaintiff, v. TRUDI LEE LYTLE AND JOHN ALLEN LYTLE, AS TRUSTEES OF THE LYTLE TRUST, DOES I through X; and ROE CORPORATIONS I through X, Defendants.	Case No. A-16-747800-C Dept. No. XVI Date of Hearing: May 17, 2019 Time of Hearing: 9:00 a.m.

ORDER GRANTING PLAINTIFFS' MOTION FOR ATTORNEYS' FEES AND COSTS AND ORDER DENYING DEFENDANTS' MOTION TO RETAX AND SETTLE COSTS

Plaintiffs Marjorie B. Boulden Trustee of the Marjorie B. Boulden Trust's (hereinafter "Mrs. Boulden") and Linda Lamothe and Jacques Lamothe, Trustees of the Linda Lamothe and Jacques Lamothe Living Trust's (hereinafter the "Lamothes") (collectively referred to as "Plaintiffs") Motion For Attorneys' Fees and Costs and Defendants' Trudi Lee Lytle and John Lytle, the Trustees of the Lytle Living Trust's (the "Lytle Trust") Motion to Retax Costs, came on for hearing before this Court on May 17, 2019. Daniel T. Foley, Esq. appeared on behalf of Mrs. Boulden and the Lamothes, Richard Haskin, Esq. appeared on behalf of the Lytle Trust, Christina

FOLEY & OAKES

Wang, Esq. appeared on behalf of Robert C. Disman and Yvonne Disman, and Wesley Smith appeared on behalf of the September Trust, Gerry R. Zobrist, Jolin G. Zobrist, as Trustees of the Gerry Zobrist and Jolin G. Zobrist Trust, Raynaldo G. Sandoval and Julie Marie Sandoval Gegen, as Trustees of the Raynaldo G. And Evelyn Sandoval Joint Living and Devolution Trust Dated May 27, 1992, and Dennis A. Gegen and Julie Gegen, Husband and Wife as Joint Tenants.

The Court having reviewed the Plaintiffs' Motion, the Lytle Trust's Opposition, the Plaintiffs' Reply, the Lytle Trust's Motion, the Plaintiffs' Opposition and the Lytle Trust's Reply and all documents attached thereto or otherwise filed in this case, and good cause appearing therefore, makes these Findings of Fact and Conclusions of Law.

To the extent any Findings of Fact also contain Conclusions of Law said Conclusions of Law should be considered as such. To the extent that any Conclusions of Law also contain Findings of Fact said Findings of Fact should be considered as such.

FINDINGS OF FACT

1. Mrs. Boulden is trustee of the Marjorie B. Boulden Trust which owned that residential property known as parcel number 163-03-313-008 also known as 1960 Rosemere Ct., Las Vegas, NV 89117 ("the Boulden Property").

2. The Lamothes are the trustees of the Linda Lamothe and Jacques Lamothe Living Trust which owned that certain residential property known as parcel number 163-03-313-002 also known as 1830 Rosemere Ct., Las Vegas, NV 89117 (the "Lamothe Property").

3. The Boulden Property and the Lamothe Property are located in the Rosemere Court subdivision (the "Subdivision") and are subject to the CC&Rs recorded January 4, 1994 (the "Original CC&Rs"), which was later named "Rosemere Estates."

4. In 2009, the Lytle Trust sued the Rosemere Estates Property Owners Association (the Association") in the Eighth Judicial District Court, case # A-09-593497-C (the "Rosemere LPA Litigation").

5. None of the Plaintiffs were ever parties in the Rosemere LPA Litigation.

6. None of the Plaintiffs were a "losing party" in the Rosemere LPA Litigation as that term is found in Section 25 of the Original CC&Rs.

7. The Lytle Trust obtained a Summary Judgment for Declaratory Relief from the District Court in the Rosemere LPA Litigation, which found and ruled as follows:

a. The Association is a limited purpose association under NRS 116.1201, is not a Chapter 116 "unit-owners' association", and is relegated to only those specific duties and powers set forth in Paragraph 21 of the Original CC&Rs and NRS 116.1201.

b. The Association did not have any powers beyond those of the "property owners committee" designation in the Original CC&Rs to take care of those matters set forth in Paragraph 21 of the Original CC&Rs – simply to care for the landscaping and other common elements of Rosemere Estates as set forth in Paragraph 21 of the Original CC&Rs.

c. Consistent with the absence of a governing body, the Developer provided each homeowner the right to independently enforce the Original CC&Rs against one another.

d. The Amended and Restated CC&Rs recorded with the Clark County Recorder's Office as Instrument #20070703-0001934 (the "Amended CC&Rs") are invalid, and the Amended CC&Rs have no force and effect.

8. After obtaining Summary Judgment in the Rosemere LPA Litigation, the Lytle Trust obtained a Judgment against the Association for $361,238.59. (the "Lytle/Association Judgment").

9. After obtaining the Lytle/Association Judgment, the Lytle Trust, on August 16, 2016, recorded with the Clark County Recorder's office Abstracts of Judgement referencing the Lytle/Association Judgment (the "Abstracts of Judgment").

10. On March 10, 2017, Plaintiffs filed their Amended Complaint against the Lytle Trust asserting Causes of Action for Declaratory Relief, Quiet Title, Slander of Title, and Injunctive Relief.

11. In the Amended Complaint, the Plaintiffs alleged in support of all four Causes of Action that the Original CC&R's recorded on January 4, 1994 against all of the properties within the Subdivision created a Limited Purpose Association, that Judge Leavitt had previously declared that the Subdivision was a Limited Purpose Association, that NRS 116.3117 was not applicable to the Rosemere Limited Purpose Association, and therefore the Lytle Trust's Abstracts of Judgment could not be recorded against the Plaintiffs' properties.

12. On March 27, 2017, the Lytle Trust filed a Counter Motion for Summary Judgment and alleged and argued that the terms of the NRS Chapter 116 and the Original CC&Rs allowed a lien or judgment against the Association to attach to each lot within the Association and that pursuant to the Original CC&Rs, a lien or judgment against the Association established under Original CC&Rs attaches to each Lot within the Association.

13. This Court, on April 27, 2017, entered its Order Granting Partial Summary Judgment as to Plaintiffs' Quiet Title and Declaratory Relief causes of action in favor of the Plaintiffs specifically finding and concluding as follows:

> 7. None of the Plaintiffs were a "losing party" in the Rosemere LPA Litigation as that term is found in Section 25 of the Original CC&Rs.
>
> 8. The Defendants obtained a Summary Judgment for Declaratory Relief from the District Court in the Rosemere LPA Litigation, which found and ruled as follows:

a. The Association is a limited purpose association under NRS 116.1201, is not a Chapter 116 "unit-owners' association," and is relegated to only those specific duties and powers set forth in Paragraph 21 of the Original CC&Rs and NRS 116.1201.

b. The Association did not have any powers beyond those of the "property owners committee" designation in the Original CC&Rs – simply to care for the landscaping and other common elements of Rosemere Estates as set forth in Paragraph 21 of the Original CC&Rs.

c. Consistent with the absence of a governing body, the Developer provided each homeowner the right to independently enforce the Original CC&Rs against one another.

d. The Amended and Restated CC&Rs recorded with the Clark County Recorder's Office as Instrument #20070703-0001934 (the "Amended CC&Rs") are invalid, and the Amended CC&Rs have no force and effect.

9. Pursuant to NRS 116.1201(2) most of NRS Chapter 116 does not apply to the Association because it is a limited purpose association that is not a rural agricultural residential community.

14. This Court's Order Granting Partial Summary Judgment was amended on July 25, 2017; however, none of the findings of fact and conclusions of law recited above were modified.

