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*Attorneys for Defendants and Edward Bayuk, as Trustee for Non-Party the Edward Bayuk**Living Trust*Electronically Filed
Dec 13 2019 11:11 a.m.
Elizabeth A. Brown
Clerk of Supreme Court**IN THE SECOND JUDICIAL DISTRICT FOR THE STATE OF NEVADA****IN AND FOR THE COUNTY OF WASHOE**WILLIAM A. LEONARD, Trustee for the
Bankruptcy Estate of Paul Anthony Morabito,

Plaintiff,

vs.

SUPERPUMPER, INC., an Arizona corporation;
EDWARD BAYUK, individually and as Trustee
of the EDWARD BAYUK LIVING TRUST;
SALVATORE MORABITO, an individual; and
SNOWSHOE PETROLEUM, INC., a New York
corporation,

Defendants.

Case No.: CV13-02663
Dept. No.: 4**NOTICE OF APPEAL**

Defendants, Superpumper, Inc.; Edward Bayuk, individually and as Trustee of the Edward Bayuk Living Trust; Edward Bayuk, as Trustee, for the benefit of Non-Party the Edward Bayuk Living Trust; Salvatore Morabito; and Snowshoe Petroleum, Inc., by and through their attorneys of record, Marquis Aurbach Coffing, hereby appeal to the Supreme Court of Nevada from: (1) the Order Denying [Morabito's] Claim of Exemption, which was filed on August 2, 2019 and is attached as **Exhibit 1**; (2) the Order Denying [Bayuk's] Claim of Exemption and Third Party Claim, which was filed on August 9, 2019 and is attached as **Exhibit 2**; and (3) the Order Denying Defendants' Motion to Make Amended or Additional Findings Under

1 NRCP 52(b), or, in the Alternative, Motion for Reconsideration and Denying Plaintiff's
2 Countermotion for Fees and Costs Pursuant to NRS 7.085, which was filed on November 8, 2019
3 and is attached as **Exhibit 3**.

4 **AFFIRMATION PURSUANT TO NRS 239B.030**

5 The undersigned affirms that the pleading or document now being presented to the Court
6 in the above-entitled action does **not** contain any Personal Information (as defined in
7 NRS 603A.040).

8 Dated this 6th day of December, 2019.

9
10 MARQUIS AURBACH COFFING

11 By /s/ Micah S. Echols
12 Micah S. Echols, Esq.
13 Nevada Bar No. 8437
14 10001 Park Run Drive
15 Las Vegas, Nevada 89145
16 *Attorneys for Defendants and Edward Bayuk, as*
17 *Trustee for Non-Party the Edward Bayuk Living*
18 *Trust*
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing **NOTICE OF APPEAL** was submitted electronically for filing and/or service with the Second Judicial District Court on the 6th day of December, 2019. Electronic service of the foregoing document shall be made in accordance with the E-Service List as follows:

ERIKA TURNER, ESQ.
for WILLIAM A. LEONARD, JR, TRUSTEE OF ESTATE OF PAUL A. MORABITO

FRANK GILMORE, ESQ.
for SALVATORE R. MORABITO, SNOWSHOE PETROLEUM, INC.,
and SUPERPUMPER, INC.

MARK WEISENMILLER, ESQ.
for WILLIAM A. LEONARD, JR, TRUSTEE OF ESTATE OF PAUL A. MORABITO

JEFFREY HARTMAN, ESQ.
for EDWARD WILLIAM BAYUK LIVING TRUST, and EDWARD BAYUK

TERESA PILATOWICZ, ESQ.
for WILLIAM A. LEONARD, JR, TRUSTEE OF ESTATE OF PAUL A. MORABITO

GABRIELLE HAMM, ESQ.
for WILLIAM A. LEONARD, JR, TRUSTEE OF ESTATE OF PAUL A. MORABITO

MICHAEL LEHNERS, ESQ.
for EDWARD WILLIAM BAYUK LIVING TRUST, and EDWARD BAYUK and
SALVATORE R. MORABITO

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage prepaid, addressed to:

GERALD M. GORDON, ESQ.
Garman Turner Gordon LLP
650 White Drive, Ste. 100
Las Vegas, Nevada 89119
SPECIAL COUNSEL TO TRUSTEE

/s/ Leah Dell
Leah Dell, an employee of
Marquis Aurbach Coffing

INDEX OF EXHIBITS

Exhibit No.	Document Description	No. of Pages
1	Order Denying [Morabito's] Claim of Exemption (filed 08/02/19)	3
2	Order Denying [Bayuk's] Claim of Exemption and Third Party Claim (filed 08/09/19)	5
3	Order Denying Defendants' Motion to Make Amended or Additional Findings Under NRCP 52(b), or, in the Alternative, Motion for Reconsideration and Denying Plaintiff's Countermotion for Fees and Costs Pursuant to NRS 7.085 (filed 11/08/19)	10

Exhibit 1

2840

IN THE SECOND JUDICIAL DISTRICT COURT OF
THE STATE OF NEVADA, IN AND FOR THE COUNTY OF WASHOE

WILLIAM A. LEONARD, Trustee for the
Bankruptcy Estate of Paul Anthony
Morabito,

CASE NO.: CV13-02663

DEPT. NO.: 4

Plaintiff,

vs.

SUPERPUMPER, INC., an Arizona
corporation; EDWARD BAYUK,
individually and as Trustee of the EDWARD
WILLIAM BAYUK LIVING TRUST;
SALVATORE MORABITO, and individual;
and SNOWSHOE PETROLEUM, INC., a
New York corporation,

Defendants.

ORDER DENYING CLAIM OF EXEMPTION

Before the Court is the *Notice of Claim of Exemption from Execution* (the "Claim of Exemption") filed on July 2, 2019 by Defendant Salvatore Morabito ("Morabito"). The Claim of Exemption is supported by the *Declaration of Salvatore Morabito Claiming Exemption from Execution* (the "Morabito Declaration"), also filed on July 2, 2019. *Plaintiff's Objection to Notice of Claim of Exemption from Execution Filed by Salvatore Morabito and Request for Hearing* (the "Objection") was filed on July 16, 2019, and *Morabito's Reply to Plaintiff's Objection to Notice of Claim of Exemption from Execution* (the "Reply") was filed on July 18, 2019.

The Court held a hearing on the Claim of Exemption on July 22, 2019. Morabito appeared by and through counsel, Michael Lehnert. Plaintiff appeared by and through counsel, Erika Pike Turner, Gerald M. Gordon and Teresa Pilatowicz of the law firm of Garman Turner Gordon LLP.

1 The Court has reviewed and considered the arguments made in the Claim of Exemption,
2 the Objection, and the Reply, the papers and pleadings on file with the Court in this action, the
3 testimony and exhibits admitted during the trial, the Court's Findings of Fact, Conclusions of Law,
4 and Judgment, entered on March 29, 2019 (the "Judgment"), and the arguments of counsel made
5 at the hearing. The Court is persuaded by the argument and authorities in Plaintiff's Objection and
6 the arguments of Plaintiff's counsel at the hearing, along with the pleadings and papers on file, the
7 trial record, and the findings and conclusions set forth in the Judgment. As such, the Court finds
8 that Sam Morabito failed to meet his burden to show that there are assets in Nevada subject to
9 exemption from execution.

10 Based on the foregoing, and good cause appearing:

11 IT IS HEREBY ORDERED that the Claim of Exemption filed by Salvatore Morabito is
12 denied.

13 Dated this 2 day of August, 2019.

14 Connie J. Steinheimer
15 DISTRICT JUDGE
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Exhibit 2

2840

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

WILLIAM A. LEONARD, Trustee for the
Bankruptcy Estate of Paul Anthony
Morabito,

CASE NO.: CV13-02663

DEPT. NO.: 4

Plaintiff,

vs.

SUPERPUMPER, INC., an Arizona
corporation; EDWARD BAYUK,
individually and as Trustee of the EDWARD
WILLIAM BAYUK LIVING TRUST;
SALVATORE MORABITO, and individual;
and SNOWSHOE PETROLEUM, INC., a
New York corporation,

Defendants.

ORDER DENYING CLAIM OF EXEMPTION AND THIRD PARTY CLAIM

Before the Court is the *Notice of Claim of Exemption from Execution* (the “Claim of Exemption”) filed on June 28, 2019 by Edward Bayuk (“Bayuk”), individually and as trustee of the Edward William Bayuk Living Trust (the “Bayuk Trust”), and the *Third Party Claim to Property Levied Upon [NRS 31.070]* (the “Third Party Claim”) filed on July 3, 2019 by the Bayuk Trust. The Claim of Exemption and Third Party Claim are supported by the *Declaration of Edward Bayuk Claiming Exemption from Execution* (the “Bayuk Declaration”), filed on July 2, 2019. Plaintiff’s *Objection to (1) Declaration of Edward Bayuk Claiming Exemption From Execution and (2) Third Party Claim to Property Levied Upon, and Request for Hearing Pursuant to NRS 21.112 and 31.070(5)* (the “Objection”) was filed on July 11, 2019, and Bayuk and the Bayuk Trust’s *Reply to Objection to Claim of Exemption and Third Party Claim to Property Levied Upon* (the “Reply”) was filed on July 17, 2019.

1 The Court held a hearing on the Claim of Exemption and Third Party Claim on July 22,
2 2019. Bayuk and the Bayuk Trust appeared by and through counsel, Michael Lehnars and Jeffrey
3 L. Hartman. Plaintiff appeared by and through counsel, Erika Pike Turner, Gerald M. Gordon,
4 and Teresa Pilatowicz of the law firm of Garman Turner Gordon LLP.

5 The Court has reviewed and considered the arguments made in the Claim of Exemption
6 and the Third Party Claim, the Objection, and the Reply, the Bayuk Declaration, the exhibits to all
7 of the foregoing, the papers and pleadings on file with the Court in this action, the testimony and
8 exhibits admitted during the trial, the Court's Findings of Fact, Conclusions of Law, and Judgment,
9 entered on March 29, 2019 (the "Judgment"), and the arguments of counsel made at the hearing.
10 The Court, persuaded by the argument and authorities in Plaintiff's Objection and the arguments
11 of Plaintiff's counsel at the hearing, along with the pleadings and papers on file, the trial record,
12 and the findings and conclusions set forth in the Judgment, finds as follows:

13 1. The court has subject matter jurisdiction over the claims asserted against Bayuk, as
14 trustee of the Bayuk Trust.

15 2. Bayuk has transferred all of his personal assets to the Bayuk Trust since the Bayuk
16 Trust was established in 1998. As set forth in the Judgment, the Bayuk Trust received fraudulently
17 transferred property which was established by clear and convincing evidence.

18 3. The purported nature of the Bayuk Trust as a Nevada spendthrift trust was not
19 disclosed prior to the Claim of Exemption. In response to discovery requests, in deposition, in
20 subject deeds, and at trial prior to the Judgment, Bayuk and the Bayuk Trust produced
21 contradictory evidence regarding the date and the purpose of the Bayuk Trust. With the Claim of
22 Exemption, the Bayuk Trust clarifies that that there is, and has been, only one trust with the name
23 "the Edward William Bayuk Living Trust" and that is the Bayuk Trust.

24 4. The Bayuk Trust does not meet the requirements for enforcement as a Nevada
25 spendthrift trust under NRS 166.015 because Bayuk is the settlor and beneficiary during his
26 lifetime of the Bayuk Trust, and neither Bayuk nor his co-trustee Paul Morabito are domiciles of
27 Nevada. NRS 166.015(2). As established in the Judgment, Bayuk and Paul Morabito moved to
28 California in September 2010.

5. Contrary to assertions by Bayuk, there was no credible evidence presented that the Bayuk Trust owns a burial plot in Nevada; but, even if such fact were established, the ownership of a burial plot in Nevada is insufficient to invoke the protections of NRS Chapter 166.

6. Even if the claims asserted against the Bayuk Trust were subject to the time periods under NRS 166.170, they were timely because the fraudulent transfer claim was brought (1) within two years after the fraudulent transfers were made and (2) also within six months of discovery of, or when Plaintiff reasonably should have discovered, the existence of the purported spendthrift trust. The subject fraudulent transfers occurred in September 2010 and thereafter. The Bayuk Trust executed a tolling agreement on November 30, 2011 to toll any statute of limitations applicable to the fraudulent transfer of property to the Bayuk Trust, which tolling agreement tolled the time period to file until June 18, 2013 and the Complaint was filed in December 2013. The purported nature of the Bayuk Trust as a spendthrift trust subject to NRS 166.170 was not disclosed until the Claim of Exemption. Moreover, any defenses based on NRS 166.170 have been waived as a result of the failure of Bayuk or the Bayuk Trust to raise such defenses prior to the Claim of Exemption.

Based upon review of the entire file, the foregoing, and good cause appearing:

IT IS HEREBY ORDERED that the June 28, 2019 Claim of Exemption filed by Edward Bayuk, individually and as trustee of the Edward William Bayuk Living Trust is DENIED.

IT IS HEREBY FURTHER ORDERED that the July 3, 2019 Third Party Claim to Property Levied Upon [NRS 31.070] filed by the Bayuk Trust is DENIED.

Dated this 9 day of August, 2019.

Connie J. Steinheimer
DISTRICT JUDGE

CERTIFICATE OF SERVICE

CASE NO. CV13-02663

I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT of the STATE OF NEVADA, COUNTY OF WASHOE; that on the 9 day of August, 2019, I filed the **ORDER DENYING CLAIM OF EXEMPTION AND THIRD PARTY CLAIM** with the Clerk of the Court.

I further certify that I transmitted a true and correct copy of the foregoing document by the method(s) noted below:

 Personal delivery to the following: [NONE]

 f **Electronically filed with the Clerk of the Court, using the eFlex system which constitutes effective service for all eFiled documents pursuant to the eFile User Agreement.**

ERIKA TURNER, ESQ. for WILLIAM A. LEONARD, JR, TRSTEE OF ESTATE OF PAUL A. MORABITO

MICAH ECHOLS, ESQ. for EDWARD WILLIAM BAYUK LIVING TRUST et al

JEFFREY HARTMAN, ESQ. for EDWARD WILLIAM BAYUK LIVING TRUST, EDWARD BAYUK

MARK WEISENMILLER, ESQ. for WILLIAM A. LEONARD, JR, TRSTEE OF ESTATE OF PAUL A. MORABITO

FRANK GILMORE, ESQ. for SNOWSHOE PETROLEUM, INC., SALVATORE R. MORABITO, SUPERPUMPER, INC.

MICHAEL LEHNERS, ESQ. for SALVATORE R. MORABITO

TERESA PILATOWICZ, ESQ. for WILLIAM A. LEONARD, JR, TRSTEE OF ESTATE OF PAUL A. MORABITO

GABRIELLE HAMM, ESQ. for WILLIAM A. LEONARD, JR, TRSTEE OF ESTATE OF PAUL A. MORABITO

 Transmitted document to the Second Judicial District Court mailing system in a sealed envelope for postage and mailing by Washoe County using the United States Postal Service in Reno, Nevada: [NONE]

 Placed a true copy in a sealed envelope for service via:

 Reno/Carson Messenger Service – [NONE]

 Federal Express or other overnight delivery service [NONE]

DATED this 9 day of August, 2019.

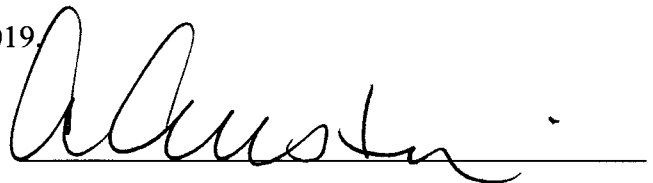


Exhibit 3

2840

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

WILLIAM A. LEONARD, Trustee for the
Bankruptcy Estate of Paul Anthony
Morabito,

CASE NO.: CV13-02663

DEPT. NO.: 4

Plaintiff,

vs.

SUPERPUMPER, INC., an Arizona
corporation; EDWARD BAYUK,
individually and as Trustee of the EDWARD
WILLIAM BAYUK LIVING TRUST;
SALVATORE MORABITO, and individual;
and SNOWSHOE PETROLEUM, INC., a
New York corporation,

Defendants.

**ORDER DENYING DEFENDANTS' MOTION TO MAKE AMENDED OR
ADDITIONAL FINDINGS UNDER NRCP 52(B), OR, IN THE ALTERNATIVE,
MOTION FOR RECONSIDERATION AND DENYING PLAINTIFF'S
COUNTERMOTION FOR FEES AND COSTS PURSUANT TO NRS 7.085**

On November 26, 2018, the Court concluded the nine day Non-Jury Trial and took the matter under advisement.

On January 30, 2019, Plaintiff William A. Leonard. Leonard, Trustee of the Bankruptcy Estate of Paul Anthony Morabito (hereinafter "Leonard"), by and through his attorney, Erika Pike Turner, Esq. Teresa M. Pilatowicz, Esq. and Gabrielle A. Hamm, Esq. of Garman Turner Gordan LLP, filed *Plaintiff's Motion to Reopen Evidence*. Also, on January 30, 2019, Leonard filed an *Errata to Plaintiff's Motion to Reopen Evidence*, and an *Ex Parte Motion for Order Shortening Time on Plaintiff's Motion to Reopen Evidence and for Expedited Hearing*. On February 4, 2019, the Court entered an *Order Shortening Time on Plaintiff's Motion to Reopen Evidence and Setting*

1 *Expedited Hearing* wherein the Court set forth the shortened briefing deadlines and scheduled a
2 hearing on the motion to reopen evidence for February 8, 2019. Also, on February 4, 2019,
3 Leonard filed a *Supplement to Plaintiff's Motion to Reopen Evidence*.

4 On February 6, 2019, Defendants Superpumper, Inc., Edward Bayuk, individually and as
5 Trustee of the Edward William Bayuk Living Trust, Salvatore Morabito and Snowshoe Petroleum,
6 Inc. (hereinafter collectively "Superpumper Defendants"), by and through their attorney, Frank C.
7 Gilmore, Esq. of Robison, Sharp, Sullivan & Brust, filed *Defendants' Response to Motion to*
8 *Reopen Evidence*.

9 On February 7, 2019, Leonard filed *Plaintiff's Reply to Defendants' Response to Motion*
10 *to Reopen Evidence*.

11 On February 8, 2019, Erika Turner, Esq. appeared on behalf of Leonard, and Frank
12 Gilmore, Esq. appeared on behalf of the Superpumper Defendants at the scheduled hearing on
13 Leonard's Motion to Reopen Evidence. After hearing the arguments of the parties, the Court
14 granted Leonard's motion to reopen evidence and set an ongoing non-jury trial wherein the
15 Superpumper Defendants would have the opportunity to present rebuttal evidence for March 1,
16 2019.

17 On February 28, 2019, an *Amended Stipulation to Vacate March 1, 2019 Hearing* was filed
18 wherein the Superpumper Defendants waived any rebuttal to the evidence admitted at the February
19 8, 2019 hearing, Trial Exhibits 305, 306, 307, 308 and 309, and the parties stipulated to vacating
20 the March 1, 2019 ongoing non-jury trial. Thereafter, on February 28, 2019, the Court entered an
21 *Order Granting Amended Stipulation to Vacate March 1, 2019 Hearing*.

22 On March 6, 2019, Leonard filed *[Plaintiff's Proposed] Findings of Fact, Conclusions of*
23 *Law, and Judgment*. On March 8, 2019, the Superpumper Defendants filed *[Defendants' Proposed*
24 *Amended] Findings of Fact, Conclusions of Law and Judgment*.

25 On March 29, 2019, the Court entered its *Findings of Fact, Conclusions of Law and*
26 *Judgment*. Also, on March 29, 2019, Leonard filed a *Notice of Entry of Findings of Fact,*
27 *Conclusions of Law and Judgment*.

1 On April 11, 2019, Leonard filed *Plaintiff's Memorandum of Costs and Disbursements*.
2 On April 12, 2019, Leonard filed an *Application for Attorneys' Fees and Costs Pursuant to NRCP*
3 *68*. On May 15, 2019, the Superpumper Defendants filed a *Motion to Retax Costs*. On April 17,
4 2019, *Plaintiff's Opposition to Motion to Retax Costs* was filed. On April 22, 2019, the
5 Superpumper Defendants filed their *Reply in Support of Motion to Retax Costs*. On April 25, 2019,
6 the Superpumper Defendants filed their *Opposition to Application for Attorneys' Fees and Costs*.

7 On April 25, 2019, Jeffrey L. Hartman, Esq. and the law firm of Hartman & Hartman,
8 substituted in the place and stead of Frank Gilmore, Esq. and Robison, Sharp, Sullivan & Brust,
9 as attorney of record for Defendant Edward Bayuk, individually and as Trustee of the Edward
10 William Bayuk Living Trust (hereinafter "Bayuk")

11 Also, on April 25, 2019, Defendants Salvatore Morabito, Snowshoe Petroleum, Inc. and
12 Superpumper, Inc. (hereinafter the "Morabito Defendants") filed a *Motion for New Trial and/or to*
13 *Alter or Amend Judgment Pursuant to NRCP 52, 59 and 60*. On April 26, 2019, Bayuk filed a
14 *Motion for New Trial and/or to Alter or Amend Judgment*.

15 On April 30, 2019, *Plaintiff's Reply in Support of Application for Attorneys' Fees and*
16 *Costs Pursuant to NRCP 68* was filed. On May 1, 2019, Leonard submitted his Application for
17 Attorneys' Fees and Costs Pursuant to NRCP 68 and the Superpumper Defendants' Motion to
18 Retax Costs for the Court's consideration.

19 On May 7, 2019, *Plaintiff's Opposition to Defendants' Motions for New Trial and/or to*
20 *Alter or Amend Judgment* was filed. On May 14, 2019, the Morabito Defendants filed *Defendants'*
21 *Reply in Support of Motion for New Trial and/or to Alter or Amend Judgment Pursuant to NRCP*
22 *52, 59 and 60*, and submitted the motion for the Court's consideration. After the time to file a
23 reply had expired, Leonard submitted Defendant Bayuk's Motion for New Trial and/or to Alter or
24 Amend Judgment for the Court's consideration on May 21, 2019.

25 On June 24, 2019, the Court held a telephonic hearing on its decision concerning the
26 submitted motions of Leonard's application for attorneys' fees and costs, the motion to retax costs
27 and the Morabito Defendants' and Bayuk's motions for new trial and/or alter or amend judgment
28 wherein Erika Turner, Esq., Teresa Pilatowicz, Esq. and Gabrielle Hamm, Esq. appeared on behalf

1 of Leonard, Jeffrey Hartman, Esq. appeared on behalf of Bayuk, and Frank Gilmore, Esq. appeared
2 on behalf of the Morabito Defendants.

3 At the hearing, the Court stated that it was persuaded by a majority of the arguments of
4 Leonard; therefore, it was granting in part and denying in part the Motion to Retax Costs. As a
5 result, the Court found that reasonable costs were incurred in the amount of \$152,856.84. As to
6 Leonard's motion for attorneys' fees and costs, the Court found that Bayuk and the Morabito
7 Defendants' rejection of the offer of judgment was unreasonable, and ordered costs incurred from
8 June 1, 2016 which were reduced by the decision in the motion to retax costs, and that Bayuk and
9 the Morabito Defendants were to pay Leonard's attorneys' fees in the amount of \$773,116.00, less
10 \$8,128.87 for sanctions previously paid.

11 Next, the Court turned its attention to Bayuk and the Morabito Defendants' motions for
12 new trial and/or to amend or alter judgment. Having reviewed all the pleadings filed related to the
13 motions, the entire file, and presided over the trial, the Court found it was persuaded by a majority
14 of the arguments of Leonard, and found that there were no clerical mistakes, oversights or newly
15 discovered evidence or any other reason to justify relief from the judgment pursuant to NRCP 60,
16 that NRCP 52 does not support modification of the judgment as written, and that there were no
17 irregularities that denied Bayuk and the Morabito Defendants a fair trial nor error in law over
18 defendants' objections that would justify a new trial and/or altering the judgment pursuant to
19 NRCP 59, and that in light of the evidence supporting the Court's finding regarding multiple
20 badges of fraud and lack of good faith by Bayuk and the Morabito Defendants, they could not
21 demonstrate that any error materially affected their substantial rights or affected the outcome of
22 the trial. As such, the Court denied Bayuk's and the Morabito Defendants' Motions for New Trial
23 and/or Alter or Amend Judgment Pursuant to NRCP 52, 59 and 60.

24 On July 2, 2019, Salvatore Morabito filed a *Notice of Claim of Exemption from Execution*
25 and a *Declaration of Salvatore Morabito Claiming Exemption from Execution*. On July 3, 2019,
26 Edward Bayuk filed a *Third-Party Claim to Property Levied Upon NRS 31, 070*.

27 On July 10, 2019, the written *Order Denying Defendants' Motions for New Trial and/or to*
28 *Alter or Amend Judgment* was entered. Also, on July 10, 2019, the written *Order Granting in Part*

1 *and Denying in Part Motion to Retax Costs and the written Order Granting Plaintiff's Application*
2 *for an Award of Attorneys' Fees and Costs Pursuant to NRCP 68* were entered.

3 On July 11, 2019, Leonard filed *Plaintiff's Objection to (1) Claim of Exemption from*
4 *Execution and (2) Third Party Claim to Property Levied Upon, and Request for Hearing Pursuant*
5 *to NRS 21.112 and 31.070(5).*

6 On July 16, 2019, Leonard filed a *Notice of Hearing on Plaintiff's Objection to (1) Claim*
7 *of Exemption from Execution and (2) Third Party Claim to Property Levied Upon, and Request*
8 *for Hearing Pursuant to NRS 21.112 and 31.070(5)* wherein the hearing on the claims of
9 exemption was scheduled for July 22, 2019. Also, on July 16, 2019, *Plaintiff's Objection to Notice*
10 *of Claim of Exemption from Execution filed by Salvatore Morabito and Request for Hearing* was
11 filed. Additionally, on July 16, 2019, Leonard filed notices of entry of orders concerning the Order
12 Denying Defendants' Motion for New Trial and/or Alter or Amend Judgment, Order Granting in
13 Part and Denying in Part Motion to Retax Costs, and the Order Granting Plaintiff's Application
14 for an Award of Attorneys' Fees and Costs Pursuant to NRCP 68.

15 On July 17, 2019, Bayuk filed his *Reply to Objection to Claim of Exemption and Third-*
16 *Party Claim to Property Levied Upon.*

17 On July 18, 2019, Michael Lehnrs, Esq. filed a *Notice of Appearance* as attorney of record
18 on behalf of Salvatore Morabito, and associating as co-counsel for Bayuk. Also, on July 18, 2019,
19 Salvatore Morabito filed his *Reply to Plaintiff's Objection to Notice of Claim from Exemption from*
20 *Execution.* Also, on July 18, 2019, Leonard filed a *Notice of Hearing on Plaintiff's Objection to*
21 *Notice of Claim of Execution Filed by Salvatore Morabito* was filed setting the hearing on
22 Salvatore Morabito's claims of exemption for July 22, 2019.

23 On July 22, 2019, Erika Turner, Esq. and Teresa Pilatowicz, Esq. appeared on behalf of
24 Leonard, Jeffrey Hartman, Esq. appeared with Defendant Edward Bayuk, and Michael Lehnrs,
25 Esq. appeared as co-counsel on behalf of Edward Bayuk, and counsel for Salvatore Morabito at
26 the scheduled hearing on the objections to claims of exemption. After hearing argument of the
27 parties, the Court found that there were not sufficient factors in the case to create trust protections.
28 Neither a trustee or beneficiary of the Edward William Bayuk Living Trust live in the State of

1 Nevada, the Court does have the necessary jurisdiction to rule in the case, and the objection was
2 waived by the Defendants as it was not raised during the course of the trial. As such, the Court
3 denied the claims of exemption. Additionally, the Court heard argument on Mr. Lehner's oral
4 motion for stay of proceedings pending appeal, and a motion for leave to supplement record as to
5 the burial plot. After hearing argument of the parties, the Court denied the request to supplement
6 the record with testimony of Edward Bayuk regarding the burial plot, and denied the motion to
7 stay proceedings with leave to renew once written decision is entered regarding the request for
8 exemption. Finally, the Court rendered its oral decision denying Edward William Bayuk Living
9 Trust's third-party claim.

10 On August 5, 2019, Micah S. Echols, Esq. and Kathleen A. Wilde, Esq. of Marquis
11 Aurbach Coffing filed a *Notice of Appearance* as attorney of record on behalf of Defendants
12 Superpumper, Inc., Bayuk, Salvatore Morabito and Snowshoe Petroleum, Inc. Additionally, on
13 August 5, 2019, Defendants Superpumper, Inc., Edward Bayuk, Salvatore Morabito and Snowshoe
14 Petroleum, Inc., by and through the law firm of Marquis Aurbach Coffing, filed a *Notice of Appeal*
15 concerning the Findings of Fact, Conclusions of Law, and Judgment filed March 29, 2019, the
16 Order Denying Defendants' Motion for New Trial and/or to Alter or Amend Judgment filed July
17 10, 2019, the Order Granting in Part and Denying in Part Motion to Retax Costs, filed July 10,
18 2019, and the Order Granting Plaintiff's Application for an Award of Attorneys' Fees and Costs
19 Pursuant to NRCP 68 filed July 10, 2019.

20 Also, on August 5, 2019, Bayuk, by and through Jeffrey Hartman, Esq. and Michael
21 Lehner, Esq. filed a *Notice of Appeal* of eight orders entered in the instant matter from August 17,
22 2014 to July 20, 2019.

23 On August 19, 2019, Bayuk and the Superpumper Defendants filed a *Motion to Amended*
24 *or Additional Findings Under NRCP 52(b), or, in the Alternative, Motion for Reconsideration.*

25 On August 30, 2019, Bayuk and the Superpumper Defendants filed an *Errata to Motion to*
26 *Make Amended or Additional Findings under NRCP 52(b), or in the Alternative, Motion for*
27 *Reconsideration.* On August 30, 2019, Leonard filed *Plaintiff's Opposition to Motion to Make*
28 *Amended or Additional Findings Under NRCP 52(b), or in the Alternative, Motion for*

1 *Reconsideration, and Countermotion for Fees and Costs Pursuant to NRS 7.085.* Thereafter, also
2 on August 30, 2019, Leonard filed an *Errata to Plaintiff's Opposition to Motion to Make Amended*
3 *or Additional Findings Under NRCP 52(b), or, in the Alternative, Motion for Reconsideration and*
4 *Countermotion for Fees and Costs Pursuant to NRS 7.085.*

5 On September 4, 2019, Bayuk and the Superpumper Defendants filed their *Reply in*
6 *Support of Motion to Amended or Additional Findings Under NRCP 52(b), or, in the Alternative,*
7 *Motion for Reconsideration and Opposition to Countermotion for Fees and Costs,* and submitted
8 their motion for the Court's consideration.

9 The Court has considered the pleadings noted above, in addition to all exhibits, papers and
10 pleadings on file in the case; the record of the trial including trial transcripts and exhibits, the
11 Court's Findings of Fact, Conclusion of Law and Judgment dated March 29, 2019, and the record
12 of the July 22, 2019 hearing.

13 Based upon the above, the Court finds no basis in law or fact to support amending or
14 supplementing the Court's previously entered orders or findings.

15 Good cause appearing,

16 IT IS HEREBY ORDERED that Defendants' Motion to Make Amended or Additional
17 Findings Under NRCP 52(b), or, in the Alternative, Motion for Reconsideration is DENIED.

18 IT IS HEREBY FURTHER ORDERED that Plaintiff's Countermotion for Fees and Costs
19 Pursuant to NRS 7.085 is DENIED.

20 Dated this 8 day of November, 2019.

21
22 Connie J. Steinheimer
23 DISTRICT JUDGE
24
25
26
27
28

CERTIFICATE OF SERVICE

CASE NO. CV13-02663

I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT of the STATE OF NEVADA, COUNTY OF WASHOE; that on the 8 day of November, 2019, I filed the **ORDER DENYING DEFENDANTS' MOTION TO MAKE AMENDED OR ADDITIONAL FINDINGS UNDER NRCP 52(B), OR, IN THE ALTERNATIVE, MOTION FOR RECONSIDERATION AND DENYING PLAINTIFF'S COUNTERMOTION FOR FEES AND COSTS PURSUANT TO NRS 7.085** with the Clerk of the Court.

I FURTHER CERTIFY THAT I TRANSMITTED A TRUE AND CORRECT COPY OF THE FOREGOING DOCUMENT BY THE METHOD(S) NOTED BELOW:

 PERSONAL DELIVERY TO THE FOLLOWING: [NONE]

 ELECTRONICALLY FILED WITH THE CLERK OF THE COURT, USING THE EFLEX SYSTEM WHICH CONSTITUTES EFFECTIVE SERVICE FOR ALL EFILED DOCUMENTS PURSUANT TO THE EFILE USER AGREEMENT.

GABRIELLE HAMM, ESQ. FOR WILLIAM A. LEONARD, JR, TRSTEE OF ESTATE OF PAUL A. MORABITO

JEFFREY HARTMAN, ESQ. FOR EDWARD WILLIAM BAYUK LIVING TRUST, EDWARD BAYUK

TERESA PILATOWICZ, ESQ. FOR WILLIAM A. LEONARD, JR, TRSTEE OF ESTATE OF PAUL A. MORABITO

TOM STEWART, ESQ. FOR EDWARD WILLIAM BAYUK LIVING TRUST ET AL

ERIKA TURNER, ESQ. FOR WILLIAM A. LEONARD, JR, TRSTEE OF ESTATE OF PAUL A. MORABITO

MARK WEISENMILLER, ESQ. FOR WILLIAM A. LEONARD, JR, TRSTEE OF ESTATE OF PAUL A. MORABITO

KATHLEEN WILDE, ESQ. FOR EDWARD WILLIAM BAYUK LIVING TRUST ET AL

MICHAEL LEHNERS, ESQ. FOR SALVATORE R. MORABITO

MICAH ECHOLS, ESQ. FOR EDWARD WILLIAM BAYUK LIVING TRUST ET AL

FRANK GILMORE, ESQ. FOR SALVATORE R. MORABITO, SUPERPUMPER, INC., SNOWSHOE PETROLEUM, INC.

1 **TRANSMITTED DOCUMENT TO THE SECOND JUDICIAL DISTRICT COURT**
2 **MAILING SYSTEM IN A SEALED ENVELOPE FOR POSTAGE AND MAILING BY**
3 **WASHOE COUNTY USING THE UNITED STATES POSTAL SERVICE IN RENO,**
4 **NEVADA: [NONE]**

5 **PLACED A TRUE COPY IN A SEALED ENVELOPE FOR SERVICE VIA:**

6 _____ Reno/Carson Messenger Service – [NONE]

7 _____ Federal Express or other overnight delivery service [NONE]

8 DATED this 8 day of November, 2019.

9 

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Marquis Aurbach Coffing

Micah S. Echols, Esq.

Nevada Bar No. 8437

10001 Park Run Drive

Las Vegas, Nevada 89145

Telephone: (702) 382-0711

Facsimile: (702) 382-5816

mechols@maclaw.com

*Attorneys for Defendants and Edward Bayuk, as Trustee for Non-Party the Edward Bayuk Living Trust***IN THE SECOND JUDICIAL DISTRICT FOR THE STATE OF NEVADA****IN AND FOR THE COUNTY OF WASHOE**WILLIAM A. LEONARD, Trustee for the
Bankruptcy Estate of Paul Anthony Morabito,

Plaintiff,

vs.

SUPERPUMPER, INC., an Arizona corporation;
EDWARD BAYUK, individually and as Trustee
of the EDWARD BAYUK LIVING TRUST;
SALVATORE MORABITO, an individual; and
SNOWSHOE PETROLEUM, INC., a New York
corporation,

Defendants.

Case No.: CV13-02663

Dept. No.: 4

CASE APPEAL STATEMENT

Defendants, Superpumper, Inc.; Edward Bayuk, individually and as Trustee of the Edward Bayuk Living Trust; Edward Bayuk, as Trustee for Non-Party the Edward Bayuk Living Trust; Salvatore Morabito; and Snowshoe Petroleum, Inc., by and through their attorneys of record, Marquis Aurbach Coffing, hereby file this Case Appeal Statement.

1. Name of appellants filing this Case Appeal Statement:

Defendants, Superpumper, Inc.; Edward Bayuk, individually and as Trustee of the Edward Bayuk Living Trust; Edward Bayuk, as Trustee for Non-Party the Edward Bayuk Living Trust; Salvatore Morabito; and Snowshoe Petroleum, Inc.

- 1 2. Identify the Judge issuing the decision, judgment, or order appealed from:
- 2 Honorable Connie J. Steinheimer, District Court Judge
- 3 3. Identify each appellant and the name and address of counsel for each appellant:
- 4 **Superpumper, Inc. and Snowshoe Petroleum, Inc.**
- 5 Frank Gilmore, Esq.
6 Robison, Sharp, Sullivan & Brust
7 71 Washington Street
8 Reno, Nevada 89503
- 9 Micah S. Echols, Esq.
10 Marquis Aurbach Coffing
11 10001 Park Run Drive
12 Las Vegas, Nevada 89145
- 13 **Salvatore Morabito**
- 14 Frank Gilmore, Esq.
15 Robison, Sharp, Sullivan & Brust
16 71 Washington Street
17 Reno, Nevada 89503
- 18 Micah S. Echols, Esq.
19 Marquis Aurbach Coffing
20 10001 Park Run Drive
21 Las Vegas, Nevada 89145
- 22 **Edward Bayuk, individually and as Trustee of the Edward Bayuk Living**
23 **Trust and Edward Bayuk, as Trustee for Non-Party the Edward Bayuk**
24 **Living Trust**
- 25 Jeffrey Hartman, Esq.
26 Hartman & Hartman
27 510 W. Plumb Lane, Ste. B
28 Reno, Nevada 89509
- Micah S. Echols, Esq.
Marquis Aurbach Coffing
10001 Park Run Drive
Las Vegas, Nevada 89145

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

4 **William A. Leonard, Trustee for the Bankruptcy Estate of Paul Anthony**
5 **Morabito**

6 Gerald M. Gordon, Esq.
7 Erica Pike Turner, Esq.
8 Teresa M. Pilatowicz, Esq.
9 Gabrielle A. Hamm, Esq.
10 Mark M. Weisenmiller, Esq.
11 Garman Turner Gordon LLP
12 650 White Drive, Ste. 100
13 Las Vegas, Nevada 89119

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

18 N/A

19 6. Indicated whether appellant was represented by appointed or retained counsel in
20 the district court:

21 Retained.

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

24 Retained.

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

27 N/A

28 9. Indicate the date the proceedings commenced in the district court (e.g., date
complaint indictment, information, or petition was filed):

The complaint was filed on December 17, 2013.