15. Plaintiffs filed a Second Amended Complaint on July 25, 2017, for Slander of Title, Injunctive Relief, Quiet Title and Declaratory Relief.

16. On August 11, 2017, the Lytle Trust filed an Answer to the Second Amended Complaint and its Counter Complaint against the Plaintiffs and specifically alleged that based on the Original CC&Rs, the Lytle Trust was entitled to record the Abstracts of Judgment against the Plaintiffs' properties. The Lytle Trust specifically alleged as follows:

28. There exists a controversy between the Lytles and the Counter-defendants and Third Party Defendants regarding the interpretation, application and enforcement of NRS, Chapter 116 as well as the application of the Original CC&Rs and Amended CC&Rs to the controversy at hand, requiring a determination by this Court and entry of declaratory relief.

29. Specifically, the Lytles contend as follows:

a. Pursuant to the Original CC&Rs, a lien or judgment against the association established under the Original CC&Rs attaches to each lot within the Association.

c. Pursuant to NRS, Chapter 116, the Uniform Common Interest Development Act, a lien or judgment against the Association attached to each lot within the Association, even if the Association is a *limited purpose association,* because under NRS 116.021, each common interest community consists of all "real estate described in a declaration with respect to which a person, by virtue of the person's ownership of a unit, is obligated to pay for a share of real estate taxes, insurance premiums, maintenance or improvement of, or services or other expenses related to, common elements, other units or other real estate described in that declaration." Further under NRS 116.093, each "unit" is defined as the "physical portion of the common-interest community designated for separate ownership or occupancy…" Thus, the association, or common interest community, includes each and every unit in the community, including those owned by third parties.

d. Pursuant to NRS 116.3117, which governed the Association and all owners during the underlying litigation, a judgment against the Association is a lien in favor of the Lytles against all of the real property within the Association and all of the units therein, including Counter-Defendants' properties. The association and its membership are not entitle to use Chapter 116 and all of its provisions as a sword during the litigation against the Lytles, *e.g.* to record multiple liens totaling $209,883.19 against the Lytles and attempt foreclosure against the Lytle Property forcing to procure a $123,000.00 cash bond to prevent such foreclosure, and then a shield to defend against the Lytles after they prevailed in that litigation and the Association was declared a *limited purpose association.*

30. The Lytles desire a judicial determination of the parties' rights and duties and a declaration (that) the lien against the Association, specifically, the Abstract of judgment issued in the NRED II Litigation, can be recorded against 1830 Rosemere Court and 1960 Rosemere Court.

17. The Plaintiffs were the prevailing parties in this litigation.

18. The Lytle Trust was the losing party in this litigation.

19. Section 25 of the CC&Rs provides as follows:

In any legal or equitable proceeding for the enforcement of or to restrain the violation of the Declaration of Covenants, Conditions and

Restrictions or any provision thereof, the losing party or parties shall pay in such amount as may be fixed by the court in such proceeding.
Leave this in

20. The Plaintiffs' Amended Complaint and the Lytle Trust's Counter Complaint were both based in large part on the parties' rights under the Original CC&Rs and whether the Original CC&Rs created a Limited Purpose Association which excluded most of NRS 116, especially NRS 116.3117, from having any application to the Subdivision.

21. Plaintiffs, in this litigation, sought to enforce their specific rights under the Original CC&Rs.

22. The Lytle Trust, in this litigation, sought to enforce alleged rights under the Original CC&Rs, the Plaintiffs incurred $75,733.80 in attorneys' fees and $1,413 in costs.

23. The Court analyzed the Plaintiffs' Attorneys' Fees utilizing the factors identified in *Brunzell v. Golden Gate National Bank*, 85 Nev. 345, at 349-50, 455 P.2d 31, at 33 (1969).

24. The Plaintiffs' Attorneys' fees and costs are reasonable in amount and were necessarily incurred in this litigation.

25. The law firm of Foley & Oakes, PC's and Mr. Foley's hourly rate for legal services was reasonable given Mr. Foley's 35 years of practice, his professional qualities, the nature of the litigation, the work performed, and the results obtained in this case.

26. Foley & Oakes, PC and Mr. Foley exhibited the significant skill required to perform the proper legal services in this matter.

27. The nature of this case, although direct, was not simple and required a dissection of the Lytle Trust's 9-year legal battle in an underlying case and legal research regarding the Homeowners' Association statutes in NRS 116.

28. The results obtained were exactly what were prayed for and predicted in the pre-litigation demand letters.

29. The Court declines to make a determination regarding the lack of reasonableness of the Lytle Trust's grounds for defending and prosecuting this case, other than to conclude that the Lytle Trust's recording of Lis Pendens after the Abstracts of Judgment were released was unreasonable in light of the procedural history of the case.

CONCLUSIONS OF LAW

Section 25 of the CC&Rs is a mandatory provision regarding the award of attorneys' fees and costs being paid by the losing party in any legal or equitable proceeding for the enforcement of or to restrain the violation of the CC&Rs or any provision thereof.

ORDER

Based upon the Findings of Facts and Conclusions of Law above, and good cause appearing therefore,

IT IS HEREBY ORDERED ADJUDGED AND DECREED that the Plaintiffs' Motion for Attorneys' Fees and Costs and Memorandum of Costs and Disbursements are hereby Granted.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the Lytle Trust's Motion to Retax Costs is Denied;

IT IS HEREBY ORDERED ADJUDGED AND DECREED that attorneys' fees are awarded in favor of the Plaintiffs Marjorie B. Boulden Trustee of the Marjorie B. Boulden Trust's and Linda Lamothe and Jacques Lamothe, Trustees of the Linda Lamothe and Jacques Lamothe Living Trust in the total and aggregate amount of $77,146.80 against Trudi Lee Lytle and John Lytle, the Trustees of the Lytle Living Trust.

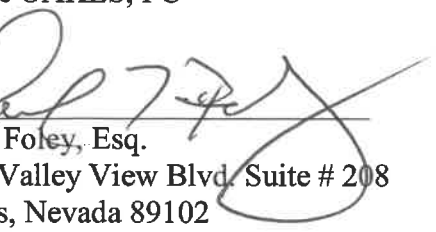
DATED this 19th day of Sept. 2019.

DISTRICT COURT JUDGE

FOLEY & OAKES

Submitted by:

FOLEY & OAKES, PC



Daniel T. Foley, Esq.
1210 So. Valley View Blvd. Suite # 208
Las Vegas, Nevada 89102
Attorney for Plaintiffs

Approved as to form:

/s/ Richard E. Haskin
Richard E. Haskin, Esq.
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Attorney for Defendants

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NOE

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DISTRICT COURT
****
CLARK COUNTY, NEVADA

MARJORIE B. BOULDEN, TRUSTEE OF THE MARJORIE B. BOULDEN TRUST, LINDA LAMOTHE AND JACQUES LAMOTHE, TRUSTEES OF THE JACQUES & LINDA LAMOTHE LIVING TRUST Plaintiff, v. TRUDI LEE LYTLE AND JOHN ALLEN LYTLE, AS TRUSTEES OF THE LYTLE TRUST, DOES I through X; and ROE CORPORATIONS I through X, Defendants.	Case No. A-16-747800-C Dept. No. XVI

NOTICE OF ENTRY OF ORDER GRANTING PLAINTIFFS' MOTION FOR ATTORNEYS' FEES AND COSTS AND ORDER DENYING DEFENDANTS MOTION TO RETAX AND SETTLE COSTS

TO: All Parties and their counsel:

YOU, AND EACH OF YOU, WILL PLEASE TAKE NOTICE that an Order was entered with the above-entitled Court on September 20, 2019.

/ / /

FOLEY & OAKES

A copy of said Stipulation and Order is attached hereto.

Dated this 20th day of September 2019.