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

4 This is an action to recover alleged fraudulent conveyances. The action was commenced
5 by JH, Inc.; Jerry Herbst; and Berry-Hinckley Industries, Inc. on December 17, 2013. On
6 June 20, 2013, JH, Inc.; Jerry Herbst; and Berry-Hinckley Industries, Inc. filed a petition for an
7 involuntary bankruptcy against Paul Morabito in the United States Bankruptcy Court for the
8 District of Nevada, Case No. BK-N 13-51237. On December 22, 2014, the Bankruptcy Court
9 entered an order for relief under Chapter 7. The order for relief signifies that the requirements of
10 11 U.S.C. § 303 have been met and that the bankruptcy may proceed under Chapter 7. William
11 A. Leonard was appointed as the Chapter 7 Trustee in the involuntary bankruptcy. On June 16,
12 2015, the District Court entered an order substituting William A. Leonard as the Plaintiff in the
13 place of JH, Inc.; Jerry Herbst; and Berry-Hinckley Industries, Inc. pursuant to NRCP 17(a).

14 On March 29, 2019 the District Court entered judgment against each of the Defendants as
15 follows:

16 Against Ed Bayuk and the Bayuk Trust, as follows: 1. Avoiding the transfer of the El
17 Camino Property and the Los Olivos Property, and awarding Plaintiff damages in the amount of
18 \$884,999.95, with offset for amounts collected on account of the El Camino Property and the
19 Los Olivos Property; 2. Avoiding the transfer of Baruk LLC and awarding Plaintiff damages in
20 the amount of \$1,654,550 with offset for amounts collected on account of Baruk LLC;
21 3. Avoiding the transfer of \$420,250 and awarding Plaintiff damages in the amount of \$420,250
22 with offset for amounts collected on account of the \$420,250; and 4. Avoiding the Superpumper
23 Transfer and awarding Plaintiff damages in the amount of \$4,949,000 with offset for amounts
24 collected on account of the Superpumper Transfer.

25 Against Sam Morabito as follows: 1. Avoiding the transfer of \$355,000 and awarding
26 Plaintiff damages in the amount of \$355,000 with offset for amounts collected on account on
27 account of the \$355,000; and 2. Avoiding the Superpumper Transfer and awarding Plaintiff
28

1 damages in the amount of \$4,949,000 with offset for amounts collected on account of the
2 Superpumper Transfer.

3 Against Snowshoe, avoiding the Superpumper Transfer and awarding Plaintiff damages
4 in the amount of \$9,898,000 with offset for amounts collected on account of the Superpumper
5 Transfer. In post-trial proceedings, the District Court denied a motion for new trial, and awarded
6 Plaintiff attorney fees and costs.

7 Upon initiation of execution proceedings, Defendants Ed Bayuk and Salvatore Morabito
8 both filed claims of exemption. Edward Bayuk, as Trustee for Non-Party the Edward Bayuk
9 Living Trust also filed a third-party claim. However, the District Court denied the claims of
10 exemption in orders filed on August 2, 2019 and August 9, 2019. On August 19, 2019,
11 Defendants filed their motion to make amended or additional findings under NRCP 52(b), or, in
12 the alternative, motion for reconsideration. The District Court denied Defendants' motion in an
13 order filed on November 8, 2019.

14 Defendants now appeal from: (1) the Order Denying [Morabito's] Claim of Exemption,
15 which was filed on August 2, 2019; (2) the Order Denying [Bayuk's] Claim of Exemption and
16 Third Party Claim, which was filed on August 9, 2019; and (3) the Order Denying Defendants'
17 Motion to Make Amended or Additional Findings Under NRCP 52(b), or, in the Alternative,
18 Motion for Reconsideration and Denying Plaintiff's Countermotion for Fees and Costs Pursuant
19 to NRS 7.085, which was filed on November 8, 2019.

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

23 Superpumper, Inc. v. Leonard, Supreme Court Case No. 79355

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

25 N/A

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

1 In Supreme Court Case No. 79355, the Settlement Judge determined that this case is not
2 appropriate for mediation in the Court's settlement conference program.

3
4 **AFFIRMATION PURSUANT TO NRS 239B.030**

5 The undersigned affirms that the pleading or document now being present to the Court in
6 the above-entitled action does **not** contain any Personal Information (as defined in
7 NRS 603A.040).

8 Dated this 6th day of December, 2019.

9
10 MARQUIS AURBACH COFFING

11 By /s/ Micah S. Echols
12 Micah S. Echols, Esq.
13 Nevada Bar No. 8437
14 10001 Park Run Drive
15 Las Vegas, Nevada 89145
16 *Attorneys for Defendants and Edward Bayuk, as*
17 *Trustee for Non-Party the Edward Bayuk Living*
18 *Trust*
19
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing **CASE APPEAL STATEMENT** was submitted electronically for filing and/or service with the Second Judicial District Court on the 6th day of December, 2019. Electronic service of the foregoing document shall be made in accordance with the E-Service List as follows:

ERIKA TURNER, ESQ.
for WILLIAM A. LEONARD, JR, TRUSTEE OF ESTATE OF PAUL A. MORABITO

FRANK GILMORE, ESQ.
for SALVATORE R. MORABITO, SNOWSHOE PETROLEUM, INC.,
and SUPERPUMPER, INC.

MARK WEISENMILLER, ESQ.
for WILLIAM A. LEONARD, JR, TRUSTEE OF ESTATE OF PAUL A. MORABITO

JEFFREY HARTMAN, ESQ.
for EDWARD WILLIAM BAYUK LIVING TRUST, and EDWARD BAYUK

TERESA PILATOWICZ, ESQ.
for WILLIAM A. LEONARD, JR, TRUSTEE OF ESTATE OF PAUL A. MORABITO

GABRIELLE HAMM, ESQ.
for WILLIAM A. LEONARD, JR, TRUSTEE OF ESTATE OF PAUL A. MORABITO

MICHAEL LEHNERS, ESQ.
for EDWARD WILLIAM BAYUK LIVING TRUST, and EDWARD BAYUK and
SALVATORE R. MORABITO

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage prepaid, addressed to:

GERALD M. GORDON, ESQ.
Garman Turner Gordon LLP
650 White Drive, Ste. 100
Las Vegas, Nevada 89119
SPECIAL COUNSEL TO TRUSTEE

/s/ Leah Dell
Leah Dell, an employee of
Marquis Aurbach Coffing

**SECOND JUDICIAL DISTRICT COURT
STATE OF NEVADA
COUNTY OF WASHOE**

Case History - CV13-02663

Case Description: WM. LEONARD, TTEE v. SUPERPUMPER, INC. et al .(B4)

Case Number: CV13-02663 Case Type: OTHER CIVIL MATTERS - Initially Filed On: 12/17/2013

Parties

<u>Party Type & Name</u>	<u>Party Status</u>
JUDG - KATHLEEN DRAKULICH - B1	Party ended on: 8/23/2017 10:32:40AM
JUDG - EGAN WALKER - B7	Party ended on: 12/20/2013 12:00:00AM
JUDG - CONNIE J. STEINHEIMER - D4	Active
JUDG - LYNNE K. SIMONS - B6	Party ended on: 5/9/2014 2:22:24PM
PLTF - BERRY-HINCKLEY INDUSTRIES - @14113	Party ended on: 6/16/2015 12:00:00AM
PLTF - WILLIAM A. LEONARD, JR, trustee of ESTATE OF PAUL A. MORABITO - @1277008	Active
PLTF - JH, INC. - @1135067	Party ended on: 6/16/2015 12:00:00AM
PLTF - JERRY HERBST - @1251632	Party ended on: 5/15/2015 12:00:00AM
DEFT - EDWARD BAYUK - @1136742	Active
DEFT - PAUL MORABITO - @1251633	Party ended on: 5/15/2015 12:00:00AM
DEFT - SUPERPUMPER, INC. - @1251634	Active
DEFT - SNOWSHOE PETROLEUM, INC. - @1251636	Active
DEFT - EDWARD WILLIAM BAYUK LIVING TRUST - @1251635	Active
DEFT - SALVATORE R. MORABITO - @1136745	Active
DEFT - ARCADIA LIVING TRUST - @1159952	Party ended on: 5/15/2015 12:00:00AM
ATTY - Michael C. Lehnars, Esq. - 3331	Active
ATTY - Brian R. Irvine, Esq. - 7758	Party ended on: 5/26/2015 12:00:00AM
ATTY - Gerald M. Gordon, Esq. - 229	Active
ATTY - Tom W. Stewart, Esq. - 14280	Active
ATTY - John P. Desmond, Esq. - 5618	Party ended on: 5/26/2015 12:00:00AM
ATTY - Jeffrey L. Hartman, Esq. - 1607	Active
ATTY - Erika Pike Turner, Esq. - 6454	Active
ATTY - Gabrielle A. Hamm, Esq. - 11588	Active
ATTY - Frank C. Gilmore, Esq. - 10052	Active
ATTY - Kathleen A. Wilde, Esq. - 12522	Active
ATTY - Teresa M. Pilatowicz, Esq. - 9605	Active
ATTY - Micah S. Echols, Esq. - 8437	Active
ATTY - Mark M. Weisenmiller, Esq. - 12128	Active
ATTY - Barry L. Breslow, Esq. - 3023	Party ended on: 4/10/2017 12:00:00AM
TRSE - WILLIAM A. LEONARD - @1276316	Party ended on: 5/15/2015 12:00:00AM

Disposed Hearings

- 1 Department: B1 -- Event: Request for Submission -- Scheduled Date & Time: 5/27/2014 at 12:28:00
Extra Event Text: MOTION TO ENLARGE TIME FOR SERVICE
Event Disposition: S200 - 5/27/2014
- 2 Department: D1 -- Event: Request for Submission -- Scheduled Date & Time: 6/6/2014 at 11:19:00
Extra Event Text: DEFT SNOWSHOE PETROLEUM MOTION TO DISMISS (RE-DRAFT ORDER ON JB DESK)
Event Disposition: S200 - 7/17/2014

Report Does Not Contain Sealed Cases or Confidential Information

- 3 Department: D1 -- Event: Request for Submission -- Scheduled Date & Time: 7/15/2014 at 14:30:00
Extra Event Text: DEFT SUPERPUMPER MOTION TO DISMISS (DRAFT ORDER ON JB DESK)
Event Disposition: S200 - 7/22/2014
- 4 Department: B1 -- Event: Request for Submission -- Scheduled Date & Time: 7/31/2014 at 11:22:00
Extra Event Text: MOTION TO SERVE SALVATORE MORABITO (NO PAPER ORDER PROVIDED)
Event Disposition: S200 - 8/1/2014
- 5 Department: B1 -- Event: Request for Submission -- Scheduled Date & Time: 7/31/2014 at 11:23:00
Extra Event Text: MOTION TO SERVE EDWARD W. BAYUK BY PUBLICATION (NO PAPER ORDER PROVIDED)
Event Disposition: S200 - 8/1/2014
- 6 Department: D1 -- Event: PRE-TRIAL CONFERENCE -- Scheduled Date & Time: 5/14/2015 at 13:30:00
Extra Event Text: 10 JUDICIAL DAY TRIAL SET 8-3-15
Event Disposition: D435 - 5/14/2015
- 7 Department: D1 -- Event: HEARING... -- Scheduled Date & Time: 6/3/2015 at 11:15:00
Extra Event Text: RE: EX PARTE MTN FOR ORDER SHORTENING TIME FOR MTN TO CONTINUE TRIAL (TRSTEE COUNSEL BY PHONE 702-478-0559)
Event Disposition: D425 - 6/3/2015
- 8 Department: D1 -- Event: PRE-TRIAL CONFERENCE -- Scheduled Date & Time: 2/24/2016 at 13:30:00
Extra Event Text: NON JURY TRIAL SET 6/13/16 / 10 JUDICIAL DAYS(contd from 7/16/15)
Event Disposition: D435 - 2/24/2016
- 9 Department: DISC -- Event: Request for Submission -- Scheduled Date & Time: 4/6/2016 at 14:08:00
Extra Event Text: MOTION TO MODIFY SUBPOENA, OR, IN THE ALTERNATIVE, FOR A PROTECTIVE ORDER PRECLUDING TRUSTEE FROM SEEKING DISC
Event Disposition: S200 - 6/13/2016
- 10 Department: D1 -- Event: PRE-TRIAL CONFERENCE -- Scheduled Date & Time: 4/13/2016 at 14:30:00
Extra Event Text: Trial and Pretrial hearing starts 6/6 for 3 weeks
Event Disposition: D870 - 4/12/2016
- 11 Department: B1 -- Event: Request for Submission -- Scheduled Date & Time: 4/19/2016 at 10:30:00
Extra Event Text: STIPULATION REGARDING CONTINUED DISCOVERY DATES (THIRD REQUEST) FILED 4-4-16
Event Disposition: S200 - 4/21/2016
- 12 Department: DISC -- Event: Request for Submission -- Scheduled Date & Time: 4/26/2016 at 14:30:00
Extra Event Text: EX PARTE MOTION FOR LEAVE TO FILE A SUPPLEMENT TO PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION TO QUASH, OR, IN TH
Event Disposition: S200 - 6/13/2016
- 13 Department: D1 -- Event: PRE-TRIAL MOTIONS -- Scheduled Date & Time: 6/6/2016 at 09:30:00
Extra Event Text: Trial begins 6/8/16 (PTC-4/13)
Event Disposition: D870 - 4/12/2016
- 14 Department: D1 -- Event: PRE-TRIAL MOTIONS -- Scheduled Date & Time: 6/7/2016 at 13:00:00
Extra Event Text: Trial begins 6/8/16 (PTC-4/13)
Event Disposition: D870 - 4/12/2016
- 15 Department: D1 -- Event: TRIAL - NON JURY -- Scheduled Date & Time: 6/8/2016 at 09:30:00
Extra Event Text: WEEK 1 of 3 (PTC-4/13)
Event Disposition: D870 - 4/12/2016
- 16 Department: D1 -- Event: TRIAL ONGOING -- Scheduled Date & Time: 6/13/2016 at 09:00:00
Extra Event Text: WEEK 2
Event Disposition: D870 - 4/12/2016

- 17 Department: D1 -- Event: TRIAL ONGOING -- Scheduled Date & Time: 6/20/2016 at 09:00:00
Extra Event Text: WEEK 3
Event Disposition: D870 - 4/12/2016
- 18 Department: DISC -- Event: Request for Submission -- Scheduled Date & Time: 6/29/2016 at 08:34:00
Extra Event Text: PLTF'S MTN TO COMPEL PROD OF DOC filed ON 04/08/16(DUE TO DATA ENTRY ERROR AT 5/11/16 REQ FOR SUB FILING-MATTER NOT SI
Event Disposition: S200 - 9/1/2016
- 19 Department: B1 -- Event: Request for Submission -- Scheduled Date & Time: 7/19/2016 at 16:50:00
Extra Event Text: PLAINTIFF'S REQUEST FOR SUBMISSION OF STIPULATED MOTION TO CONTINUE TRIAL
Event Disposition: S200 - 7/22/2016
- 20 Department: B1 -- Event: Request for Submission -- Scheduled Date & Time: 7/21/2016 at 13:43:00
Extra Event Text: STIPULATED MOTION TO CONTINUE TRIAL (ORDER INCLUDED IN EXHIBIT)
Event Disposition: S200 - 7/22/2016
- 21 Department: D1 -- Event: PRE-TRIAL CONFERENCE -- Scheduled Date & Time: 8/3/2016 at 09:30:00
Extra Event Text: PreTr Mtngs-10/25;Trial-10/31
Event Disposition: D870 - 7/22/2016
- 22 Department: B1 -- Event: Request for Submission -- Scheduled Date & Time: 9/13/2016 at 09:23:00
Extra Event Text: SECOND STIPULATED MOTION TO CONTINUE TRIAL FILED ON 9/12/16 (ORDER ATTACHED AS EXHIBIT)
Event Disposition: S200 - 9/19/2016
- 23 Department: B1 -- Event: Request for Submission -- Scheduled Date & Time: 9/13/2016 at 09:23:00
Extra Event Text: SECOND STIPULATED MOTION TO CONTINUE TRIAL FILED ON 9/12/16 (ORDER ATTACHED AS EXHIBIT)
Event Disposition: D870 - 9/19/2016
- 24 Department: D1 -- Event: PRE-TRIAL MOTIONS -- Scheduled Date & Time: 10/25/2016 at 13:30:00
Extra Event Text: Trial 10/31
Event Disposition: D870 - 7/22/2016
- 25 Department: D1 -- Event: PRE-TRIAL MOTIONS -- Scheduled Date & Time: 10/27/2016 at 13:30:00
Extra Event Text: IF NEEDED: Trial-10/31
Event Disposition: D870 - 7/22/2016
- 26 Department: D1 -- Event: TRIAL - NON JURY -- Scheduled Date & Time: 10/31/2016 at 09:30:00
Extra Event Text: 9 Days-Fraudulent Action
Event Disposition: D870 - 7/22/2016
- 27 Department: D1 -- Event: TRIAL ONGOING -- Scheduled Date & Time: 11/7/2016 at 09:00:00
Extra Event Text: WEEK 2- 9 Day Trial-Fraudulent Action
Event Disposition: D870 - 7/22/2016
- 28 Department: B -- Event: HEARING... -- Scheduled Date & Time: 1/19/2017 at 16:45:00
Extra Event Text: deposition
Event Disposition: D435 - 1/19/2017
- 29 Department: D1 -- Event: ORDER TO SHOW CAUSE -- Scheduled Date & Time: 1/19/2017 at 15:00:00
Extra Event Text: WHY EDWARD BAYUK SHOULD NOT BE HELD IN CONTEMPT OF COURT ORDER
Event Disposition: D435 - 1/19/2017
- 30 Department: B1 -- Event: Request for Submission -- Scheduled Date & Time: 2/22/2017 at 10:17:00
Extra Event Text: MEMORANDUM OF FEES AND COSTS RELATED TO ORDER TO SHOW CAUSE WHY EDWARD BAYUK SHOULD NOT BE HELD IN CONTEM
Event Disposition: S200 - 3/14/2017

- 31 Department: D1 -- Event: PRE-TRIAL CONFERENCE -- Scheduled Date & Time: 3/1/2017 at 13:30:00
Extra Event Text: Trial- 6/19/17
Event Disposition: D870 - 9/19/2016
- 32 Department: D1 -- Event: TRIAL - NON JURY -- Scheduled Date & Time: 6/19/2017 at 09:30:00
Extra Event Text: 10 DAY- Fraudulent Action(PTC-3/1/17)
Event Disposition: D870 - 9/19/2016
- 33 Department: D1 -- Event: TRIAL ONGOING -- Scheduled Date & Time: 6/26/2017 at 09:00:00
Extra Event Text: WEEK 2
Event Disposition: D870 - 9/19/2016
- 34 Department: D1 -- Event: PRE-TRIAL CONFERENCE -- Scheduled Date & Time: 6/29/2017 at 13:30:00
Extra Event Text: Trial-10/9
Event Disposition: D843 - 6/16/2017
- 35 Department: DISC -- Event: Request for Submission -- Scheduled Date & Time: 8/4/2017 at 10:52:00
Extra Event Text: MOTION TO QUASH SUBPOENA, OR, IN THE ALTERNATIVE, FOR A PROTECTIVE 23 ORDER PRECLUDING TRUSTEE FROM SEEKING DIS
Event Disposition: S200 - 8/17/2017
- 36 Department: DISC -- Event: Request for Submission -- Scheduled Date & Time: 8/9/2017 at 16:08:00
Extra Event Text: COUNTERMOTION FOR SANCTIONS AND TO COMPEL RESETTNG OF 30(B)(6) DEPOSITION OF HODGSON RUSS LLP FILED 7/24/17
Event Disposition: S200 - 8/17/2017
- 37 Department: B -- Event: DISCOVERY HEARING -- Scheduled Date & Time: 8/10/2017 at 14:00:00
Extra Event Text: RE: Trustee's Countermotion for Sanctions and to Compel Resetting of 30(B)(6) Deposition of Hodgson Russ LLP (filed 7/24) & Defendants' Motion
Event Disposition: D840 - 8/10/2017
- 38 Department: B1 -- Event: Request for Submission -- Scheduled Date & Time: 8/16/2017 at 14:44:00
Extra Event Text: EX PARTE MOTION TO EXCEED PAGE LIMIT FOR PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMEN (NO ORDER PROVIDED)
Event Disposition: D843 - 8/22/2017
- 39 Department: B1 -- Event: Request for Submission -- Scheduled Date & Time: 8/16/2017 at 14:44:00
Extra Event Text: EX PARTE MOTION TO EXCEED PAGE LIMIT FOR PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMEN (NO ORDER PROVIDED)
Event Disposition: S200 - 8/22/2017
- 40 Department: D1 -- Event: PRE-TRIAL CONFERENCE -- Scheduled Date & Time: 9/5/2017 at 13:30:00
Extra Event Text: TRILA-10/9/17
Event Disposition: D843 - 8/22/2017
- 41 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 9/15/2017 at 09:26:00
Extra Event Text: OBJECTION TO RECOMMENDATION FOR ORDER (NO ORDER PROVIDED)
Event Disposition: S200 - 12/7/2017
- 42 Department: D1 -- Event: TRIAL - NON JURY -- Scheduled Date & Time: 10/9/2017 at 09:30:00
Extra Event Text: 10 DAY- Fraudulent Action(PTC-6/29)
Event Disposition: D843 - 8/22/2017
- 43 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 10/11/2017 at 13:08:00
Extra Event Text: MOTION FOR PARTIAL SUMMARY JUDGMENT FIELD 8-17-17
Event Disposition: S200 - 12/11/2017
- 44 Department: D1 -- Event: TRIAL ONGOING -- Scheduled Date & Time: 10/16/2017 at 09:00:00
Extra Event Text: WEEK 2
Event Disposition: D843 - 8/22/2017

- 45 Department: B -- Event: DISCOVERY HEARING -- Scheduled Date & Time: 12/19/2017 at 14:00:00
Extra Event Text: TELEPHONIC HEARING (COURTCALL) RE: DISC COMMISSIONER RECOMMENDATION SANCTIONS (ORDER 12/7/17)
Event Disposition: D840 - 12/19/2017
- 46 Department: D4 -- Event: PRE-TRIAL CONFERENCE -- Scheduled Date & Time: 9/11/2018 at 14:00:00

Event Disposition: D435 - 9/11/2018
- 47 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 10/8/2018 at 16:19:00
Extra Event Text: MOTIONS IN LIMINE (NO ORDER PROVIDED)
Event Disposition: S200 - 10/29/2018
- 48 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 10/12/2018 at 16:42:00
Extra Event Text: PLAINTIFF'S MOTION IN LIMINE TO EXCLUDE TESTIMONY OF JAN FRIEDERICH FILED 9-20-18 -
Event Disposition: S200 - 10/29/2018
- 49 Department: D4 -- Event: EXHIBITS TO BE MARKED W/CLERK -- Scheduled Date & Time: 10/25/2018 at 13:30:00

Event Disposition: D596 - 10/25/2018
- 50 Department: D4 -- Event: TRIAL - NON JURY -- Scheduled Date & Time: 10/29/2018 at 09:00:00
Extra Event Text: (10 DAYS)
Event Disposition: D832 - 10/29/2018
- 51 Department: D4 -- Event: TRIAL - NON JURY -- Scheduled Date & Time: 10/29/2018 at 10:00:00
Extra Event Text: [1st SET-10 DAYS]
Event Disposition: D844 - 9/11/2018
- 52 Department: D4 -- Event: TRIAL ONGOING -- Scheduled Date & Time: 10/30/2018 at 10:00:00
Extra Event Text: - DAY TWO
Event Disposition: D832 - 10/30/2018
- 53 Department: D4 -- Event: TRIAL ONGOING -- Scheduled Date & Time: 10/31/2018 at 08:00:00
Extra Event Text: - DAY THREE
Event Disposition: D832 - 10/31/2018
- 54 Department: D4 -- Event: TRIAL ONGOING -- Scheduled Date & Time: 11/1/2018 at 08:00:00
Extra Event Text: - DAY FOUR
Event Disposition: D832 - 11/1/2018
- 55 Department: D4 -- Event: TRIAL ONGOING -- Scheduled Date & Time: 11/2/2018 at 10:15:00
Extra Event Text: - DAY FIVE
Event Disposition: D832 - 11/2/2018
- 56 Department: D4 -- Event: TRIAL ONGOING -- Scheduled Date & Time: 11/5/2018 at 13:00:00
Extra Event Text: - DAY SIX
Event Disposition: D832 - 11/5/2018
- 57 Department: D4 -- Event: TRIAL ONGOING -- Scheduled Date & Time: 11/6/2018 at 08:30:00
Extra Event Text: - DAY SEVEN
Event Disposition: D832 - 11/6/2018
- 58 Department: D4 -- Event: TRIAL ONGOING -- Scheduled Date & Time: 11/7/2018 at 09:00:00
Extra Event Text: - DAY EIGHT
Event Disposition: D832 - 11/7/2018

- 59 Department: D4 -- Event: TRIAL ONGOING -- Scheduled Date & Time: 11/26/2018 at 09:00:00
Extra Event Text: - DAY NINE
Event Disposition: D840 - 11/26/2018
- 60 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 11/26/2018 at 17:00:00
Extra Event Text: - NON-JURY TRIAL
Event Disposition: S200 - 2/4/2019
- 61 Department: D4 -- Event: HEARING... -- Scheduled Date & Time: 2/8/2019 at 13:00:00
Extra Event Text: ON MOTION TO REOPEN EVIDENCE
Event Disposition: D425 - 2/8/2019
- 62 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 2/20/2019 at 08:55:00
Extra Event Text: DEFENDANT'S EX PARTE MOTION FOR ORDER SHORTENING TIME TO OPPOSE MOTION TO CONTINUE HEARING
Event Disposition: S200 - 2/20/2019
- 63 Department: D4 -- Event: CONFERENCE CALL -- Scheduled Date & Time: 2/26/2019 at 08:30:00
Extra Event Text: REGARDING MOTION TO CONTINUE THE 3/1/19 ONGOING NON-JURY TRIAL
Event Disposition: D355 - 2/26/2019
- 64 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 2/28/2019 at 13:14:00
Extra Event Text: AMENDED STIPULATION TO VACATE MARCH 1, 2019 HEARING
Event Disposition: S200 - 2/28/2019
- 65 Department: D4 -- Event: TRIAL ONGOING -- Scheduled Date & Time: 3/1/2019 at 13:00:00
Extra Event Text: AFTER MOTION TO REOPEN EVIDENCE
Event Disposition: D845 - 2/28/2019
- 66 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 3/11/2019 at 15:10:00
Extra Event Text: MOTION TO WITHDRAW AS COUNSEL OF RECORD FOR DEFT EDWARD BAYUK FILED 2/07/19
Event Disposition: S200 - 4/29/2019
- 67 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 3/12/2019 at 07:00:00
Extra Event Text: PROPOSED FINDINGS OF FACT, CONCLUSION OF LAW & JUDGMENT
Event Disposition: S200 - 3/29/2019
- 68 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 5/1/2019 at 11:22:00
Extra Event Text: MOTION TO RETAX COSTS
Event Disposition: S200 - 6/24/2019
- 69 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 5/2/2019 at 10:13:00
Extra Event Text: APPLICATION FOR ATTORNEYS' FEES AND COSTS PURSUANT TO NRCP 68
Event Disposition: S200 - 6/24/2019
- 70 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 5/14/2019 at 16:03:00
Extra Event Text: MOTION FOR NEW TRIAL AND/OR ALTER OR AMENDED JUDGMENT PURSUANT TO NRCP 52, 59 AND 60 FILED 4-25-19
Event Disposition: S200 - 6/24/2019
- 71 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 5/21/2019 at 10:21:00
Extra Event Text: DFT BAYUK'S MOTION FOR NEW TRIAL AND/OR TO ALTER OR AMEND JUDGMENT FILED 4/26/19
Event Disposition: S200 - 6/24/2019
- 72 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 5/21/2019 at 11:04:00
Extra Event Text: DEFENDANT BAYUK'S MOTION FOR NEW TRIAL AND/OR TO ALTER OR AMEND JUDGMENT FILED 4/26/19
Event Disposition: S200 - 5/21/2019

- 73 Department: D4 -- Event: DECISION -- Scheduled Date & Time: 6/24/2019 at 10:30:00
Extra Event Text: (TELEPHONIC) ON SUBMITTED MOTIONS (MOTION FOR ATTORNEY FEES, MOTION TO RETAX, MOTIONS TO AMEND JUDGMENT/NEW T
Event Disposition: D435 - 6/24/2019
- 74 Department: D4 -- Event: HEARING ON OBJECTION -- Scheduled Date & Time: 7/22/2019 at 14:00:00
Extra Event Text: TO CLAIM OF EXEMPTIONS
Event Disposition: D355 - 7/22/2019
- 75 Department: D4 -- Event: Request for Submission -- Scheduled Date & Time: 9/5/2019 at 11:05:00
Extra Event Text: MTN TO MAKE AMENDED/ADD'L FINDINGS UNDER NRCP 52(b), ALTERNATIVELY MTN FOR RECONSID
Event Disposition: S200 - 11/8/2019

Actions

- | | <u>Filing Date</u> | <u>-</u> | <u>Docket Code & Description</u> |
|----|--------------------|----------|---|
| 1 | 12/17/2013 | - | \$1422 - \$Complaint - Business Court
Additional Text: Transaction 4204874 - Approved By: AAKOPYAN : 12-17-2013:16:15:21 |
| 2 | 12/17/2013 | - | PAYRC - **Payment Received
Additional Text: A Payment of \$1,520.00 was made on receipt DCDC435339. |
| 3 | 12/18/2013 | - | 4090 - ** Summons Issued
Additional Text: SUMMONS USSUED X=7 |
| 4 | 12/18/2013 | - | \$PLTF - \$Addl Plaintiff/Complaint
<i>No additional text exists for this entry.</i> |
| 5 | 12/18/2013 | - | \$PLTF - \$Addl Plaintiff/Complaint
<i>No additional text exists for this entry.</i> |
| 6 | 12/18/2013 | - | PAYRC - **Payment Received
Additional Text: A Payment of -\$60.00 was made on receipt DCDC435356. |
| 7 | 12/18/2013 | - | FIE - **Document Filed in Error
Additional Text: 12/20/13 - mc |
| 8 | 12/18/2013 | - | NEF - Proof of Electronic Service
Additional Text: Transaction 4206455 - Approved By: NOREVIEW : 12-18-2013:11:22:03 |
| 9 | 12/20/2013 | - | 1312 - Case Assignment Notification
Additional Text: BUSINESS COURT - RANDOMLY REASSIGNED TO DEPARTMENT B7, FROM DEPARTMENT 7 - Transaction 4212768 - Approved By: NOREVIEW : 12-20-2013:11:43:22 |
| 10 | 12/20/2013 | - | NEF - Proof of Electronic Service
Additional Text: Transaction 4212783 - Approved By: NOREVIEW : 12-20-2013:11:46:44 |
| 11 | 12/20/2013 | - | \$3375 - \$Peremptory Challenge
Additional Text: PLTFS - JH, INC, A Nevada corporation; JERRY HERBST, an individual; and BERRY-HINCKLEY INDUSTRIES, a Nevada corporation |
| 12 | 12/20/2013 | - | PAYRC - **Payment Received
Additional Text: A Payment of -\$450.00 was made on receipt DCDC435702. |
| 13 | 12/23/2013 | - | 1312 - Case Assignment Notification
Additional Text: PEREMPTORY CHALLENGE - RANDOMLY REASSIGNED TO DEPARTMENT B6, FROM DEPARTMENT B7 - Transaction 4215012 - Approved By: NOREVIEW : 12-23-2013:09:11:39 |

- 14 12/23/2013 - NEF - Proof of Electronic Service
Additional Text: Transaction 4215030 - Approved By: NOREVIEW : 12-23-2013:09:13:30
- 15 12/24/2013 - CHECK - **Trust Disbursement
Additional Text: A Disbursement of \$450.00 on Check Number 27031
- 16 4/16/2014 - 4090 - ** Summons Issued
No additional text exists for this entry.
- 17 4/16/2014 - 2490 - Motion ...
Additional Text: MOTION TO ENLARGE TIME FOR SERVICE - Transaction 4389941 - Approved By: MFERNAND : 04-17-2014:09:32:36
- 18 4/17/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4390500 - Approved By: NOREVIEW : 04-17-2014:09:33:33
- 19 4/22/2014 - 4085 - Summons Filed
Additional Text: SNOWSHOE PETROLEUM INC4/21/14 - Transaction 4398395 - Approved By: YLLOYD : 04-23-2014:08:50:10
- 20 4/23/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4398625 - Approved By: NOREVIEW : 04-23-2014:08:51:06
- 21 5/7/2014 - 4090 - ** Summons Issued
Additional Text: X 4
- 22 5/9/2014 - 2520 - Notice of Appearance
Additional Text: BARRY BRESLOW, ESQ. & FRANK GILMORE, ESQ. / SNOWSHOE PETROLEUM,INC - Transaction 4425254 - Approved By: MCHOLICO : 05-09-2014:13:45:56
- 23 5/9/2014 - \$1566 - \$Def 1st App - Business Court
Additional Text: SNOWSHOE PETROLEUM, INC. - Transaction 4425254 - Approved By: MCHOLICO : 05-09-2014:13:45:56
- 24 5/9/2014 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$1,473.00 was made on receipt DCDC454233.
- 25 5/9/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4425603 - Approved By: NOREVIEW : 05-09-2014:13:46:57
- 26 5/9/2014 - \$3375 - \$Peremptory Challenge
Additional Text: DEFT - SNOWSHOE PETROLEUM, INC. - Transaction 4425619 - Approved By: YLLOYD : 05-09-2014:14:04:11
- 27 5/9/2014 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$450.00 was made on receipt DCDC454240.
- 28 5/9/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4425694 - Approved By: NOREVIEW : 05-09-2014:14:07:02
- 29 5/9/2014 - 1312 - Case Assignment Notification
Additional Text: PEREMPTORY CHALLENGE - RANDOMLY REASSIGNED TO DEPARTMENT B1, FROM DEPARTMENT B6 - Transaction 4425858 - Approved By: NOREVIEW : 05-09-2014:14:39:28
- 30 5/9/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4425863 - Approved By: NOREVIEW : 05-09-2014:14:40:28
- 31 5/12/2014 - 2315 - Mtn to Dismiss ...
Additional Text: DEFENDANT SNOWSHOE PETROLEUM, INC'S MOTION TO DISMISS COMPLAINT FOR LACK OF PERSONAL JURISDICTION - Transaction 4427172 - Approved By: YVILORIA : 05-12-2014:12:27:36

- 32 5/12/2014 - 1520 - Declaration
Additional Text: DECLARATION OF SALVATORE MORABITO IN SUPPORT OF SNOWSHOE CAPITAL'S MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION - Transaction 4427172 - Approved By: YVILORIA : 05-12-2014:12:27:36
- 33 5/12/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4427455 - Approved By: NOREVIEW : 05-12-2014:12:28:31
- 34 5/13/2014 - CHECK - **Trust Disbursement
Additional Text: A Disbursement of \$450.00 on Check Number 28297
- 35 5/13/2014 - 1005 - Acceptance of Service
Additional Text: OBO DEFT PAUL MORABITO - Transaction 4428662 - Approved By: YVILORIA : 05-13-2014:09:27:13
- 36 5/13/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4428699 - Approved By: NOREVIEW : 05-13-2014:09:27:55
- 37 5/23/2014 - 4090 - ** Summons Issued
Additional Text: X3
- 38 5/27/2014 - 3860 - Request for Submission
Additional Text: REQUEST FOR SUBMISSION OF MOTION TO ENLARGE TIME FOR SERVICE (NO PAPER ORDER PROVIDED) - Transaction 4448792 - Approved By: MFERNAND : 05-27-2014:12:01:00
PARTY SUBMITTING: BRIAN R. IRVINE, ESQ.
DATE SUBMITTED: 05/27/2014
SUBMITTED BY: M. FERNANDEZ
DATE RECEIVED JUDGE OFFICE:
- 39 5/27/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4449118 - Approved By: NOREVIEW : 05-27-2014:12:01:53
- 40 5/27/2014 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 41 5/27/2014 - 3060 - Ord Granting Mtn ...
Additional Text: ENLARGING TIME FOR SERVICE - Transaction 4450130 - Approved By: NOREVIEW : 05-27-2014:16:33:42
- 42 5/27/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4450141 - Approved By: NOREVIEW : 05-27-2014:16:34:43
- 43 5/29/2014 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 4453755 - Approved By: NOREVIEW : 05-29-2014:15:04:11
- 44 5/29/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4453759 - Approved By: NOREVIEW : 05-29-2014:15:05:04
- 45 5/29/2014 - 2645 - Opposition to Mtn ...
Additional Text: Opposition to Motion to Dismiss - Transaction 4454134 - Approved By: AZION : 05-30-2014:09:08:47
- 46 5/30/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4454516 - Approved By: NOREVIEW : 05-30-2014:09:09:52
- 47 5/30/2014 - 1650 - Errata...
Additional Text: ERRATA TO OPPOSITION TO MOTION TO DISMISS - Transaction 4454593 - Approved By: YLLOYD : 05-30-2014:10:35:08
- 48 5/30/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4454886 - Approved By: NOREVIEW : 05-30-2014:10:36:06

- 49 6/2/2014 - \$1131 - \$Answer - Business Court
Additional Text: ANSWER TO COMPLAINT OF PAUL MORABITO, INDIVIDUALLY AND AS TRUSTEE OF THE ARCADIA LIVING TRUST - Transaction 4457682 - Approved By: MFERNAND : 06-02-2014:15:13:33
- 50 6/2/2014 - \$DEFT - \$Addl Def/Answer - Prty/Appear
Additional Text: ARCADIA LIVING TRUST - Transaction 4457682 - Approved By: MFERNAND : 06-02-2014:15:13:33
- 51 6/2/2014 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$1,503.00 was made on receipt DCDC456953.
- 52 6/2/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4457805 - Approved By: NOREVIEW : 06-02-2014:15:14:37
- 53 6/6/2014 - 3795 - Reply...
Additional Text: DEFENDANT SNOWSHOE PETROLEUM, INC.'S REPLY IN SUPPORT OF MOTION TO DISMISS COMPLAINT FOR LACK OF PERSONAL JURISDICTION (NRCP 12(b)(2)) - Transaction 4465761 - Approved By: MCHOLICO : 06-06-2014:11:16:02
- 54 6/6/2014 - 3860 - Request for Submission
Additional Text: DEFENDANT'S MOTION TO DISMISS COMPLAINT FOR LACK OF PERSONAL JURISDICTION (NRCP 12(b)(2)) (NO PAPER ORDER PROVIDED) - Transaction 4465761 - Approved By: MCHOLICO : 06-06-2014:11:16:02
PARTY SUBMITTING: FRANK GILMORE, ESQ.
DATE SUBMITTED: 6/6/14
SUBMITTED BY: MCHOLICO
DATE RECEIVED JUDGE OFFICE:
- 55 6/6/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4465911 - Approved By: NOREVIEW : 06-06-2014:11:16:51
- 56 6/19/2014 - 2315 - Mtn to Dismiss ...
Additional Text: DEFENDANT SUPERPUMPER, INC.'S MOTION TO DISMISS COMPLAINT FOR LACK OF PERSONAL JURISDICTION (NRCP 12(b)(2)) - Transaction 4484171 - Approved By: MFERNAND : 06-19-2014:15:49:53
- 57 6/19/2014 - \$1566 - \$Def 1st App - Business Court
Additional Text: SUPERPUMPER, INC. - Transaction 4484171 - Approved By: MFERNAND : 06-19-2014:15:49:53
- 58 6/19/2014 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$1,473.00 was made on receipt DCDC459480.
- 59 6/19/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4484529 - Approved By: NOREVIEW : 06-19-2014:15:50:51
- 60 7/7/2014 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO MOTION TO DISMISS - Transaction 4506378 - Approved By: MFERNAND : 07-08-2014:10:30:12
- 61 7/8/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4506992 - Approved By: NOREVIEW : 07-08-2014:10:31:06
- 62 7/9/2014 - 2610 - Notice ...
Additional Text: NOTICE OF CHANGE OF CAPTION - Transaction 4509897 - Approved By: MFERNAND : 07-09-2014:16:56:52
- 63 7/9/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4510318 - Approved By: NOREVIEW : 07-09-2014:16:58:54
- 64 7/15/2014 - 3795 - Reply...
Additional Text: DEFT SUPERPUMPER INC'S REPLY IN SUPPORT OF MOTION TO DISMISS COMPLAINT FOR LACK OF PERSONAL JURISDICTION - Transaction 4517368 - Approved By: AZION : 07-15-2014:14:08:48
- 65 7/15/2014 - 3860 - Request for Submission

Additional Text: MOTION TO DISMISS COMPLAINT FOR LACK OF PERSONAL JURISDICTION - Transaction 4517368 - Approved By: AZION : 07-15-2014:14:08:48
DOCUMENT TITLE: MOTION TO DISMISS COMPLAINT FOR LACK OF PERSONAL JURISDICTION
PARTY SUBMITTING: FRANK GILMORE ESQ
DATE SUBMITTED: 07-15-14
SUBMITTED BY: AZION
DATE RECEIVED JUDGE OFFICE:

66 7/15/2014 - NEF - Proof of Electronic Service

Additional Text: Transaction 4517487 - Approved By: NOREVIEW : 07-15-2014:14:09:47

67 7/16/2014 - 2490 - Motion ...