FOLEY & OAKES, PC

/s/ Daniel T. Foley
Daniel T. Foley, Esq.
1210 S. Valley View Blvd. #208
Las Vegas, NV 89102
Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

Pursuant to N.R.C.P. Rule 5(b), I certify that I am an employee of Foley & Oakes, PC and that on this 20th day of September 2019 I caused this document to be served pursuant to NEFCR 9, upon all registered parties via the Court's electronic filing system.

I declare that under penalty of perjury under the laws of the State of Nevada that the above is true and correct. I further declare that I am employed in the office of a member of the bar of this court at whose direction this service was made.

/s/ Liz Gould_____
An employee of Foley & Oakes PC

FOLEY & OAKES

EXHIBIT “1”

EXHIBIT “1”

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DISTRICT COURT
CLARK COUNTY, NEVADA

MARJORIE B. BOULDEN, TRUSTEE OF THE MARJORIE B. BOULDEN TRUST, LINDA LAMOTHE AND JACQUES LAMOTHE, TRUSTEES OF THE JACQUES & LINDA LAMOTHE LIVING TRUST Plaintiff, v. TRUDI LEE LYTLE AND JOHN ALLEN LYTLE, AS TRUSTEES OF THE LYTLE TRUST, DOES I through X; and ROE CORPORATIONS I through X, Defendants.	Case No. A-16-747800-C Dept. No. XVI Date of Hearing: May 17, 2019 Time of Hearing: 9:00 a.m.

ORDER GRANTING PLAINTIFFS' MOTION FOR ATTORNEYS' FEES AND COSTS AND ORDER DENYING DEFENDANTS' MOTION TO RETAX AND SETTLE COSTS

Plaintiffs Marjorie B. Boulden Trustee of the Marjorie B. Boulden Trust's (hereinafter "Mrs. Boulden") and Linda Lamothe and Jacques Lamothe, Trustees of the Linda Lamothe and Jacques Lamothe Living Trust's (hereinafter the "Lamothes") (collectively referred to as "Plaintiffs") Motion For Attorneys' Fees and Costs and Defendants' Trudi Lee Lytle and John Lytle, the Trustees of the Lytle Living Trust's (the "Lytle Trust") Motion to Retax Costs, came on for hearing before this Court on May 17, 2019. Daniel T. Foley, Esq. appeared on behalf of Mrs. Boulden and the Lamothes, Richard Haskin, Esq. appeared on behalf of the Lytle Trust, Christina

FOLEY & OAKES

Wang, Esq. appeared on behalf of Robert C. Disman and Yvonne Disman, and Wesley Smith appeared on behalf of the September Trust, Gerry R. Zobrist, Jolin G. Zobrist, as Trustees of the Gerry Zobrist and Jolin G. Zobrist Trust, Raynaldo G. Sandoval and Julie Marie Sandoval Gegen, as Trustees of the Raynaldo G. And Evelyn Sandoval Joint Living and Devolution Trust Dated May 27, 1992, and Dennis A. Gegen and Julie Gegen, Husband and Wife as Joint Tenants.

The Court having reviewed the Plaintiffs' Motion, the Lytle Trust's Opposition, the Plaintiffs' Reply, the Lytle Trust's Motion, the Plaintiffs' Opposition and the Lytle Trust's Reply and all documents attached thereto or otherwise filed in this case, and good cause appearing therefore, makes these Findings of Fact and Conclusions of Law.

To the extent any Findings of Fact also contain Conclusions of Law said Conclusions of Law should be considered as such. To the extent that any Conclusions of Law also contain Findings of Fact said Findings of Fact should be considered as such.

FINDINGS OF FACT

1. Mrs. Boulden is trustee of the Marjorie B. Boulden Trust which owned that residential property known as parcel number 163-03-313-008 also known as 1960 Rosemere Ct., Las Vegas, NV 89117 ("the Boulden Property").

2. The Lamothes are the trustees of the Linda Lamothe and Jacques Lamothe Living Trust which owned that certain residential property known as parcel number 163-03-313-002 also known as 1830 Rosemere Ct., Las Vegas, NV 89117 (the "Lamothe Property").

3. The Boulden Property and the Lamothe Property are located in the Rosemere Court subdivision (the "Subdivision") and are subject to the CC&Rs recorded January 4, 1994 (the "Original CC&Rs"), which was later named "Rosemere Estates."

4. In 2009, the Lytle Trust sued the Rosemere Estates Property Owners Association (the Association") in the Eighth Judicial District Court, case # A-09-593497-C (the "Rosemere LPA Litigation").

5. None of the Plaintiffs were ever parties in the Rosemere LPA Litigation.

6. None of the Plaintiffs were a "losing party" in the Rosemere LPA Litigation as that term is found in Section 25 of the Original CC&Rs.

7. The Lytle Trust obtained a Summary Judgment for Declaratory Relief from the District Court in the Rosemere LPA Litigation, which found and ruled as follows:

a. The Association is a limited purpose association under NRS 116.1201, is not a Chapter 116 "unit-owners' association", and is relegated to only those specific duties and powers set forth in Paragraph 21 of the Original CC&Rs and NRS 116.1201.

b. The Association did not have any powers beyond those of the "property owners committee" designation in the Original CC&Rs to take care of those matters set forth in Paragraph 21 of the Original CC&Rs – simply to care for the landscaping and other common elements of Rosemere Estates as set forth in Paragraph 21 of the Original CC&Rs.

c. Consistent with the absence of a governing body, the Developer provided each homeowner the right to independently enforce the Original CC&Rs against one another.

d. The Amended and Restated CC&Rs recorded with the Clark County Recorder's Office as Instrument #20070703-0001934 (the "Amended CC&Rs") are invalid, and the Amended CC&Rs have no force and effect.

8. After obtaining Summary Judgment in the Rosemere LPA Litigation, the Lytle Trust obtained a Judgment against the Association for $361,238.59. (the "Lytle/Association Judgment").

9. After obtaining the Lytle/Association Judgment, the Lytle Trust, on August 16, 2016, recorded with the Clark County Recorder's office Abstracts of Judgement referencing the Lytle/Association Judgment (the "Abstracts of Judgment").

10. On March 10, 2017, Plaintiffs filed their Amended Complaint against the Lytle Trust asserting Causes of Action for Declaratory Relief, Quiet Title, Slander of Title, and Injunctive Relief.

11. In the Amended Complaint, the Plaintiffs alleged in support of all four Causes of Action that the Original CC&R's recorded on January 4, 1994 against all of the properties within the Subdivision created a Limited Purpose Association, that Judge Leavitt had previously declared that the Subdivision was a Limited Purpose Association, that NRS 116.3117 was not applicable to the Rosemere Limited Purpose Association, and therefore the Lytle Trust's Abstracts of Judgment could not be recorded against the Plaintiffs' properties.

12. On March 27, 2017, the Lytle Trust filed a Counter Motion for Summary Judgment and alleged and argued that the terms of the NRS Chapter 116 and the Original CC&Rs allowed a lien or judgment against the Association to attach to each lot within the Association and that pursuant to the Original CC&Rs, a lien or judgment against the Association established under Original CC&Rs attaches to each Lot within the Association.