Additional Text: MOTION FOR SERVICE BY PUBLICATION - Transaction 4520392 - Approved By: MCHOLICO : 07-16-2014:16:12:00

68 7/16/2014 - 2490 - Motion ...

Additional Text: MOTION FOR SERVICE BY PUBLICATION - Transaction 4520413 - Approved By: MCHOLICO : 07-16-2014:16:10:25

69 7/16/2014 - NEF - Proof of Electronic Service

Additional Text: Transaction 4520456 - Approved By: NOREVIEW : 07-16-2014:16:11:18

70 7/16/2014 - NEF - Proof of Electronic Service

Additional Text: Transaction 4520464 - Approved By: NOREVIEW : 07-16-2014:16:13:00

71 7/17/2014 - S200 - Request for Submission Complet

No additional text exists for this entry.

72 7/17/2014 - 2842 - Ord Denying Motion

Additional Text: TO DISMISS AS TO SNOWSHOE PETROLEUM, INC. - Transaction 4521231 - Approved By: NOREVIEW : 07-17-2014:09:48:50

73 7/17/2014 - NEF - Proof of Electronic Service

Additional Text: Transaction 4521240 - Approved By: NOREVIEW : 07-17-2014:09:49:50

74 7/17/2014 - 2540 - Notice of Entry of Ord

Additional Text: Transaction 4521307 - Approved By: NOREVIEW : 07-17-2014:10:14:27

75 7/17/2014 - NEF - Proof of Electronic Service

Additional Text: Transaction 4521309 - Approved By: NOREVIEW : 07-17-2014:10:15:28

76 7/18/2014 - 4085 - Summons Filed

Additional Text: NO SERVICE ON SALVATORE MORABITO - Transaction 4524572 - Approved By: YLLOYD : 07-18-2014:16:04:33

77 7/18/2014 - 4085 - Summons Filed

Additional Text: SUPERPUMPER INC 5/30/14 - Transaction 4524581 - Approved By: YLLOYD : 07-18-2014:15:58:51

78 7/18/2014 - NEF - Proof of Electronic Service

Additional Text: Transaction 4524625 - Approved By: NOREVIEW : 07-18-2014:15:59:50

79 7/18/2014 - NEF - Proof of Electronic Service

Additional Text: Transaction 4524649 - Approved By: NOREVIEW : 07-18-2014:16:05:33

80 7/22/2014 - S200 - Request for Submission Complet

No additional text exists for this entry.

81 7/22/2014 - 2842 - Ord Denying Motion

Additional Text: SUPERPUMPER, INC.'S, MOTION TO DISMISS COMPLAINT - Transaction 4528015 - Approved By: NOREVIEW : 07-22-2014:12:31:43

- 82 7/22/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4528019 - Approved By: NOREVIEW : 07-22-2014:12:32:41
- 83 7/22/2014 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 4528271 - Approved By: NOREVIEW : 07-22-2014:14:03:57
- 84 7/22/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4528290 - Approved By: NOREVIEW : 07-22-2014:14:06:57
- 85 7/28/2014 - 4085 - Summons Filed
Additional Text: NO SERVICE ON EDWARD BAYUK - Transaction 4535739 - Approved By: YLLOYD : 07-28-2014:15:46:40
- 86 7/28/2014 - 4085 - Summons Filed
Additional Text: NO SERVICE ON EDWARD BAYUK LIVING TRUST - Transaction 4535745 - Approved By: YLLOYD : 07-28-2014:16:21:23
- 87 7/28/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4536111 - Approved By: NOREVIEW : 07-28-2014:15:47:43
- 88 7/28/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4536261 - Approved By: NOREVIEW : 07-28-2014:16:22:21
- 89 7/28/2014 - 1131 - Answer - Business Court
Additional Text: SUPERPUMPER, INC., AND SNOWSHOE PETROLEUM INC - Transaction 4536387 - Approved By: YLLOYD : 07-29-2014:11:31:50
- 90 7/29/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4537387 - Approved By: NOREVIEW : 07-29-2014:11:32:47
- 91 7/31/2014 - 3860 - Request for Submission
Additional Text: MOTION TO SERVE SALVATORE MORABITO (NO PAPER ORDER PROVIDED) - Transaction 4540921 - Approved By: MCHOLICO : 07-31-2014:11:15:55
PARTY SUBMITTING: BRIAN IRVINE, ESQ.
DATE SUBMITTED: 7/31/14
SUBMITTED BY: MCHOLICO
DATE RECEIVED JUDGE OFFICE:
- 92 7/31/2014 - 3860 - Request for Submission
Additional Text: MOTION TO SERVE EDWARD W. BAYUK BY PUBLICATION (NO PAPER ORDER PROVIDED) - Transaction 4540924 - Approved By: MCHOLICO : 07-31-2014:11:16:36
PARTY SUBMITTING: BRIAN IRVINE, ESQ.
DATE SUBMITTED: 7/31/14
SUBMITTED BY: MCHOLICO
DATE RECEIVED JUDGE OFFICE:
- 93 7/31/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4541159 - Approved By: NOREVIEW : 07-31-2014:11:17:17
- 94 7/31/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4541165 - Approved By: NOREVIEW : 07-31-2014:11:18:09
- 95 8/1/2014 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 96 8/1/2014 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 97 8/12/2014 - 2965 - Ord for Publication
Additional Text: Transaction 4557818 - Approved By: NOREVIEW : 08-12-2014:13:01:49

- 98 8/12/2014 - 2965 - Ord for Publication
Additional Text: Transaction 4557822 - Approved By: NOREVIEW : 08-12-2014:13:02:18
- 99 8/12/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4557826 - Approved By: NOREVIEW : 08-12-2014:13:02:43
- 100 8/12/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4557828 - Approved By: NOREVIEW : 08-12-2014:13:03:16
- 101 8/12/2014 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 4557955 - Approved By: NOREVIEW : 08-12-2014:13:38:35
- 102 8/12/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4557960 - Approved By: NOREVIEW : 08-12-2014:13:39:26
- 103 8/12/2014 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 4557971 - Approved By: NOREVIEW : 08-12-2014:13:42:07
- 104 8/12/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4557977 - Approved By: NOREVIEW : 08-12-2014:13:42:58
- 105 9/12/2014 - 2610 - Notice ...
Additional Text: NOTICE OF FILING OF PROOF OF PUBLICATIONS - Transaction 4604856 - Approved By: MFERNAND : 09-12-2014:15:30:50
- 106 9/12/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4604988 - Approved By: NOREVIEW : 09-12-2014:15:32:03
- 107 9/29/2014 - \$1131 - \$Answer - Business Court
Additional Text: EDWARD BAYUK - Transaction 4627446 - Approved By: YLLOYD : 09-29-2014:12:01:57
- 108 9/29/2014 - 2491 - NRCP 16.1 Doc/Designation
Additional Text: DEFENDANTS' NRCP 7.1 DISCLOSURE - Transaction 4627446 - Approved By: YLLOYD : 09-29-2014:12:01:57
- 109 9/29/2014 - \$DEFT - \$Addl Def/Answer - Prty/Appear
Additional Text: TRUSTEE OF THE EDWARD WILLIAM BAYUK LIVING TRUST - Transaction 4627446 - Approved By: YLLOYD : 09-29-2014:12:01:57
- 110 9/29/2014 - \$DEFT - \$Addl Def/Answer - Prty/Appear
Additional Text: SALVATORE MORABITO - Transaction 4627446 - Approved By: YLLOYD : 09-29-2014:12:01:57
- 111 9/29/2014 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$1,533.00 was made on receipt DCDC472212.
- 112 9/29/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4627573 - Approved By: NOREVIEW : 09-29-2014:12:02:58
- 113 10/20/2014 - 1250E - Application for Setting eFile
Additional Text: Transaction 4659018 - Approved By: NOREVIEW : 10-20-2014:10:45:53
- 114 10/20/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4659024 - Approved By: NOREVIEW : 10-20-2014:10:46:53
- 115 11/6/2014 - 1835 - Joint Case Conference Report
Additional Text: Transaction 4685099 - Approved By: MELWOOD : 11-06-2014:14:20:38

- 116 11/6/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4685200 - Approved By: NOREVIEW : 11-06-2014:14:21:32
- 117 11/18/2014 - 3696 - Pre-Trial Order
Additional Text: Transaction 4700407 - Approved By: NOREVIEW : 11-18-2014:10:14:45
- 118 11/18/2014 - NEF - Proof of Electronic Service
Additional Text: Transaction 4700414 - Approved By: NOREVIEW : 11-18-2014:10:15:44
- 119 2/11/2015 - 2610 - Notice ...
Additional Text: NOTICE OF BANKRUPTCY OF CONSOLIDATED NEVADA CORPORATION AND PAUL A. MORABITO - Transaction 4814662 - Approved By: MELWOOD : 02-11-2015:16:43:25
- 120 2/11/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4814723 - Approved By: NOREVIEW : 02-11-2015:16:44:19
- 121 2/17/2015 - 4105 - Supplemental ...
Additional Text: SUPPLEMENTAL NOTICE OF BANKRUPTCY OF CONSOLIDATED NEVADA CORPORATION AND PAULA MORABITO - Transaction 4818801 - Approved By: YLLOYD : 02-17-2015:11:55:26
- 122 2/17/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4819539 - Approved By: NOREVIEW : 02-17-2015:11:56:22
- 123 5/13/2015 - 3835 - Report...
Additional Text: STATUS REPORT IN ADVANCE OF PRE-TRIAL STATUS CONFERENCE - Transaction 4952390 - Approved By: CSULEZIC : 05-14-2015:09:22:34
- 124 5/14/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4952807 - Approved By: NOREVIEW : 05-14-2015:09:24:24
- 125 5/15/2015 - 3980 - Stip and Order...
Additional Text: TO SUBSTIUTE A PARTY PURSUANT TO NRCP 17(a) - Transaction 4955606 - Approved By: NOREVIEW : 05-15-2015:12:57:03
- 126 5/15/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4955609 - Approved By: NOREVIEW : 05-15-2015:12:58:02
- 127 5/15/2015 - 3980 - Stip and Order...
Additional Text: TO FILE AMENDED COMPLAINT - Transaction 4955617 - Approved By: NOREVIEW : 05-15-2015:13:02:32
- 128 5/15/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4955621 - Approved By: NOREVIEW : 05-15-2015:13:03:33
- 129 5/15/2015 - 1090 - Amended Complaint
Additional Text: FIRST AMENDED COMPLAINT - Transaction 4956616 - Approved By: CSULEZIC : 05-18-2015:08:58:24
- 130 5/18/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4956981 - Approved By: NOREVIEW : 05-18-2015:09:00:22
- 131 5/20/2015 - 4185 - Transcript
Additional Text: pretrial conference - Transaction 4962410 - Approved By: NOREVIEW : 05-20-2015:11:48:24
- 132 5/20/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4962413 - Approved By: NOREVIEW : 05-20-2015:11:49:25
- 133 5/21/2015 - 4185 - Transcript
Additional Text: pre trial conference - Transaction 4963720 - Approved By: NOREVIEW : 05-21-2015:07:47:34

- 134 5/21/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4963721 - Approved By: NOREVIEW : 05-21-2015:07:48:33
- 135 5/21/2015 - MIN - ***Minutes
Additional Text: PRE-TRIAL CONFERENCE - 5/14/15 - Transaction 4964249 - Approved By: NOREVIEW : 05-21-2015:10:39:41
- 136 5/21/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4964256 - Approved By: NOREVIEW : 05-21-2015:10:40:41
- 137 5/26/2015 - 4075 - Substitution of Counsel
Additional Text: GERALD M. GORDON, ESQ., TERESA M. PILATOWICZ, ESQ., AND MARK M. WEISENMILLER, ESQ. OBO PLTF WILLIAM A. LEONARD IN PLACE OF JOHN P. DESMOND, ESQ. AND BRIAN R. IRVINE, ESQ. - Transaction 4969260 - Approved By: TBREITON : 05-26-2015:16:14:51
- 138 5/26/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4969576 - Approved By: NOREVIEW : 05-26-2015:16:16:06
- 139 5/28/2015 - 2582 - Notice of Taking Deposition
Additional Text: Transaction 4974361 - Approved By: YLLOYD : 05-29-2015:08:52:19
- 140 5/29/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4974739 - Approved By: NOREVIEW : 05-29-2015:08:53:22
- 141 5/29/2015 - 1270 - Application ...
Additional Text: APPLICATION FOR ISSUANCE FO COMMISSION TO TAKE OUT-OF-STATE NRCP 30(b)(6) VIDEOCONFERENCE DEPOSITION OF MATRIX CAPITAL MARKETS GROUP, INC - Transaction 4974917 - Approved By: YLLOYD : 05-29-2015:09:46:27
- 142 5/29/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4974944 - Approved By: NOREVIEW : 05-29-2015:09:47:25
- 143 5/29/2015 - 1417 - Comm/Take Out/State Depo
Additional Text: COMMISSION TO TAKE DEPOSITION OUTSIDE THE STATE OF NEVADA - Transaction 4975171 - Approved By: BRAMIREZ : 05-29-2015:10:34:32
- 144 5/29/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4975178 - Approved By: NOREVIEW : 05-29-2015:10:35:30
- 145 5/29/2015 - 2490 - Motion ...
Additional Text: TO CONTINUE TRIAL AND REOPEN DISCOVERY ON SHORTENED - Transaction 4976179 - Approved By: CSULEZIC : 05-29-2015:16:48:53
- 146 5/29/2015 - 1520 - Declaration
Additional Text: WILLIAM LEONARD - Transaction 4976179 - Approved By: CSULEZIC : 05-29-2015:16:48:53
- 147 5/29/2015 - 2140 - Mtn Ord Shortening Time
Additional Text: EX PARTE MOTION FOR ORDER SHORTENING TIME FOR MOTION TO CONTINUE TRIAL AND REOPEN DISCOVERY ON SHORTENED TIME - Transaction 4976179 - Approved By: CSULEZIC : 05-29-2015:16:48:53
- 148 5/29/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4976354 - Approved By: NOREVIEW : 05-29-2015:16:50:54
- 149 6/2/2015 - 1140 - Answer to Amended Complaint
Additional Text: DEFENDANTS' ANSWER TO FIRST AMENDED COMPLAINT - Transaction 4978747 - Approved By: YLLOYD : 06-02-2015:10:35:33
- 150 6/2/2015 - 3242 - Ord Setting Hearing
Additional Text: re: EX PARTE MTN FOR ORDER SHORTENING TIME FOR MTN TO CONTINUE TRIAL - Transaction 4978784 - Approved By: NOREVIEW : 06-02-2015:09:22:04
- 151 6/2/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4978785 - Approved By: NOREVIEW : 06-02-2015:09:23:04

- 152 6/2/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4979028 - Approved By: NOREVIEW : 06-02-2015:10:36:29
- 153 6/9/2015 - MIN - ***Minutes
Additional Text: HRG - EX PARTE MTN FOR ORDER.... - 6/03/15 - Transaction 4989276 - Approved By: NOREVIEW : 06-09-2015:07:12:26
- 154 6/9/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4989277 - Approved By: NOREVIEW : 06-09-2015:07:13:16
- 155 6/10/2015 - 4045 - Stipulation to Continuance
Additional Text: STIPULATION AND ORDER REGARDING MOTION TO CONTINUE TRIAL AND REOPEN DISCOVERY ON SHORTENED TIME - Transaction 4993888 - Approved By: CSULEZIC : 06-11-2015:09:06:46
- 156 6/11/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4994382 - Approved By: NOREVIEW : 06-11-2015:09:07:29
- 157 6/11/2015 - FIE - **Document Filed in Error
Additional Text: AMENDED STIPULATION AND ORDER TO SUBSTITUTE A PARTY PURSUANT TO NRCP 17(a) - Transaction 4996045 - Approved By: CSULEZIC : 06-11-2015:16:49:24
- 158 6/11/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4996479 - Approved By: NOREVIEW : 06-11-2015:16:50:23
- 159 6/12/2015 - 3020 - Ord Granting Continuance
Additional Text: Stipulation to Continue Trial - Trial set for 6/13/16 - Transaction 4998737 - Approved By: MPURDY : 06-15-2015:07:36:18
- 160 6/12/2015 - 1250 - Application for Setting
Additional Text: Trial - 6/13/16; PTC - 2/24/16 - Transaction 4998737 - Approved By: MPURDY : 06-15-2015:07:36:18
- 161 6/15/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 4999297 - Approved By: NOREVIEW : 06-15-2015:07:37:20
- 162 6/16/2015 - 3980 - Stip and Order...
Additional Text: TO SUBSTITUTE A PARTY PURSUANT TO NRCP 17(a) - Transaction 5003411 - Approved By: NOREVIEW : 06-16-2015:15:46:10
- 163 6/16/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5003416 - Approved By: NOREVIEW : 06-16-2015:15:49:04
- 164 7/7/2015 - 4050 - Stipulation ...
Additional Text: STIPULATION AND ORDER REGARDING CONTINUED DISCOVERY DATES - Transaction 5034281 - Approved By: CSULEZIC : 07-07-2015:16:59:33
- 165 7/7/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5034450 - Approved By: NOREVIEW : 07-07-2015:17:00:31
- 166 8/4/2015 - 2582 - Notice of Taking Deposition
Additional Text: NOTICE OF DEPOSITION OF EDWARD BAYUK - Transaction 5076390 - Approved By: MCHOLICO : 08-04-2015:11:23:54
- 167 8/4/2015 - 1270 - Application ...
Additional Text: APPLICATION FOR COMMISSION TO TAKE DEPOSITION - Transaction 5076390 - Approved By: MCHOLICO : 08-04-2015:11:23:54
- 168 8/4/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5076642 - Approved By: NOREVIEW : 08-04-2015:11:24:58
- 169 8/6/2015 - 1417 - Comm/Take Out/State Depo
No additional text exists for this entry.

- 170 8/20/2015 - 2582 - Notice of Taking Deposition
Additional Text: DENNIS VACCO - Transaction 5104371 - Approved By: YLLOYD : 08-21-2015:09:22:39
- 171 8/20/2015 - 2582 - Notice of Taking Deposition
Additional Text: SALVATORE MORABITO - Transaction 5104371 - Approved By: YLLOYD : 08-21-2015:09:22:39
- 172 8/20/2015 - 2582 - Notice of Taking Deposition
Additional Text: THE PERSON MOST KNOWLEDGABLE OF SNOWSHOE PETROLEUM INC - Transaction 5104371 - Approved By: YLLOYD : 08-21-2015:09:22:39
- 173 8/21/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5105066 - Approved By: NOREVIEW : 08-21-2015:09:23:41
- 174 8/27/2015 - 1120 - Amended ...
Additional Text: AMENDED NOTICE OF DEPOSITION OF SALVATION MORABITO - Transaction 5115154 - Approved By: MCHOLICO : 08-27-2015:15:49:15
- 175 8/27/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5115772 - Approved By: NOREVIEW : 08-27-2015:15:50:15
- 176 9/17/2015 - 1270 - Application ...
Additional Text: APPLICATION FOR COMMISSION TO TAKE DEPOSITION - Transaction 5147154 - Approved By: CSULEZIC : 09-18-2015:08:58:37
- 177 9/17/2015 - 1270 - Application ...
Additional Text: APPLICATION FOR COMMISSION TO TAKE DEPOSITION - Transaction 5147154 - Approved By: CSULEZIC : 09-18-2015:08:58:37
- 178 9/17/2015 - 1270 - Application ...
Additional Text: APPLICATION FOR COMMISSION TO TAKE DEPOSITION - Transaction 5147154 - Approved By: CSULEZIC : 09-18-2015:08:58:37
- 179 9/18/2015 - NEF - Proof of Electronic Service
Additional Text: Transaction 5147573 - Approved By: NOREVIEW : 09-18-2015:09:01:27
- 180 9/21/2015 - 1417 - Comm/Take Out/State Depo
Additional Text: COMMISSION TO TAKE DEPOSITION
- 181 9/21/2015 - 1417 - Comm/Take Out/State Depo
No additional text exists for this entry.
- 182 9/21/2015 - 1417 - Comm/Take Out/State Depo
No additional text exists for this entry.
- 183 1/14/2016 - 2582 - Notice of Taking Deposition
Additional Text: DEFENDANTS' NOTICE OF TAKING VIDEO CONFERENCE DEPOSITION OF MARK JUSTMANN - Transaction 5320953 - Approved By: YVILORIA : 01-14-2016:12:30:58
- 184 1/14/2016 - 1270 - Application ...
Additional Text: APPLICATION FOR ISSUANCE OF COMMISSION TO TAKE DEPOSITION OUT OF STATE - Transaction 5320953 - Approved By: YVILORIA : 01-14-2016:12:30:58
- 185 1/14/2016 - 3373 - Other ...
Additional Text: COMMISSION TO TAKE DEPOSITION OUT OF STATE - Transaction 5320953 - Approved By: YVILORIA : 01-14-2016:12:30:58
- 186 1/14/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5320958 - Approved By: NOREVIEW : 01-14-2016:12:31:54
- 187 1/14/2016 - 2582 - Notice of Taking Deposition
Additional Text: DEFENDANTS' NOTICE OF TAKING VIDEO CONFERENCE OF DANIEL CHRISTIAN - Transaction 5320975 - Approved By: YVILORIA : 01-14-2016:12:37:08

- 188 1/14/2016 - 1270 - Application ...
Additional Text: APPLICATION FOR ISSUANCE OF COMMISSION TO TAKE DEPOSITION OUT OF STATE - Transaction 5320975 - Approved By: YVILORIA : 01-14-2016:12:37:08
- 189 1/14/2016 - 3373 - Other ...
Additional Text: COMMISSION TO TAKE DEPOSITION OUT OF STATE - Transaction 5320975 - Approved By: YVILORIA : 01-14-2016:12:37:08
- 190 1/14/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5320984 - Approved By: NOREVIEW : 01-14-2016:12:38:07
- 191 2/2/2016 - 2610 - Notice ...
Additional Text: NOTICE OF ISSUANCE OF SUBPOENA TO CUSTODIAN OF RECORDS HANCOCK PARK INSURANCE SERVICES - Transaction 5349521 - Approved By: CSULEZIC : 02-02-2016:16:05:09
- 192 2/2/2016 - 2582 - Notice of Taking Deposition
Additional Text: NOTICE OF DEPOSITION OF STANTON BERNSTEIN - Transaction 5349662 - Approved By: YVILORIA : 02-02-2016:16:18:06
- 193 2/2/2016 - 1270 - Application ...
Additional Text: APPLICATION FOR COMMISSION TO TAKE DEPOSITION - Transaction 5349662 - Approved By: YVILORIA : 02-02-2016:16:18:06
- 194 2/2/2016 - 2610 - Notice ...
Additional Text: NOTICE OF ISSUANCE OF SUBPOENA TO STANTON BERNSTEIN - Transaction 5349662 - Approved By: YVILORIA : 02-02-2016:16:18:06
- 195 2/2/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5349740 - Approved By: NOREVIEW : 02-02-2016:16:05:55
- 196 2/2/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5349807 - Approved By: NOREVIEW : 02-02-2016:16:19:07
- 197 2/2/2016 - 2610 - Notice ...
Additional Text: NOTICE OF ISSUANCE OF SUBPOENA TO CUSTODIAN OF RECORDS, HANCOCK PARK INSURANCE SERVICES - Transaction 5349844 - Approved By: YVILORIA : 02-02-2016:16:45:13
- 198 2/2/2016 - 2610 - Notice ...
Additional Text: OF ISSUANCE OF SUBPOENA TO GURSEY SCHNEIDER LLP - Transaction 5349893 - Approved By: YVILORIA : 02-03-2016:08:05:21
- 199 2/2/2016 - 2582 - Notice of Taking Deposition
Additional Text: NOTICE OF DEPOSITION OF PERSON MOST KNKOWLEDGEABLE OF GURSEY SCHNEIDER LLP - Transaction 5349905 - Approved By: YVILORIA : 02-03-2016:08:06:51
- 200 2/2/2016 - 1270 - Application ...
Additional Text: APPLICATION FOR COMMISSION TO TAKE DEPOSITION - Transaction 5349905 - Approved By: YVILORIA : 02-03-2016:08:06:51
- 201 2/2/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5349957 - Approved By: NOREVIEW : 02-02-2016:16:46:11
- 202 2/3/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5350160 - Approved By: NOREVIEW : 02-03-2016:08:06:06
- 203 2/3/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5350163 - Approved By: NOREVIEW : 02-03-2016:08:07:37
- 204 2/3/2016 - 1417 - Comm/Take Out/State Depo
Additional Text: GURSEY SCHNEIDER LLP
- 205 2/3/2016 - 1417 - Comm/Take Out/State Depo
Additional Text: STANTON BERNSTEIN

- 206 2/16/2016 - 2582 - Notice of Taking Deposition
Additional Text: RONALD L. BUSS
- 207 2/16/2016 - 1270 - Application ...
Additional Text: APPLICATION FOR ISSUANCE OF COMMISSION TO TAKE DEPOSITION OUT OF STATE
- 208 2/16/2016 - 1417 - Comm/Take Out/State Depo
No additional text exists for this entry.
- 209 2/17/2016 - 2610 - Notice ...
Additional Text: Notice of Issuance of Subpoena to Paul Alves , MAI - Transaction 5372562 - Approved By: KJONES : 02-17-2016:16:09:37
- 210 2/17/2016 - 2610 - Notice ...
Additional Text: Exhibit 1 - Transaction 5372562 - Approved By: KJONES : 02-17-2016:16:09:37
- 211 2/17/2016 - 2582 - Notice of Taking Deposition
Additional Text: Notice of Deposition of Paul Alves , MAI MARCH 23, 2016 @10:00AM - Transaction 5372570 - Approved By: KJONES : 02-17-2016:16:16:59
- 212 2/17/2016 - 2582 - Notice of Taking Deposition
Additional Text: Notice of Deposition of Dennis Banks - Transaction 5372586 - Approved By: YVILORIA : 02-17-2016:14:20:38
- 213 2/17/2016 - 2582 - Notice of Taking Deposition
Additional Text: Notice of Deposition of Darryl Noble - Transaction 5372702 - Approved By: YVILORIA : 02-17-2016:15:08:37
- 214 2/17/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5372918 - Approved By: NOREVIEW : 02-17-2016:14:22:02
- 215 2/17/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5373159 - Approved By: NOREVIEW : 02-17-2016:15:09:25
- 216 2/17/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5373485 - Approved By: NOREVIEW : 02-17-2016:16:10:51
- 217 2/17/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5373534 - Approved By: NOREVIEW : 02-17-2016:16:17:46
- 218 2/18/2016 - 2582 - Notice of Taking Deposition
Additional Text: Notice of Continued Deposition of Dennis Vacco - Transaction 5375086 - Approved By: MCHOLICO : 02-18-2016:14:22:30
- 219 2/18/2016 - 1417 - Comm/Take Out/State Depo
Additional Text: Transaction 5375191 - Approved By: BRAMIREZ : 02-18-2016:14:03:12
- 220 2/18/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5375195 - Approved By: NOREVIEW : 02-18-2016:14:04:07
- 221 2/18/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5375312 - Approved By: NOREVIEW : 02-18-2016:14:23:29
- 222 2/18/2016 - 2610 - Notice ...
Additional Text: NOTICE OF ISSUANCE OF SUBPOENA TO DENNIS BANKS - Transaction 5375746 - Approved By: YVILORIA : 02-18-2016:16:37:55
- 223 2/18/2016 - 2610 - Notice ...
Additional Text: Notice of Issuance of Subpoena to Darryl Nobel - Transaction 5375768 - Approved By: YVILORIA : 02-18-2016:16:40:00

- 224 2/18/2016 - 1270 - Application ...
Additional Text: Application for Commission to Take Deposition - Transaction 5375827 - Approved By: YVILORIA : 02-18-2016:16:43:47
- 225 2/18/2016 - 2582 - Notice of Taking Deposition
Additional Text: Notice of Deposition of Paul Morabito - Transaction 5375836 - Approved By: YVILORIA : 02-18-2016:16:44:27
- 226 2/18/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5376115 - Approved By: NOREVIEW : 02-18-2016:16:38:55
- 227 2/18/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5376127 - Approved By: NOREVIEW : 02-18-2016:16:41:06
- 228 2/18/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5376144 - Approved By: NOREVIEW : 02-18-2016:16:44:45
- 229 2/18/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5376146 - Approved By: NOREVIEW : 02-18-2016:16:45:24
- 230 2/19/2016 - 2610 - Notice ...
Additional Text: NOTICE OF ISSUANCE OF SUBPOENA TO MICHELLE SALAZAR - Transaction 5376428 - Approved By: MFERNAND : 02-19-2016:09:46:31
- 231 2/19/2016 - 2610 - Notice ...
Additional Text: NOTICE OF ISSUANCE OF SUBPOENA TO CUSTODIAN OF RECORDS OF COMPASS BANK - Transaction 5376442 - Approved By: MFERNAND : 02-19-2016:09:50:45
- 232 2/19/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5376679 - Approved By: NOREVIEW : 02-19-2016:09:47:27
- 233 2/19/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5376704 - Approved By: NOREVIEW : 02-19-2016:09:51:35
- 234 2/24/2016 - 2610 - Notice ...
Additional Text: Notice of Issuance of Subpoena of Paul Morabito - Transaction 5383846 - Approved By: YVILORIA : 02-24-2016:11:46:29
- 235 2/24/2016 - 2610 - Notice ...
Additional Text: OF DEPOSITION OF MICHELE SALAZAR - 3/24/16 AT 1000 - Transaction 5383849 - Approved By: RKWATKIN : 02-24-2016:10:57:58
- 236 2/24/2016 - 2610 - Notice ...
Additional Text: Notice of Issuance of Subpoena to Custodian of Records of Compass Bank - Transaction 5383855 - Approved By: YVILORIA : 02-24-2016:12:00:58
- 237 2/24/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5383956 - Approved By: NOREVIEW : 02-24-2016:10:59:01
- 238 2/24/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5384184 - Approved By: NOREVIEW : 02-24-2016:11:47:32
- 239 2/24/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5384244 - Approved By: NOREVIEW : 02-24-2016:12:02:51
- 240 2/24/2016 - 1250 - Application for Setting
Additional Text: Trial-6/8/16; Pretrial Hearings-6/6 & 6/7/16; PTC- 4/13/16 - Transaction 5385061 - Approved By: YVILORIA : 02-24-2016:16:19:14
- 241 2/24/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5385429 - Approved By: NOREVIEW : 02-24-2016:16:20:36

- 242 2/26/2016 - 2582 - Notice of Taking Deposition
Additional Text: Amended Notice of Deposition of Person Most Knowledgeable of Gursej Schneider - Transaction 5388966 - Approved By: YVILORIA : 02-26-2016:10:07:58
- 243 2/26/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5388986 - Approved By: NOREVIEW : 02-26-2016:10:08:56
- 244 3/3/2016 - 1270 - Application ...
Additional Text: APPLICATION FOR ISSUANCE OF COMMISSION TO TAKE DEPOSITION OUT OF STATE - Transaction 5398711 - Approved By: CCOVINGT : 03-03-2016:12:29:31
- 245 3/3/2016 - 2582 - Notice of Taking Deposition
Additional Text: DEFENDANTS' NOTICE OF TAKING THE DEPOSITION OF MICHAEL SEVITZ - Transaction 5398711 - Approved By: CCOVINGT : 03-03-2016:12:29:31
- 246 3/3/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5398717 - Approved By: NOREVIEW : 03-03-2016:12:30:28
- 247 3/3/2016 - 1417 - Comm/Take Out/State Depo
No additional text exists for this entry.
- 248 3/8/2016 - 2582 - Notice of Taking Deposition
Additional Text: Notice of Deposition of Jan Frederich - Transaction 5405886 - Approved By: YVILORIA : 03-08-2016:14:55:21
- 249 3/8/2016 - 2582 - Notice of Taking Deposition
Additional Text: Amende Notice of Deposition of PMK of Gursej Schneider LLP - Transaction 5405896 - Approved By: YVILORIA : 03-08-2016:15:02:52
- 250 3/8/2016 - 2582 - Notice of Taking Deposition
Additional Text: Amended Notice of Deposition of Stanton Bernstein - Transaction 5405908 - Approved By: YVILORIA : 03-08-2016:15:05:37
- 251 3/8/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5406217 - Approved By: NOREVIEW : 03-08-2016:14:56:22
- 252 3/8/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5406233 - Approved By: NOREVIEW : 03-08-2016:15:03:54
- 253 3/8/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5406243 - Approved By: NOREVIEW : 03-08-2016:15:06:31
- 254 3/9/2016 - 2610 - Notice ...
Additional Text: Notice of Issuance of Subpoena on Jan Frederich - Transaction 5408374 - Approved By: YVILORIA : 03-09-2016:15:15:25
- 255 3/9/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5408421 - Approved By: NOREVIEW : 03-09-2016:15:16:12
- 256 3/10/2016 - 2490 - Motion ...
Additional Text: MOTION TO PARTIALLY QUASH, OR, IN THE ALTERNATIVE, FOR A PROTECTIVE ORDER PRECLUDING TRUSTEE FROM SEEKING DISCOVERY PROTECTED BY THE ATTORNEY CLIENT PRIVILEGE - Transaction 5411376 - Approved By: MCHOLICO : 03-10-2016:16:46:18
- 257 3/10/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5411482 - Approved By: NOREVIEW : 03-10-2016:16:47:16
- 258 3/14/2016 - 1120 - Amended ...
Additional Text: Amended Notice of Deposition of Stanton Bernstein - Transaction 5414328 - Approved By: MCHOLICO : 03-14-2016:09:28:59
- 259 3/14/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5414361 - Approved By: NOREVIEW : 03-14-2016:09:30:09

260 3/17/2016 - MIN - ***Minutes
Additional Text: PRE-TRIAL CONFERENCE - 2/24/16 - Transaction 5421150 - Approved By: NOREVIEW : 03-17-2016:08:27:32

261 3/17/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5421159 - Approved By: NOREVIEW : 03-17-2016:08:28:37

262 3/17/2016 - 2610 - Notice ...
Additional Text: Notice of Continued Deposition of Dennis Vacco - Transaction 5423206 - Approved By: YVILORIA : 03-17-2016:16:59:38

263 3/17/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5423408 - Approved By: NOREVIEW : 03-17-2016:17:00:34

264 3/23/2016 - 2610 - Notice ...
Additional Text: Notice of Vacating Deposition of Paul Michelle Salazar - Transaction 5432818 - Approved By: YVILORIA : 03-24-2016:08:40:15

265 3/23/2016 - 2610 - Notice ...
Additional Text: Notice of Vacating Deposition of Darryl Noble - Transaction 5432817 - Approved By: YVILORIA : 03-24-2016:08:41:48

266 3/23/2016 - 2610 - Notice ...
Additional Text: Notice of Vacating Deposition of Paul Alvez - Transaction 5432816 - Approved By: YVILORIA : 03-24-2016:08:42:01

267 3/24/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5432945 - Approved By: NOREVIEW : 03-24-2016:08:41:19

268 3/24/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5432957 - Approved By: NOREVIEW : 03-24-2016:08:42:48

269 3/24/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5432960 - Approved By: NOREVIEW : 03-24-2016:08:42:57

270 3/24/2016 - 4050 - Stipulation ...
Additional Text: Stipulation Regarding Vacating Depositions of Darryl Noble and Paul Alves - Transaction 5433044 - Approved By: YVILORIA : 03-24-2016:09:05:04

271 3/24/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5433055 - Approved By: NOREVIEW : 03-24-2016:09:06:05

272 3/24/2016 - 4050 - Stipulation ...
Additional Text: STIPULATION REGARDING CONTINUED DISCOVERY DATES (SECOND REQUEST) - Transaction 5434373 - Approved By: TBRITTON : 03-24-2016:15:35:45

273 3/24/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5434500 - Approved By: NOREVIEW : 03-24-2016:15:36:52

274 3/25/2016 - 2645 - Opposition to Mtn ...
Additional Text: PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION TO PARTIALLY QUASH, OR IN THE ALTERNATIVE, FOR A PROTECTIVE ORDER PRECLUDING TRUSTEE FROM SEEKING DISCOVERY PROTECTED BY THE ATTORNEY-CLIENT PRIVILEGE - Transaction 5435799 - Approved By: MFERNAND : 03-25-2016:12:09:38

275 3/25/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5436020 - Approved By: NOREVIEW : 03-25-2016:12:12:16

276 3/31/2016 - 2610 - Notice ...
Additional Text: SECOND AMENDED NOTICE OF DEPOSITION OF STANTON BERNSTEIN - ARIL 26, 2016 @ 10:00 AM - Transaction 5445235 - Approved By: TBRITTON : 04-01-2016:08:40:37

277 4/1/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5445358 - Approved By: NOREVIEW : 04-01-2016:08:41:40

- 278 4/4/2016 - 4045 - Stipulation to Continuance
Additional Text: STIPULATION REGARDING CONTINUED DISCOVERY DATES (THIRD REQUEST) - Transaction 5449186 - Approved By: TBRITTON : 04-05-2016:08:30:57
- 279 4/5/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5449342 - Approved By: NOREVIEW : 04-05-2016:08:31:55
- 280 4/6/2016 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF MOTION TO MODIFY SUBPOENA, OR, IN THE ALTERNATIVE, FOR A PROTECTIVE ORDER PRECLUDING TRUSTEE FROM SEEKING DISCOVERY PROTECTED BY THE ATTORNEY-CLIENT PRIVILEGE - Transaction 5452770 - Approved By: CSULEZIC : 04-06-2016:13:40:03
- 281 4/6/2016 - 3860 - Request for Submission
Additional Text: MOTION TO MODIFY SUBPOENA, OR, IN THE ALTERNATIVE, FOR A PROTECTIVE ORDER PRECLUDING TRUSTEE FROM SEEKING DISCOVERY PROTECTED BY THE ATTORNEY-CLIENT PRIVILEGE - Transaction 5452770 - Approved By: CSULEZIC : 04-06-2016:13:40:03
PARTY SUBMITTING: FRANK GILMORE, ESQ
DATE SUBMITTED: 4/06/16
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 282 4/6/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5452824 - Approved By: NOREVIEW : 04-06-2016:13:40:59
- 283 4/8/2016 - 2270 - Mtn to Compel...
Additional Text: PLAINTIFF'S MOTION TO COMPEL PRODUCTION OF DOCUMENTS - Transaction 5456829 - Approved By: CSULEZIC : 04-08-2016:09:50:03
- 284 4/8/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5456902 - Approved By: NOREVIEW : 04-08-2016:09:51:55
- 285 4/8/2016 - 1670 - Ex-Parte Mtn...
Additional Text: Plaintiff's Ex Parte Motion for Leave to File a Supplement to Plaintiff's Opposition to Defendants' Motion to Partially Quash, or, in the Alternative, For A Protective Order Precluding Trustee From Seeking Discovery Protected By the Attorney-Client Privi - Transaction 5458603 - Approved By: MCHOLICO : 04-11-2016:08:21:38
- 286 4/11/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5458746 - Approved By: NOREVIEW : 04-11-2016:08:22:38
- 287 4/12/2016 - 4045 - Stipulation to Continuance
Additional Text: Transaction 5461339 - Approved By: YVILORIA : 04-12-2016:11:15:02
- 288 4/12/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5461438 - Approved By: NOREVIEW : 04-12-2016:11:16:29
- 289 4/12/2016 - 2777 - Ord Approving ...
Additional Text: Stipulation re: continued discovery dates-second request - Transaction 5461722 - Approved By: NOREVIEW : 04-12-2016:12:56:37
- 290 4/12/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5461724 - Approved By: NOREVIEW : 04-12-2016:12:57:27
- 291 4/12/2016 - 3020 - Ord Granting Continuance
Additional Text: of Trial - Transaction 5462515 - Approved By: NOREVIEW : 04-12-2016:15:57:24
- 292 4/12/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5462522 - Approved By: NOREVIEW : 04-12-2016:15:58:26
- 293 4/13/2016 - 2650 - Opposition to ...
Additional Text: OPPOSITION TO EX PARTE MOTION FOR LEAVE TO FILE A SUPPLEMENTAL TO PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION TO QUASH - Transaction 5464494 - Approved By: TBRITTON : 04-13-2016:15:46:32

- 294 4/13/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5464720 - Approved By: NOREVIEW : 04-13-2016:15:47:31
- 295 4/14/2016 - 2605 - Notice to Set
Additional Text: APRIL 20, 2016 AT 11:00 AM - Transaction 5465799 - Approved By: YVILORIA : 04-14-2016:10:15:44
- 296 4/14/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5465837 - Approved By: NOREVIEW : 04-14-2016:10:16:58
- 297 4/19/2016 - 3860 - Request for Submission
Additional Text: Transaction 5473026 - Approved By: YVILORIA : 04-19-2016:10:25:14
DOCUMENT TITLE: STIPULATION REGARDING CONTINUED DISCOVERY DATES (THIRD REQUEST) FILED 4-4-16
PARTY SUBMITTING: TERESA M. KRPATA ESQ
DATE SUBMITTED: APRIL 19, 2016
SUBMITTED BY: YVILORIA
DATE RECEIVED JUDGE OFFICE:
- 298 4/19/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5473047 - Approved By: NOREVIEW : 04-19-2016:10:26:06
- 299 4/20/2016 - 1250 - Application for Setting
Additional Text: Trial-10/31/16; PT Mtns-10/25/16 & 10/27/16; PTC-8/3/16 - Transaction 5476958 - Approved By: CSULEZIC :
04-20-2016:16:52:16
- 300 4/20/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5477008 - Approved By: NOREVIEW : 04-20-2016:16:53:15
- 301 4/21/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 302 4/22/2016 - 2777 - Ord Approving ...
Additional Text: Stipulation re: Contd Discovery Dates-3rd Request - Transaction 5480464 - Approved By: NOREVIEW :
04-22-2016:10:46:28
- 303 4/22/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5480471 - Approved By: NOREVIEW : 04-22-2016:10:47:30
- 304 4/25/2016 - 2582 - Notice of Taking Deposition
Additional Text: THIRD AMENDED NOTICE OF DEPOSITION OF STANTON BERNSTEIN - APRIL 26, 2016 AT 10:00 AM - Transaction
5482539 - Approved By: YVILORIA : 04-25-2016:12:17:12
- 305 4/25/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5482765 - Approved By: NOREVIEW : 04-25-2016:12:18:08
- 306 4/25/2016 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO PLAINTIFF'S MOTION TO COMPEL PRODUCTION OF DOCUMENTS - Transaction 5483579 -
Approved By: YVILORIA : 04-25-2016:16:26:09
- 307 4/25/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5483848 - Approved By: NOREVIEW : 04-25-2016:16:27:05
- 308 4/25/2016 - 3790 - Reply to/in Opposition
Additional Text: REPLY IN SUPPORT OF MOTION TO FILE SUPPLEMENT - Transaction 5484071 - Approved By: MCHOLICO :
04-26-2016:09:04:38
- 309 4/26/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5484334 - Approved By: NOREVIEW : 04-26-2016:09:05:31
- 310 4/26/2016 - 3860 - Request for Submission

Additional Text: EX PARTE MOTION FOR LEAVE TO FILE A SUPPLEMENT TO PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION TO QUASH, OR, IN THE ALTERNATIVE, FOR A PROTECTIVE ORDER PRECLUDING TRUSTEE FROM SEEKING DISCOVERY PROTECTED BY THE ATTORNEY-CLIENT PRIVILEGE - Transaction 5485144 - Approved By: CSULEZIC : 04-26-2016:13:23:05

PARTY SUBMITTING: TERESA KRPATA, ESQ

DATE SUBMITTED: 4/26/16

SUBMITTED BY: CS

DATE RECEIVED JUDGE OFFICE:

311 4/26/2016 - NEF - Proof of Electronic Service

Additional Text: Transaction 5485269 - Approved By: NOREVIEW : 04-26-2016:13:24:05

312 4/26/2016 - 4045 - Stipulation to Continuance

Additional Text: STIPULATION REGARDING CONTINUED DISCOVERY DATES (FOURTH REQUEST) - Transaction 5485271 - Approved By: YVILORIA : 04-26-2016:13:32:59

313 4/26/2016 - NEF - Proof of Electronic Service

Additional Text: Transaction 5485305 - Approved By: NOREVIEW : 04-26-2016:13:33:58

314 4/28/2016 - 1120 - Amended ...

Additional Text: Fourth Amended Notice of Deposition of Stanton Bernstein - Transaction 5489118 - Approved By: MCHOLICO : 04-28-2016:11:45:10

315 4/28/2016 - NEF - Proof of Electronic Service

Additional Text: Transaction 5489368 - Approved By: NOREVIEW : 04-28-2016:11:46:21

316 4/29/2016 - 2777 - Ord Approving ...

Additional Text: Stipulation regarding continued discovery dates (4th request) - Transaction 5490950 - Approved By: NOREVIEW : 04-29-2016:09:40:40

317 4/29/2016 - NEF - Proof of Electronic Service

Additional Text: Transaction 5490952 - Approved By: NOREVIEW : 04-29-2016:09:43:42

318 5/9/2016 - 3790 - Reply to/in Opposition

Additional Text: REPLY IN SUPPORT OF PLAINTIFF'S MOTION TO COMPEL PRODUCTION OF DOCUMENTS - Transaction 5506873 - Approved By: RKWATKIN : 05-10-2016:10:14:46

319 5/10/2016 - NEF - Proof of Electronic Service

Additional Text: Transaction 5507246 - Approved By: NOREVIEW : 05-10-2016:10:16:04

320 5/10/2016 - 3860 - Request for Submission

Additional Text: PLAINTIFF'S MOTION TO COMPEL PRODUCTION OF DOCUMENTS filed ON 04/08/16 - Transaction 5509146 - Approved By: SWOLFE : 05-11-2016:08:33:11
PARTY SUBMITTING: TERESA M. PILATOWICZ, ESQ.
DATE SUBMITTED: 05/11/16
SUBMITTED BY: SWOLFE
DATE RECEIVED JUDGE OFFICE:

321 5/11/2016 - NEF - Proof of Electronic Service

Additional Text: Transaction 5509236 - Approved By: NOREVIEW : 05-11-2016:08:34:18

322 6/13/2016 - 1945 - Master's Recommendation/Ord

Additional Text: 06/13/16 Recommendation for Order - Transaction 5559216 - Approved By: NOREVIEW : 06-13-2016:12:07:50

323 6/13/2016 - NEF - Proof of Electronic Service

Additional Text: Transaction 5559218 - Approved By: NOREVIEW : 06-13-2016:12:08:47

324 6/13/2016 - S200 - Request for Submission Complet

No additional text exists for this entry.

325 6/13/2016 - S200 - Request for Submission Complet

No additional text exists for this entry.

- 326 6/15/2016 - 2582 - Notice of Taking Deposition
Additional Text: Fifth Amended Notice of Deposition of Stanton Bernstein - Transaction 5564217 - Approved By: CSULEZIC : 06-16-2016:08:15:33
- 327 6/16/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5564460 - Approved By: NOREVIEW : 06-16-2016:08:16:26
- 328 7/6/2016 - 1945 - Master's Recommendation/Ord
Additional Text: Order Confirming Master Recommendation from 6/13/16 - Transaction 5595839 - Approved By: NOREVIEW : 07-06-2016:15:17:38
- 329 7/6/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5595848 - Approved By: NOREVIEW : 07-06-2016:15:18:40
- 330 7/12/2016 - 4047 - Stip Extension of Time ...
Additional Text: Stipulation Regarding Continued Discovery Dates (fifth request) - Transaction 5603438 - Approved By: CSULEZIC : 07-12-2016:11:53:42
- 331 7/12/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5603897 - Approved By: NOREVIEW : 07-12-2016:11:54:38
- 332 7/19/2016 - 2490 - Motion ...
Additional Text: Stipulated Motion to Continue Trial - Transaction 5616438 - Approved By: YVILORIA : 07-19-2016:16:45:05
- 333 7/19/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5616453 - Approved By: NOREVIEW : 07-19-2016:16:46:21
- 334 7/19/2016 - 3860 - Request for Submission
Additional Text: PLAINTIFF'S REQUEST FOR SUBMISSION OF STIPULATED MOTION TO CONTINUE TRIAL - Transaction 5616455 - Approved By: CSULEZIC : 07-19-2016:16:48:46
PARTY SUBMITTING: TERESA PILATOWICZ, ESQ
DATE SUBMITTED: 7/19/16
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 335 7/19/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5616465 - Approved By: NOREVIEW : 07-19-2016:16:49:48
- 336 7/21/2016 - FIE - **Document Filed in Error
Additional Text: FIE - TBritton 07/21/16
- 337 7/21/2016 - FIE - **Document Filed in Error
Additional Text: FIE - TBritton 07/21/16
- 338 7/21/2016 - 3860 - Request for Submission
Additional Text: Transaction 5620020 - Approved By: YVILORIA : 07-21-2016:13:41:11
DOCUMENT TITLE: STIPULATED MOTION TO CONTINUE TRIAL (ORDER INCLUDED IN EXHIBIT)
PARTY SUBMITTING: TERESA M PILATOWICZ ESQ
DATE SUBMITTED: JULY 21, 2016
SUBMITTED BY: YVILORIA
DATE RECEIVED JUDGE OFFICE:
- 339 7/21/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5620108 - Approved By: NOREVIEW : 07-21-2016:13:42:36
- 340 7/22/2016 - 2582 - Notice of Taking Deposition
Additional Text: FIFTH AMENDED NOTICE OF DEPOSITION OF STANTON BERNSTEIN - Transaction 5623087 - Approved By: RKWATKIN : 07-22-2016:15:46:43
- 341 7/22/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5623509 - Approved By: NOREVIEW : 07-22-2016:15:47:44

- 342 7/22/2016 - 3020 - Ord Granting Continuance
Additional Text: of Trial - Transaction 5623585 - Approved By: NOREVIEW : 07-22-2016:16:06:35
- 343 7/22/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5623592 - Approved By: NOREVIEW : 07-22-2016:16:07:36
- 344 7/22/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 345 7/22/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 346 8/24/2016 - 1250 - Application for Setting
Additional Text: Trial 6/19/17; PTC- 3/1/17 - Transaction 5674834 - Approved By: TBRITTON : 08-24-2016:14:25:44
- 347 8/24/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5675269 - Approved By: NOREVIEW : 08-24-2016:14:26:59
- 348 9/1/2016 - 1945 - Master's Recommendation/Ord
Additional Text: 09-01-16 RECOMMENDATION FOR ORDER - Transaction 5689059 - Approved By: NOREVIEW : 09-01-2016:13:32:18
- 349 9/1/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5689062 - Approved By: NOREVIEW : 09-01-2016:13:33:19
- 350 9/1/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 351 9/12/2016 - 2490 - Motion ...
Additional Text: Second Stipulated Motion to Continue Trial - Transaction 5702177 - Approved By: CSULEZIC : 09-12-2016:15:52:25
- 352 9/12/2016 - 3860 - Request for Submission
Additional Text: Transaction 5702270 - Approved By: SWOLFE : 09-12-2016:15:40:12
DOCUMENT TITLE: PLAINTIFF'S SECOND STIPULATED MOTION TO CONTINUE TRIAL FILED ON 9/12/16 (ORDER ATTACHED AS EXHIBIT)
PARTY SUBMITTING: TERESA M. PILATOWICZ, ESQ.
DATE SUBMITTED: 9/12/16
SUBMITTED BY: SWOLFE
DATE RECEIVED JUDGE OFFICE:
- 353 9/12/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5702738 - Approved By: NOREVIEW : 09-12-2016:15:41:20
- 354 9/12/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5702801 - Approved By: NOREVIEW : 09-12-2016:15:53:43
- 355 9/16/2016 - 2690 - Ord Affirming Master Recommend
Additional Text: Transaction 5711786 - Approved By: NOREVIEW : 09-16-2016:12:04:55
- 356 9/16/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5711789 - Approved By: NOREVIEW : 09-16-2016:12:05:56
- 357 9/19/2016 - 3020 - Ord Granting Continuance
Additional Text: of Trial - Transaction 5713391 - Approved By: NOREVIEW : 09-19-2016:10:09:58
- 358 9/19/2016 - S200 - Request for Submission Complet
No additional text exists for this entry.

- 359 9/19/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5713395 - Approved By: NOREVIEW : 09-19-2016:10:10:49
- 360 9/21/2016 - 1250 - Application for Setting
Additional Text: TtRIAL-10/9/17; PTC- 6/29/17 - Transaction 5718913 - Approved By: CSULEZIC : 09-21-2016:15:28:11
- 361 9/21/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5719275 - Approved By: NOREVIEW : 09-21-2016:15:29:29
- 362 11/21/2016 - 1245 - Application Ord Show Cause
Additional Text: PLAINTIFF'S APPLICATION FOR ORDER TO SHOW CAUSE WHY DEFENDANT EDWARD BAYUK SHOULD NOT BE HELD IN CONTEMPT OF COURT ORDER - Transaction 5815697 - Approved By: CSULEZIC : 11-21-2016:11:24:50
- 363 11/21/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5816030 - Approved By: NOREVIEW : 11-21-2016:11:26:29
- 364 11/21/2016 - 2582 - Notice of Taking Deposition
Additional Text: Sixth Amended Notice of Deposition of Stanton Bernstein - Transaction 5816775 - Approved By: CSULEZIC : 11-21-2016:16:04:38
- 365 11/21/2016 - 2582 - Notice of Taking Deposition
Additional Text: Notice of Deposition of Person Most Knowledgeable of Compass Bank - Transaction 5816855 - Approved By: PMSEWELL : 11-21-2016:16:46:09
- 366 11/21/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5817240 - Approved By: NOREVIEW : 11-21-2016:16:05:48
- 367 11/21/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5817441 - Approved By: NOREVIEW : 11-21-2016:16:47:29
- 368 11/29/2016 - 2582 - Notice of Taking Deposition
Additional Text: Notice of Continued Deposition of Dennis Vacco - Transaction 5827498 - Approved By: PMSEWELL : 11-30-2016:08:59:57
- 369 11/30/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5827745 - Approved By: NOREVIEW : 11-30-2016:09:01:00
- 370 12/19/2016 - 2650 - Opposition to ...
Additional Text: OPPOSITION TO PLAINTIFF'S APPLICATION FOR ORDER TO SHOW CAUSE WHY DEFENDANT SHOULD NOT BE HELD IN CONTEMPT OF COURT ORDER - Transaction 5861151 - Approved By: TBRITTON : 12-19-2016:13:23:41
- 371 12/19/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5861222 - Approved By: NOREVIEW : 12-19-2016:13:24:41
- 372 12/23/2016 - 3355 - Ord to Show Cause
Additional Text: WHY EDWARD BAYUK SHOULD NOT BE HELD IN CONTEMPT OF COURT ORDER - Transaction 5870729 - Approved By: NOREVIEW : 12-23-2016:12:14:17
- 373 12/23/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5870732 - Approved By: NOREVIEW : 12-23-2016:12:15:17
- 374 12/28/2016 - 1360 - Certificate of Service
Additional Text: regarding Order Granting Order to Show Cause Why Defendant Edward Bayuk Should Not be Held in Contempt of Court Order - Transaction 5875613 - Approved By: CSULEZIC : 12-28-2016:16:55:03
- 375 12/28/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5875632 - Approved By: NOREVIEW : 12-28-2016:16:56:01
- 376 12/30/2016 - 3880 - Response...
Additional Text: RESPONSE: (1) TO OPPOSITION TO APPLICATION FOR ORDER TO SHOW CAUSE WHY DEFENDANT SHOULD NOT BE HELD IN CONTEMPT OF THE COURT ORDER AND (2) IN SUPPORT OF ORDER TO SHOW CAUSE - Transaction 5878327 - Approved By: TBRITTON : 12-30-2016:10:14:50

- 377 12/30/2016 - NEF - Proof of Electronic Service
Additional Text: Transaction 5878342 - Approved By: NOREVIEW : 12-30-2016:10:15:47
- 378 1/3/2017 - 2582 - Notice of Taking Deposition
Additional Text: Notice of Deposition of Person Most Knowledgeable of Hodgson Russ LLP - Transaction 5880842 - Approved By: PMSEWELL : 01-03-2017:11:44:43
- 379 1/3/2017 - 2610 - Notice ...
Additional Text: Notice of Issuance of Subpoena to the Person Most Knowledgeable of Hodgson Russ LLP - Transaction 5880857 - Approved By: PMSEWELL : 01-03-2017:11:47:54
- 380 1/3/2017 - 1270 - Application ...
Additional Text: Application for Commission to Take Deposition - Transaction 5880894 - Approved By: YVILORIA : 01-03-2017:11:36:52
- 381 1/3/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 5880946 - Approved By: NOREVIEW : 01-03-2017:11:38:02
- 382 1/3/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 5880970 - Approved By: NOREVIEW : 01-03-2017:11:45:39
- 383 1/3/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 5880994 - Approved By: NOREVIEW : 01-03-2017:11:50:15
- 384 1/3/2017 - 1650 - Errata...
Additional Text: DFX: EXHIBITS PRESENTED INCORRECTLY - ERRATA TO NOTICE OF ISSUANCE OF SUBPOENA TO THE PERSON MOST KNOWLEDGEABLE OF HODSGON RUSS LLP - Transaction 5881153 - Approved By: TBRITTON : 01-03-2017:13:22:23
- 385 1/3/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 5881265 - Approved By: NOREVIEW : 01-03-2017:13:23:17
- 386 1/3/2017 - 1417 - Comm/Take Out/State Depo
Additional Text: Transaction 5882306 - Approved By: BVIRREY : 01-03-2017:16:19:23
- 387 1/3/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 5882356 - Approved By: NOREVIEW : 01-03-2017:16:22:00
- 388 1/19/2017 - MIN - ***Minutes
Additional Text: 01/19/2017: Deposition of Edward Bayuk in re: insurance policies. - Transaction 5907005 - Approved By: NOREVIEW : 01-19-2017:17:50:24
- 389 1/19/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 5907006 - Approved By: NOREVIEW : 01-19-2017:17:53:14
- 390 1/24/2017 - 2582 - Notice of Taking Deposition
Additional Text: Notice of Deposition of Stanton Bernstein - Transaction 5912467 - Approved By: YVILORIA : 01-24-2017:09:54:46
- 391 1/24/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 5912544 - Approved By: NOREVIEW : 01-24-2017:09:56:54
- 392 1/25/2017 - 4185 - Transcript
Additional Text: 1-19-17 OSC - Transaction 5917188 - Approved By: NOREVIEW : 01-25-2017:16:42:48
- 393 1/25/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 5917192 - Approved By: NOREVIEW : 01-25-2017:16:43:39
- 394 1/27/2017 - 2582 - Notice of Taking Deposition
Additional Text: Notice of Continued Deposition of Dennis Vacco - Transaction 5920212 - Approved By: YVILORIA : 01-27-2017:10:08:08

- 395 1/27/2017 - 2582 - Notice of Taking Deposition
Additional Text: Notice of Continued Deposition of Person Most Knowledgeable of Hodgson Russ LLP - Transaction 5920222 - Approved By: YVILORIA : 01-27-2017:10:11:42
- 396 1/27/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 5920391 - Approved By: NOREVIEW : 01-27-2017:10:09:23
- 397 1/27/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 5920426 - Approved By: NOREVIEW : 01-27-2017:10:12:44
- 398 1/30/2017 - MIN - ***Minutes
Additional Text: ORDER TO SHOW CAUSE - 1/19/17 - Transaction 5922905 - Approved By: NOREVIEW : 01-30-2017:10:41:15
- 399 1/30/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 5922914 - Approved By: NOREVIEW : 01-30-2017:10:42:16
- 400 1/30/2017 - 4050 - Stipulation ...
Additional Text: Stipulation Regarding Continued Discovery Dates (Sixth Request) - Transaction 5924754 - Approved By: CSULEZIC : 01-31-2017:09:09:29
- 401 1/31/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 5925031 - Approved By: NOREVIEW : 01-31-2017:09:10:41
- 402 2/1/2017 - 4185 - Transcript
Additional Text: 1/19/17 OSC - Corrected transcript to replace previous filing - Transaction 5928900 - Approved By: NOREVIEW : 02-01-2017:14:35:22
- 403 2/1/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 5928906 - Approved By: NOREVIEW : 02-01-2017:14:36:18
- 404 2/3/2017 - 2610 - Notice ...
Additional Text: DFX: EXHIBITS PRESENTED INCORRECTLY - NO INDEX OF EXHIBITS - Notice of Issuance of Subpoena to AIG Property Casualty Insurance Agency, Inc. aka Risk Specialists Companies Insurance Agency, Inc. - Transaction 5932790 - Approved By: YVILORIA : 02-03-2017:10:15:21
- 405 2/3/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 5932821 - Approved By: NOREVIEW : 02-03-2017:10:16:49
- 406 2/3/2017 - 2777 - Ord Approving ...
Additional Text: Stipulation regarding continued discovery deadlines - Transaction 5934050 - Approved By: NOREVIEW : 02-03-2017:15:38:43
- 407 2/3/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 5934053 - Approved By: NOREVIEW : 02-03-2017:15:39:42
- 408 2/6/2017 - 1960 - Memorandum ...
Additional Text: Memorandum of Fees and Costs Related to Order to Show Cause Why Edward Bayuk Should No be Held in Contempt - Transaction 5936840 - Approved By: CSULEZIC : 02-06-2017:16:33:41
- 409 2/6/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 5937058 - Approved By: NOREVIEW : 02-06-2017:16:34:47
- 410 2/9/2017 - 2630 - Objection to ...
Additional Text: OBJECTION OF EDWARD BAYUK TO PLAINTIFF'S MEMORANDUM OF FEES AND COSTS REAL TED TO ORDEDR TO SHOW CAUSE WHY EDWARD BAYUK SHOULD NOT BE HELD IN CONTEMPT - Transaction 5944478 - Approved By: PMSEWELL : 02-09-2017:16:08:10
- 411 2/9/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 5944648 - Approved By: NOREVIEW : 02-09-2017:16:09:24

- 412 2/21/2017 - 3795 - Reply...
Additional Text: Reply in Support of Memorandum of Fees and Costs Related to Order to Show Cause Why Edward Bayuk Should not Be Held in Contempt - Transaction 5960339 - Approved By: PMSEWELL : 02-22-2017:09:55:13
- 413 2/21/2017 - 1520 - Declaration
Additional Text: DFX: MISSING INDEX OF EXHIBITS - Declaration of Teresa M. Pilatowicz in Support of Reply in Support of Memorandum of Fees and Costs Related to Order to Show Cause Why Edward Bayuk Should not Be Held in Contempt - Transaction 5960340 - Approved By: PMSEWELL : 02-22-2017:09:56:18
- 414 2/21/2017 - 3860 - Request for Submission
Additional Text: - Transaction 5960341 - Approved By: PMSEWELL : 02-22-2017:09:57:34
DOCUMENT TITLE: MEMORANDUM OF FEES AND COSTS RELATED TO ORDER TO SHOW CAUSE WHY EDWARD BAYUK SHOULD NOT BE HELD IN CONTEMPT (NO ORDER PROVIDED)
PARTY SUBMITTING: TERESA PILATOWICZ, ESQ.
DATE SUBMITTED: FEBRUARY 21, 2017
SUBMITTED BY: PMSEWELL
DATE RECEIVED JUDGE OFFICE:
- 415 2/22/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 5960818 - Approved By: NOREVIEW : 02-22-2017:09:56:28
- 416 2/22/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 5960821 - Approved By: NOREVIEW : 02-22-2017:09:57:18
- 417 2/22/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 5960824 - Approved By: NOREVIEW : 02-22-2017:10:00:09
- 418 3/14/2017 - 3370 - Order ...
Additional Text: re: SANCTIONS - Transaction 5996162 - Approved By: NOREVIEW : 03-14-2017:13:47:07
- 419 3/14/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 5996166 - Approved By: NOREVIEW : 03-14-2017:13:48:05
- 420 3/14/2017 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 421 3/27/2017 - 2610 - Notice ...
Additional Text: DEFENDANT EDWARD BAYUK'S NOTICE OF COMPLIANCE - Transaction 6019002 - Approved By: CSULEZIC : 03-27-2017:15:27:51
- 422 3/27/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6019179 - Approved By: NOREVIEW : 03-27-2017:15:28:54
- 423 3/29/2017 - 2582 - Notice of Taking Deposition
Additional Text: AMENDED NOTICE OF CONTINUED DEPOSITION OF DENNIS VACCO - Transaction 6023062 - Approved By: TBRITTON : 03-29-2017:12:35:14
- 424 3/29/2017 - 2582 - Notice of Taking Deposition
Additional Text: AMENDED NOTICE OF DEPOSITION OF PERSON MOST KNOWLEDGEABLE OF HODGSON RUSS LLP - Transaction 6023065 - Approved By: TBRITTON : 03-29-2017:12:38:50
- 425 3/29/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6023072 - Approved By: NOREVIEW : 03-29-2017:12:36:26
- 426 3/29/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6023083 - Approved By: NOREVIEW : 03-29-2017:12:39:44
- 427 4/10/2017 - 2590 - Notice Withdrawal of Attorney
Additional Text: Notice of Withdrawal of Co-Counsel: BARRY L. BRESLOW ESQ / DEFTS - Transaction 6043707 - Approved By: YVILORIA : 04-10-2017:16:25:15

- 428 4/10/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6043715 - Approved By: NOREVIEW : 04-10-2017:16:26:21
- 429 4/17/2017 - 2582 - Notice of Taking Deposition
Additional Text: Amended Notice of Deposition of Dennis Vacco - Transaction 6054439 - Approved By: CSULEZIC : 04-17-2017:13:09:18
- 430 4/17/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6054617 - Approved By: NOREVIEW : 04-17-2017:13:10:25
- 431 4/27/2017 - 2582 - Notice of Taking Deposition
Additional Text: Amended Notice of Deposition of Person Most Knowledgeable of Hodgson Russ LLP - Transaction 6073708 - Approved By: YVILORIA : 04-27-2017:16:13:27
- 432 4/27/2017 - 2582 - Notice of Taking Deposition
Additional Text: Amended Notice of Deposition of Dennis Vacco - Transaction 6073743 - Approved By: YVILORIA : 04-27-2017:16:16:08
- 433 4/27/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6073746 - Approved By: NOREVIEW : 04-27-2017:16:14:37
- 434 4/27/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6073767 - Approved By: NOREVIEW : 04-27-2017:16:17:29
- 435 5/25/2017 - 4050 - Stipulation ...
Additional Text: STIPULATION REGARDINGCONTINUED DISCOVERY DATES (SEVENTH REQUEST) - Transaction 6119278 - Approved By: CSULEZIC : 05-25-2017:16:17:42
- 436 5/25/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6119595 - Approved By: NOREVIEW : 05-25-2017:16:18:52
- 437 5/26/2017 - 2777 - Ord Approving ...
Additional Text: STIPULATION RE: CONTINUED DISCOVERY DATES (7TH REQUEST) - Transaction 6121169 - Approved By: NOREVIEW : 05-26-2017:14:08:51
- 438 5/26/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6121180 - Approved By: NOREVIEW : 05-26-2017:14:10:19
- 439 6/20/2017 - 1250 - Application for Setting
Additional Text: PTC - 9/5/17 - Transaction 6157288 - Approved By: PMSEWELL : 06-20-2017:12:47:36
- 440 6/20/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6157427 - Approved By: NOREVIEW : 06-20-2017:12:48:33
- 441 7/18/2017 - 2405 - Mtn to Quash...
Additional Text: MOTION TO QUASH SUBPOENA, OR, IN THE ALTERNATIVE, FORA PROTECTIVE ORDER PRECLUDING TRUSTEE FROM SEEKING DISCOVERY FROM HODGSON RUSS LLP - Transaction 6202149 - Approved By: CSULEZIC : 07-19-2017:08:13:01
- 442 7/19/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6202551 - Approved By: NOREVIEW : 07-19-2017:08:14:22
- 443 7/24/2017 - 2645 - Opposition to Mtn ...
Additional Text: (1) Opposition to Motion to Quash Subpoena, or, in the alternative, For a Protective Order Precluding Trustee from Seeking Discovery from Hodgson Russ LLP; and (2) Countermotion for Sanctions and ... - Transaction 6211844 - Approved By: CSULEZIC : 07-25-2017:09:08:57
- 444 7/25/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6212157 - Approved By: NOREVIEW : 07-25-2017:09:10:31

- 445 8/3/2017 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF MOTION TO QUASH SUBPOENA, OR, IN THE ALTERNATIVE. FOR A PROTECTIVE ORDER PRECLUDING TRUSTEE FROM 22 SEEKING DISCOVERY FROM HODGSON RUSS LLP. AND OPPOSITION TO MOTION FOR SANCTIONS - Transaction 6232102 - Approved By: CSULEZIC : 08-04-2017:08:12:50
- 446 8/3/2017 - 3860 - Request for Submission
Additional Text: MOTION TO QUASH SUBPOENA, OR, IN THE ALTERNATIVE, FOR A PROTECTIVE 23 ORDER PRECLUDING TRUSTEE FROM SEEKING DISCOVERY FROM HODGSON RUSS LLC FILED 7/18/17 - Transaction 6232108 - Approved By: CSULEZIC : 08-04-2017:08:16:56
PARTY SUBMITTING: FRANK GILMORE ESQ
DATE SUBMITTED: 8/04/17
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 447 8/4/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6232256 - Approved By: NOREVIEW : 08-04-2017:08:14:02
- 448 8/4/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6232269 - Approved By: NOREVIEW : 08-04-2017:08:17:45
- 449 8/9/2017 - 3795 - Reply...
Additional Text: Reply in Support of Countermotion for Sanctions and to Compel Resetting of 30 (B)(6) Deposition of Hodgson Russ LLP - Transaction 6239828 - Approved By: CSULEZIC : 08-09-2017:13:31:13
- 450 8/9/2017 - 3860 - Request for Submission
Additional Text: COUNTERMOTION FOR SANCTIONS AND TO COMPEL RESETTNG OF 30(B)(6) DEPOSITION OF HODGSON RUSS LLP FILED 7/24/17 - Transaction 6239838 - Approved By: CSULEZIC : 08-09-2017:13:33:52
PARTY SUBMITTING: TERESA PILATOWICZ ESQ
DATE SUBMITTED: 8/09/17
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 451 8/9/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6240074 - Approved By: NOREVIEW : 08-09-2017:13:32:18
- 452 8/9/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6240086 - Approved By: NOREVIEW : 08-09-2017:13:34:40
- 453 8/11/2017 - MIN - ***Minutes
Additional Text: 08/10/2017: Motion to Quash Subpoena, or in the Alternative for a Protective Order Precluding Trustee from Seeking Discovery from Hodgson Russ, LLP and Trustee's Countermotion for Sanctions and to Co - Transaction 6245183 - Approved By: NOREVIEW : 08-11-2017:12:52:09
- 454 8/11/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6245191 - Approved By: NOREVIEW : 08-11-2017:12:53:12
- 455 8/16/2017 - 1670 - Ex-Parte Mtn...
Additional Text: Ex Parte Motion to Exceed Page Limit for Plaintiff's Motion for Partial Summary Judgment - Transaction 6252786 - Approved By: PMSEWELL : 08-16-2017:14:16:14
- 456 8/16/2017 - 3860 - Request for Submission
Additional Text: T - Transaction 6252795 - Approved By: PMSEWELL : 08-16-2017:14:17:53
DOCUMENT TITLE: EX PARTE MOTION TO EXCEED PAGE LIMIT FOR PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMEN (NO ORDER PROVIDED)
PARTY SUBMITTING: TERESA PILATOWICZ, ESQ.
DATE SUBMITTED: AUGUST 16, 2017
SUBMITTED BY: PMSEWELL
DATE RECEIVED JUDGE OFFICE:
- 457 8/16/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6252979 - Approved By: NOREVIEW : 08-16-2017:14:17:26
- 458 8/16/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6252992 - Approved By: NOREVIEW : 08-16-2017:14:18:51

459 8/17/2017 - \$2160 - \$Mtn Partial Sum Judgment
Additional Text: Transaction 6256001 - Approved By: YVILORIA : 08-17-2017:15:55:53

460 8/17/2017 - 3975 - Statement ...
Additional Text: Statement of Undisputed Facts in Support of Motion for Partial Summary Judgment - Transaction 6256131 - Approved By: CSULEZIC : 08-18-2017:08:42:36

461 8/17/2017 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$200.00 was made on receipt DCDC583943.

462 8/17/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6256223 - Approved By: NOREVIEW : 08-17-2017:15:58:01

463 8/17/2017 - 1945 - Master's Recommendation/Ord
Additional Text: RECOMMENDATION FOR ORDER - Transaction 6256320 - Approved By: NOREVIEW : 08-17-2017:16:17:11

464 8/17/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6256326 - Approved By: NOREVIEW : 08-17-2017:16:18:13

465 8/17/2017 - S200 - Request for Submission Complet
No additional text exists for this entry.

466 8/17/2017 - S200 - Request for Submission Complet
No additional text exists for this entry.

467 8/18/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6256626 - Approved By: NOREVIEW : 08-18-2017:08:44:12

468 8/22/2017 - 3161 - Ord of Recusal
Additional Text: and for Random Reassignment - Transaction 6262850 - Approved By: NOREVIEW : 08-22-2017:17:09:10

469 8/22/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6262855 - Approved By: NOREVIEW : 08-22-2017:17:10:06

470 8/22/2017 - S200 - Request for Submission Complet
No additional text exists for this entry.