13. This Court, on April 27, 2017, entered its Order Granting Partial Summary Judgment as to Plaintiffs' Quiet Title and Declaratory Relief causes of action in favor of the Plaintiffs specifically finding and concluding as follows:

> 7. None of the Plaintiffs were a "losing party" in the Rosemere LPA Litigation as that term is found in Section 25 of the Original CC&Rs.
>
> 8. The Defendants obtained a Summary Judgment for Declaratory Relief from the District Court in the Rosemere LPA Litigation, which found and ruled as follows:

a. The Association is a limited purpose association under NRS 116.1201, is not a Chapter 116 "unit-owners' association," and is relegated to only those specific duties and powers set forth in Paragraph 21 of the Original CC&Rs and NRS 116.1201.

b. The Association did not have any powers beyond those of the "property owners committee" designation in the Original CC&Rs – simply to care for the landscaping and other common elements of Rosemere Estates as set forth in Paragraph 21 of the Original CC&Rs.

c. Consistent with the absence of a governing body, the Developer provided each homeowner the right to independently enforce the Original CC&Rs against one another.

d. The Amended and Restated CC&Rs recorded with the Clark County Recorder's Office as Instrument #20070703-0001934 (the "Amended CC&Rs") are invalid, and the Amended CC&Rs have no force and effect.

9. Pursuant to NRS 116.1201(2) most of NRS Chapter 116 does not apply to the Association because it is a limited purpose association that is not a rural agricultural residential community.

14. This Court's Order Granting Partial Summary Judgment was amended on July 25, 2017; however, none of the findings of fact and conclusions of law recited above were modified.

15. Plaintiffs filed a Second Amended Complaint on July 25, 2017, for Slander of Title, Injunctive Relief, Quiet Title and Declaratory Relief.

16. On August 11, 2017, the Lytle Trust filed an Answer to the Second Amended Complaint and its Counter Complaint against the Plaintiffs and specifically alleged that based on the Original CC&Rs, the Lytle Trust was entitled to record the Abstracts of Judgment against the Plaintiffs' properties. The Lytle Trust specifically alleged as follows:

28. There exists a controversy between the Lytles and the Counter-defendants and Third Party Defendants regarding the interpretation, application and enforcement of NRS, Chapter 116 as well as the application of the Original CC&Rs and Amended CC&Rs to the controversy at hand, requiring a determination by this Court and entry of declaratory relief.

29. Specifically, the Lytles contend as follows:

a. Pursuant to the Original CC&Rs, a lien or judgment against the association established under the Original CC&Rs attaches to each lot within the Association.

c. Pursuant to NRS, Chapter 116, the Uniform Common Interest Development Act, a lien or judgment against the Association attached to each lot within the Association, even if the Association is a *limited purpose association,* because under NRS 116.021, each common interest community consists of all "real estate described in a declaration with respect to which a person, by virtue of the person's ownership of a unit, is obligated to pay for a share of real estate taxes, insurance premiums, maintenance or improvement of, or services or other expenses related to, common elements, other units or other real estate described in that declaration." Further under NRS 116.093, each "unit" is defined as the "physical portion of the common-interest community designated for separate ownership or occupancy…" Thus, the association, or common interest community, includes each and every unit in the community, including those owned by third parties.

d. Pursuant to NRS 116.3117, which governed the Association and all owners during the underlying litigation, a judgment against the Association is a lien in favor of the Lytles against all of the real property within the Association and all of the units therein, including Counter-Defendants' properties. The association and its membership are not entitle to use Chapter 116 and all of its provisions as a sword during the litigation against the Lytles, *e.g.* to record multiple liens totaling $209,883.19 against the Lytles and attempt foreclosure against the Lytle Property forcing to procure a $123,000.00 cash bond to prevent such foreclosure, and then a shield to defend against the Lytles after they prevailed in that litigation and the Association was declared a *limited purpose association.*

30. The Lytles desire a judicial determination of the parties' rights and duties and a declaration (that) the lien against the Association, specifically, the Abstract of judgment issued in the NRED II Litigation, can be recorded against 1830 Rosemere Court and 1960 Rosemere Court.

17. The Plaintiffs were the prevailing parties in this litigation.

18. The Lytle Trust was the losing party in this litigation.

19. Section 25 of the CC&Rs provides as follows:

In any legal or equitable proceeding for the enforcement of or to restrain the violation of the Declaration of Covenants, Conditions and

Restrictions or any provision thereof, the losing party or parties shall pay in such amount as may be fixed by the court in such proceeding.
Leave this in

20. The Plaintiffs' Amended Complaint and the Lytle Trust's Counter Complaint were both based in large part on the parties' rights under the Original CC&Rs and whether the Original CC&Rs created a Limited Purpose Association which excluded most of NRS 116, especially NRS 116.3117, from having any application to the Subdivision.

21. Plaintiffs, in this litigation, sought to enforce their specific rights under the Original CC&Rs.

22. The Lytle Trust, in this litigation, sought to enforce alleged rights under the Original CC&Rs, the Plaintiffs incurred $75,733.80 in attorneys' fees and $1,413 in costs.

23. The Court analyzed the Plaintiffs' Attorneys' Fees utilizing the factors identified in *Brunzell v. Golden Gate National Bank*, 85 Nev. 345, at 349-50, 455 P.2d 31, at 33 (1969).

24. The Plaintiffs' Attorneys' fees and costs are reasonable in amount and were necessarily incurred in this litigation.

25. The law firm of Foley & Oakes, PC's and Mr. Foley's hourly rate for legal services was reasonable given Mr. Foley's 35 years of practice, his professional qualities, the nature of the litigation, the work performed, and the results obtained in this case.

26. Foley & Oakes, PC and Mr. Foley exhibited the significant skill required to perform the proper legal services in this matter.

27. The nature of this case, although direct, was not simple and required a dissection of the Lytle Trust's 9-year legal battle in an underlying case and legal research regarding the Homeowners' Association statutes in NRS 116.

28. The results obtained were exactly what were prayed for and predicted in the pre-litigation demand letters.

29. The Court declines to make a determination regarding the lack of reasonableness of the Lytle Trust's grounds for defending and prosecuting this case, other than to conclude that the Lytle Trust's recording of Lis Pendens after the Abstracts of Judgment were released was unreasonable in light of the procedural history of the case.

CONCLUSIONS OF LAW

Section 25 of the CC&Rs is a mandatory provision regarding the award of attorneys' fees and costs being paid by the losing party in any legal or equitable proceeding for the enforcement of or to restrain the violation of the CC&Rs or any provision thereof.

ORDER

Based upon the Findings of Facts and Conclusions of Law above, and good cause appearing therefore,

IT IS HEREBY ORDERED ADJUDGED AND DECREED that the Plaintiffs' Motion for Attorneys' Fees and Costs and Memorandum of Costs and Disbursements are hereby Granted.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the Lytle Trust's Motion to Retax Costs is Denied;

IT IS HEREBY ORDERED ADJUDGED AND DECREED that attorneys' fees are awarded in favor of the Plaintiffs Marjorie B. Boulden Trustee of the Marjorie B. Boulden Trust's and Linda Lamothe and Jacques Lamothe, Trustees of the Linda Lamothe and Jacques Lamothe Living Trust in the total and aggregate amount of $77,146.80 against Trudi Lee Lytle and John Lytle, the Trustees of the Lytle Living Trust.

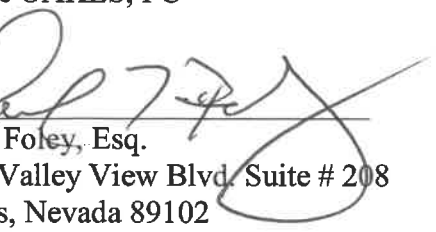
DATED this 19th day of Sept. 2019.