471 8/23/2017 - 1312 - Case Assignment Notification
Additional Text: PER 8/22/17 ORDER OF RECUSAL, RANDOMLY REASSIGNED TO D4 FROM D1 - Transaction 6263704 - Approved By: NOREVIEW : 08-23-2017:11:38:25

472 8/23/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6263713 - Approved By: NOREVIEW : 08-23-2017:11:39:29

473 8/24/2017 - 2665 - Ord Accepting Reassignment
Additional Text: (D4) - Transaction 6267594 - Approved By: NOREVIEW : 08-24-2017:17:36:25

474 8/24/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6267595 - Approved By: NOREVIEW : 08-24-2017:17:37:15

475 8/28/2017 - 2620 - Obj to Master's Recommendation
Additional Text: Transaction 6271629 - Approved By: YVILORIA : 08-28-2017:16:26:07

476 8/28/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6271701 - Approved By: NOREVIEW : 08-28-2017:16:27:52

- 477 9/5/2017 - 2650 - Opposition to ...
Additional Text: Opposition to Objection to Recommendation for Order - Transaction 6283946 - Approved By: TBRITTON : 09-06-2017:08:47:07
- 478 9/6/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6284235 - Approved By: NOREVIEW : 09-06-2017:08:48:10
- 479 9/6/2017 - 2610 - Notice ...
Additional Text: NOTICE OF CHANGE OF FIRM NAME - Transaction 6284864 - Approved By: YVILORIA : 09-06-2017:11:38:06
- 480 9/6/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6284888 - Approved By: NOREVIEW : 09-06-2017:11:39:36
- 481 9/12/2017 - FIE - **Document Filed in Error
Additional Text: OBJECTION TO RECOMMENDATION FOR ORDER. DFX: EXHIBITS NOT PROPERLY PRESENTED - Transaction 6295917 - Approved By: BVIRREY : 09-12-2017:16:28:59
- 482 9/12/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6295938 - Approved By: NOREVIEW : 09-12-2017:16:30:23
- 483 9/15/2017 - 3795 - Reply...
Additional Text: REPLY TO OPPOSITION TO OBJECTION TO RECOMMENDATION FOR ORDER - Transaction 6301042 - Approved By: PMSEWELL : 09-15-2017:08:50:16
- 484 9/15/2017 - 3860 - Request for Submission
Additional Text: - Transaction 6301042 - Approved By: PMSEWELL : 09-15-2017:08:50:16
DOCUMENT TITLE: OPPOSITION TO OBJECTION TO RECOMMENDATION FOR ORDER (NO ORDER PROVIDED)
PARTY SUBMITTING: FRANK GILMORE, ESQ.
DATE SUBMITTED: SEPTEMBER 15, 2017
SUBMITTED BY: PMSEWELL
DATE RECEIVED JUDGE OFFICE:
- 485 9/15/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6301175 - Approved By: NOREVIEW : 09-15-2017:08:53:33
- 486 9/22/2017 - 2645 - Opposition to Mtn ...
Additional Text: DEFTS' OPPOSITION TO PLTF'S MOTION FOR PARTIAL SUMMARY JUDGMENT - Transaction 6314623 - Approved By: SWILLIAM : 09-22-2017:16:54:18
- 487 9/22/2017 - 3975 - Statement ...
Additional Text: DEFTS' SEPARATE STATEMENT OF DISPUTE FACTS IN SUPPORT OF PLTF'S MOTION FOR PARTIAL SUMMARY JUDGMENT - Transaction 6314623 - Approved By: SWILLIAM : 09-22-2017:16:54:18
- 488 9/22/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6314707 - Approved By: NOREVIEW : 09-22-2017:16:57:45
- 489 9/25/2017 - 1250E - Application for Setting eFile
Additional Text: NON-JURY TRIAL - (1ST SET-10 DAYS) OCTOBER 29, 2018 AT 10:00 A.M. - Transaction 6315413 - Approved By: NOREVIEW : 09-25-2017:11:17:24
- 490 9/25/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6315423 - Approved By: NOREVIEW : 09-25-2017:11:18:34
- 491 10/10/2017 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF MOTION FOR PARTIAL SUMMARY JUDGMENT - Transaction 6340797 - Approved By: PMSEWELL : 10-11-2017:08:53:41
- 492 10/11/2017 - NEF - Proof of Electronic Service
Additional Text: Transaction 6341003 - Approved By: NOREVIEW : 10-11-2017:08:54:31
- 493 10/11/2017 - 3860 - Request for Submission

Additional Text: Transaction 6341845 - Approved By: YVILORIA : 10-11-2017:13:08:09
DOCUMENT TITLE: MOTION FOR PARTIAL SUMMARY JUDGMENT FIELD 8-17-17
PARTY SUBMITTING: TERESA M. PILATOWICZ ESQ
DATE SUBMITTED: OCT 11, 2017
SUBMITTED BY: YVILORIA
DATE RECEIVED JUDGE OFFICE:

494 10/11/2017 - NEF - Proof of Electronic Service

Additional Text: Transaction 6341995 - Approved By: NOREVIEW : 10-11-2017:13:08:56

495 12/7/2017 - 3370 - Order ...

Additional Text: ORDER REGARDING DISCOVERY COMMISSIONER'S RECOMMENDATION FOR ORDER DATED AUGUST 17, 2017 - Transaction 6427373 - Approved By: NOREVIEW : 12-07-2017:09:16:54

496 12/7/2017 - S200 - Request for Submission Complet

No additional text exists for this entry.

497 12/7/2017 - NEF - Proof of Electronic Service

Additional Text: Transaction 6427381 - Approved By: NOREVIEW : 12-07-2017:09:17:40

498 12/11/2017 - S200 - Request for Submission Complet

No additional text exists for this entry.

499 12/11/2017 - 2835 - Ord Denying Summ/Judgment

Additional Text: ORDER DENYING MOTION FOR PARTIAL SUMMARY JUDGMENT - Transaction 6432815 - Approved By: NOREVIEW : 12-11-2017:13:04:40

500 12/11/2017 - NEF - Proof of Electronic Service

Additional Text: Transaction 6432823 - Approved By: NOREVIEW : 12-11-2017:13:05:49

501 12/20/2017 - 1945 - Master's Recommendation/Ord

Additional Text: RECOMMENDATION FOR ORDER - Transaction 6447397 - Approved By: NOREVIEW : 12-20-2017:10:36:28

502 12/20/2017 - NEF - Proof of Electronic Service

Additional Text: Transaction 6447398 - Approved By: NOREVIEW : 12-20-2017:10:37:21

503 1/5/2018 - 2690 - Ord Affirming Master Recommend

Additional Text: CONFIRMING ORDER - DISCOVERY COMMISSIONER'S RECOMMENDATION FOR ORDER SERVED DECEMBER 20, 2017 - Transaction 6467489 - Approved By: NOREVIEW : 01-05-2018:09:52:59

504 1/5/2018 - NEF - Proof of Electronic Service

Additional Text: Transaction 6467496 - Approved By: NOREVIEW : 01-05-2018:09:54:09

505 1/9/2018 - 1120 - Amended ...

Additional Text: Amended Notice of Deposition of Person Most Knowledgeable of Hodgson Russ LLP - Transaction 6471927 - Approved By: PMSEWELL : 01-09-2018:11:01:19

506 1/9/2018 - NEF - Proof of Electronic Service

Additional Text: Transaction 6472284 - Approved By: NOREVIEW : 01-09-2018:11:02:43

507 1/23/2018 - 1120 - Amended ...

Additional Text: AMENDED NOTICE OF DEPOSITION OF PERSON MOST KNOWLEDGEABLE OF HODGSON RUSS LLP - Transaction 6493417 - Approved By: YVILORIA : 01-23-2018:10:31:06

508 1/23/2018 - NEF - Proof of Electronic Service

Additional Text: Transaction 6493483 - Approved By: NOREVIEW : 01-23-2018:10:32:13

509 8/10/2018 - 1250E - Application for Setting eFile

Additional Text: PRE-TRIAL CONFERENCE - SEPTEMBER 11, 2018 AT 2:00 P.M. - Transaction 6823687 - Approved By: NOREVIEW : 08-10-2018:11:19:59

510 8/10/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6823690 - Approved By: NOREVIEW : 08-10-2018:11:21:01

511 9/12/2018 - 2245 - Mtn in Limine
Additional Text: DEFENDANTS' MOTIONS IN LIMINE - Transaction 6875627 - Approved By: YVILORIA : 09-12-2018:12:24:43

512 9/12/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6875637 - Approved By: NOREVIEW : 09-12-2018:12:25:46

513 9/18/2018 - 2610 - Notice ...
Additional Text: PLAINTIFF'S NOTICE OF INTENT TO USE AUDIO VISUAL EQUIPMENT AT TRIAL - Transaction 6885825 - Approved By: YVILORIA : 09-18-2018:15:53:53

514 9/18/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6886028 - Approved By: NOREVIEW : 09-18-2018:15:55:28

515 9/20/2018 - 2245 - Mtn in Limine
Additional Text: TO EXCLUDE TESTIMONY OF JAN FRIEDERICH - Transaction 6890398 - Approved By: JAPARICI : 09-20-2018:14:47:13

516 9/20/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6890547 - Approved By: NOREVIEW : 09-20-2018:14:48:36

517 9/28/2018 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO DEFENDANTS' MOTIONS IN LIMINE
DFX: EXHIBITS PRESENTED INCORRECTLY -- Transaction 6903877 - Approved By: YVILORIA : 10-01-2018:11:03:18

518 10/1/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6904654 - Approved By: NOREVIEW : 10-01-2018:11:04:51

519 10/3/2018 - 2610 - Notice ...
Additional Text: NOTICE OF INTENT TO SERVE SUBPOENA FOR TRIAL - Transaction 6909412 - Approved By: YVILORIA : 10-03-2018:13:38:39

520 10/3/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6909550 - Approved By: NOREVIEW : 10-03-2018:13:39:48

521 10/5/2018 - 2610 - Notice ...
Additional Text: NOTICE OF INTENT TO SERVE SUBPOENA FOR TRIAL - Transaction 6913504 - Approved By: PMSEWELL : 10-05-2018:11:01:27

522 10/5/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6913600 - Approved By: NOREVIEW : 10-05-2018:11:02:40

523 10/5/2018 - 1067 - Affidavit of Service
Additional Text: Transaction 6914702 - Approved By: CSULEZIC : 10-05-2018:16:26:49

524 10/5/2018 - 1067 - Affidavit of Service
Additional Text: Transaction 6914702 - Approved By: CSULEZIC : 10-05-2018:16:26:49

525 10/5/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6914814 - Approved By: NOREVIEW : 10-05-2018:16:29:30

526 10/8/2018 - 2645 - Opposition to Mtn ...
Additional Text: OPPOSITION TO MOTIONS IN LIMINE TO EXCLUDE THE TESTIMONY OF JAN FRIEDERICH - Transaction 6915879 - Approved By: PMSEWELL : 10-08-2018:12:51:42

527 10/8/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6915976 - Approved By: NOREVIEW : 10-08-2018:12:52:51

- 528 10/8/2018 - 3795 - Reply...
Additional Text: DEFENDANTS' REPLY IN SUPPORT OF MOTIONS IN LIMINE - Transaction 6916790 - Approved By: YVILORIA : 10-08-2018:15:50:51
- 529 10/8/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6916847 - Approved By: NOREVIEW : 10-08-2018:15:52:09
- 530 10/8/2018 - 3860 - Request for Submission
Additional Text: - Transaction 6916875 - Approved By: PMSEWELL : 10-08-2018:16:13:09
DOCUMENT TITLE: MOTIONS IN LIMINE (NO ORDER PROVIDED)
PARTY SUBMITTING: FRANK GILMORE, ESQ.
DATE SUBMITTED: OCTOBER 8, 2018
SUBMITTED BY: PMSEWELL
DATE RECEIVED JUDGE OFFICE:
- 531 10/8/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6916964 - Approved By: NOREVIEW : 10-08-2018:16:14:13
- 532 10/10/2018 - 2520 - Notice of Appearance
Additional Text: ERIKA TURNER ESQ AND GABRIELLE HAMM ESQ / PLTF WILLIAM LEONARD - Transaction 6920355 - Approved By: YVILORIA : 10-10-2018:11:33:28
- 533 10/10/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6920499 - Approved By: NOREVIEW : 10-10-2018:11:35:37
- 534 10/12/2018 - 3795 - Reply...
Additional Text: REPLY TO DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION IN LIMINE TO EXCLUDE THE TESTIMONY OF JAN FRIEDERICH - Transaction 6926824 - Approved By: YVILORIA : 10-12-2018:16:36:14
- 535 10/12/2018 - 3860 - Request for Submission
Additional Text: Transaction 6926838 - Approved By: YVILORIA : 10-12-2018:16:41:15
DOCUMENT TITLE: PLAINTIFF'S MOTION IN LIMINE TO EXCLUDE TESTIMONY OF JAN FRIEDERICH FILED 9-20-18
PARTY SUBMITTING: TERESA PILATOWICZ ESQ
DATE SUBMITTED: OCT 12, 2018
SUBMITTED BY: YV
DATE RECEIVED JUDGE OFFICE:
- 536 10/12/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6926837 - Approved By: NOREVIEW : 10-12-2018:16:37:20
- 537 10/12/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6926870 - Approved By: NOREVIEW : 10-12-2018:16:42:17
- 538 10/12/2018 - 2630 - Objection to ...
Additional Text: DEFENDANTS OBJECTION TO PLAINTIFFS PRETRIAL DISCLOSURES - Transaction 6926885 - Approved By: CSULEZIC : 10-12-2018:16:51:29
- 539 10/12/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6926914 - Approved By: NOREVIEW : 10-12-2018:16:52:28
- 540 10/12/2018 - 2630 - Objection to ...
Additional Text: OBJECTIONS TO DEFENDANTS' PRETRIAL DISCLOSURES - Transaction 6926956 - Approved By: PMSEWELL : 10-15-2018:08:50:25
- 541 10/15/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6927160 - Approved By: NOREVIEW : 10-15-2018:08:51:24
- 542 10/16/2018 - 1005 - Acceptance of Service
Additional Text: ACKNOWLEDGMENT AND ACCEPTANCE OF SERVICE OF SUBPOENA FOR TRIAL - Transaction 6931631 - Approved By: YVILORIA : 10-17-2018:08:05:04
- 543 10/17/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6931784 - Approved By: NOREVIEW : 10-17-2018:08:06:19

- 544 10/19/2018 - MIN - ***Minutes
Additional Text: PRE-TRIAL CONFERENCE - 9/11/18 - Transaction 6938143 - Approved By: NOREVIEW : 10-19-2018:15:46:32
- 545 10/19/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6938146 - Approved By: NOREVIEW : 10-19-2018:15:47:22
- 546 10/29/2018 - 4050 - Stipulation ...
Additional Text: STIPULATED FACTS - Transaction 6949198 - Approved By: JAPARICI : 10-29-2018:09:06:53
- 547 10/29/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6949234 - Approved By: NOREVIEW : 10-29-2018:09:08:00
- 548 10/29/2018 - S200 - Request for Submission Complet
Additional Text: MOTION DECIDED IN OPEN COURT AFTER ORAL ARGUMENTS AT THE BEGINNING OF THE NON-JURY TRIAL
- 549 10/29/2018 - S200 - Request for Submission Complet
Additional Text: MOTION DECIDED IN OPEN COURT AFTER ORAL ARGUMENTS AT THE BEGINNING OF THE NON-JURY TRIAL
- 550 10/30/2018 - 3650 - Points and Authorities
Additional Text: DEFENDANT'S POINTS AND AUTHORITIES RE: OBJECTION TO ADMISSION OF DOCUMENTS IN CONJUNCTION WITH THE DEPOSITIONS OF PAUL MORABITO AND DENNIS VACCO - Transaction 6953047 - Approved By: PMSEWELL : 10-30-2018:12:34:34
- 551 10/30/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6953095 - Approved By: NOREVIEW : 10-30-2018:12:35:39
- 552 10/31/2018 - 3880 - Response...
Additional Text: PLAINTIFF'S POINTS AND AUTHORITIES REGARDING AUTHENTICITY AND HEARSAY ISSUES - Transaction 6954510 - Approved By: YVILORIA : 10-31-2018:09:24:44
- 553 10/31/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6954762 - Approved By: NOREVIEW : 10-31-2018:09:27:42
- 554 11/7/2018 - 2592 - Notice of Witnesses
Additional Text: AMENDED JOINT PROPOSED SCHEDULE OF WITNESSES - Transaction 6966056 - Approved By: CSULEZIC : 11-07-2018:12:09:25
- 555 11/7/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6966192 - Approved By: NOREVIEW : 11-07-2018:12:10:31
- 556 11/8/2018 - MIN - ***Minutes
Additional Text: NON-JURY TRIAL (DAY 1) - 10/29/18 - Transaction 6969420 - Approved By: NOREVIEW : 11-08-2018:14:59:01
- 557 11/8/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6969426 - Approved By: NOREVIEW : 11-08-2018:15:00:07
- 558 11/8/2018 - MIN - ***Minutes
Additional Text: NON-JURY TRIAL (DAY 2) - 10/30/18 - Transaction 6969428 - Approved By: NOREVIEW : 11-08-2018:15:00:58
- 559 11/8/2018 - MIN - ***Minutes
Additional Text: NON-JURY TRIAL (DAY 3) - 10/31/18 - Transaction 6969436 - Approved By: NOREVIEW : 11-08-2018:15:02:01
- 560 11/8/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6969434 - Approved By: NOREVIEW : 11-08-2018:15:02:02
- 561 11/8/2018 - MIN - ***Minutes
Additional Text: NON-JURY TRIAL (DAY 4) - 11/1/18 - Transaction 6969441 - Approved By: NOREVIEW : 11-08-2018:15:03:02

562 11/8/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6969440 - Approved By: NOREVIEW : 11-08-2018:15:03:01

563 11/8/2018 - MIN - ***Minutes
Additional Text: NON-JURY TRIAL (DAY 5) - 11/2/18 - Transaction 6969449 - Approved By: NOREVIEW : 11-08-2018:15:04:00

564 11/8/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6969451 - Approved By: NOREVIEW : 11-08-2018:15:04:16

565 11/8/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6969460 - Approved By: NOREVIEW : 11-08-2018:15:05:14

566 11/8/2018 - FIE - **Document Filed in Error
Additional Text: NON-JURY TRIAL (DAY 6) - 11/5/18 - Transaction 6969464 - Approved By: NOREVIEW : 11-08-2018:15:05:32
(DUPLICATE FILING)

567 11/8/2018 - FIE - **Document Filed in Error
Additional Text: Transaction 6969472 - Approved By: NOREVIEW : 11-08-2018:15:06:32
(ASSOCIATED DOCUMENT DUPLICATE FILING)

568 11/8/2018 - MIN - ***Minutes
Additional Text: NON-JURY TRIAL (DAY 6) - 11/5/18 - Transaction 6969484 - Approved By: NOREVIEW : 11-08-2018:15:09:36

569 11/8/2018 - MIN - ***Minutes
Additional Text: NON-JURY TRIAL (DAY 7) - 11/6/18 - Transaction 6969490 - Approved By: NOREVIEW : 11-08-2018:15:10:33

570 11/8/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6969492 - Approved By: NOREVIEW : 11-08-2018:15:10:54

571 11/8/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6969494 - Approved By: NOREVIEW : 11-08-2018:15:11:53

572 11/8/2018 - MIN - ***Minutes
Additional Text: NON-JURY TRIAL (DAY 8) - 11/7/18 - Transaction 6969656 - Approved By: NOREVIEW : 11-08-2018:15:36:02

573 11/8/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6969667 - Approved By: NOREVIEW : 11-08-2018:15:37:22

574 11/20/2018 - 4185 - Transcript
Additional Text: TRANSCRIPT OF PROCEEDINGS - TRIAL - MON., OCT. 29, 2018, 9:00 AM - Transaction 6985384 - Approved By: YVILORIA : 11-20-2018:11:28:26

575 11/20/2018 - 4185 - Transcript
Additional Text: TRANSCRIPT OF PROCEEDINGS - TRIAL, TUES., OCT. 30, 2018, 9:45 AM - Transaction 6985392 - Approved By: YVILORIA : 11-20-2018:11:28:48

576 11/20/2018 - 4185 - Transcript
Additional Text: TRANSCRIPTS OF PROCEEDINGS - TRIAL - WED., OCT. 31, 2018, 8:00 AM - Transaction 6985403 - Approved By: YVILORIA : 11-20-2018:11:21:19

577 11/20/2018 - 4185 - Transcript
Additional Text: TRANSCRIPT OF PROCEEDINGS - TRIAL - THURS., NOV. 1, 2018, 8:00 AM - Transaction 6985416 - Approved By: YVILORIA : 11-20-2018:11:24:18

578 11/20/2018 - 4185 - Transcript
Additional Text: TRANSCRIPT OF PROCEEDINGS - TRIAL - FRI., NOV. 2, 2018, 10:15 AM - Transaction 6985419 - Approved By: YVILORIA : 11-20-2018:11:27:00

579 11/20/2018 - 4185 - Transcript
Additional Text: TRANSCRIPT OF PROCEEDINGS - TRIAL, MON., NOV. 5, 2018, 1:00 PM - Transaction 6985422 - Approved By: YVILORIA : 11-20-2018:11:32:28

580 11/20/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6985533 - Approved By: NOREVIEW : 11-20-2018:11:22:25

581 11/20/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6985545 - Approved By: NOREVIEW : 11-20-2018:11:26:15

582 11/20/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6985556 - Approved By: NOREVIEW : 11-20-2018:11:28:10

583 11/20/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6985566 - Approved By: NOREVIEW : 11-20-2018:11:29:28

584 11/20/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6985569 - Approved By: NOREVIEW : 11-20-2018:11:30:02

585 11/20/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6985592 - Approved By: NOREVIEW : 11-20-2018:11:33:36

586 11/20/2018 - 4185 - Transcript
Additional Text: Nonjury Trial - Nov. 6, 2018 - Transaction 6985655 - Approved By: NOREVIEW : 11-20-2018:11:42:55

587 11/20/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6985676 - Approved By: NOREVIEW : 11-20-2018:11:45:08

588 11/21/2018 - 4185 - Transcript
Additional Text: Nonjury Trial - Nov. 7, 2018 - Transaction 6987357 - Approved By: NOREVIEW : 11-21-2018:08:32:13

589 11/21/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6987358 - Approved By: NOREVIEW : 11-21-2018:08:33:15

590 11/26/2018 - MIN - ***Minutes
Additional Text: NON-JURY TRIAL (DAY 9) - 11/26/18 - Transaction 6992029 - Approved By: NOREVIEW : 11-26-2018:17:05:39

591 11/26/2018 - NEF - Proof of Electronic Service
Additional Text: Transaction 6992033 - Approved By: NOREVIEW : 11-26-2018:17:06:40

592 1/30/2019 - 2490 - Motion ...
Additional Text: DFX: SUBEXHIBITS PRESENTED INCORRECTLY - PLAINTIFF'S MOTION TO REOPEN EVIDENCE - Transaction 7093239 - Approved By: YVILORIA : 01-30-2019:13:11:19

593 1/30/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7093300 - Approved By: NOREVIEW : 01-30-2019:13:12:41

594 1/30/2019 - 1650 - Errata...
Additional Text: to Plaintiff's Motion to Reopen Evidence - Transaction 7094414 - Approved By: JAPARICI : 01-30-2019:16:39:22

595 1/30/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7094513 - Approved By: NOREVIEW : 01-30-2019:16:40:47

596 1/31/2019 - 1670 - Ex-Parte Mtn...
Additional Text: EX PARTE MOTION FOR ORDER SHORTENING TIME ON PLAINTIFF'S MOTION TO REOPEN EVIDENCE AND FOR EXPEDITED HEARING - Transaction 7097012 - Approved By: YVILORIA : 02-01-2019:08:21:30

597 2/1/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7097179 - Approved By: NOREVIEW : 02-01-2019:08:22:58

598 2/3/2019 - 4185 - Transcript
Additional Text: NON-JURY TRIAL-CLOSING ARGUMENTS - NOVEMBER 26, 2018 - Transaction 7099433 - Approved By: NOREVIEW : 02-03-2019:09:40:22

599 2/3/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7099434 - Approved By: NOREVIEW : 02-03-2019:09:41:22

600 2/4/2019 - 3245 - Ord Shortening Time
Additional Text: ORDER SHORTENING TIME ON PLAINTIFF'S MOTION TO REOPEN EVIDENCE AND SETTING EXPEDITED HEARING - HEARING SET FOR FRIDAY, FEBRUARY 8, 2019 AT 1:00 P.M. - Transaction 7100140 - Approved By: NOREVIEW : 02-04-2019:11:09:52

601 2/4/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7100148 - Approved By: NOREVIEW : 02-04-2019:11:11:23

602 2/4/2019 - S200 - Request for Submission Complet
Additional Text: OST ON MOTION TO REOPEN EVIDENCE

603 2/4/2019 - 4105 - Supplemental ...
Additional Text: SUPPLEMENT TO PLAINTIFF'S MOTION TO REOPEN EVIDENCE - Transaction 7101737 - Approved By: YVILORIA : 02-05-2019:08:56:51

604 2/5/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7101944 - Approved By: NOREVIEW : 02-05-2019:08:58:06

605 2/6/2019 - 3880 - Response...
Additional Text: DEFENDANT'S RESPONSE TO MOTION TO REOPEN EVIDENCE - Transaction 7105109 - Approved By: SACORDAG : 02-06-2019:13:36:51

606 2/6/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7105239 - Approved By: NOREVIEW : 02-06-2019:13:38:01

607 2/7/2019 - 3795 - Reply...
Additional Text: PLAINTIFF'S REPLY TO DEFENDANT'S RESPONSE TO MOTION TO REOPEN EVIDENCE - Transaction 7107917 - Approved By: CSULEZIC : 02-07-2019:15:42:36

608 2/7/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7108461 - Approved By: NOREVIEW : 02-07-2019:15:46:14

609 2/12/2019 - 2490 - Motion ...
Additional Text: MOTION TO WITHDRAW AS COUNSEL OF RECORD FOR DEFENDANT EDWARD BAYUK - Transaction 7115375 - Approved By: CVERA : 02-12-2019:16:25:06

610 2/12/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7115598 - Approved By: NOREVIEW : 02-12-2019:16:27:06

611 2/19/2019 - 2280 - Mtn to Continue
Additional Text: DEFENDANTS' MOTION TO CONTINUE HEARING - Transaction 7125386 - Approved By: YVILORIA : 02-20-2019:08:54:17

612 2/19/2019 - 1670 - Ex-Parte Mtn...
Additional Text: DEFENDANTS' EX PARTE MOTION FOR ORDER SHORTENING TIME TO OPPOSE MOTION TO CONTINUE HEARING - Transaction 7125386 - Approved By: YVILORIA : 02-20-2019:08:54:17

613 2/19/2019 - 3860 - Request for Submission
Additional Text: REQUEST FOR SUBMISSION - Transaction 7125386 - Approved By: YVILORIA : 02-20-2019:08:54:17
DOCUMENT TITLE: DEFENDANT'S EX PARTE MOTION FOR ORDER SHORTENING TIME TO OPPOSE MOTION TO CONTINUE HEARING
PARTY SUBMITTING: FRANK GILMORE ESQ
DATE SUBMITTED: 2-20-19
SUBMITTED BY: YV
DATE RECEIVED JUDGE OFFICE:

- 614 2/20/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7125659 - Approved By: NOREVIEW : 02-20-2019:08:55:35
- 615 2/20/2019 - 3245 - Ord Shortening Time
Additional Text: - RESPONSE TO MOTION TO CONTINUE 3/1/19 EVIDENTIARY HEARING TO BE FILED NO LATER THAN 2/22/19 AT 5:00 PM/REPLY TO BE FILED NO LATER THAN 2/25/19 AT 5:00 P.M. - Transaction 7127543 - Approved By: NOREVIEW : 02-20-2019:16:35:28
- 616 2/20/2019 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 617 2/20/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7127556 - Approved By: NOREVIEW : 02-20-2019:16:39:08
- 618 2/20/2019 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 7127663 - Approved By: NOREVIEW : 02-20-2019:17:06:40
- 619 2/20/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7127665 - Approved By: NOREVIEW : 02-20-2019:17:07:40
- 620 2/21/2019 - 1250E - Application for Setting eFile
Additional Text: CONFERENCE CALL REGARDING MOTION TO CONTINUE - 2/26/19 AT 8:30 A.M. - Transaction 7129668 - Approved By: NOREVIEW : 02-21-2019:16:03:37
- 621 2/21/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7129685 - Approved By: NOREVIEW : 02-21-2019:16:05:32
- 622 2/22/2019 - 2645 - Opposition to Mtn ...
Additional Text: PLAINTIFF'S OPPOSITION TO DEFENDANT'S MOTION TO CONTINUE HEARING - DFX: ALPHABETICAL EXHIBITS, SUB-EXHIBITS PRESENTED INCORRECTLY
Transaction 7131665 - Approved By: YVILORIA : 02-25-2019:08:25:36
- 623 2/25/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7132245 - Approved By: NOREVIEW : 02-25-2019:08:27:19
- 624 2/25/2019 - 3795 - Reply...
Additional Text: DEFENDANT'S REPLY IN SUPPORT OF MOTION TO CONTINUE MARCH 1, 2019 HEARING - Transaction 7134784 - Approved By: MPURDY : 02-26-2019:08:27:09
- 625 2/26/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7135291 - Approved By: NOREVIEW : 02-26-2019:08:29:30
- 626 2/26/2019 - 2590 - Notice Withdrawal of Attorney
Additional Text: LINDSAY LIDDELL ESQ - Transaction 7135903 - Approved By: CSULEZIC : 02-26-2019:11:43:23
- 627 2/26/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7136384 - Approved By: NOREVIEW : 02-26-2019:11:44:55
- 628 2/28/2019 - 4050 - Stipulation ...
Additional Text: AMENDED STIPULATION TO VACATE MARCH 1, 2019 HEARING - Transaction 7141272 - Approved By: YVILORIA : 02-28-2019:13:13:24
- 629 2/28/2019 - 3860 - Request for Submission
Additional Text: REQUEST FOR SUBMISSION - Transaction 7141272 - Approved By: YVILORIA : 02-28-2019:13:13:24
DOCUMENT TITLE: AMENDED STIPULATION TO VACATE MARCH 1, 2019 HEARING
PARTY SUBMITTING: 2-28-19
DATE SUBMITTED: YV
SUBMITTED BY:
DATE RECEIVED JUDGE OFFICE:

- 630 2/28/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7141285 - Approved By: NOREVIEW : 02-28-2019:13:14:39
- 631 2/28/2019 - S200 - Request for Submission Complet
Additional Text: STIPULATION GRANTED
- 632 2/28/2019 - 3105 - Ord Granting ...
Additional Text: AMENDED STIPULATION TO VACATE MARCH 1, 2019 HEARING - Transaction 7142006 - Approved By: NOREVIEW : 02-28-2019:16:14:25
- 633 2/28/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7142014 - Approved By: NOREVIEW : 02-28-2019:16:15:35
- 634 2/28/2019 - MIN - ***Minutes
Additional Text: MOTION TO REOPEN EVIDENCE - 2/8/19 - Transaction 7142248 - Approved By: NOREVIEW : 02-28-2019:17:06:29
- 635 2/28/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7142249 - Approved By: NOREVIEW : 02-28-2019:17:07:29
- 636 3/6/2019 - 3373 - Other ...
Additional Text: [PLAINTIFF'S PROPOSED] FINDINGS OF FACT, CONCLUSIONS OF LAW, AND JUDGMENT - Transaction 7151936 - Approved By: YVILORIA : 03-06-2019:14:49:37
- 637 3/6/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7152149 - Approved By: NOREVIEW : 03-06-2019:14:51:20
- 638 3/8/2019 - 1120 - Amended ...
Additional Text: [Defendants' Proposed Amended] Findings of Fact, Conclusions of Law, and Judgment - Transaction 7156880 - Approved By: CSULEZIC : 03-08-2019:14:57:40
- 639 3/8/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7157047 - Approved By: NOREVIEW : 03-08-2019:14:59:22
- 640 3/11/2019 - 3860 - Request for Submission
Additional Text: MOTION TO WITHDRAW AS COUNSEL OF RECORD FOR DEFT EDWARD BAYUK FILED 2/07/19 - Transaction 7159118 - Approved By: CSULEZIC : 03-11-2019:14:27:52
PARTY SUBMITTING: FRANK GILMORE ESQ
DATE SUBMITTED: 3/11/19
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 641 3/11/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7159459 - Approved By: NOREVIEW : 03-11-2019:14:29:45
- 642 3/11/2019 - MIN - ***Minutes
Additional Text: CONFERENCE CALL - 2/26/19 - Transaction 7160184 - Approved By: NOREVIEW : 03-11-2019:16:34:16
- 643 3/11/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7160195 - Approved By: NOREVIEW : 03-11-2019:16:36:03
- 644 3/29/2019 - 1750 - Findings, Conclusions & Judg
Additional Text: FINDINGS OF FACT, CONCLUSIONS OF LAW, AND JUDGMENT - Transaction 7192125 - Approved By: NOREVIEW : 03-29-2019:09:07:38
- 645 3/29/2019 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 646 3/29/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7192136 - Approved By: NOREVIEW : 03-29-2019:09:09:07

- 647 3/29/2019 - F140 - Adj Summary Judgment
No additional text exists for this entry.
- 648 3/29/2019 - 2545 - Notice of Entry ...
Additional Text: NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSION OF LAW AND JUDGMENT - Transaction 7193335 - Approved By: NOREVIEW : 03-29-2019:14:27:39
- 649 3/29/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7193339 - Approved By: NOREVIEW : 03-29-2019:14:29:04
- 650 4/2/2019 - 2590 - Notice Withdrawal of Attorney
Additional Text: FRANK GILMORE ESQ - Transaction 7196309 - Approved By: CSULEZIC : 04-02-2019:10:39:07
- 651 4/2/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7196719 - Approved By: NOREVIEW : 04-02-2019:10:40:15
- 652 4/11/2019 - 1953 - Memo of Costs & Disbursements
Additional Text: PLAINTIFF'S MEMORANDUM OF COSTS AND DISBURSEMENTS - Transaction 7215253 - Approved By: CSULEZIC : 04-12-2019:09:45:24
- 653 4/12/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7215662 - Approved By: NOREVIEW : 04-12-2019:09:48:44
- 654 4/12/2019 - 4105 - Supplemental ...
Additional Text: SUPPLEMENTAL CERTIFICATE OF SERVICE - Transaction 7216379 - Approved By: YVILORIA : 04-12-2019:13:13:09
- 655 4/12/2019 - 1230 - Application for Fees
Additional Text: APPLICATION FOR ATTORNEYS' FEES AND COSTS PURSUANT TO NRCP 68 - Transaction 7216450 - Approved By: YVILORIA : 04-12-2019:13:25:29
- 656 4/12/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7216528 - Approved By: NOREVIEW : 04-12-2019:13:14:45
- 657 4/12/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7216609 - Approved By: NOREVIEW : 04-12-2019:13:26:42
- 658 4/15/2019 - 2520 - Notice of Appearance
Additional Text: NOTICE OF APPEARANCE: FRANK GILMORE ESQ / DEFTS SALVATORE MORABITO, SUPERPUMPER INC AND SNOWSHOE PETROLEUM INC. - Transaction 7219331 - Approved By: YVILORIA : 04-15-2019:16:51:55
- 659 4/15/2019 - 2430 - Mtn to Retax Costs
Additional Text: MOTION TO RETAX COSTS Transaction 7219499 - Approved By: CVERA : 04-15-2019:16:42:54
- 660 4/15/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7219793 - Approved By: NOREVIEW : 04-15-2019:16:45:48
- 661 4/15/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7219845 - Approved By: NOREVIEW : 04-15-2019:16:53:19
- 662 4/17/2019 - 2645 - Opposition to Mtn ...
Additional Text: PLAINTIFF'S OPPOSITION TO MOTION TO RETAX COSTS - Transaction 7225119 - Approved By: YVILORIA : 04-18-2019:08:41:59
- 663 4/18/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7225299 - Approved By: NOREVIEW : 04-18-2019:08:43:19
- 664 4/22/2019 - 3795 - Reply...
Additional Text: REPLY IN SUPPORT OF MOTION TO RETAX COSTS - Transaction 7231373 - Approved By: YVILORIA : 04-22-2019:14:32:58

- 665 4/22/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7231500 - Approved By: NOREVIEW : 04-22-2019:14:36:48
- 666 4/25/2019 - 2650 - Opposition to ...
Additional Text: OPPOSITION TO APPLICATION FOR ATTORNEYS FEES AND COSTS - Transaction 7237627 - Approved By: CSULEZIC : 04-25-2019:11:01:05
- 667 4/25/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7237795 - Approved By: NOREVIEW : 04-25-2019:11:03:50
- 668 4/25/2019 - 4075 - Substitution of Counsel
Additional Text: JEFFREY HARTMAN ESQ - Transaction 7238784 - Approved By: CSULEZIC : 04-26-2019:08:12:24
- 669 4/25/2019 - 2120 - Mtn for New Trial or JNOV
Additional Text: MOTION FOR NEW TRIAL AND/OR TO ALTER OR AMEND JUDGMENT PURSUANT TO NRCP 52, 59, AND 60 - Transaction 7239263 - Approved By: CSULEZIC : 04-26-2019:08:37:42
- 670 4/26/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7239508 - Approved By: NOREVIEW : 04-26-2019:08:15:10
- 671 4/26/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7239615 - Approved By: NOREVIEW : 04-26-2019:08:41:44
- 672 4/26/2019 - 2120 - Mtn for New Trial or JNOV
Additional Text: MOTION FOR NEW TRIAL AND/OR TO ALTER OR AMEND JUDGMENT - Transaction 7239770 - Approved By: YVILORIA : 04-26-2019:09:42:26
- 673 4/26/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7239865 - Approved By: NOREVIEW : 04-26-2019:09:43:32
- 674 4/29/2019 - 2842 - Ord Denying Motion
Additional Text: ORDER REGARDING MOTION TO WITHDRAW AS COUNSEL OF RECORD FOR DEFENDANT EDWARD BAYUK (MOTION DEEMED MOOT; THEREFORE DENIED) - Transaction 7243395 - Approved By: NOREVIEW : 04-29-2019:16:17:26
- 675 4/29/2019 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 676 4/29/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7243423 - Approved By: NOREVIEW : 04-29-2019:16:20:27
- 677 4/30/2019 - 3795 - Reply...
Additional Text: DFX: NO EXHIBIT INDEX - PLAINTIFF'S REPLY IN SUPPORT OF APPLICATION FOR ATTORNEYS' FEES AND COSTS PURSUANT TO NRCP 68 - Transaction 7246340 - Approved By: YVILORIA : 05-01-2019:08:56:58
- 678 5/1/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7246626 - Approved By: NOREVIEW : 05-01-2019:08:58:06
- 679 5/1/2019 - 3860 - Request for Submission
Additional Text: REQUEST FOR SUBMISSION OF APPLICATION FOR ATTORNEYS' FEES AND COSTS PURSUANT TO NRCP 68 - Transaction 7246640 - Approved By: CSULEZIC : 05-01-2019:10:16:01
PARTY SUBMITTING: GABRIELLE HAMM ESQ
DATE SUBMITTED: 5/02/19
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 680 5/1/2019 - 3860 - Request for Submission
Additional Text: REQUEST FOR SUBMISSION OF MOTION TO RETAX COSTS - Transaction 7246644 - Approved By: CSULEZIC : 05-01-2019:10:17:44
PARTY SUBMITTING: GABRIELLE HAMM ESQ
DATE SUBMITTED: 5/01/19
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:

- 681 5/1/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7246981 - Approved By: NOREVIEW : 05-01-2019:10:17:00
- 682 5/1/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7246988 - Approved By: NOREVIEW : 05-01-2019:10:18:43
- 683 5/7/2019 - 2645 - Opposition to Mtn ...
Additional Text: PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTIONS FOR NEW TRIAL AND/OR TO ALTER OR AMEND JUDGMENT - Transaction 7257368 - Approved By: YVILORIA : 05-07-2019:14:21:22
- 684 5/7/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7257726 - Approved By: NOREVIEW : 05-07-2019:14:22:36
- 685 5/14/2019 - 3795 - Reply...
Additional Text: DEFENDANTS' REPLY IN SUPPORT OF MOTION FOR NEW TRIAL AND/OR TO ALTER OR AMEND JUDGMENT PURSUANT TO NRCP 52, 59, AND 60 - Transaction 7269113 - Approved By: YVILORIA : 05-14-2019:16:02:13
- 686 5/14/2019 - 3860 - Request for Submission
Additional Text: REQUEST FOR SUBMISSION - Transaction 7269113 - Approved By: YVILORIA : 05-14-2019:16:02:13
DOCUMENT TITLE: MOTION FOR NEW TRIAL AND/OR ALTER OR AMENDED JUDGMENT PURSUANT TO NRCP 52, 59 AND 60 FILED 4-25-19
PARTY SUBMITTING: FRANK GILMORE ESQ
DATE SUBMITTED: 5-14-19
SUBMITTED BY: YV
DATE RECEIVED JUDGE OFFICE:
- 687 5/14/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7269551 - Approved By: NOREVIEW : 05-14-2019:16:03:43
- 688 5/21/2019 - 3860 - Request for Submission
Additional Text: Transaction 7279949 - Approved By: CSULEZIC : 05-21-2019:10:12:19
DOCUMENT TITLE: DEFENDANT BAYUK'S MOTION FOR NEW TRIAL AND/OR TO ALTER OR AMEND JUDGMENT FILED 4/26/19
PARTY SUBMITTING: TERESA PILATOWICZ ESQ
DATE SUBMITTED: 5/21/19
SUBMITTED BY: CS
DATE RECEIVED JUDGE OFFICE:
- 689 5/21/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7280178 - Approved By: NOREVIEW : 05-21-2019:10:14:19
- 690 5/21/2019 - S200 - Request for Submission Complet
Additional Text: DUPLICATE ENTRY
- 691 6/19/2019 - 1250E - Application for Setting eFile
Additional Text: TELEPHONIC DECISION ON SUBMITTED MOTIONS - JUNE 24, 2019 AT 10:30 A.M. - Transaction 7328767 - Approved By: NOREVIEW : 06-19-2019:08:51:01
- 692 6/19/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7328778 - Approved By: NOREVIEW : 06-19-2019:08:52:55
- 693 6/24/2019 - S200 - Request for Submission Complet
Additional Text: DECISIONS RENDERED AT TELEPHONIC HEARING
- 694 6/24/2019 - S200 - Request for Submission Complet
Additional Text: DECISIONS RENDERED AT TELEPHONIC HEARING
- 695 6/24/2019 - S200 - Request for Submission Complet
Additional Text: DECISIONS RENDERED AT TELEPHONIC HEARING
- 696 6/24/2019 - S200 - Request for Submission Complet
Additional Text: DECISIONS RENDERED AT TELEPHONIC HEARING

697 6/24/2019 - 4185 - Transcript
Additional Text: Decision - 6-24-19 - Transaction 7337383 - Approved By: NOREVIEW : 06-24-2019:14:25:24

698 6/24/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7337395 - Approved By: NOREVIEW : 06-24-2019:14:28:30

699 6/28/2019 - 2610 - Notice ...
Additional Text: (EDWARD BAYEK) NOTICE OF CLAIM OF EXEMPTION FROM EXECUTION - Transaction 7347901 - Approved By: YVILORIA : 06-28-2019:16:38:05

700 6/28/2019 - 1520 - Declaration
Additional Text: DECLARATION OF EDWARD BAYUK CLAIMING EXEMPTION FROM EXECUTION - Transaction 7347981 - Approved By: SACORDAG : 06-28-2019:16:29:56

701 6/28/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7348127 - Approved By: NOREVIEW : 06-28-2019:16:33:45

702 6/28/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7348242 - Approved By: NOREVIEW : 06-28-2019:16:48:11

703 7/2/2019 - MIN - ***Minutes
Additional Text: DECISION ON SUBMITTED MOTIONS (TELEPHONIC) - 6/24/19 - Transaction 7352171 - Approved By: NOREVIEW : 07-02-2019:13:02:09

704 7/2/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7352175 - Approved By: NOREVIEW : 07-02-2019:13:03:19

705 7/2/2019 - 2610 - Notice ...
Additional Text: (SALVATORE MORABITO) NOTICE OF CLAIM OF EXEMPTION FROM EXECUTION - Transaction 7353184 - Approved By: YVILORIA : 07-02-2019:16:22:26

706 7/2/2019 - 1520 - Declaration
Additional Text: DECLARATION OF SALVATORE MORABITO CLAIMING EXEMPTION FROM EXECUTION - Transaction 7353184 - Approved By: YVILORIA : 07-02-2019:16:22:26

707 7/2/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7353258 - Approved By: NOREVIEW : 07-02-2019:16:23:42

708 7/3/2019 - 1400 - Claim...
Additional Text: (EDWARD BAYEK) THIRD-PARTY CLAIM TO PROPERTY LEVIED UPON NRS 31.070 - Transaction 7354866 - Approved By: NOREVIEW : 07-03-2019:12:07:17

709 7/3/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7354870 - Approved By: NOREVIEW : 07-03-2019:12:08:15

710 7/9/2019 - 2610 - Notice ...
Additional Text: DFX: NO EXHIBIT INDEX - NOTICE OF LODGING ORDER GRANTING PLAINTIFF'S APPLICATION FOR AN AWARD OF ATTORNEYS' FEES AND COSTS PURSUANT TO NRCP 68 - Transaction 7363625 - Approved By: YVILORIA : 07-09-2019:15:49:45

711 7/9/2019 - 2610 - Notice ...
Additional Text: DFX: NO EXHIBIT INDEX - NOTICE OF LODGING ORDER GRANTING IN PART AND DENYING IN PART MOTION TO RETAX COSTS - Transaction 7363625 - Approved By: YVILORIA : 07-09-2019:15:49:45

712 7/9/2019 - 2610 - Notice ...
Additional Text: DFX: NO EXHIBIT INDEX - NOTICE OF LODGING ORDER DENYING DEFENDANTS' MOTION FOR NEW TRIAL AND/OR TO ALTER OR AMEND JUDGMENT - Transaction 7363625 - Approved By: YVILORIA : 07-09-2019:15:49:45

713 7/9/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7363676 - Approved By: NOREVIEW : 07-09-2019:15:52:23

714 7/10/2019 - 2842 - Ord Denying Motion
Additional Text: ORDER DENYING DEFENDANTS' MOTIONS FOR NEW TRIAL AND/OR TO ALTER OR AMEND JUDGMENT - Transaction 7364866 - Approved By: NOREVIEW : 07-10-2019:11:16:01

- 715 7/10/2019 - 3025 - Ord Granting/Denying in Part
Additional Text: ORDER GRANTING IN PART AND DENYING IN PART MOTION TO RETAX COSTS - Transaction 7364868 - Approved By: NOREVIEW : 07-10-2019:11:16:49
- 716 7/10/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7364869 - Approved By: NOREVIEW : 07-10-2019:11:16:59
- 717 7/10/2019 - 3105 - Ord Granting ...
Additional Text: ORDER GRANTING PLAINTIFF'S APPLICATION FOR AN AWARD OF ATTORNEYS' FEES AND COSTS PURSUANT TO NRCP 68 - Transaction 7364871 - Approved By: NOREVIEW : 07-10-2019:11:17:39
- 718 7/10/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7364872 - Approved By: NOREVIEW : 07-10-2019:11:17:49
- 719 7/10/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7364877 - Approved By: NOREVIEW : 07-10-2019:11:18:43
- 720 7/11/2019 - 2630 - Objection to ...
Additional Text: (EDWARD BAYEK) PLAINTIFF'S OBJECTION TO (1) CLAIM OF EXEMPTION FROM EXECUTION AND (2) THIRD PARTY CLAIM TO PROPERTY LEVIED UPON, AND REQUEST FOR HEARING PURSUANT TO NRS 21.112 AND 31.070(5) DFX: EXHIBITS PRESENTED INCORRECTLY - Transaction 7368231 - Approved By: YVILORIA : 07-11-2019:14:48:27
- 721 7/11/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7368387 - Approved By: NOREVIEW : 07-11-2019:14:51:00
- 722 7/16/2019 - 2550 - Notice of Hearing
Additional Text: (EDWARD BAYEK) NOTICE OF HEARING ON PLAINTIFF'S OBJECTION TO (1) DECLARATION OF EDWARD BAYUK CLAIMING EXEMPTION FROM EXECUTION AND (2) THIRD PARTY CLAIM TO PROPERTY LEVIED UPON - Transaction 7375177 - Approved By: BBLOUGH : 07-16-2019:11:31:36
- 723 7/16/2019 - 2630 - Objection to ...
Additional Text: (SALVATORE MORABITO) PLAINTIFF'S OBJECTION TO NOTICE OF CLAIM OF EXEMPTION FROM EXECUTION FILED BY SALVATORE MORABITO AND REQUEST FOR HEARING - Transaction 7375177 - Approved By: BBLOUGH : 07-16-2019:11:31:36
- 724 7/16/2019 - 2540 - Notice of Entry of Ord
Additional Text: NOTICE OF ENTRY OF ORDER DENYING DEFENDANTS' MOTIONS FOR NEW TRIAL AND/OR ALTER OR AMEND JUDGMENT - Transaction 7375177 - Approved By: BBLOUGH : 07-16-2019:11:31:36
- 725 7/16/2019 - 2540 - Notice of Entry of Ord
Additional Text: NOTICE OF ENTRY OF ORDER GRANTING IN PART AND DENYING IN PART MOTION TO RETAX COSTS - Transaction 7375177 - Approved By: BBLOUGH : 07-16-2019:11:31:36
- 726 7/16/2019 - 2540 - Notice of Entry of Ord
Additional Text: NOTICE OF ENTRY OF ORDER GRANTING PLAINTIFF'S APPLICATION FOR AN AWARD OF ATTORNEYS' FEES AND COSTS PURSUANT TO NRCP 68 - Transaction 7375177 - Approved By: BBLOUGH : 07-16-2019:11:31:36
- 727 7/16/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7375342 - Approved By: NOREVIEW : 07-16-2019:11:35:50
- 728 7/17/2019 - 3795 - Reply...
Additional Text: (EDWARD BAYUK) REPLY TO OBJECTION TO CLAIM OF EXEMPTION AND THIRD PARTY CLAIM TO PROPERTY LEVIED UPON - Transaction 7379614 - Approved By: CSULEZIC : 07-18-2019:08:50:33
- 729 7/18/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7379994 - Approved By: NOREVIEW : 07-18-2019:08:54:10
- 730 7/18/2019 - 3790 - Reply to/in Opposition
Additional Text: (SALVATORE MORABITO) REPLY TO PLAINTIFF'S OBJECTION TO NOTICE OF CLAIM OF EXEMPTION FROM EXECUTION - Transaction 7380470 - Approved By: CSULEZIC : 07-18-2019:10:55:13
- 731 7/18/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7380507 - Approved By: NOREVIEW : 07-18-2019:10:56:23

- 732 7/18/2019 - 2520 - Notice of Appearance
Additional Text: NOTICE OF APPEARANCE: MICHAEL LEHNERS ESQ / DEFT SALVATORE MORABITO - Transaction 7380600 - Approved By: YVILORIA : 07-18-2019:11:29:24
- 733 7/18/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7380648 - Approved By: NOREVIEW : 07-18-2019:11:30:47
- 734 7/18/2019 - 2550 - Notice of Hearing
Additional Text: (SALVATORE MORABITO) NOTICE OF HEARING ON PLAINTIFF'S OBJECTION TO NOTICE OF CLAIM OF EXECUTION FILED BY SALVATORE MORABITO - Transaction 7380958 - Approved By: NOREVIEW : 07-18-2019:13:18:20
- 735 7/18/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7380962 - Approved By: NOREVIEW : 07-18-2019:13:19:21
- 736 7/25/2019 - 4185 - Transcript
Additional Text: Hearing - 7-22-19 - Transaction 7394765 - Approved By: NOREVIEW : 07-25-2019:14:53:38
- 737 7/25/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7394777 - Approved By: NOREVIEW : 07-25-2019:14:55:11
- 738 7/29/2019 - 1520 - Declaration
Additional Text: HARTMAN AND HARTMAN P.C. - Transaction 7399156 - Approved By: NOREVIEW : 07-29-2019:13:40:00
- 739 7/29/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7399162 - Approved By: NOREVIEW : 07-29-2019:13:40:59
- 740 8/1/2019 - 2630 - Objection to ...
Additional Text: OBJECTION TO PLAINTIFF'S PROPOSED ORDER DENYING CLAIM OF EXEMPTION AND THIRD PARTY CLAIM - Transaction 7407464 - Approved By: YVILORIA : 08-01-2019:15:51:05
- 741 8/1/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7407479 - Approved By: NOREVIEW : 08-01-2019:15:52:17
- 742 8/1/2019 - 2610 - Notice ...
Additional Text: NOTICE OF SUBMISSION OF DISPUTED ORDER DENYING CLAIM OF EXEMPTION AND THIRD PARTY CLAIM - Transaction 7407826 - Approved By: CSULEZIC : 08-02-2019:08:40:32
- 743 8/2/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7407992 - Approved By: NOREVIEW : 08-02-2019:08:41:54
- 744 8/2/2019 - MIN - ***Minutes
Additional Text: OBJECTION TO CLAIM OF EXEMPTIONS - 7/22/19 - Transaction 7409587 - Approved By: NOREVIEW : 08-02-2019:14:22:09
- 745 8/2/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7409596 - Approved By: NOREVIEW : 08-02-2019:14:23:07
- 746 8/2/2019 - 2840 - Ord Denying ...
Additional Text: ORDER DENYING CLAIM OF EXEMPTION (FILED BY SALVATORE MORABITO ON JULY 2, 2019) - Transaction 7410004 - Approved By: NOREVIEW : 08-02-2019:15:56:41
- 747 8/2/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7410017 - Approved By: NOREVIEW : 08-02-2019:15:58:35
- 748 8/5/2019 - 2520 - Notice of Appearance
Additional Text: NOTICE OF APPEARANCE: MICAH ECHOLS ESQ AND KATHLEEN WILDE ESQ / DEFTS SUPERPUMPER INC, EDWARD BAYUK, INDIVIDUALLY AND TRUSTEE , SALVATORE MORABITO, SNOWSHOE PETROLEUM INC - Transaction 7411684 - Approved By: YVILORIA : 08-05-2019:13:52:05
- 749 8/5/2019 - \$2515 - \$Notice/Appeal Supreme Court
Additional Text: NOTICE OF APPEAL - (SUBMITTED BY MICHAEL C. LEHNERS ESQ) Transaction 7411690 - Approved By: YVILORIA : 08-05-2019:13:56:37

- 750 8/5/2019 - 1310 - Case Appeal Statement
Additional Text: CASE APPEAL STATEMENT - (SUBMITTED BY MICHAEL C. LEHNERS ESQ) Transaction 7411690 - Approved By: YVILORIA : 08-05-2019:13:56:37
- 751 8/5/2019 - SAB - **Supreme Court Appeal Bond
Additional Text: Transaction 7411695 - Approved By: YVILORIA : 08-05-2019:13:59:54
- 752 8/5/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7411764 - Approved By: NOREVIEW : 08-05-2019:13:53:09
- 753 8/5/2019 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$34.00 was made on receipt DCDC643010.
- 754 8/5/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7411778 - Approved By: NOREVIEW : 08-05-2019:13:57:36
- 755 8/5/2019 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$500.00 was made on receipt DCDC643011.
- 756 8/5/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7411792 - Approved By: NOREVIEW : 08-05-2019:14:01:00
- 757 8/5/2019 - \$2515 - \$Notice/Appeal Supreme Court
Additional Text: NOTICE OF APPEAL - (SUBMITTED BY MICAH S. ECHOLS ESQ) Transaction 7411848 - Approved By: YVILORIA : 08-05-2019:14:19:18
- 758 8/5/2019 - 1310 - Case Appeal Statement
Additional Text: CASE APPEAL STATEMENT - (SUBMITTED BY MICAH ECHOLS ESQ) Transaction 7411859 - Approved By: NOREVIEW : 08-05-2019:14:14:35
- 759 8/5/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7411871 - Approved By: NOREVIEW : 08-05-2019:14:16:21
- 760 8/5/2019 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$34.00 was made on receipt DCDC643015.
- 761 8/5/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7411899 - Approved By: NOREVIEW : 08-05-2019:14:20:49
- 762 8/5/2019 - 3790 - Reply to/in Opposition
Additional Text: Plaintiff's Reply to Defendants' Objection to Plaintiff's Proposed Order Denying Claim of Exemption and Third -Party Claim - Transaction 7412704 - Approved By: CSULEZIC : 08-06-2019:08:39:53
- 763 8/6/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7412857 - Approved By: NOREVIEW : 08-06-2019:08:41:16
- 764 8/6/2019 - SAB - **Supreme Court Appeal Bond
Additional Text: Bond ID: SAB-19-00056; Total Bond Amount: \$500.00.

Bond Code, SAB, Receipted for: SITE DEFINED TRUST DEPOSIT, on 06-AUG-2019 in the amount of \$500.00 on case ID CV13-02663.
- 765 8/6/2019 - 1350 - Certificate of Clerk
Additional Text: CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 7414796 - Approved By: NOREVIEW : 08-06-2019:15:23:29
- 766 8/6/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7414808 - Approved By: NOREVIEW : 08-06-2019:15:24:45

- 767 8/6/2019 - FIE - **Document Filed in Error
Additional Text: Filed in Error - Cannot send notice of appeals through FTP. Per Supreme court send in two parts through the website - YViloria 8/6/19
- 768 8/6/2019 - FIE - **Document Filed in Error
Additional Text: Filed in Error - Cannot send notice of appeals through FTP. Per Supreme court send in two parts through the website
- 769 8/6/2019 - SAB - **Supreme Court Appeal Bond
Additional Text: Bond ID: SAB-19-00057; Total Bond Amount: \$500.00.

Bond Code, SAB, Receipted for: WILLIAM A. LEONARD, JR, trustee of ESTATE OF PAULA A. MORABITO, on 06-AUG-2019 in the amount of \$500.00 on case ID CV13-02663.
- 770 8/7/2019 - 1350 - Certificate of Clerk
Additional Text: CERTIFICATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL (BAYUK) - Transaction 7415791 - Approved By: NOREVIEW : 08-07-2019:08:58:21
- 771 8/7/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7415795 - Approved By: NOREVIEW : 08-07-2019:08:59:11
- 772 8/7/2019 - 1187 - **Supreme Court Case No. ...
Additional Text: SUPREME COURT NO. 79355 - SUPERPUMPER ET AL and BAYUK
- 773 8/7/2019 - 1360 - Certificate of Service
Additional Text: "NOTICE ATTACHED - NOTICE OF STRICKEN DOCUMENT FILED AUGUST 7, 2019 STRIKING THE CERTIFICATE OF SERVICE FOR THE FOLLOWING REASON: DOCUMENT DOES NOT HAVE AN AFFIRMATION – WDCR10(c)(1) - Transaction 7417522 - Approved By: NOREVIEW : 08-07-2019:15:56:26
- 774 8/7/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7417530 - Approved By: NOREVIEW : 08-07-2019:15:57:49
- 775 8/8/2019 - 1188 - Supreme Court Receipt for Doc
Additional Text: SUPREME COURT NO. 79355 / RECEIPT FOR DOCUMENTS - Transaction 7418864 - Approved By: NOREVIEW : 08-08-2019:11:53:17
- 776 8/8/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7418872 - Approved By: NOREVIEW : 08-08-2019:11:54:34
- 777 8/9/2019 - 2840 - Ord Denying ...
Additional Text: ORDER DENYING CLAIM OF EXEMPTION AND THIRD PARTY CLAIM (EDWARD BAYUK/EDWARD BAYUK LIVING TRUST) - Transaction 7421482 - Approved By: NOREVIEW : 08-09-2019:13:11:07
- 778 8/9/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7421489 - Approved By: NOREVIEW : 08-09-2019:13:12:20
- 779 8/9/2019 - 2540 - Notice of Entry of Ord
Additional Text: Transaction 7422199 - Approved By: NOREVIEW : 08-09-2019:16:32:51
- 780 8/9/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7422203 - Approved By: NOREVIEW : 08-09-2019:16:33:52
- 781 8/12/2019 - 2540 - Notice of Entry of Ord
Additional Text: Notice of Entry of Order Denying Claim of Exemption - Transaction 7422767 - Approved By: NOREVIEW : 08-12-2019:09:33:53
- 782 8/12/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7422771 - Approved By: NOREVIEW : 08-12-2019:09:34:53
- 783 8/19/2019 - 2490 - Motion ...
Additional Text: Motion to Make Amended or Additional Findings Under NRCP 52(b), or, in the Alternative, Motion for Reconsideration - Transaction 7437267 - Approved By: BBLOUGH : 08-20-2019:08:20:57

- 784 8/20/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7437382 - Approved By: NOREVIEW : 08-20-2019:08:22:30
- 785 8/20/2019 - 1188 - Supreme Court Receipt for Doc
Additional Text: SUPREME COURT NO. 79355 / RECEIPT FOR DOCUMENTS - Transaction 7439541 - Approved By: NOREVIEW : 08-20-2019:14:20:08
- 786 8/20/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7439582 - Approved By: NOREVIEW : 08-20-2019:14:23:52
- 787 8/20/2019 - 1650 - Errata...
Additional Text: ERRATA TO MOTION TO MAKE AMENDED OR ADDITIONAL FINDINGS UNDER NRCP 52(b), OR, IN THE ALTERNATIVE, MOTION FOR RECONSIDERATION - Transaction 7439630 - Approved By: CSULEZIC : 08-20-2019:15:08:09
- 788 8/20/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7439854 - Approved By: NOREVIEW : 08-20-2019:15:09:30
- 789 8/30/2019 - 2645 - Opposition to Mtn ...
Additional Text: PLAINTIFF'S OPPOSITION TO MOTION TO MAKE AMENDED OR ADDITIONAL FINDINGS UNDER NRCP 52(B), OR, IN THE ALTERNATIVE, MOTION FOR RECONSIDERATION, AND COUNTERMOTION FOR FEES AND COSTS PURSUANT TO NRS 7.085 - Transaction 7458971 - Approved By: YVILORIA : 08-30-2019:10:29:18
- 790 8/30/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7459590 - Approved By: NOREVIEW : 08-30-2019:10:30:39
- 791 8/30/2019 - 1650 - Errata...
Additional Text: ERRATA TO PLAINTIFF'S OPPOSITION TO MOTION TO MAKE AMENDED OR ADDITIONAL FINDINGS UNDER NRCP 52(B), OR, IN THE ALTERNATIVE, MOTION FOR RECONSIDERATION AND COUNTERMOTION FOR FEES AND COSTS PURSUANT TO NRS 7.085 - Transaction 7460610 - Approved By: YVILORIA : 08-30-2019:14:20:27
- 792 8/30/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7460644 - Approved By: NOREVIEW : 08-30-2019:14:21:30
- 793 9/4/2019 - 2520 - Notice of Appearance
Additional Text: NOTICE OF APPEARANCE: TOM STEWART ESQ / DEFTS SUPERPUMPER INC, EDWARD BAYUK, SALVATORE MORABITO AND SNOWSHOE PETROCLEUM INC - Transaction 7464736 - Approved By: YVILORIA : 09-04-2019:09:58:27
- 794 9/4/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7464814 - Approved By: NOREVIEW : 09-04-2019:09:59:33
- 795 9/4/2019 - 3790 - Reply to/in Opposition
Additional Text: REPLY IN SUPPORT OF MOTION TO MAKE AMENDED OR ADDITIONAL FINDINGS UNDER NRCP 52(b), OR, IN THE ALTERNATIVE, MOTION FOR RECONSIDERATION AND OPPOSITION TO COUNTERMOTION FOR FEES AND COSTS - Transaction 7467029 - Approved By: CSULEZIC : 09-05-2019:08:22:28
- 796 9/4/2019 - 3860 - Request for Submission
Additional Text: Transaction 7467030 - Approved By: NOREVIEW : 09-04-2019:21:39:53
DOCUMENT TITLE: Request to Submit for Decision: Motion to Make Amended or Additional Findings Under NRCP 52(b), or, in the Alternative, Motion for Reconsideration
PARTY SUBMITTING: MICAH ECHOLS, ESQ.
DATE SUBMITTED: SEPTEMBER 5, 2019
SUBMITTED BY: BBLOUGH
DATE RECEIVED JUDGE OFFICE:
- 797 9/4/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7467031 - Approved By: NOREVIEW : 09-04-2019:21:40:53
- 798 9/5/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7467151 - Approved By: NOREVIEW : 09-05-2019:08:25:03
- 799 9/11/2019 - 4128 - Supreme Court Order Denying
Additional Text: SUPREME COURT NO. 79355 / ORDER DENYING STAY - Transaction 7479023 - Approved By: NOREVIEW : 09-11-2019:14:04:31

- 800 9/11/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7479027 - Approved By: NOREVIEW : 09-11-2019:14:05:31
- 801 10/8/2019 - COC - Evidence Chain of Custody Form
No additional text exists for this entry.
- 802 11/8/2019 - 2842 - Ord Denying Motion
Additional Text: ORDER DENYING DEFENDANTS' MOTION TO MAKE AMENDED OR ADDITIONAL FINDINGS UNDER NRCP 52(B), OR IN THE ALTERNATIVE, MOTION FOR RECONSIDERATION AND DENYING PLAINTIFF'S COUNTERMOTION FOR FEES AND COSTS - Transaction 7580677 - Approved By: NOREVIEW : 11-08-2019:14:07:36
- 803 11/8/2019 - S200 - Request for Submission Complet
No additional text exists for this entry.
- 804 11/8/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7580687 - Approved By: NOREVIEW : 11-08-2019:14:10:26
- 805 11/27/2019 - 3870 - Request
Additional Text: REQUEST FOR TRANSCRIPT OF PROCEEDINGS - Transaction 7611093 - Approved By: CSULEZIC : 11-27-2019:10:31:32
- 806 11/27/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7611106 - Approved By: NOREVIEW : 11-27-2019:10:32:47
- 807 12/6/2019 - \$2515 - \$Notice/Appeal Supreme Court
Additional Text: NOTICE OF APPEAL - Transaction 7625741 - Approved By: YVILORIA : 12-09-2019:08:09:55
- 808 12/6/2019 - 1310 - Case Appeal Statement
Additional Text: CASE APPEAL STATEMENT - Transaction 7625744 - Approved By: NOREVIEW : 12-06-2019:17:05:03
- 809 12/6/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7625748 - Approved By: NOREVIEW : 12-06-2019:17:06:10
- 810 12/9/2019 - PAYRC - **Payment Receipted
Additional Text: A Payment of \$34.00 was made on receipt DCDC650978.
- 811 12/9/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7625962 - Approved By: NOREVIEW : 12-09-2019:08:11:05
- 812 12/10/2019 - SAB - **Supreme Court Appeal Bond
Additional Text: Bond ID: SAB-19-00084; Total Bond Amount: \$500.00.

Bond Code, SAB, Receipted for: SITE DEFINED TRUST DEPOSIT, on 10-DEC-2019 in the amount of \$500.00 on case ID CV13-02663.
- 813 12/10/2019 - 4113 - District Ct Deficiency Notice
Additional Text: NOTICE OF APPEAL DEFICIENCY - Transaction 7630922 - Approved By: NOREVIEW : 12-10-2019:16:30:08
- 814 12/10/2019 - 1350 - Certificate of Clerk
Additional Text: CERTIFICIATE OF CLERK AND TRANSMITTAL - NOTICE OF APPEAL - Transaction 7630922 - Approved By: NOREVIEW : 12-10-2019:16:30:08
- 815 12/10/2019 - NEF - Proof of Electronic Service
Additional Text: Transaction 7630930 - Approved By: NOREVIEW : 12-10-2019:16:31:16

2840

IN THE SECOND JUDICIAL DISTRICT COURT OF
THE STATE OF NEVADA, IN AND FOR THE COUNTY OF WASHOE

WILLIAM A. LEONARD, Trustee for the
Bankruptcy Estate of Paul Anthony
Morabito,

CASE NO.: CV13-02663

DEPT. NO.: 4

Plaintiff,

vs.

SUPERPUMPER, INC., an Arizona
corporation; EDWARD BAYUK,
individually and as Trustee of the EDWARD
WILLIAM BAYUK LIVING TRUST;
SALVATORE MORABITO, and individual;
and SNOWSHOE PETROLEUM, INC., a
New York corporation,

Defendants.

ORDER DENYING CLAIM OF EXEMPTION

Before the Court is the *Notice of Claim of Exemption from Execution* (the “Claim of Exemption”) filed on July 2, 2019 by Defendant Salvatore Morabito (“Morabito”). The Claim of Exemption is supported by the *Declaration of Salvatore Morabito Claiming Exemption from Execution* (the “Morabito Declaration”), also filed on July 2, 2019. *Plaintiff’s Objection to Notice of Claim of Exemption from Execution Filed by Salvatore Morabito and Request for Hearing* (the “Objection”) was filed on July 16, 2019, and *Morabito’s Reply to Plaintiff’s Objection to Notice of Claim of Exemption from Execution* (the “Reply”) was filed on July 18, 2019.

The Court held a hearing on the Claim of Exemption on July 22, 2019. Morabito appeared by and through counsel, Michael Lehnars. Plaintiff appeared by and through counsel, Erika Pike Turner, Gerald M. Gordon and Teresa Pilatowicz of the law firm of Garman Turner Gordon LLP.

1 The Court has reviewed and considered the arguments made in the Claim of Exemption,
2 the Objection, and the Reply, the papers and pleadings on file with the Court in this action, the
3 testimony and exhibits admitted during the trial, the Court's Findings of Fact, Conclusions of Law,
4 and Judgment, entered on March 29, 2019 (the "Judgment"), and the arguments of counsel made
5 at the hearing. The Court is persuaded by the argument and authorities in Plaintiff's Objection and
6 the arguments of Plaintiff's counsel at the hearing, along with the pleadings and papers on file, the
7 trial record, and the findings and conclusions set forth in the Judgment. As such, the Court finds
8 that Sam Morabito failed to meet his burden to show that there are assets in Nevada subject to
9 exemption from execution.

10 Based on the foregoing, and good cause appearing:

11 IT IS HEREBY ORDERED that the Claim of Exemption filed by Salvatore Morabito is
12 denied.

13 Dated this 2 day of August, 2019.

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15 Connie J. Steinheimer
16 DISTRICT JUDGE
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2840

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

WILLIAM A. LEONARD, Trustee for the
Bankruptcy Estate of Paul Anthony
Morabito,

CASE NO.: CV13-02663

DEPT. NO.: 4

Plaintiff,

vs.

SUPERPUMPER, INC., an Arizona
corporation; EDWARD BAYUK,
individually and as Trustee of the EDWARD
WILLIAM BAYUK LIVING TRUST;
SALVATORE MORABITO, and individual;
and SNOWSHOE PETROLEUM, INC., a
New York corporation,

Defendants.

ORDER DENYING CLAIM OF EXEMPTION AND THIRD PARTY CLAIM

Before the Court is the *Notice of Claim of Exemption from Execution* (the “Claim of Exemption”) filed on June 28, 2019 by Edward Bayuk (“Bayuk”), individually and as trustee of the Edward William Bayuk Living Trust (the “Bayuk Trust”), and the *Third Party Claim to Property Levied Upon [NRS 31.070]* (the “Third Party Claim”) filed on July 3, 2019 by the Bayuk Trust. The Claim of Exemption and Third Party Claim are supported by the *Declaration of Edward Bayuk Claiming Exemption from Execution* (the “Bayuk Declaration”), filed on July 2, 2019. Plaintiff’s *Objection to (1) Declaration of Edward Bayuk Claiming Exemption From Execution and (2) Third Party Claim to Property Levied Upon, and Request for Hearing Pursuant to NRS 21.112 and 31.070(5)* (the “Objection”) was filed on July 11, 2019, and Bayuk and the Bayuk Trust’s *Reply to Objection to Claim of Exemption and Third Party Claim to Property Levied Upon* (the “Reply”) was filed on July 17, 2019.

1 The Court held a hearing on the Claim of Exemption and Third Party Claim on July 22,
2 2019. Bayuk and the Bayuk Trust appeared by and through counsel, Michael Lehnars and Jeffrey
3 L. Hartman. Plaintiff appeared by and through counsel, Erika Pike Turner, Gerald M. Gordon,
4 and Teresa Pilatowicz of the law firm of Garman Turner Gordon LLP.

5 The Court has reviewed and considered the arguments made in the Claim of Exemption
6 and the Third Party Claim, the Objection, and the Reply, the Bayuk Declaration, the exhibits to all
7 of the foregoing, the papers and pleadings on file with the Court in this action, the testimony and
8 exhibits admitted during the trial, the Court's Findings of Fact, Conclusions of Law, and Judgment,
9 entered on March 29, 2019 (the "Judgment"), and the arguments of counsel made at the hearing.
10 The Court, persuaded by the argument and authorities in Plaintiff's Objection and the arguments
11 of Plaintiff's counsel at the hearing, along with the pleadings and papers on file, the trial record,
12 and the findings and conclusions set forth in the Judgment, finds as follows:

13 1. The court has subject matter jurisdiction over the claims asserted against Bayuk, as
14 trustee of the Bayuk Trust.

15 2. Bayuk has transferred all of his personal assets to the Bayuk Trust since the Bayuk
16 Trust was established in 1998. As set forth in the Judgment, the Bayuk Trust received fraudulently
17 transferred property which was established by clear and convincing evidence.

18 3. The purported nature of the Bayuk Trust as a Nevada spendthrift trust was not
19 disclosed prior to the Claim of Exemption. In response to discovery requests, in deposition, in
20 subject deeds, and at trial prior to the Judgment, Bayuk and the Bayuk Trust produced
21 contradictory evidence regarding the date and the purpose of the Bayuk Trust. With the Claim of
22 Exemption, the Bayuk Trust clarifies that that there is, and has been, only one trust with the name
23 "the Edward William Bayuk Living Trust" and that is the Bayuk Trust.

24 4. The Bayuk Trust does not meet the requirements for enforcement as a Nevada
25 spendthrift trust under NRS 166.015 because Bayuk is the settlor and beneficiary during his
26 lifetime of the Bayuk Trust, and neither Bayuk nor his co-trustee Paul Morabito are domiciles of
27 Nevada. NRS 166.015(2). As established in the Judgment, Bayuk and Paul Morabito moved to
28 California in September 2010.

5. Contrary to assertions by Bayuk, there was no credible evidence presented that the Bayuk Trust owns a burial plot in Nevada; but, even if such fact were established, the ownership of a burial plot in Nevada is insufficient to invoke the protections of NRS Chapter 166.

6. Even if the claims asserted against the Bayuk Trust were subject to the time periods under NRS 166.170, they were timely because the fraudulent transfer claim was brought (1) within two years after the fraudulent transfers were made and (2) also within six months of discovery of, or when Plaintiff reasonably should have discovered, the existence of the purported spendthrift trust. The subject fraudulent transfers occurred in September 2010 and thereafter. The Bayuk Trust executed a tolling agreement on November 30, 2011 to toll any statute of limitations applicable to the fraudulent transfer of property to the Bayuk Trust, which tolling agreement tolled the time period to file until June 18, 2013 and the Complaint was filed in December 2013. The purported nature of the Bayuk Trust as a spendthrift trust subject to NRS 166.170 was not disclosed until the Claim of Exemption. Moreover, any defenses based on NRS 166.170 have been waived as a result of the failure of Bayuk or the Bayuk Trust to raise such defenses prior to the Claim of Exemption.

Based upon review of the entire file, the foregoing, and good cause appearing:

IT IS HEREBY ORDERED that the June 28, 2019 Claim of Exemption filed by Edward Bayuk, individually and as trustee of the Edward William Bayuk Living Trust is DENIED.

IT IS HEREBY FURTHER ORDERED that the July 3, 2019 Third Party Claim to Property Levied Upon [NRS 31.070] filed by the Bayuk Trust is DENIED.

Dated this 9 day of August, 2019.

Connie J. Steinheimer
DISTRICT JUDGE

CERTIFICATE OF SERVICE

CASE NO. CV13-02663

I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT of the STATE OF NEVADA, COUNTY OF WASHOE; that on the 9 day of August, 2019, I filed the **ORDER DENYING CLAIM OF EXEMPTION AND THIRD PARTY CLAIM** with the Clerk of the Court.

I further certify that I transmitted a true and correct copy of the foregoing document by the method(s) noted below:

 Personal delivery to the following: [NONE]

 f **Electronically filed with the Clerk of the Court, using the eFlex system which constitutes effective service for all eFiled documents pursuant to the eFile User Agreement.**

ERIKA TURNER, ESQ. for WILLIAM A. LEONARD, JR, TRSTEE OF ESTATE OF PAUL A. MORABITO

MICAH ECHOLS, ESQ. for EDWARD WILLIAM BAYUK LIVING TRUST et al

JEFFREY HARTMAN, ESQ. for EDWARD WILLIAM BAYUK LIVING TRUST, EDWARD BAYUK

MARK WEISENMILLER, ESQ. for WILLIAM A. LEONARD, JR, TRSTEE OF ESTATE OF PAUL A. MORABITO

FRANK GILMORE, ESQ. for SNOWSHOE PETROLEUM, INC., SALVATORE R. MORABITO, SUPERPUMPER, INC.