DISTRICT COURT JUDGE

FOLEY & OAKES

Submitted by:

FOLEY & OAKES, PC



Daniel T. Foley, Esq.
1210 So. Valley View Blvd. Suite # 208
Las Vegas, Nevada 89102
Attorney for Plaintiffs

Approved as to form:

/s/ Richard E. Haskin
Richard E. Haskin, Esq.
Gibbs Giden Locker Turner Senet & Wittbrodt LLP
1140 N. Town Center Dr., Ste. 300
Las Vegas, Nevada 89144
Attorney for Defendants

FOLEY & OAKES

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Title to Property **COURT MINUTES** **January 19, 2017**

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

January 19, 2017 **9:00 AM** **Motion for Temporary Restraining Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 12D

COURT CLERK: Lorna Shell

RECORDER:

REPORTER: Peggy Isom

PARTIES PRESENT:

Boulden, Marjorie B	Plaintiff
Foley, Daniel Thomas, ESQ	Attorney
Haskin Esq, Richard Edward	Attorney
Lamothe, Linda	Plaintiff
Lytle, John Allen	Defendant
Lytle, Trudi Lee	Defendant

JOURNAL ENTRIES

- Mr. Foley stated this was regarding a judgment obtained against a third-party that was recorded against his clients, that his clients were not a party in the case, and that the Deft.'s just listed his client's parcel numbers on their judgment. Mr. Foley stated his clients home was set to close escrow tomorrow; however this $361,000 judgment prevented the title company from issuing a title policy. Mr. Foley stated he did not want a Temporary Restraining Order and then be forced to get a bond when the title company could still say they can't issue the title policy. Mr. Foley noted he thought if everything was consolidated he could try this case in one day. Mr. Haskin agreed with Mr. Foley's statements and further stated there were equitable issues; however those were questions of law and that he wanted to reserve the right to dispute. Court stated this case had a history and inquired regarding the effect of the judgment. Following further colloquy by counsel regarding the preliminary injunction and a trial on the merits, Mr. Foley WITHDREW his motion and stated he would proceed from here and no status check was necessary at this time.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Title to Property	**COURT MINUTES**	**April 13, 2017**

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

April 13, 2017 **9:00 AM** **All Pending Motions**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 12D

COURT CLERK: Lorna Shell

RECORDER:

REPORTER: Peggy Isom

PARTIES PRESENT:

Foley, Daniel Thomas, ESQ	Attorney
Haskin Esq, Richard Edward	Attorney

JOURNAL ENTRIES

- MOTION FOR PARTIAL SUMMARY JUDGMENT
PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT AND COUNTER-MOTION TO CONTINUE TRIAL AND EXTEND DISCOVERY DEADLINES

Following extensive arguments by counsel based on the briefs, COURT ORDERED, Motion for Summary Judgment GRANTED; Deft.'s Countermotion DENIED.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Title to Property	**COURT MINUTES**	**May 30, 2017**

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

May 30, 2017	**9:00 AM**	**Motion for Attorney Fees and Costs**	**Motion for Attorney's Fees and Costs**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 12D

COURT CLERK: Tena Jolley

RECORDER:

REPORTER: Peggy Isom

PARTIES PRESENT:

Foley, Daniel Thomas, ESQ	Attorney
Haskin Esq, Richard Edward	Attorney

JOURNAL ENTRIES

- Following arguments of counsel, Court stated that from a practical standpoint this motion will be decided without additional argument following the Motion for Reconsideration currently set for June 29, 2017. Accordingly, COURT ORDERED, matter CONTINUED.

CONTINUED TO: 6/29/17 9:00 AM

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Title to Property	**COURT MINUTES**	**June 01, 2017**

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

June 01, 2017	**9:00 AM**	**Motion to Cancel Lis Pendens**	**Plaintiffs' Motion to Cancel Two Lis Pendens and Motion to Hold Defendants and/or Their Counsel in Contempt of Court on Order Shortening Time**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 12D

COURT CLERK: Sharon Chun

RECORDER:

REPORTER:

PARTIES PRESENT:

Foley, Daniel Thomas, ESQ	Attorney
Haskin Esq, Richard Edward	Attorney

JOURNAL ENTRIES

- Plaintiffs' Motion to Cancel Two Lis Pendens and Motion to Hold Defendants and/or Their Counsel in Contempt of Court on Order Shortening Time

Mr. Foley noted that Mr. Haskin only contested this matter yesterday. A copy of the opposition was handed to the Court and matter was trailed to enable Mr. Foley and the Court to review it.

When matter was recalled later in the calendar, Mr. Haskin stated that under 14.015 the opposition was untimely. COURT ORDERED, matter CONTINUED to Tuesday, 6/6/17 upon Mr. Foley's agreement to that date.

CONTINUED TO: 6/6/17 9:00 AM

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Title to Property	**COURT MINUTES**	**June 06, 2017**

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

June 06, 2017 **9:00 AM** **Motion to Cancel Lis Pendens**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 12D

COURT CLERK: Marwanda Knight

RECORDER:

REPORTER: Peggy Isom

PARTIES PRESENT:

JOURNAL ENTRIES

- Daniel Foley, Esq., appeared on behalf of Pltfs
Richard Haskin, Esq., appeared on behalf of Defts

The Court and counsel noted the matter was fully briefed and counsel invited questions from the Court. Mr. Haskin began to argue the contempt issue; however, the Court stated it would not hold Defts in contempt and entered into colloquy with Mr. Haskin regarding the lis pendes. After hearing argument from both sides, COURT STATED ITS FINDINGS, and ORDERED, Motion GRANTED cancelling the two lis pendens and reiterated that the Court would not hold Defts in contempt; however, no more lis pendens.

Further, Mr. Foley addressed his request for fees and the Court advised it would consider the matter as currently set on June 29, 2017.

Court directed Mr. Foley to submit the proposed order.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Title to Property	**COURT MINUTES**	**June 29, 2017**

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

June 29, 2017 **9:00 AM** **All Pending Motions**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 12D

COURT CLERK: Kristin Duncan

RECORDER:

REPORTER: Peggy Isom

PARTIES PRESENT:

Foley, Daniel Thomas, ESQ	Attorney
Haskin Esq, Richard Edward	Attorney

JOURNAL ENTRIES

- DEFENDANTS TRUDI LEE LYTLE, JOHN ALLEN LYTLE, AND THE LYTLE TRUST'S MOTION FOR RECONSIDERATION OR, IN THE ALTERNATIVE, MOTION TO ALTER OR AMEND JUDGMENT...DEFT'S MOTION FOR ATTORNEY'S FEES AND COSTS

Mr. Haskin argued in support of the Motion for Reconsideration, stating that and Order was entered granting Summary Judgment in favor of the Plaintiff, wherein there was a Finding against Defendant Lytle Trust as to slander of title; however, there was no evidence presented during arguments regarding slander of title. Upon Court's inquiry, Mr. Foley stated that the causes of action appropriately dealt with through the Court's ruling on the Summary Judgment were as follows: Quiet Title, Declaratory Relief, and Slander of Title. Mr. Foley argued in opposition to the Motion for Reconsideration, stating that the Lytles recorded abstracts of judgment on Plaintiffs' parcel numbers, in order to attach the to the properties, which was slander of title and a knowing malicious effort. Additionally, Mr. Foley stated that the case had developed as follows: Mr. Haskin had submitted another judgment obtained on behalf of the Lytle's against the HOA, which must be disclosed; therefore, the Complaint must be amended, and declaratory relief would be needed, to ensure that the findings from the judgment would not waive the claim for slander of title damages for loss of sale. Pursuant to those representations, Mr. Foley stated that he would seek leave to amend the

Complaint, and would withdraw the Motion for Attorney's Fees and Costs. COURT ORDERED the Motion for Reconsideration was hereby DENIED; however, the Alternative Motion to Alter or Amend Judgment was GRANTED as to the Slander of Title Findings. Pursuant to Mr. Foley's representations, COURT ORDERED the Motion for Attorney's Fees and Costs was VACATED. Mr. Haskin to amend the Judgment, and forward it to opposing counsel for approval as to form and content.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Title to Property	**COURT MINUTES**	**January 16, 2018**

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

January 16, 2018 **9:00 AM** **Motion to Extend Discovery**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 12D

COURT CLERK: Elizabeth Vargas

RECORDER:

REPORTER:

PARTIES PRESENT:

Foley, Daniel Thomas, ESQ	Attorney
Haskin Esq, Richard Edward	Attorney
Wang, Christina H.	Attorney

JOURNAL ENTRIES

- Court represented to the parties that a new law clerk will be starting in Dept. 16 on January 22, 2018 and that she is the daughter of Plaintiff's counsel. Although the court could and would rule fairly and without bias, recusal is appropriate in the present case in accordance with Canon 2.11 (C) of the Nevada Code of Judicial Conduct in order to avoid the appearance of impartiality or implied bias. Thus, the Court RECUSES itself from the matter and request that it be randomly reassigned in accordance with appropriate procedures.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Title to Property	**COURT MINUTES**	**February 07, 2018**

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

February 07, 2018	**9:00 AM**	**Motion to Consolidate**	**Plaintiffs' Motion to Consolidate Case No. A-16-747800-C with Case No. A-17-765372-C**

HEARD BY: Bailus, Mark B **COURTROOM:** Phoenix Building Courtroom - 11th Floor

COURT CLERK: Alan Castle

RECORDER: Robin Page

REPORTER:

PARTIES PRESENT:

Elson, Tim	Attorney
Foley, Daniel Thomas, ESQ	Attorney
Smith, Wesley J., ESQ	Attorney
Wang, Christina H.	Attorney

JOURNAL ENTRIES

- Court notes opposition not received by Court or opposing counsel. COURT ORDERED, CONTINUED for Plaintiff's response to opposition filed.

CONTINUED TO:
02/21/18 9:00 a.m.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Title to Property	**COURT MINUTES**	**February 21, 2018**

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

February 21, 2018 **9:00 AM** **Motion to Consolidate**

HEARD BY: Bailus, Mark B **COURTROOM:** Phoenix Building 11th Floor 110

COURT CLERK: Phyllis Irby

RECORDER: Robin Page

REPORTER:

PARTIES PRESENT:

Elson, Tim	Attorney
Foley, Daniel Thomas, ESQ	Attorney
Smith, Wesley J., ESQ	Attorney
Wang, Christina H.	Attorney

JOURNAL ENTRIES

- The Court noted no opposition filed. COURT ORDERED, MOTION GRANTED, will not grant fees and costs.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Title to Property **COURT MINUTES** **March 21, 2018**

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

March 21, 2018 **9:00 AM** **All Pending Motions**

HEARD BY: Bailus, Mark B **COURTROOM:** Phoenix Building Courtroom - 11th Floor

COURT CLERK: Alan Castle

RECORDER: Robin Page

REPORTER:

PARTIES PRESENT:

Foley, Daniel Thomas, ESQ	Attorney
Haskin Esq, Richard Edward	Attorney
Smith, Wesley J., ESQ	Attorney
Wang, Christina H.	Attorney

JOURNAL ENTRIES

- Plaintiffs' Motion for Summary Judgment or, in the alternative, Motion for Judgment on the Pleadings ... Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust's Countermotion for Summary Judgment

Arguments by counsel. COURT ORDERED, CONTINUED for Decision.

04/04/18 9:00 a.m. Decision: Plaintiffs' Motion for Summary Judgment or, in the alternative, Motion for Judgment on the Pleadings /// Decision: Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust's Countermotion for Summary Judgment

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Title to Property **COURT MINUTES** **April 04, 2018**

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

April 04, 2018 **9:00 AM** **All Pending Motions**

HEARD BY: Bailus, Mark B **COURTROOM:** Phoenix Building Courtroom - 11th Floor

COURT CLERK: Alan Castle

RECORDER: Robin Page

REPORTER:

PARTIES PRESENT: Foley, Daniel Thomas, ESQ Attorney

JOURNAL ENTRIES

- Decision:
Plaintiffs' Motion for Summary Judgment or, in the alternative, Motion for Judgment on the Pleadings

Decision:
Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust's Countermotion for Summary Judgment

HEARING CONTINUED TO 4/11/18 @ 9:00 FOR ORAL DECISION

CLERK'S NOTE: All parties advised of date and appearance requested. ac/04/04/18.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Title to Property	**COURT MINUTES**	**May 02, 2018**

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

May 02, 2018 **9:00 AM** **Decision**

HEARD BY: Bailus, Mark B **COURTROOM:** Phoenix Building 11th Floor 110

COURT CLERK: Alan Castle

RECORDER: Robin Page

REPORTER:

PARTIES PRESENT:

Foley, Daniel Thomas, ESQ	Attorney
Haskin Esq, Richard Edward	Attorney
Smith, Wesley J., ESQ	Attorney
Wang, Christina H.	Attorney

JOURNAL ENTRIES

- Decision:

As to Plaintiffs' Motion for Summary Judgment or, in the alternative, Motion for Judgment on the Pleadings, COURT FINDS after review of Judge Williams' previous order in this case, that order addressed a majority of the issues raised in this matter, and this Court hereby adopts the Findings of Fact, Conclusions of Law from Judge Williams' order as they may pertain to the issues in this matter. Court notes Judge Williams' order addresses additional facts and he did not take any findings that the Defendants Lytle Trust was entitled to the property and that issue was left to the trier of fact. Additionally, that order is the law of the case; based on relevant issues it is applicable in this case. The order in this matter, COURT ORDERED, MOTION GRANTED expunging and striking the abstract(s) of judgment recorded against the Plaintiffs' properties, restraining, enjoining Lytles' from selling or attempting to sell the Plaintiffs' properties; and, from taking any action in the future against the Plaintiffs or their properties based upon any litigation the Lytles have commenced against the association. In addition to the Findings of Fact Conclusions of Laws in this matter, Court Finds that

the ruling in this matter be consistent with Judge Williams' order; that being the law of the case.

Defendants Trudi Lee Lytle, John Allen Lytle, The Lytle Trust's Countermotion for Summary Judgment
COURT ORDERED, MOTION DENIED.

Mr. Smith to prepare the order within 10 days and have parties review as to form and content and distribute a filed copy to all parties involved in this matter.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Title to Property	**COURT MINUTES**	**July 26, 2018**

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

July 26, 2018 **9:00 AM** **All Pending Motions**

HEARD BY: Bailus, Mark B **COURTROOM:** Phoenix Building Courtroom - 11th Floor

COURT CLERK: Alan Castle

RECORDER: Robin Page

REPORTER:

PARTIES PRESENT:

Haskin Esq, Richard Edward	Attorney
Oakes, John M.	Attorney
Smith, Wesley J., ESQ	Attorney
Wang, Christina H.	Attorney

JOURNAL ENTRIES

- Defendants' Motion to retax and Settle Memorandum of Costs ... Plaintiffs' Motion for Attorney's Fees and Costs

Court notes clarification on some of the factual issues with these motions. Arguments by counsel. Based on the arguments by counsel, Court is going to go back and review the legal argument and the exhibits. Further, Court notes he wants this case to mirror the case before Judge Williams since much of the decisions on issues in this case were decided by rulings in the other case before this Court ever got this case.

08/09/18 9:00 a.m. Decision - Defendants' Motion to retax and Settle Memorandum of Costs /// Decision: Plaintiffs' Motion for Attorney's Fees and Costs

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Title to Property **COURT MINUTES** **August 09, 2018**

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

August 09, 2018 **9:00 AM** **All Pending Motions**

HEARD BY: Bailus, Mark B **COURTROOM:** Phoenix Building 11th Floor 110

COURT CLERK: Alan Castle

RECORDER: Robin Page

REPORTER:

PARTIES PRESENT:

Foley, Daniel Thomas, ESQ	Attorney
Haskin Esq, Richard Edward	Attorney
Smith, Wesley J., ESQ	Attorney
Wang, Christina H.	Attorney

JOURNAL ENTRIES

- Decision - Plaintiff's Motion for Attorney's Fees

COURT having considered the matter and applied Brunzell factors and Pursuant to NRS 18.020(1); NRS 18.050; and, 18.010(2)(b) and ORDERED, Plaintiff's Motion for Attorney's Fees is GRANTED.