MICHAEL LEHNERS, ESQ. for SALVATORE R. MORABITO

TERESA PILATOWICZ, ESQ. for WILLIAM A. LEONARD, JR, TRSTEE OF ESTATE OF PAUL A. MORABITO

GABRIELLE HAMM, ESQ. for WILLIAM A. LEONARD, JR, TRSTEE OF ESTATE OF PAUL A. MORABITO

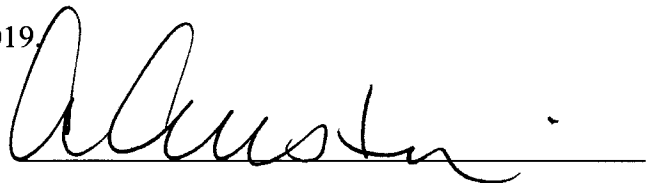
 Transmitted document to the Second Judicial District Court mailing system in a sealed envelope for postage and mailing by Washoe County using the United States Postal Service in Reno, Nevada: [NONE]

 Placed a true copy in a sealed envelope for service via:

 Reno/Carson Messenger Service – [NONE]

 Federal Express or other overnight delivery service [NONE]

DATED this 9 day of August, 2019.



1 GARMAN TURNER GORDON LLP
2 GERALD M. GORDON
3 Nevada Bar No. 229
4 E-mail: ggordon@gtg.legal
5 ERIKA PIKE TURNER
6 Nevada Bar No. 6454
7 E-mail: eturner@gtg.legal
8 TERESA M. PILATOWICZ
9 Nevada Bar No. 9605
10 E-mail: tpilatowicz@gtg.legal
11 GABRIELLE A. HAMM
12 Nevada Bar No. 11588
13 E-mail: ghamm@gtg.legal
14 650 White Drive, Ste. 100
15 Las Vegas, Nevada 89119
16 Telephone 725-777-3000
17 *Counsel to Plaintiff*

11 **IN THE SECOND JUDICIAL DISTRICT COURT OF**
12 **THE STATE OF NEVADA, IN AND FOR THE COUNTY OF WASHOE**

13 WILLIAM A. LEONARD, Trustee for the
14 Bankruptcy Estate of Paul Anthony
15 Morabito,

16 Plaintiff,

17 vs.

18 SUPERPUMPER, INC., an Arizona
19 corporation; EDWARD BAYUK,
20 individually and as Trustee of the EDWARD
21 WILLIAM BAYUK LIVING TRUST;
22 SALVATORE MORABITO, and individual;
23 and SNOWSHOE PETROLEUM, INC., a
24 New York corporation,

25 Defendants.

CASE NO.: CV13-02663

DEPT. NO.: 4

26 **NOTICE OF ENTRY OF ORDER**

27 PLEASE TAKE NOTICE that an *Order Denying Claim of Exemption and Third Party*
28 *Claim*, a copy of which is attached hereto as **Exhibit 1**, was entered in this matter on the 9th day
of August, 2019.

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AFFIRMATION

Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

Dated this 9th day of August, 2019.

GARMAN TURNER GORDON LLP

By: /s/ Erika Pike Turner

GERALD M. GORDON

Nevada Bar No. 229

ERIKA PIKE TURNER

Nevada Bar No. 6454

TERESA M. PILATOWICZ

Nevada Bar No. 9605

GABRIELLE A. HAMM

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650 White Drive, Ste. 100

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Counsel to Plaintiff

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INDEX OF EXHIBITS

Exhibit	Description	Pages¹
1	Order Denying Claim of Exemption and Third Party Claim	4

¹ Exhibit pagination includes exhibit slip sheets.

1 **CERTIFICATE OF SERVICE**

2 I certify that I am an employee of GARMAN TURNER GORDON LLP, and that on this
3 date, pursuant to NRCP 5(b), I am serving a true and correct copy of the foregoing **NOTICE OF**
4 **ORDER** on the parties as set forth below:

5 _____ Placing an original or true copy thereof in a sealed envelope placed for collection and
6 mailing in the United States Mail, Reno, Nevada, postage prepaid, following
7 ordinary business practices addressed as follows:

8 _____ Certified Mail, Return Receipt Requested

9 _____ Via Facsimile (Fax)

10 _____ Via E-Mail

11 _____ Placing an original or true copy thereof in a sealed envelope and causing the same
12 to be personally Hand Delivered

12 _____ Federal Express (or other overnight delivery)

13 X By using the Court's CM/ECF Electronic Notification System addressed to:

14 Michael Lehnars, Esq.
15 E-mail: mcl3303@aol.com

16 Jeffrey L. Hartman, Esq.
17 E-mail: jlh@bankruptcyreno.com

18 Dated this 9th day of August, 2019.

19
20 /s/
21 An Employee of
22 GARMAN TURNER
23 GORDON LLP
24
25
26
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EXHIBIT 1

EXHIBIT 1

2840

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

WILLIAM A. LEONARD, Trustee for the
Bankruptcy Estate of Paul Anthony
Morabito,

CASE NO.: CV13-02663

DEPT. NO.: 4

Plaintiff,

vs.

SUPERPUMPER, INC., an Arizona
corporation; EDWARD BAYUK,
individually and as Trustee of the EDWARD
WILLIAM BAYUK LIVING TRUST;
SALVATORE MORABITO, and individual;
and SNOWSHOE PETROLEUM, INC., a
New York corporation,

Defendants.

ORDER DENYING CLAIM OF EXEMPTION AND THIRD PARTY CLAIM

Before the Court is the *Notice of Claim of Exemption from Execution* (the “Claim of Exemption”) filed on June 28, 2019 by Edward Bayuk (“Bayuk”), individually and as trustee of the Edward William Bayuk Living Trust (the “Bayuk Trust”), and the *Third Party Claim to Property Levied Upon [NRS 31.070]* (the “Third Party Claim”) filed on July 3, 2019 by the Bayuk Trust. The Claim of Exemption and Third Party Claim are supported by the *Declaration of Edward Bayuk Claiming Exemption from Execution* (the “Bayuk Declaration”), filed on July 2, 2019. Plaintiff’s *Objection to (1) Declaration of Edward Bayuk Claiming Exemption From Execution and (2) Third Party Claim to Property Levied Upon, and Request for Hearing Pursuant to NRS 21.112 and 31.070(5)* (the “Objection”) was filed on July 11, 2019, and Bayuk and the Bayuk Trust’s *Reply to Objection to Claim of Exemption and Third Party Claim to Property Levied Upon* (the “Reply”) was filed on July 17, 2019.

1 The Court held a hearing on the Claim of Exemption and Third Party Claim on July 22,
2 2019. Bayuk and the Bayuk Trust appeared by and through counsel, Michael Lehnars and Jeffrey
3 L. Hartman. Plaintiff appeared by and through counsel, Erika Pike Turner, Gerald M. Gordon,
4 and Teresa Pilatowicz of the law firm of Garman Turner Gordon LLP.

5 The Court has reviewed and considered the arguments made in the Claim of Exemption
6 and the Third Party Claim, the Objection, and the Reply, the Bayuk Declaration, the exhibits to all
7 of the foregoing, the papers and pleadings on file with the Court in this action, the testimony and
8 exhibits admitted during the trial, the Court's Findings of Fact, Conclusions of Law, and Judgment,
9 entered on March 29, 2019 (the "Judgment"), and the arguments of counsel made at the hearing.
10 The Court, persuaded by the argument and authorities in Plaintiff's Objection and the arguments
11 of Plaintiff's counsel at the hearing, along with the pleadings and papers on file, the trial record,
12 and the findings and conclusions set forth in the Judgment, finds as follows:

13 1. The court has subject matter jurisdiction over the claims asserted against Bayuk, as
14 trustee of the Bayuk Trust.

15 2. Bayuk has transferred all of his personal assets to the Bayuk Trust since the Bayuk
16 Trust was established in 1998. As set forth in the Judgment, the Bayuk Trust received fraudulently
17 transferred property which was established by clear and convincing evidence.

18 3. The purported nature of the Bayuk Trust as a Nevada spendthrift trust was not
19 disclosed prior to the Claim of Exemption. In response to discovery requests, in deposition, in
20 subject deeds, and at trial prior to the Judgment, Bayuk and the Bayuk Trust produced
21 contradictory evidence regarding the date and the purpose of the Bayuk Trust. With the Claim of
22 Exemption, the Bayuk Trust clarifies that that there is, and has been, only one trust with the name
23 "the Edward William Bayuk Living Trust" and that is the Bayuk Trust.

24 4. The Bayuk Trust does not meet the requirements for enforcement as a Nevada
25 spendthrift trust under NRS 166.015 because Bayuk is the settlor and beneficiary during his
26 lifetime of the Bayuk Trust, and neither Bayuk nor his co-trustee Paul Morabito are domiciles of
27 Nevada. NRS 166.015(2). As established in the Judgment, Bayuk and Paul Morabito moved to
28 California in September 2010.

5. Contrary to assertions by Bayuk, there was no credible evidence presented that the Bayuk Trust owns a burial plot in Nevada; but, even if such fact were established, the ownership of a burial plot in Nevada is insufficient to invoke the protections of NRS Chapter 166.

6. Even if the claims asserted against the Bayuk Trust were subject to the time periods under NRS 166.170, they were timely because the fraudulent transfer claim was brought (1) within two years after the fraudulent transfers were made and (2) also within six months of discovery of, or when Plaintiff reasonably should have discovered, the existence of the purported spendthrift trust. The subject fraudulent transfers occurred in September 2010 and thereafter. The Bayuk Trust executed a tolling agreement on November 30, 2011 to toll any statute of limitations applicable to the fraudulent transfer of property to the Bayuk Trust, which tolling agreement tolled the time period to file until June 18, 2013 and the Complaint was filed in December 2013. The purported nature of the Bayuk Trust as a spendthrift trust subject to NRS 166.170 was not disclosed until the Claim of Exemption. Moreover, any defenses based on NRS 166.170 have been waived as a result of the failure of Bayuk or the Bayuk Trust to raise such defenses prior to the Claim of Exemption.

Based upon review of the entire file, the foregoing, and good cause appearing:

IT IS HEREBY ORDERED that the June 28, 2019 Claim of Exemption filed by Edward Bayuk, individually and as trustee of the Edward William Bayuk Living Trust is DENIED.

IT IS HEREBY FURTHER ORDERED that the July 3, 2019 Third Party Claim to Property Levied Upon [NRS 31.070] filed by the Bayuk Trust is DENIED.

Dated this 9 day of August, 2019.

Connie J. Steinheimer
DISTRICT JUDGE

CERTIFICATE OF SERVICE

CASE NO. CV13-02663

I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT of the STATE OF NEVADA, COUNTY OF WASHOE; that on the 9 day of August, 2019, I filed the **ORDER DENYING CLAIM OF EXEMPTION AND THIRD PARTY CLAIM** with the Clerk of the Court.

I further certify that I transmitted a true and correct copy of the foregoing document by the method(s) noted below:

 Personal delivery to the following: [NONE]

 f **Electronically filed with the Clerk of the Court, using the eFlex system which constitutes effective service for all eFiled documents pursuant to the eFile User Agreement.**

ERIKA TURNER, ESQ. for WILLIAM A. LEONARD, JR, TRSTEE OF ESTATE OF PAUL A. MORABITO

MICAH ECHOLS, ESQ. for EDWARD WILLIAM BAYUK LIVING TRUST et al

JEFFREY HARTMAN, ESQ. for EDWARD WILLIAM BAYUK LIVING TRUST, EDWARD BAYUK

MARK WEISENMILLER, ESQ. for WILLIAM A. LEONARD, JR, TRSTEE OF ESTATE OF PAUL A. MORABITO

FRANK GILMORE, ESQ. for SNOWSHOE PETROLEUM, INC., SALVATORE R. MORABITO, SUPERPUMPER, INC.

MICHAEL LEHNERS, ESQ. for SALVATORE R. MORABITO

TERESA PILATOWICZ, ESQ. for WILLIAM A. LEONARD, JR, TRSTEE OF ESTATE OF PAUL A. MORABITO

GABRIELLE HAMM, ESQ. for WILLIAM A. LEONARD, JR, TRSTEE OF ESTATE OF PAUL A. MORABITO

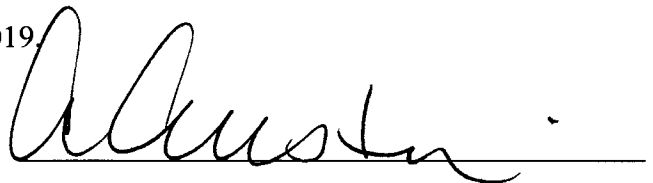
 Transmitted document to the Second Judicial District Court mailing system in a sealed envelope for postage and mailing by Washoe County using the United States Postal Service in Reno, Nevada: [NONE]

 Placed a true copy in a sealed envelope for service via:

 Reno/Carson Messenger Service – [NONE]

 Federal Express or other overnight delivery service [NONE]

DATED this 9 day of August, 2019.



1 GARMAN TURNER GORDON LLP
2 GERALD M. GORDON
3 Nevada Bar No. 229
4 E-mail: ggordon@gtg.legal
5 ERIKA PIKE TURNER
6 Nevada Bar No. 6454
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15 Las Vegas, Nevada 89119
16 Telephone 725-777-3000
17 *Counsel to Plaintiff*

11 **IN THE SECOND JUDICIAL DISTRICT COURT OF**
12 **THE STATE OF NEVADA, IN AND FOR THE COUNTY OF WASHOE**

14 WILLIAM A. LEONARD, Trustee for the
15 Bankruptcy Estate of Paul Anthony
16 Morabito,

16 Plaintiff,

17 vs.

18 SUPERPUMPER, INC., an Arizona
19 corporation; EDWARD BAYUK,
20 individually and as Trustee of the EDWARD
21 WILLIAM BAYUK LIVING TRUST;
22 SALVATORE MORABITO, and individual;
23 and SNOWSHOE PETROLEUM, INC., a
24 New York corporation,

25 Defendants.

CASE NO.: CV13-02663

DEPT. NO.: 4

24 **NOTICE OF ENTRY OF ORDER**

25 PLEASE TAKE NOTICE that an *Order Denying Claim of Exemption*, a copy of which is
26 attached hereto as **Exhibit 1**, was entered in this matter on the 2nd day of August, 2019.

27 ///

28 **AFFIRMATION**

Pursuant to NRS 239B.030

The undersigned does hereby affirm that the preceding document does not contain the social security number of any person.

Dated this 12th day of August, 2019.

GARMAN TURNER GORDON LLP

By: /s/ Teresa M. Pilatowicz, Esq.

GERALD M. GORDON

Nevada Bar No. 229

ERIKA PIKE TURNER

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Counsel to Plaintiff

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INDEX OF EXHIBITS

Exhibit	Description	Pages¹
1	Order Denying Claim of Exemption	3

¹ Exhibit pagination includes exhibit slip sheets.

1 **CERTIFICATE OF SERVICE**

2 I certify that I am an employee of GARMAN TURNER GORDON LLP, and that on this
3 date, pursuant to NRCP 5(b), I am serving a true and correct copy of the foregoing **NOTICE OF**
4 **ENTRY OF ORDER** on the parties as set forth below:

5 _____ Placing an original or true copy thereof in a sealed envelope placed for collection and
6 mailing in the United States Mail, Reno, Nevada, postage prepaid, following
7 ordinary business practices addressed as follows:

8 _____ Certified Mail, Return Receipt Requested

9 _____ Via Facsimile (Fax)

10 _____ Via E-Mail

11 _____ Placing an original or true copy thereof in a sealed envelope and causing the same
12 to be personally Hand Delivered

12 _____ Federal Express (or other overnight delivery)

13 X By using the Court's CM/ECF Electronic Notification System addressed to:

14 Michael Lehnars, Esq.
15 E-mail: mcl3303@aol.com

16 Jeffrey L. Hartman, Esq.
17 E-mail: jlh@bankruptcyreno.com

18 Dated this 12th day of August, 2019.

19
20 /s/ Dekova Huckaby
21 An Employee of
22 GARMAN TURNER
23 GORDON LLP
24
25
26
27
28

Exhibit 1

2840

IN THE SECOND JUDICIAL DISTRICT COURT OF
THE STATE OF NEVADA, IN AND FOR THE COUNTY OF WASHOE

WILLIAM A. LEONARD, Trustee for the
Bankruptcy Estate of Paul Anthony
Morabito,

CASE NO.: CV13-02663

DEPT. NO.: 4

Plaintiff,

vs.

SUPERPUMPER, INC., an Arizona
corporation; EDWARD BAYUK,
individually and as Trustee of the EDWARD
WILLIAM BAYUK LIVING TRUST;
SALVATORE MORABITO, and individual;
and SNOWSHOE PETROLEUM, INC., a
New York corporation,

Defendants.

ORDER DENYING CLAIM OF EXEMPTION

Before the Court is the *Notice of Claim of Exemption from Execution* (the "Claim of Exemption") filed on July 2, 2019 by Defendant Salvatore Morabito ("Morabito"). The Claim of Exemption is supported by the *Declaration of Salvatore Morabito Claiming Exemption from Execution* (the "Morabito Declaration"), also filed on July 2, 2019. *Plaintiff's Objection to Notice of Claim of Exemption from Execution Filed by Salvatore Morabito and Request for Hearing* (the "Objection") was filed on July 16, 2019, and *Morabito's Reply to Plaintiff's Objection to Notice of Claim of Exemption from Execution* (the "Reply") was filed on July 18, 2019.

The Court held a hearing on the Claim of Exemption on July 22, 2019. Morabito appeared by and through counsel, Michael Lehnars. Plaintiff appeared by and through counsel, Erika Pike Turner, Gerald M. Gordon and Teresa Pilatowicz of the law firm of Garman Turner Gordon LLP.

1 The Court has reviewed and considered the arguments made in the Claim of Exemption,
2 the Objection, and the Reply, the papers and pleadings on file with the Court in this action, the
3 testimony and exhibits admitted during the trial, the Court's Findings of Fact, Conclusions of Law,
4 and Judgment, entered on March 29, 2019 (the "Judgment"), and the arguments of counsel made
5 at the hearing. The Court is persuaded by the argument and authorities in Plaintiff's Objection and
6 the arguments of Plaintiff's counsel at the hearing, along with the pleadings and papers on file, the
7 trial record, and the findings and conclusions set forth in the Judgment. As such, the Court finds
8 that Sam Morabito failed to meet his burden to show that there are assets in Nevada subject to
9 exemption from execution.

10 Based on the foregoing, and good cause appearing:

11 IT IS HEREBY ORDERED that the Claim of Exemption filed by Salvatore Morabito is
12 denied.

13 Dated this 2 day of August, 2019.

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15 Connie J. Steinheimer
16 DISTRICT JUDGE
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2840

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

WILLIAM A. LEONARD, Trustee for the
Bankruptcy Estate of Paul Anthony
Morabito,

CASE NO.: CV13-02663

DEPT. NO.: 4

Plaintiff,

vs.

SUPERPUMPER, INC., an Arizona
corporation; EDWARD BAYUK,
individually and as Trustee of the EDWARD
WILLIAM BAYUK LIVING TRUST;
SALVATORE MORABITO, and individual;
and SNOWSHOE PETROLEUM, INC., a
New York corporation,

Defendants.

**ORDER DENYING DEFENDANTS' MOTION TO MAKE AMENDED OR
ADDITIONAL FINDINGS UNDER NRCP 52(B), OR, IN THE ALTERNATIVE,
MOTION FOR RECONSIDERATION AND DENYING PLAINTIFF'S
COUNTERMOTION FOR FEES AND COSTS PURSUANT TO NRS 7.085**

On November 26, 2018, the Court concluded the nine day Non-Jury Trial and took the matter under advisement.

On January 30, 2019, Plaintiff William A. Leonard. Leonard, Trustee of the Bankruptcy Estate of Paul Anthony Morabito (hereinafter "Leonard"), by and through his attorney, Erika Pike Turner, Esq. Teresa M. Pilatowicz, Esq. and Gabrielle A. Hamm, Esq. of Garman Turner Gordan LLP, filed *Plaintiff's Motion to Reopen Evidence*. Also, on January 30, 2019, Leonard filed an *Errata to Plaintiff's Motion to Reopen Evidence*, and an *Ex Parte Motion for Order Shortening Time on Plaintiff's Motion to Reopen Evidence and for Expedited Hearing*. On February 4, 2019, the Court entered an *Order Shortening Time on Plaintiff's Motion to Reopen Evidence and Setting*

1 *Expedited Hearing* wherein the Court set forth the shortened briefing deadlines and scheduled a
2 hearing on the motion to reopen evidence for February 8, 2019. Also, on February 4, 2019,
3 Leonard filed a *Supplement to Plaintiff's Motion to Reopen Evidence*.

4 On February 6, 2019, Defendants Superpumper, Inc., Edward Bayuk, individually and as
5 Trustee of the Edward William Bayuk Living Trust, Salvatore Morabito and Snowshoe Petroleum,
6 Inc. (hereinafter collectively "Superpumper Defendants"), by and through their attorney, Frank C.
7 Gilmore, Esq. of Robison, Sharp, Sullivan & Brust, filed *Defendants' Response to Motion to*
8 *Reopen Evidence*.

9 On February 7, 2019, Leonard filed *Plaintiff's Reply to Defendants' Response to Motion*
10 *to Reopen Evidence*.

11 On February 8, 2019, Erika Turner, Esq. appeared on behalf of Leonard, and Frank
12 Gilmore, Esq. appeared on behalf of the Superpumper Defendants at the scheduled hearing on
13 Leonard's Motion to Reopen Evidence. After hearing the arguments of the parties, the Court
14 granted Leonard's motion to reopen evidence and set an ongoing non-jury trial wherein the
15 Superpumper Defendants would have the opportunity to present rebuttal evidence for March 1,
16 2019.

17 On February 28, 2019, an *Amended Stipulation to Vacate March 1, 2019 Hearing* was filed
18 wherein the Superpumper Defendants waived any rebuttal to the evidence admitted at the February
19 8, 2019 hearing, Trial Exhibits 305, 306, 307, 308 and 309, and the parties stipulated to vacating
20 the March 1, 2019 ongoing non-jury trial. Thereafter, on February 28, 2019, the Court entered an
21 *Order Granting Amended Stipulation to Vacate March 1, 2019 Hearing*.

22 On March 6, 2019, Leonard filed *[Plaintiff's Proposed] Findings of Fact, Conclusions of*
23 *Law, and Judgment*. On March 8, 2019, the Superpumper Defendants filed *[Defendants' Proposed*
24 *Amended] Findings of Fact, Conclusions of Law and Judgment*.

25 On March 29, 2019, the Court entered its *Findings of Fact, Conclusions of Law and*
26 *Judgment*. Also, on March 29, 2019, Leonard filed a *Notice of Entry of Findings of Fact,*
27 *Conclusions of Law and Judgment*.

1 On April 11, 2019, Leonard filed *Plaintiff's Memorandum of Costs and Disbursements*.
2 On April 12, 2019, Leonard filed an *Application for Attorneys' Fees and Costs Pursuant to NRCP*
3 *68*. On May 15, 2019, the Superpumper Defendants filed a *Motion to Retax Costs*. On April 17,
4 2019, *Plaintiff's Opposition to Motion to Retax Costs* was filed. On April 22, 2019, the
5 Superpumper Defendants filed their *Reply in Support of Motion to Retax Costs*. On April 25, 2019,
6 the Superpumper Defendants filed their *Opposition to Application for Attorneys' Fees and Costs*.

7 On April 25, 2019, Jeffrey L. Hartman, Esq. and the law firm of Hartman & Hartman,
8 substituted in the place and stead of Frank Gilmore, Esq. and Robison, Sharp, Sullivan & Brust,
9 as attorney of record for Defendant Edward Bayuk, individually and as Trustee of the Edward
10 William Bayuk Living Trust (hereinafter "Bayuk")

11 Also, on April 25, 2019, Defendants Salvatore Morabito, Snowshoe Petroleum, Inc. and
12 Superpumper, Inc. (hereinafter the "Morabito Defendants") filed a *Motion for New Trial and/or to*
13 *Alter or Amend Judgment Pursuant to NRCP 52, 59 and 60*. On April 26, 2019, Bayuk filed a
14 *Motion for New Trial and/or to Alter or Amend Judgment*.

15 On April 30, 2019, *Plaintiff's Reply in Support of Application for Attorneys' Fees and*
16 *Costs Pursuant to NRCP 68* was filed. On May 1, 2019, Leonard submitted his Application for
17 Attorneys' Fees and Costs Pursuant to NRCP 68 and the Superpumper Defendants' Motion to
18 Retax Costs for the Court's consideration.

19 On May 7, 2019, *Plaintiff's Opposition to Defendants' Motions for New Trial and/or to*
20 *Alter or Amend Judgment* was filed. On May 14, 2019, the Morabito Defendants filed *Defendants'*
21 *Reply in Support of Motion for New Trial and/or to Alter or Amend Judgment Pursuant to NRCP*
22 *52, 59 and 60*, and submitted the motion for the Court's consideration. After the time to file a
23 reply had expired, Leonard submitted Defendant Bayuk's Motion for New Trial and/or to Alter or
24 Amend Judgment for the Court's consideration on May 21, 2019.

25 On June 24, 2019, the Court held a telephonic hearing on its decision concerning the
26 submitted motions of Leonard's application for attorneys' fees and costs, the motion to retax costs
27 and the Morabito Defendants' and Bayuk's motions for new trial and/or alter or amend judgment
28 wherein Erika Turner, Esq., Teresa Pilatowicz, Esq. and Gabrielle Hamm, Esq. appeared on behalf

1 of Leonard, Jeffrey Hartman, Esq. appeared on behalf of Bayuk, and Frank Gilmore, Esq. appeared
2 on behalf of the Morabito Defendants.

3 At the hearing, the Court stated that it was persuaded by a majority of the arguments of
4 Leonard; therefore, it was granting in part and denying in part the Motion to Retax Costs. As a
5 result, the Court found that reasonable costs were incurred in the amount of \$152,856.84. As to
6 Leonard's motion for attorneys' fees and costs, the Court found that Bayuk and the Morabito
7 Defendants' rejection of the offer of judgment was unreasonable, and ordered costs incurred from
8 June 1, 2016 which were reduced by the decision in the motion to retax costs, and that Bayuk and
9 the Morabito Defendants were to pay Leonard's attorneys' fees in the amount of \$773,116.00, less
10 \$8,128.87 for sanctions previously paid.

11 Next, the Court turned its attention to Bayuk and the Morabito Defendants' motions for
12 new trial and/or to amend or alter judgment. Having reviewed all the pleadings filed related to the
13 motions, the entire file, and presided over the trial, the Court found it was persuaded by a majority
14 of the arguments of Leonard, and found that there were no clerical mistakes, oversights or newly
15 discovered evidence or any other reason to justify relief from the judgment pursuant to NRCP 60,
16 that NRCP 52 does not support modification of the judgment as written, and that there were no
17 irregularities that denied Bayuk and the Morabito Defendants a fair trial nor error in law over
18 defendants' objections that would justify a new trial and/or altering the judgment pursuant to
19 NRCP 59, and that in light of the evidence supporting the Court's finding regarding multiple
20 badges of fraud and lack of good faith by Bayuk and the Morabito Defendants, they could not
21 demonstrate that any error materially affected their substantial rights or affected the outcome of
22 the trial. As such, the Court denied Bayuk's and the Morabito Defendants' Motions for New Trial
23 and/or Alter or Amend Judgment Pursuant to NRCP 52, 59 and 60.

24 On July 2, 2019, Salvatore Morabito filed a *Notice of Claim of Exemption from Execution*
25 and a *Declaration of Salvatore Morabito Claiming Exemption from Execution*. On July 3, 2019,
26 Edward Bayuk filed a *Third-Party Claim to Property Levied Upon NRS 31, 070*.

27 On July 10, 2019, the written *Order Denying Defendants' Motions for New Trial and/or to*
28 *Alter or Amend Judgment* was entered. Also, on July 10, 2019, the written *Order Granting in Part*

1 *and Denying in Part Motion to Retax Costs and the written Order Granting Plaintiff's Application*
2 *for an Award of Attorneys' Fees and Costs Pursuant to NRCP 68* were entered.

3 On July 11, 2019, Leonard filed *Plaintiff's Objection to (1) Claim of Exemption from*
4 *Execution and (2) Third Party Claim to Property Levied Upon, and Request for Hearing Pursuant*
5 *to NRS 21.112 and 31.070(5).*

6 On July 16, 2019, Leonard filed a *Notice of Hearing on Plaintiff's Objection to (1) Claim*
7 *of Exemption from Execution and (2) Third Party Claim to Property Levied Upon, and Request*
8 *for Hearing Pursuant to NRS 21.112 and 31.070(5)* wherein the hearing on the claims of
9 exemption was scheduled for July 22, 2019. Also, on July 16, 2019, *Plaintiff's Objection to Notice*
10 *of Claim of Exemption from Execution filed by Salvatore Morabito and Request for Hearing* was
11 filed. Additionally, on July 16, 2019, Leonard filed notices of entry of orders concerning the Order
12 Denying Defendants' Motion for New Trial and/or Alter or Amend Judgment, Order Granting in
13 Part and Denying in Part Motion to Retax Costs, and the Order Granting Plaintiff's Application
14 for an Award of Attorneys' Fees and Costs Pursuant to NRCP 68.

15 On July 17, 2019, Bayuk filed his *Reply to Objection to Claim of Exemption and Third-*
16 *Party Claim to Property Levied Upon.*

17 On July 18, 2019, Michael Lehnern, Esq. filed a *Notice of Appearance* as attorney of record
18 on behalf of Salvatore Morabito, and associating as co-counsel for Bayuk. Also, on July 18, 2019,
19 Salvatore Morabito filed his *Reply to Plaintiff's Objection to Notice of Claim from Exemption from*
20 *Execution.* Also, on July 18, 2019, Leonard filed a *Notice of Hearing on Plaintiff's Objection to*
21 *Notice of Claim of Execution Filed by Salvatore Morabito* was filed setting the hearing on
22 Salvatore Morabito's claims of exemption for July 22, 2019.

23 On July 22, 2019, Erika Turner, Esq. and Teresa Pilatowicz, Esq. appeared on behalf of
24 Leonard, Jeffrey Hartman, Esq. appeared with Defendant Edward Bayuk, and Michael Lehnern,
25 Esq. appeared as co-counsel on behalf of Edward Bayuk, and counsel for Salvatore Morabito at
26 the scheduled hearing on the objections to claims of exemption. After hearing argument of the
27 parties, the Court found that there were not sufficient factors in the case to create trust protections.
28 Neither a trustee or beneficiary of the Edward William Bayuk Living Trust live in the State of

1 Nevada, the Court does have the necessary jurisdiction to rule in the case, and the objection was
2 waived by the Defendants as it was not raised during the course of the trial. As such, the Court
3 denied the claims of exemption. Additionally, the Court heard argument on Mr. Lehner's oral
4 motion for stay of proceedings pending appeal, and a motion for leave to supplement record as to
5 the burial plot. After hearing argument of the parties, the Court denied the request to supplement
6 the record with testimony of Edward Bayuk regarding the burial plot, and denied the motion to
7 stay proceedings with leave to renew once written decision is entered regarding the request for
8 exemption. Finally, the Court rendered its oral decision denying Edward William Bayuk Living
9 Trust's third-party claim.

10 On August 5, 2019, Micah S. Echols, Esq. and Kathleen A. Wilde, Esq. of Marquis
11 Aurbach Coffing filed a *Notice of Appearance* as attorney of record on behalf of Defendants
12 Superpumper, Inc., Bayuk, Salvatore Morabito and Snowshoe Petroleum, Inc. Additionally, on
13 August 5, 2019, Defendants Superpumper, Inc., Edward Bayuk, Salvatore Morabito and Snowshoe
14 Petroleum, Inc., by and through the law firm of Marquis Aurbach Coffing, filed a *Notice of Appeal*
15 concerning the Findings of Fact, Conclusions of Law, and Judgment filed March 29, 2019, the
16 Order Denying Defendants' Motion for New Trial and/or to Alter or Amend Judgment filed July
17 10, 2019, the Order Granting in Part and Denying in Part Motion to Retax Costs, filed July 10,
18 2019, and the Order Granting Plaintiff's Application for an Award of Attorneys' Fees and Costs
19 Pursuant to NRCP 68 filed July 10, 2019.

20 Also, on August 5, 2019, Bayuk, by and through Jeffrey Hartman, Esq. and Michael
21 Lehner, Esq. filed a *Notice of Appeal* of eight orders entered in the instant matter from August 17,
22 2014 to July 20, 2019.

23 On August 19, 2019, Bayuk and the Superpumper Defendants filed a *Motion to Amended*
24 *or Additional Findings Under NRCP 52(b), or, in the Alternative, Motion for Reconsideration.*

25 On August 30, 2019, Bayuk and the Superpumper Defendants filed an *Errata to Motion to*
26 *Make Amended or Additional Findings under NRCP 52(b), or in the Alternative, Motion for*
27 *Reconsideration.* On August 30, 2019, Leonard filed *Plaintiff's Opposition to Motion to Make*
28 *Amended or Additional Findings Under NRCP 52(b), or in the Alternative, Motion for*

1 *Reconsideration, and Countermotion for Fees and Costs Pursuant to NRS 7.085.* Thereafter, also
2 on August 30, 2019, Leonard filed an *Errata to Plaintiff's Opposition to Motion to Make Amended*
3 *or Additional Findings Under NRCP 52(b), or, in the Alternative, Motion for Reconsideration and*
4 *Countermotion for Fees and Costs Pursuant to NRS 7.085.*

5 On September 4, 2019, Bayuk and the Superpumper Defendants filed their *Reply in*
6 *Support of Motion to Amended or Additional Findings Under NRCP 52(b), or, in the Alternative,*
7 *Motion for Reconsideration and Opposition to Countermotion for Fees and Costs,* and submitted
8 their motion for the Court's consideration.

9 The Court has considered the pleadings noted above, in addition to all exhibits, papers and
10 pleadings on file in the case; the record of the trial including trial transcripts and exhibits, the
11 Court's Findings of Fact, Conclusion of Law and Judgment dated March 29, 2019, and the record
12 of the July 22, 2019 hearing.

13 Based upon the above, the Court finds no basis in law or fact to support amending or
14 supplementing the Court's previously entered orders or findings.

15 Good cause appearing,

16 IT IS HEREBY ORDERED that Defendants' Motion to Make Amended or Additional
17 Findings Under NRCP 52(b), or, in the Alternative, Motion for Reconsideration is DENIED.

18 IT IS HEREBY FURTHER ORDERED that Plaintiff's Countermotion for Fees and Costs
19 Pursuant to NRS 7.085 is DENIED.

20 Dated this 8 day of November, 2019.

21
22 Connie J. Steinheimer
23 DISTRICT JUDGE
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CERTIFICATE OF SERVICE

CASE NO. CV13-02663

I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT of the STATE OF NEVADA, COUNTY OF WASHOE; that on the 8 day of November, 2019, I filed the **ORDER DENYING DEFENDANTS' MOTION TO MAKE AMENDED OR ADDITIONAL FINDINGS UNDER NRCP 52(B), OR, IN THE ALTERNATIVE, MOTION FOR RECONSIDERATION AND DENYING PLAINTIFF'S COUNTERMOTION FOR FEES AND COSTS PURSUANT TO NRS 7.085** with the Clerk of the Court.

I FURTHER CERTIFY THAT I TRANSMITTED A TRUE AND CORRECT COPY OF THE FOREGOING DOCUMENT BY THE METHOD(S) NOTED BELOW:

 PERSONAL DELIVERY TO THE FOLLOWING: [NONE]

 ELECTRONICALLY FILED WITH THE CLERK OF THE COURT, USING THE EFLEX SYSTEM WHICH CONSTITUTES EFFECTIVE SERVICE FOR ALL EFILED DOCUMENTS PURSUANT TO THE EFILE USER AGREEMENT.

GABRIELLE HAMM, ESQ. FOR WILLIAM A. LEONARD, JR, TRSTEE OF ESTATE OF PAUL A. MORABITO

JEFFREY HARTMAN, ESQ. FOR EDWARD WILLIAM BAYUK LIVING TRUST, EDWARD BAYUK

TERESA PILATOWICZ, ESQ. FOR WILLIAM A. LEONARD, JR, TRSTEE OF ESTATE OF PAUL A. MORABITO

TOM STEWART, ESQ. FOR EDWARD WILLIAM BAYUK LIVING TRUST ET AL

ERIKA TURNER, ESQ. FOR WILLIAM A. LEONARD, JR, TRSTEE OF ESTATE OF PAUL A. MORABITO

MARK WEISENMILLER, ESQ. FOR WILLIAM A. LEONARD, JR, TRSTEE OF ESTATE OF PAUL A. MORABITO

KATHLEEN WILDE, ESQ. FOR EDWARD WILLIAM BAYUK LIVING TRUST ET AL

MICHAEL LEHNERS, ESQ. FOR SALVATORE R. MORABITO

MICAH ECHOLS, ESQ. FOR EDWARD WILLIAM BAYUK LIVING TRUST ET AL

FRANK GILMORE, ESQ. FOR SALVATORE R. MORABITO, SUPERPUMPER, INC., SNOWSHOE PETROLEUM, INC.

1 **TRANSMITTED DOCUMENT TO THE SECOND JUDICIAL DISTRICT COURT**
2 **MAILING SYSTEM IN A SEALED ENVELOPE FOR POSTAGE AND MAILING BY**
3 **WASHOE COUNTY USING THE UNITED STATES POSTAL SERVICE IN RENO,**
4 **NEVADA: [NONE]**

5 **_____ PLACED A TRUE COPY IN A SEALED ENVELOPE FOR SERVICE VIA:**

6 _____ Reno/Carson Messenger Service – [NONE]

7 _____ Federal Express or other overnight delivery service [NONE]

8 DATED this 8 day of November, 2019.

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DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

05/14/15

HONORABLE
JANET J. BERRY
DEPT. NO. 1
M. Schuck
(Clerk)
C. Hummel
(Reporter)

PRE-TRIAL CONFERENCE

Plaintiff, JH Inc., without a representative present and represented by Brian Irvine, Esq.
Plaintiff, Berry Hinckley Industries, without a representative present and represented by Brian Irvine, Esq.
Plaintiff, Jerry Herbst, not present and represented by Brian Irvine, Esq.
Defendant, Paul Morabito, not present and represented by Barry Breslow, Esq.
Defendant, Arcadia Living Trust, without a representative present and represented by Barry Breslow.
Defendant, Superpumper, Inc., without a representative present and represented by Barry Breslow.
Defendant, Edward Bayuk, not present and represented by Barry Breslow.
Defendant, Edward William Bayuk Living Trust, without a representative present and represented by Barry Breslow.
Defendant, Snowshoe Petroleum, without a representative present and represented by Barry Breslow.
Defendant, Salvatore Morabito, not present and represented by Barry Breslow.
Court convened at 1:55 p.m.
Court referenced the recently filed status report in the matter. She noted a trustee needed to be brought into the matter and a request for continuance of trial. She addressed the case history and noted John Mertha, Esq. was present in the courtroom behind the bar. She addressed Counsel Irvine's concerns and requests and noted Counsel Breslow opposed a continuance of trial.
Counsel Breslow referenced a judgment that was against Defendant Morabito, addressed the amended complaint to be filed, the material allegations and noted there were no conflicts and appropriate waivers had been signed by his clients.
Counsel Irvine noted some causes of actions would not be included in the amended complaint.
Counsel Breslow addressed 16.1 disclosures and addressed his concern regarding the status report that was recently filed.
Court noted she received the status report at approximately 12:00 p.m. and further sated Counsel Breslow could filed a motion to strike.
Counsel Breslow indicated his clients wanted their day in court and opposed a continuance.
Court noted if Counsel could not stipulate to a continuance, they could file any motions they deemed appropriate in order to move the process along.