Decision - Defendants' Motion to Retax and Settle Memorandum of Costs

In review of the fees and costs submitted and for good cause shown, COURT ORDERS, Defendants' Motion to Retax is GRANTED.

COURT ORDERED, attorney's fees and costs GRANTED AS FOLLOWS:
As to September Trust:
$13,513.26 Attorney fees GRANTED
$250.87 Costs GRANTED

As to Zobrist Trust:
$13,331.26 Attorney fees GRANTED
$250.87 Costs GRANTED

As to Sandoval Trust:
$12,616.26 Attorney fees GRANTED
$250.87 Costs GRANTED

As to Dennis & Julie Gegan:
$12,590.26 Attorney fees GRANTED
$250.87 Costs GRANTED

For a Total of $52,051.04 Attorney's fees; and, $1,003.48 Costs GRANTED. Mr. Smith to prepare the order within 10 days and distribute a filed copy to all parties involved in this matter. The order must include last known addresses and all future scheduled court dates. Both the Plaintiff and Defendant are required to be present at the next court date.

Robert Z. Disman and Yvonne A. Disman's Motion for Summary Judgment or in the Alternative Motion for Judgment on the Pleadings

Arguments by counsel. Court continued matter to chambers for further review and decision will be rendered by way of Minute Order.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Title to Property	**COURT MINUTES**	**August 17, 2018**

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

August 17, 2018	**3:00 AM**	**Decision**	**Decision - Robert Z Disman and Yvonne A Disman's Motion for Summary Judgment or in the Alternative Motion for Judgment on the Pleadings**

HEARD BY: Bailus, Mark B **COURTROOM:** Phoenix Building Courtroom - 11th Floor

COURT CLERK: Alan Castle

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- This Court having hear argument, reviewed the pleadings and papers on file, and good cause appearing therefrom ORDERS, Robert Z. Disman and Yvonne A. Disman's Motion for Summary Judgment or, in the Alternative, Judgment on the Pleadings is DENIED Without Prejudice.

Mr. Haskin is to prepare the order consistent with the opposition, submit to opposing counsel for approval as to content and form and submit to Chambers for consideration.

CLERK'S NOTE: The above minute order has been distributed to: Christina Wang, Esq.; and, Richard Haskin, Esq.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Title to Property	**COURT MINUTES**	**October 23, 2018**

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

October 23, 2018	**9:00 AM**	**Motion to Stay**	**Defendant John Allen Lytle and Trudi Lytles' Motion to Stay Proceedings to Enforce Judgment and Request to Post Cash Deposit in Lieu of a Supersedeas Bond on Order Shortening Time**

HEARD BY: Bailus, Mark B **COURTROOM:** Phoenix Building 11th Floor 110

COURT CLERK: Alan Castle

RECORDER: Robin Page

REPORTER:

PARTIES PRESENT:

Haskin Esq, Richard Edward	Attorney
Smith, Wesley J., ESQ	Attorney
Wang, Christina H.	Attorney

JOURNAL ENTRIES

- Matter submitted. Court Finds cash Bond issue addressed in past and amount posted sufficient to indemnify Defendants if they prevail. COURT ORDERS, Defendant John Allen Lytle and Trudi Lytles' Motion to Stay Proceedings to Enforce Judgment and Request to Post Cash Deposit in Lieu of a Supersedeas Bond is GRANTED. Mr. Haskin to prepare the order within 10 days and have opposing counsel review as to form and content and distribute a filed copy to all parties involved in

this matter.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Title to Property	**COURT MINUTES**	**November 27, 2018**

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

November 27, 2018 9:00 AM All Pending Motions

HEARD BY: Bailus, Mark B **COURTROOM:** Phoenix Building 11th Floor 110

COURT CLERK: Alan Castle

RECORDER: Robin Page

REPORTER:

PARTIES PRESENT:

Haskin Esq, Richard Edward	Attorney
Smith, Wesley J., ESQ	Attorney
Wang, Christina H.	Attorney

JOURNAL ENTRIES

- Request of Court - Clarification of Order: In RE: Competing Orders ... Defendants' Motion to Reconsider Court's Ruling Granting Plaintiffs' Attorney's Fees

Court advised regarding review of competing orders received. Court does not find that either order complies with this Court's ruling form the hearing. Colloquy regarding the law of the case based on prior ruling in this matter by Judge Williams. Court notes this Court was not aware these proceedings were before the Nevada Supreme Court (NVSC) on the order this Court based its ruling upon, otherwise the Court would have deferred ruling the matter until NVSC had ruled, however, since there is no order on file from the hearing on the motion for summary judgment, COURT VACATES PRIOR RULING and Defers Judgment on Robert Z Disman and Yvonne A Disman's Motion for Summary Judgment or in the Alternative Motion for Judgment on the Pleadings pending ruling by NVSC, which may resolve this issue in its entirety. Ms. Wang to prepare the order consistent with this Court's findings within 10 days and have opposing counsel review as to form and content and distribute a filed copy to all parties involved in this matter.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Title to Property	**COURT MINUTES**	**January 08, 2019**

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

January 08, 2019 **8:30 AM** **Pre Trial Conference**

HEARD BY: Barker, David **COURTROOM:** Phoenix Building 11th Floor 110

COURT CLERK: Athena Trujillo

RECORDER: Robin Page

REPORTER:

PARTIES PRESENT:

Foley, Daniel Thomas, ESQ	Attorney
Haskin Esq, Richard Edward	Attorney
Smith, Wesley J., ESQ	Attorney

JOURNAL ENTRIES

- Mr. Foley advised the case has resolved and they will submit a stipulation and order. COURT ORDERED, trial date VACATED and matter OFF CALENDAR.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Title to Property	**COURT MINUTES**	**February 20, 2019**

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

February 20, 2019 **3:00 AM** **Motion for Attorney Fees and Costs**

HEARD BY: Barker, David **COURTROOM:** No Location

COURT CLERK: Athena Trujillo

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- No parties present.

COURT ORDERED, matter CONTINUED to this Court's hearing calendar.

CONTINUED TO: 4/3/19 8:30 AM

CLERK S NOTE: Minute order electronically served through the Eighth Judicial District Court s EFT System. -amt

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Title to Property **COURT MINUTES** **February 27, 2019**

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

February 27, 2019 **3:00 AM** **All Pending Motions**

HEARD BY: Thompson, Charles **COURTROOM:** No Location

COURT CLERK: Athena Trujillo

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- DEFENDANT'S MOTION TO RETAX AND SETTLE MEMORANDUM OF COSTS ... ROBERT Z. DISMAN AND YVONNE DISMAN'S MOTION FOR ATTORNEY'S FEES

COURT ORDERED, matter CONTINUED to be heard by Judge Barker.

CONTINUED TO: 4/3/19 8:30 AM

CLERK S NOTE: Minute order electronically served through the Eighth Judicial District Court s EFT System. -amt 2/27/19

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Title to Property	**COURT MINUTES**	**April 10, 2019**

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

April 10, 2019 **8:30 AM** **All Pending Motions**

HEARD BY: Barker, David **COURTROOM:** Phoenix Building 11th Floor 110

COURT CLERK: Athena Trujillo

RECORDER: Robin Page

REPORTER:

PARTIES PRESENT:

Foley, Daniel Thomas, ESQ	Attorney
Haskin Esq, Richard Edward	Attorney
Smith, Wesley J., ESQ	Attorney
Wang, Christina H.	Attorney

JOURNAL ENTRIES

- MOTION FOR ATTORNEY FEES AND COSTS ... ROBERT Z. DISMAN AND YVONNE DISMAN'S MOTION FOR ATTORNEY'S FEES ... DEFENDANTS' MOTION TO RETAX AND SETTLE MEMORANDUM OF COSTS

Upon Court's inquiry, Mr. Foley advised they believe the motions should be heard by Judge Williams, noting Judge Williams recused because his daughter was hired as Judge William's law clerk, however; that position is now over. Mr. Haskin concurred, however, requested the matter be trailed so he can speak to his client. Court noted it will only transfer the case if all parties are in agreement, noting the Court will reach out to Judge Williams to see if he is willing to take the case back. Matter TRAILED.

Matter RECALLED. Mr. Haskin advised his client is amenable to returning to Judge Williams. COURT ORDERED, matter SET for Status Check.

CONTINUED TO: 5/1/19 9:00 AM (DEPT. 16)

CLERK'S NOTE: Subsequent to Court, COURT ORDERED, Motions CONTINUED to Dept. 16's calendar to be heard by Judge Williams. COURT FURTHER ORDERED, matter TRANSFERRED to Department 16. -amt 4/10/19

CLERK'S NOTE: Subsequent to previous rulings, Court noted it will contact Judge Weise and have the case transferred to Department 16 as opposed to having the Clerk's Office reassign the case via this minute order. -amt 4/11/19

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Title to Property **COURT MINUTES** **April 11, 2019**

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

April 11, 2019 **2:00 PM** **Minute Order**

HEARD BY: Wiese, Jerry A. **COURTROOM:** No Location

COURT CLERK: Vanessa Medina

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- The above-referenced matter was previously handled by Judge Timothy Williams. Motions for Summary Judgment were apparently granted, resulting in an Appeal and affirmance. Judge Williams previously recused from the case, due to the fact that his law clerk was related to one of attorneys for one of the parties. Following remand from the Supreme Court, various motions have been filed including a Motion to Retax, and Motion for Attorney's Fees. These matters are currently in Department 9. Judge David Barker, is sitting in Department 9, and recently had a hearing with the attorneys, who indicated that they believed Judge Williams was much more familiar with the facts and circumstances of the case, and would be in a better position to rule on the pending motions. It is noted that the law clerk which previously resulted in Judge Williams recusal is no longer Judge Williams law clerk, so no conflict currently exists. Judge Williams has indicated his willingness to handle this matter.

Pursuant to EDCR 1.31, and good cause appearing, the Presiding Civil Judge hereby ORDERS that the Clerk's Office Reassign Case No. A747800 from Department IX to Department XVI (Judge Williams), as Judge Williams (as the prior handling Judge) has more information with regard to the pending case, and such transfer will promote judicial economy.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Title to Property **COURT MINUTES** **May 16, 2019**

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

May 16, 2019 **9:00 AM** **All Pending Motions**

HEARD BY: Williams, Timothy C. **COURTROOM:** RJC Courtroom 03H

COURT CLERK: Christopher Darling

RECORDER:

REPORTER: Peggy Isom

PARTIES PRESENT:

Foley, Daniel Thomas, ESQ	Attorney
Haskin Esq, Richard Edward	Attorney
Smith, Wesley J., ESQ	Attorney
Wang, Christina H.	Attorney

JOURNAL ENTRIES

- MOTION FOR ATTORNEY'S FEES AND COSTS...ROBERT Z. DISMAN AND YVONNE DISMAN'S MOTION FOR ATTORNEY'S FEES...DEFENDANTS' MOTION TO RETAX AND SETTLE MEMORANDUM OF COSTS

Arguments by Mr. Foley, Mr. Haskin, and Ms. Wang. COURT ORDERED, fees and costs awarded. Court stated will take review of attorney fee amounts. FURTHER ORDERED, as to Motion to Retax, costs given. Prevailing party to submit respective orders.

DISTRICT COURT
CLARK COUNTY, NEVADA

Other Title to Property	**COURT MINUTES**	**May 17, 2019**

A-16-747800-C Marjorie B. Boulden Trust, Plaintiff(s)
vs.
Trudi Lytle, Defendant(s)

May 17, 2019 **2:51 PM** **Minute Order**

HEARD BY: Williams, Timothy C. **COURTROOM:** Chambers

COURT CLERK: Christopher Darling

RECORDER:

REPORTER:

PARTIES PRESENT:

JOURNAL ENTRIES

- After a review and consideration of the record, the points and authorities on file herein, and oral argument of counsel, the Court determined as follows:

The Court has ruled that the CC&R s control the award of attorney s fees in this matter. Pursuant to paragraph 25 of the CC&R s regarding attorney s fees, the losing party or parties shall pay in such amount as may be fixed the court. Applying the language of the CC&R s the Court determined that the Boulden and Lamothe Plaintiffs and Disman Counter Defendants are the winning parties, the Lytle Defendants are the losing party and the language is mandatory regarding the assessment of attorney fees against the losing party. In addition, after considering the Brunzell factors, the Court awards the Boulden and Lamothe Plaintiffs attorney s fees in the requested amount of $75,733.80 and the Disman Counter Defendants attorney s fees in the requested amount of $35, 676.00.

Lastly, the Court declines to make the determination that the Defendants actions lacked reasonable grounds except for the filing of Lis Pendens, which was clearly unreasonable in light of the procedural history of the case.

Counsel for the Boulden and Lamothe Plaintiffs and Disman Counter Defendants shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute

Order, but also on the record on file herein. This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections, prior to submitting to the Court for review and signature

CLERK'S NOTE: This Minute Order has been electronically served to the parties through Odyssey eFile.

EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE

NOTICE OF DEFICIENCY

ON APPEAL TO NEVADA SUPREME COURT

RICHARD E. HASKIN, ESQ.
1140 N. TOWN CENTER DR., SUITE 300
LAS VEGAS, NV 89144-0596

DATE: October 8, 2019
CASE: A-16-747800-C
C/W A-17-765372-C

RE CASE: MARJORIE B. BOULDEN, TRUSTEE OF THE MARJORIE B. BOULDEN TRUST; LINDA LAMOTHE AND JACQUES LAMOTHE TRUSTEES OF THE JACQUES & LINDA LAMOTHE LIVING TRUST vs. TRUDI LEE LYTLE AND JOHN ALLEN LYTLE, AS TRUSTEES OF THE LYTLE TRUST

NOTICE OF APPEAL FILED: October 4, 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 GRANTING PLAINTIFFS' MOTION FOR ATTORNEYS' FEES AND COSTS AND ORDER DENYING DEFENDANTS' MOTION TO RETAX AND SETTLE COSTS; NOTICE OF ENTRY OF ORDER GRANTING PLAINTIFFS' MOTION FOR ATTORNEYS' FEES AND COSTS AND ORDER DENYING DEFENDANTS MOTION TO RETAX AND SETTLE COSTS; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

MARJORIE B. BOULDEN, TRUSTEE OF THE MARJORIE B. BOULDEN TRUST; LINDA LAMOTHE AND JACQUES LAMOTHE TRUSTEES OF THE JACQUES & LINDA LAMOTHE LIVING TRUST,

Plaintiff(s),

vs.

TRUDI LEE LYTLE AND JOHN ALLEN LYTLE, AS TRUSTEES OF THE LYTLE TRUST,

Defendant(s),

Case No: A-16-747800-C
Consolidated with A-17-765372-C
Dept No: XVIII

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 8 day of October 2019.

Steven D. Grierson, Clerk of the Court

Heather Ungermann, Deputy Clerk