7/16/15 at
1:30 p.m. for
Pre-trial Conf.

8/03/15 at
9:30 a.m. for
Non-Jury Trial
(10 Jud. Days)

Counsel Breslow address discovery deadlines, noted discovery closed on June 16, 2015 and the expert deadline had expired.

Counsel agreed trial would be ten days in length.

Court questioned the possibility of settlement; Counsel Irvine noted he was not against settlement, but believed it would not be fruitful, since they had been pursuing funds since 2010.

Counsel Breslow indicated they could take another look at a settlement conference.

COURT ORDERED: Counsel to speak with their representatives and inform them a motion to continue is pending, but won't be decided until all is submitted. She further directed Counsel to call Department One chambers once submitted.

Counsel Irvine questioned if it could be expedited because he felt settlement would be more appropriate with the trustee in place.

Counsel Breslow addressed the trustee issue and the collection action.

COURT ORDERED: Pre-trial conference set.

Matter concluded at 2:22 p.m.

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

06/03/15
HONORABLE
JANET J. BERRY
DEPT. NO. 1
M. Schuck
(Clerk)
E. Ferretto
(Reporter)

HEARING RE: EXPARTE MTN FOR ORDER SHORTENING TIME

Plaintiff, William A. Leonard, present and represented by Teresa Pilatowicz, Esq.
Defendant, Superpumper Inc., present and represented by Barry Breslow, Esq.
Defendant, Edward Bayuk, not present and represented by Barry Breslow, Esq.
Defendant, Edward Bayuk Living Trust, without a representative present and represented by Barry Breslow, Esq.
Defendant, Snowshoe Petroleum, Inc., without a representative present and represented by Barry Breslow, Esq.
Defendant, Salvatore Morabito, not present and represented by Barry Breslow, Esq.
Court convened at 11:25 a.m.
Court addressed the pending motion to continue trial.
Counsel Pilatowicz noted the only plaintiff left in the matter was William A. Leonard, Trustee. She noted he was appointed on May 15, 2015, addressed the motion to continue trial and referenced the discovery cutoff date of June 18, 2015.
Court understood Counsel Breslow requested the hearing and he opposed any continuance in the matter.
Counsel Breslow noted that was correct and determined the best way to deal with the situation was to have a hearing. He indicated he was not prepared to argue the motion to continue and only needed a briefing schedule. He argued against the ex-parte motion to shorten time.
Counsel Pilatowicz argued in favor of her motions.
Court believed the hearing was to hear argument regarding motion to continue.
Counsel Breslow explained his view on the situation and further argued against the ex-parte motion to shorten time.
COURT granted Plaintiff's Motion to Shorten Time, Court will prepare an order. She gave the following briefing schedule:

8/03/15 at
9:30 a.m. for
Non-Jury Trl
(10 Jud. Days)

Opposition to be filed by 4:00 p.m. on June 8, 2015
Reply to be filed by 4:00 p.m. on June 10, 2015

Court further directed Counsel to deliver hard copies of their motions to Department One chambers by due dates.
Matter concluded at 11:41 a.m.

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

CONTINUED TO

02/24/16

HONORABLE

JANET J. BERRY

DEPT. NO. 1

M. Schuck

(Clerk)

E. Ferretto

(Reporter)

Deputy Manor

(Bailiff)

PRE-TRIAL CONFERENCE

Plaintiff, William Leonard, Jr., present and represented by Gabrielle Hamm, Esq. and Teresa Pilatowicz, Esq.

Defendant, Superpumer, without a representative present and represented by Barry Breslow, Esq. and Frank Gilmore, Esq.

Defendant Edward Bayuk, not present and Barry Breslow, Esq. and Frank Gilmore, Esq.

Defendant, Edward William Bayuk Living Trust, without a representative present and represented by Barry Breslow, Esq. and Frank Gilmore, Esq.

Defendant, Snowshoe Petroleum, Inc., without a representative present and represented by Barry Breslow, Esq. and Frank Gilmore, Esq.

Defendant, Salvatore Morabito, not present and represented by Barry Breslow, Esq. and Frank Gilmore, Esq.

John Murtha, Esq. was present behind the bar.

JH, Inc., Jerry Herbst, Berry-Hinckley Industries, Paul Morabito and Arcadia Living Trust were substituted as per stipulation and order filed on May 15, 2015.

Court convened at 1:45 p.m.

Counsel Pilatowicz indicated the parties were working through discovery, referenced the March 31, 2016 deadline for depositions, noted depositions were scheduled. She noted the parties had discussed trial length and further noted defense counsel had a different view on the trial length. She suggested new dates be discussed. She addressed issues with depositions for Mr.

Bernstein and witness deposition that was completed five years ago. Plaintiffs believe a new deposition was necessary as to Daryl Noble. She referenced disclosure of tax and noted there were approximately eight to nine depositions.

Counsel Gilmore noted there were approximately ten depositions and believed Mr. Bernstein's deposition would be at least one day. Counsel Pilatowicz discussed testimony via depositions and referenced the pretrial order deadlines.

Court addressed and explained the submission process to be followed by counsel. She noted any discovery dispute would be handled by the discovery commissioner. She noted trial statements were to include causes of action, articulation the witnesses, case authority and the elements.

Court referenced the pending trial setting.

6/06/16 at
9:30 a.m. for
Bench Trial
(3 weeks)

She directed Counsel to meet and confer and designate on how they wanted to interpose objections accompanied with legal basis as to the video depositions. She addressed trial logistics.

Counsel Gilmore addressed case history as to Mr. Stanton Bernstein and questioned as to why he was the last witness to be deposed, he further addressed discovery issues pending with Commissioner Ayres.

Court noted she would take issue with Counsel regarding Mr. Bernstein.

Counsel Gilmore indicated they would have approximately 15 live witnesses and 4 depositions would be read from the stand. He was concerned there would be more witnesses than time.

Court indicated trial could commence on June 6, 2016.

Counsel Breslow requested trial commence on June 8, 2016 due to a prior engagement.

COURT ORDERED: Trial reset to June 06, 2016 at 9:30 a.m. and noted Counsel Breslow could be excused for the first two days as Counsel Gilmore could handle the pretrial motions and any other pending issues that would be taken up during the first two days of trial. Court indicated she would conduct a criminal calendar only on Tuesday of said week, so the rest of the week would be dedicated to the trial.

Counsel Gilmore addressed appraisals and valuations.

Court questioned if briefing would be necessary; Counsel

Pilatowicz explained Plaintiff's position and addressed privacy.

Counsel Hamm addressed the issue with the files following the many different attorneys that were previously on the matter.

Counsel Pilatowicz continued to explain her position.

Counsel noted Mr. Bernstein was a critical witness, she directed Counsel to contact his attorney, indicated the Court wanted to review his deposition and directed all Counsel to meet and confer prior to leaving the courtroom with their calendars. She suggested Counsel offer to move up the deposition and not back. Further suggested Counsel cross check their files and indicated if matters needed attention Counsel could do a setting form.

Court and Counsel discussed a settlement conference.

COURT ORDERED: Final pre-trial conference set for week of April 11, 2016. Counsel to set with Court's Judicial Assistant. Further Counsel to discuss setting a settlement conference in April or first part of May.

Matter concluded at 3:05 p.m.

CASE NO. CV13-02663
JH, INC. et al. vs. PAUL MORABITO

01/19/2017
DISCOVERY COMMISSIONER
WESLEY AYRES
(Heard for Department 1)
M. Conway (Clerk)
RECORDED - JAVS

HEARING:

01/19/2017: Deposition of Edward Bayuk in re: insurance policies.

APPEARANCES:

Frank C. Gilmore, Esq. was present in Court on behalf of Edward Bayuk.
Teresa M Pilatowicz, Esq. was present in Court on behalf of Plaintiff William A. Leonard,
Trustee for the Bankruptcy Estate of Paul Morabito.

4:58 p.m. - Court convened.

Edward Bayuk was sworn; Counsel Pilatowicz conducted the deposition/examination of
Edward Bayuk.
Frank Gilmore conducted examination of Edward Bayuk.

5:40 p.m. - Court stood in recess.

DATE, JUDGE
OFFICERS OF
COURT PRESENT

APPEARANCES-HEARING

01/19/17

ORDER TO SHOW CAUSE

HONORABLE

JANET J. BERRY

DEPT. NO. 1

M. Schuck

(Clerk)

L. Clarkson

(Reporter)

Deputy Stewart

(Bailiff)

Plaintiff, William Leonard, Jr., Trustee Of Estate Of Paul A. Morabito, not present and represented by Teresa Pilatowicz, Esq. Defendant, Edward Bayuk, present and represented by Frank Gilmore, Esq.

Court convened at 3:49 p.m.

Court referenced her latest order and the Discovery

Commissioner's order.

Counsel Gilmore denied all allegations, explained what happened to Plaintiff's Counsel and also filed a declaration with the Court. He explained his side of the situation.

Court questioned if Defendant Bayuk had been deposed since the order; Counsel Gilmore indicated Counsel Murtha had done so back in October. He believed it was a witch hunt as it related to Mr. Morabito.

Court addressed Commissioner's Ayres' ruling.

Counsel Pilatowicz also addressed said ruling. She indicated it was a limited request following an appropriate ruling. She requested attorney fees for both the Motion to Compel and the Order to Show Cause hearings.

Court was not inclined to grant any notion of spoliation of evidence. She referenced the Plaintiff's pleadings.

Counsel Gilmore referenced depositions regarding the insurance issue and addressed the contempt fine.

Court understood the miscommunication and addressed the situation.

COURT ORDERED: Defendant Bayuk will not be held in contempt, but will be sanctioned attorney's cost and fees as it relates to the Order to Show Cause hearing only. All parties to report to Commissioner Ayres' office to answer motions, and for Defendant Bayuk to be deposed immediately at the conclusion of the instant hearing. Further the Motion to Compel was **denied**. Matter concluded at 4:31 p.m.

6/29/17 at
1:30 p.m. for
PTC

10/09/17 at
9:30 a.m. for
Non-Jury Trial

Subsequent to the hearing Court directed court reporter, Lesly Clarkson to report to Commissioner Ayres' office in order for her to report the hearing taking place in the matter. The Court did not want to rely on JAVS.

CASE NO. CV13-02663

JH, INC. et al. vs. PAUL MORABITO et al.

08/10/2017

DISCOVERY COMMISSIONER

WESLEY AYRES

M. Conway (Clerk)

RECORDED - JAVS

HEARING:

08/10/2017: Motion to Quash Subpoena, or in the Alternative for a Protective Order Precluding Trustee from Seeking Discovery from Hodgson Russ, LLP and Trustee's Countermotion for Sanctions and to Compel Resetting of 30(B)(6) Deposition of Hodgson Russ (HR) LLP.

APPEARANCES:

Teresa Pilatowicz, Esq. was present, telephonically, on behalf of the Plaintiff, William A. Leonard, Trustee of the Bankruptcy Estate of Paul Anthony Morabito.

Frank Gilmore, Esq. was present telephonically, on behalf of the Defendants Snowshoe Petroleum Inc., Superpumper, Inc., Edward Bayuk, individually and as Trustee of the Edward William Bayuk Living Trust and Salvatore Morabito.

Counsel Gilmore addressed the Court and argued in support of Defendant's Motion to Quash Subpoena, or, in the Alternative, for a Protective Order Precluding Trustee from Seeking Discovery from Hodgson Russ LLP. Counsel discussed the Stipulation/Order in which the original discovery deadlines were reset with the parties agreeing to a close of discovery on March 31, 2016, the discussion between counsel regarding a limited extension of the close of discovery, the Vacco documents and deposition, and the redacted billing statements identifying Hodgson Russ LLP. Counsel Gilmore argued in support of the Motion to Quash Subpoena or limiting the scope of the HR deposition to the 16 emails (exhibit 5 of the Motion to Quash).

Counsel Pilatowicz addressed the Court and presented argument in Opposition to the Motion to Quash Subpoena. Counsel Pilatowicz argued that there are factually inaccurate objections as to the scope and timing of the Deposition. Counsel argued that she never agreed to any limitation on the topics for the Deposition of HR and that the Defendants never challenged the HR deposition. Counsel discussed Defendant's objection (based upon the grounds that there is no court order "explicitly waiving the attorney/client privilege with respect to Hodgson Russ' representation of Paul Morabito). Counsel argued that this objection ignores the findings of the Privilege Order, Recommendation for Order and Confirming Order.

Counsel Gilmore responded and further elaborated regarding the mandatory met and confer, further discussed exhibit 5 of the Motion to Quash and indicated that Defendants did not oppose the document subpoena but argued that the deposition and scope of deposition is at issue.

Further argument presented by Counsel Gilmore in support of Motion to Quash Subpoena, or in the Alternative for a Protective Order Precluding Trustee from Seeking Discovery from Hodgson Russ, LLP.

Further argument presented by Counsel Pilatowicz who argued in support of the Countermotion for Sanctions and to Compel Resetting of 30(B)(6) Deposition of Hodgson Russ (HR) LLP.

Court thanked the parties for the arguments presented, advised the parties that it had reviewed all briefs and confirmed the upcoming trial date of October 9, 2017.

COURT ORDERED: Matter taken UNDER ADVISEMENT. Recommendation to follow.

CASE NO. CV13-02663

**TITLE: WILLIAM A. LEONARD, Trustee for the Bankruptcy
Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC.,
EDWARD BAYUK, EDWARD WILIAM BAYUK LIVING TRUST,
SALVATORE MORABITO and SNOWSHOE PETROLEUM, INC.**

**DATE, JUDGE
OFFICERS OF**

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

<p>9/11/18 HONORABLE CONNIE STEINHEIMER DEPT. NO.4 M. Stone (Clerk) Not Reported</p>	<p><u>PRE-TRIAL CONFERENCE</u> Teresa Pilatowicz, Esq., represented the Plaintiff. Frank Gilmore, Esq., represented the Defendants. Respective counsel confirmed the trial date of October 29, 2018 and advised the Court that there would be 10 live witnesses and 6 deposition/video witnesses. Respective counsel believe that the trial will take 10 days. Further, there is an open dialogue amongst counsel regarding the order of witnesses. Court directed counsel to submit Findings of Fact and Conclusions of Law to the Court no later than October 22, 2018, as well as an order of witnesses. Trial Statements are not necessary. Based on the need for 10 days of trial, COURT ENTERED ORDER moving the trial start time to October 29, 2018 at 9:00 a.m. opposed to 10:00 a.m. Court further reviewed the schedule for each day of trial. Should any request be made for technology during trial, the equipment set-up and review must be done at the time of exhibit marking. Court further directed counsel to have a certified copy of all depositions available during the trial for impeachment purposes. Discussion ensued regarding deposition testimony and redactions. COURT ORDERED counsel to designate deposition testimony no later than October 5, 2018 and counter-designate no later than October 12, 2018. Respective counsel are to provide a complete set of the designations to the Court no later than October 19, 2018. Any additional Motions in Limine and/or Motions in Limine regarding Expert Witnesses must be submitted to the Court no later than October 12, 2018. Exhibit marking set. Court adjourned.</p>	<p>10/25/18 1:30 p.m. Exhibit Marking 10/29/18 9:00 a.m. Non-Jury Trial (10 days)</p>
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CASE NO. CV13-02663

**TITLE: WILLIAM A. LEONARD, Trustee for the Bankruptcy
Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC.,
EDWARD BAYUK, EDWARD WILLIAM BAYUK LIVING TRUST,
SALVATORE MORABITO and SNOWSHOE PETROLEUM, INC.**

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10/29/18

NON-JURY TRIAL – DAY ONE

HONORABLE
CONNIE
STEINHEIMER
DEPT. NO.4
M. Stone
(Clerk)
J. Schonlau
(Reporter)

Plaintiff William A. Leonard, Trustee for the Bankruptcy Estate of Paul Anthony Morabito, present with counsel, Teresa Pilatowicz, Esq., Erika Turner, Esq., and Gabrielle Hamm, Esq. Defendant Edward Bayuk present, individually and as representative for Edward William Bayuk Living Trust, Superpumper, Inc., and Snowshoe Petroleum, Inc., and Defendant Salvatore Morabito present, individually and as representative for Superpumper, Inc., and Snowshoe Petroleum, Inc., with counsel, Frank Gilmore, Esq.

9:12 a.m. Court convened.

Appearances made for the record, including Chris Kemper, Esq., counsel for the Herbst Family present in the gallery.

Court noted that respective counsel have provided the Court with a set of stipulated findings of fact in this case. Court directed respective counsel to identify the remaining facts in their originally provided Findings of Fact, Conclusions of Law that remain at dispute after the noon recessed.

Defendant's Motion in Limine by counsel Gilmore; presented argument; objection and argument by counsel Pilatowicz; reply argument by counsel Gilmore. **COURT ENTERED ORDER** denying Motion with leave to renew if testimony supports renewal of such Motion.

Plaintiff's Motion in Limine to Exclude Testimony of Jan Friederich by counsel Pilatowicz; presented argument; objection and argument by counsel Gilmore; reply argument by counsel Pilatowicz. **COURT ENTERED ORDER** holding ruling in abeyance pending testimony of Mr. Friederich. Testimony may not go beyond the testimony presented in his deposition. Should the Plaintiff believe his testimony is going beyond, an objection must be raised. Court further directed respective counsel to provide Mr. Friederich's deposition to the Court for review and utilization during testimony.

Counsel Turner presented opening statement
Counsel Gilmore presented opening statement.

EXHIBITS 1 – 299 previously marked.

EXHIBITS 1 – 3, 8, 20, 25, 28, 38, 39, 42 – 58, 60 – 67, 71 – 73, 80 – 87, 90 – 92, 103 – 106, 108 – 123 125 – 127, 131, 137, 155 – 158, 163, 164, 174, 179 – 194, 196 – 198, 223, 224, 229, 241, 244, 258, 263 and 278 ordered admitted into evidence based on stipulation of respective counsel.

Respective counsel advised the Court that redactions to Exhibits 42, 72, 126,

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SALVATORE MORABITO and SNOWSHOE PETROLEUM, INC.**

**DATE, JUDGE
OFFICERS OF
COURT PRESENT**

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APPEARANCES-HEARING

CONT'D TO

10/29/18 **NON-JURY TRIAL – DAY ONE**

J. Schonlau
(Reporter)

156 and 185 – 189 have been provided to the Clerk.
Respective counsel further stipulated that all testimony will be elicited from each witness at one time so that certain witnesses will not have to be called multiple times.
10:35 p.m. Court recessed.
10:53 p.m. Court reconvened with respective counsel and parties present.

***Deposition of Jan Friederich taken March 29, 2016 opened and published.

Rule of Exclusion invoked by counsel Gilmore.

Timothy Herbst called by counsel Pilatowicz, sworn and testified.

EXHIBIT 5 offered by counsel Pilatowicz; objection by counsel Gilmore; ordered admitted into evidence with caveat should it be deemed irrelevant based on additional testimony.

Witness Herbst further direct examined.

EXHIBIT 6 offered by counsel Pilatowicz; objection by counsel Gilmore; objection overruled and ordered admitted into evidence.

Witness Herbst further direct examined.

EXHIBIT 7 offered by counsel Pilatowicz; limited objection by counsel Gilmore; objection sustained with stipulation of counsel that an involuntary bankruptcy petition was filed by Herbst.

Witness Herbst further direct examined.

EXHIBITS 21, 22 and 23 offered by counsel Pilatowicz; objection by counsel Gilmore; objection overruled and ordered admitted into evidence based on the documents being Orders entered by the Bankruptcy Court and judicial notice can be taken.

Witness Herbst further direct examined.

CASE NO. CV13-02663

**TITLE: WILLIAM A. LEONARD, Trustee for the Bankruptcy
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SALVATORE MORABITO and SNOWSHOE PETROLEUM, INC.**

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COURT PRESENT**

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APPEARANCES-HEARING

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J. Schonlau
(Reporter)

Witness Herbst further direct examined; cross-examined.

EXHIBIT 280 offered by counsel Gilmore; no objection by counsel Pilatowicz;
ordered admitted into evidence.

Witness Herbst further cross-examined.

EXHIBIT 279 offered by counsel Gilmore; objection by counsel Pilatowicz;
objection sustained.

Witness Herbst further cross-examined; redirect examined; recross-examined;
excused.

12:01 p.m. Court recessed until 1:15 p.m.

1:18 p.m. Court reconvened with respective counsel and parties present.

Edward Bayuk called by counsel Turner, sworn and testified.

EXHIBIT 35 offered by counsel Turner; no objection by counsel Gilmore;
ordered admitted into evidence.

Witness Bayuk further examined by counsel Turner.

EXHIBIT 88 offered by counsel Turner; objection by counsel Gilmore; objection
overruled and ordered admitted into evidence.

Witness Bayuk further examined by counsel Turner.

3:04 p.m. Court recessed.

3:25 p.m. Court reconvened with respective counsel and parties present.

EXHIBIT 77 offered by counsel Turner; objection by counsel Gilmore; objection
overruled and ordered admitted into evidence.

Witness Bayuk, heretofore sworn, resumed stand and was further examined by

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SALVATORE MORABITO and SNOWSHOE PETROLEUM, INC.**

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APPEARANCES-HEARING

CONT'D TO

10/29/18

J. Schonlau
(Reporter)

NON-JURY TRIAL – DAY ONE

counsel Turner.

EXHIBIT 79 offered by counsel Turner; objection by counsel Gilmore; objection overruled and ordered admitted into evidence with the caveat that William Leonard establishes its authenticity during his testimony.

Witness Bayuk further examined by counsel Turner.

EXHIBIT 128 offered by counsel Turner; no objection by counsel Gilmore; ordered admitted into evidence.

Witness Bayuk further examined by counsel Turner.

EXHIBIT 136 offered by counsel Turner; objection by counsel Gilmore; objection overruled and ordered admitted into evidence not for the truth of the matter asserted by as to the state of mind at the time.

Witness Bayuk further examined by counsel Turner.

EXHIBIT 144 offered by counsel Turner; objection by counsel Gilmore; objection sustained.

Witness Bayuk further examined by counsel Turner.

EXHIBIT 144 re-offered by counsel Turner; objection by counsel Gilmore; objection overruled and ordered admitted into evidence with the caveat that William Leonard establishes its authenticity during his testimony.

Witness Bayuk further examined by counsel Turner.

Discussion ensued regarding the Court's request of counsel regarding the Stipulated Findings of Facts. **COURT** directed counsel to highlight in color the stipulated portions of each one of their Findings of Facts and Conclusions of Law.

5:25 p.m. Court recessed until 9:45 a.m. on October 30, 2018.

**10/30/18
9:45 a.m.
Ongoing
Non-Jury
Trial – Day
Two**

CASE NO. CV13-02663

**TITLE: WILLIAM A. LEONARD, Trustee for the Bankruptcy
Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC.,
EDWARD BAYUK, EDWARD WILLIAM BAYUK LIVING TRUST,
SALVATORE MORABITO and SNOWSHOE PETROLEUM, INC.**

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CONT'D TO

10/30/18

NON-JURY TRIAL – DAY TWO

HONORABLE
CONNIE
STEINHEIMER
DEPT. NO.4
M. Stone
(Clerk)
J. Schonlau
(Reporter)

Plaintiff William A. Leonard, Trustee for the Bankruptcy Estate of Paul Anthony Morabito, present with counsel, Teresa Pilatowicz, Esq., Erika Turner, Esq., and Gabrielle Hamm, Esq. Defendant Edward Bayuk present, individually and as representative for Edward William Bayuk Living Trust, Superpumper, Inc., and Snowshoe Petroleum, Inc., and Defendant Salvatore Morabito present, individually and as representative for Superpumper, Inc., and Snowshoe Petroleum, Inc., with counsel, Frank Gilmore, Esq. Chris Kemper, Esq., counsel for the Herbst Family also present in the gallery 9:51 a.m. Court convened.

Witness Bayuk, heretofore sworn, resumed stand and was further examined by counsel Turner.

EXHIBIT 129 offered by counsel Turner; objection by counsel Gilmore; objection overruled with leave to exclude upon the Court's further review of the document.

Witness Bayuk further examined by counsel Turner.

***Deposition of Edward Bayuk taken September 28, 2015 opened and published.

Witness Bayuk further examined by counsel Turner.

EXHIBITS 151 offered by counsel Turner; no objection by counsel Gilmore; ordered admitted into evidence.

Witness Bayuk further examined by counsel Turner.

EXHIBITS 143 offered by counsel Turner; no objection by counsel Gilmore; ordered admitted into evidence.

Witness Bayuk further examined by counsel Turner.

EXHIBIT 145 offered by counsel Turner; objection by counsel Gilmore; objection overruled and ordered admitted into evidence.

Witness Bayuk further examined by counsel Turner.

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SALVATORE MORABITO and SNOWSHOE PETROLEUM, INC.**

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J. Schonlau
(Reporter)

EXHIBIT 147 offered by counsel Turner; objection by counsel Gilmore.

Counsel Gilmore provided the Court and counsel Turner Defendants' Points and Authorities regarding the admission of documents in conjunction with the depositions of Paul Morabito and Dennis Vacco.

Court directed the Clerk to file the document into the record during the next recess. Court further directed the Plaintiff to file a response by morning of October 31, 2018

COURT ORDERED EXHIBIT 147 admitted into evidence provisionally pending briefing and argument.

Witness Bayuk further examined by counsel Turner.

EXHIBIT 148 offered by counsel Turner; objection by counsel Gilmore; objection sustained.

Witness Bayuk further examined by counsel Turner.

11:42 a.m. Witness excused for respective counsel to present arguments regarding the current line of questions.

Additional, discussion ensued regarding the schedule of witness.

11:50 a.m. Court recessed until 1:00 p.m.

1:03 p.m. Court reconvened with respective counsel, except counsel Hamm, and parties present.

EXHIBIT 75 modified, stipulated and ordered into evidence.

Witness Bayuk, heretofore sworn, resumed stand and was examined by counsel Turner; examined by counsel Gilmore.

2:34 p.m. Court recessed.

2:56 p.m. Court reconvened with respective counsel, except counsel Hamm, and parties present.

Witness Bayuk, heretofore sworn, resumed stand and was further examined by

**DATE, JUDGE
OFFICERS OF****PAGE THREE****COURT PRESENT****APPEARANCES-HEARING****CONT'D TO**

10/30/18

NON-JURY TRIAL – DAY TWOJ. Schonlau
(Reporter)

counsel Gilmore.

***Respective counsel stipulated that the appraisals took place in October of 2010.

Witness Bayuk further examined by counsel Gilmore.

EXHIBIT 265 offered by counsel Gilmore; no objection by counsel Turner; ordered admitted into evidence.

Witness Bayuk further examined by counsel Gilmore.

EXHIBIT 266 offered by counsel Gilmore; no objection by counsel Turner; ordered admitted into evidence.

Witness Bayuk further examined by counsel Gilmore.

EXHIBIT 268 offered by counsel Gilmore; no objection by counsel Turner; ordered admitted into evidence.

Witness Bayuk further examined by counsel Gilmore.

EXHIBIT 269 offered by counsel Gilmore; no objection by counsel Turner; ordered admitted into evidence.

Witness Bayuk further examined by counsel Gilmore.

4:49 p.m. Court recessed.

5:01 p.m. Court reconvened with respective counsel, except counsel Hamm, and parties present.

Witness Bayuk further cross-examined.

EXHIBIT 74 offered by counsel Turner; no objection by counsel Gilmore; ordered admitted into evidence.

Witness Bayuk further examined by counsel Gilmore.

5:49 p.m. Court recessed until 8:00 a.m. on October 31, 2018.

10/31/18**8:00 a.m.****Ongoing****Non-Jury****Trial - Day****Three**

CASE NO. CV13-02663

**TITLE: WILLIAM A. LEONARD, Trustee for the Bankruptcy
Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC.,
EDWARD BAYUK, EDWARD WILLIAM BAYUK LIVING TRUST,
SALVATORE MORABITO and SNOWSHOE PETROLEUM, INC.**

**DATE, JUDGE
OFFICERS OF**

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COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

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NON-JURY TRIAL – DAY THREE

HONORABLE

Plaintiff William A. Leonard, Trustee for the Bankruptcy Estate of Paul Anthony Morabito, present with counsel, Teresa Pilatowicz, Esq., and Erika Turner, Esq.

CONNIE

STEINHEIMER

Defendant Edward Bayuk present, individually and as representative for

DEPT. NO.4

Edward William Bayuk Living Trust, Superpumper, Inc., and Snowshoe

M. Stone

Petroleum, Inc., and Defendant Salvatore Morabito present, individually and as

(Clerk)

representative for Superpumper, Inc., and Snowshoe Petroleum, Inc., with

J. Schonlau

counsel, Frank Gilmore, Esq.

(Reporter)

Chris Kemper, Esq., counsel for the Herbst Family present in the gallery.

7:59 a.m. Court convened.

Witness Bayuk, heretofore sworn, resumed stand and further examined by counsel Gilmore.

EXHIBIT 270 offered by counsel Gilmore; no objection by counsel Turner; ordered admitted into evidence.

Witness Bayuk further examined by counsel Gilmore.

Portion of **EXHIBIT 272** offered by counsel Gilmore; limited objection by counsel Turner; objection sustained and entire exhibit ordered admitted into evidence.

Witness Bayuk further examined by counsel Gilmore; re-examined by counsel Turner.

EXHIBIT 271 offered by counsel Turner; no objection by counsel Gilmore; ordered admitted into evidence.

Witness Bayuk further re-examined by counsel Turner.

EXHIBIT 256 offered by counsel Turner; no objection by counsel Gilmore; ordered admitted into evidence.

Witness Bayuk further re-examined by counsel Turner.

EXHIBIT 257 offered by counsel Turner; no objection by counsel Gilmore; ordered admitted into evidence.

Witness Bayuk further re-examined by counsel Turner; excused subject to recall.

CASE NO. CV13-02663

**TITLE: WILLIAM A. LEONARD, Trustee for the Bankruptcy
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EDWARD BAYUK, EDWARD WILLIAM BAYUK LIVING TRUST,
SALVATORE MORABITO and SNOWSHOE PETROLEUM, INC.**

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CONT'D TO

10/31/18

NON-JURY TRIAL – DAY THREE

J. Schonlau
(Reporter)

9:58 a.m. Court recessed.

10:21 a.m. Court reconvened with respective counsel and parties present.

Salvatore “Sam” Morabito called by counsel Turner, sworn and testified.

EXHIBIT 107 offered by counsel Turner; objection by counsel Gilmore;
objection overruled and ordered admitted into evidence.

Witness Morabito further examined by counsel Turner.

EXHIBIT 140 offered by counsel Turner; no objection by counsel Gilmore;
ordered admitted into evidence.

Witness Morabito further examined by counsel Turner.

EXHIBIT 33 offered by counsel Turner; no objection by counsel Gilmore;
ordered admitted into evidence.

Witness Morabito further examined by counsel Turner; examined by counsel
Gilmore.

12:00 p.m. Court recessed for lunch until 1:15 p.m.

1:20 p.m. Court reconvened with respective counsel and parties present.

Witness Salvatore Morabito, heretofore sworn, resumed stand and was further
examined by counsel Gilmore.

EXHIBIT 226 offered by counsel Gilmore; no objection by counsel Turner;
ordered admitted into evidence.

Witness Morabito further examined by counsel Gilmore.

EXHIBIT 227 offered by counsel Gilmore; no objection by counsel Turner;
ordered admitted into evidence.

Witness Morabito further examined by counsel Gilmore.

CASE NO. CV13-02663

**TITLE: WILLIAM A. LEONARD, Trustee for the Bankruptcy
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EDWARD BAYUK, EDWARD WILLIAM BAYUK LIVING TRUST,
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NON-JURY TRIAL – DAY THREE

J. Schonlau
(Reporter)

EXHIBIT 228 offered by counsel Gilmore; no objection by counsel Turner;
ordered admitted into evidence.

Witness Morabito further examined by counsel Gilmore.

EXHIBIT 231 offered by counsel Gilmore; no objection by counsel Turner;
ordered admitted into evidence.

Witness Morabito further examined by counsel Gilmore.

EXHIBIT 232 offered by counsel Gilmore; no objection by counsel Turner;
ordered admitted into evidence.

Witness Morabito further examined by counsel Gilmore.

3:17 p.m. Court recessed.

3:40 p.m. Court reconvened with respective counsel, including Gabrielle Hamm,
Esq., for the Plaintiff, and parties present.

Witness Salvatore Morabito, heretofore sworn, resumed stand and was further
examined by counsel Gilmore.

EXHIBIT 248 offered by counsel Gilmore; objection by counsel Turner;
objection sustained.

Witness Morabito further examined by counsel Gilmore.

EXHIBIT 248 re-offered by counsel Gilmore; no objection by counsel Turner;
ordered admitted into evidence.

Witness Morabito further examined by counsel Gilmore.

EXHIBIT 132 offered by counsel Gilmore; no objection by counsel Turner;
ordered admitted into evidence.

Witness Morabito further examined by counsel Gilmore.

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**TITLE: WILLIAM A. LEONARD, Trustee for the Bankruptcy
Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC.,
EDWARD BAYUK, EDWARD WILLIAM BAYUK LIVING TRUST,
SALVATORE MORABITO and SNOWSHOE PETROLEUM, INC.**

**DATE, JUDGE
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APPEARANCES-HEARING

CONT'D TO

10/31/18

NON-JURY TRIAL – DAY THREE

J. Schonlau
(Reporter)

EXHIBIT 254 offered by counsel Gilmore; no objection by counsel Turner; ordered admitted into evidence.

Witness Morabito further examined by counsel Gilmore; re-examined by counsel Turner.

***Deposition of Salvatore Morabito taken October 21, 2018 opened and published.

Witness Morabito further re-examined by counsel Turner.

Discussion ensued regarding trial schedule.

COURT advised counsel that a redacted transcript of any video deposition presented as testimony needs to be marked for the record as the Court Reporter does not report video depositions.

4:58 p.m. Court recessed until 8:00 a.m. on November 1, 2018.

**11/1/18
8:00 a.m.
Ongoing
Non-Jury
Trial – Day
Four**

DATE, JUDGE
OFFICERS OF

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COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

11/1/18

NON-JURY TRIAL – DAY FOUR

HONORABLE
CONNIE
STEINHEIMER
DEPT. NO.4
M. Stone
(Clerk)
J. Schonlau
(Reporter)

Plaintiff William A. Leonard, Trustee for the Bankruptcy Estate of Paul Anthony Morabito, present with counsel, Teresa Pilatowicz, Esq., Erika Turner, Esq., and Gabrielle Hamm, Esq. Defendant Edward Bayuk present, individually and as representative for Edward William Bayuk Living Trust, Superpumper, Inc., and Snowshoe Petroleum, Inc., and Defendant Salvatore Morabito present, individually and as representative for Superpumper, Inc., and Snowshoe Petroleum, Inc., with counsel, Frank Gilmore, Esq. Chris Kemper, Esq., counsel for the Herbst Family present in the gallery. 8:07 a.m. Court convened.

EXHIBITS 225, 283 and 284 ordered admitted into evidence based on stipulation of respective counsel.

Discussion ensued regarding the schedule of witnesses for the day.

Witness Salvatore Morabito, heretofore sworn, resumed the stand and was further re-examined by counsel Turner.

EXHIBIT 294 offered by counsel Turner; no objection by counsel Gilmore; ordered admitted into evidence.

Witness Morabito further re-examined by counsel Turner.

EXHIBIT 30 offered by counsel Turner; no objection by counsel Gilmore; ordered admitted into evidence.

Witness Morabito further re-examined by counsel Turner; re-examined by counsel Gilmore; excused.

Edward Bayuk, heretofore sworn, recalled by counsel Turner and examined; excused.

Discussion ensued regarding the procedure to be utilized during deposition testimony.

Colton Loretz sworn to read the deposition testimony of Gary Graber, Sujata Yalamanchili and Gary Krausz into the record.

***Depositions of Gary Graber taken July 12, 2017 and May 1, 2018 opened and published. Designated portions read into the record. Respective counsel advised the Court of the number of the trial exhibit that correlates with the deposition exhibits.

CASE NO. CV13-02663

**TITLE: WILLIAM A. LEONARD, Trustee for the Bankruptcy
Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC.,
EDWARD BAYUK, EDWARD WILLIAM BAYUK LIVING TRUST,
SALVATORE MORABITO and SNOWSHOE PETROLEUM, INC.**

**DATE, JUDGE
OFFICERS OF
COURT PRESENT**

PAGE TWO

APPEARANCES-HEARING

CONT'D TO

11/1/18
J. Schonlau
(Reporter)

NON-JURY TRIAL – DAY FOUR

EXHIBIT 29 offered by counsel Pilatowicz; objection by counsel Gilmore; objection overruled and ordered admitted into evidence.

9:21 a.m. Court recessed.

9:35 a.m. Court reconvened with respective counsel and parties present.

***Deposition of Sujata Yalamanchili taken May 1, 2018 opened and published. Designated portions read into the record. Respective counsel advised the Court of the number of the trial exhibit that correlates with the deposition exhibits.

EXHIBIT 32 offered by counsel Pilatowicz; no objection by counsel Gilmore; ordered admitted into evidence.

EXHIBIT 300 (Exhibit 8 to the Deposition of Gary Graber) marked and offered by counsel Gilmore; stipulated by counsel Pilatowicz; ordered admitted into evidence.

Respective counsel advised the Court that Exhibit 15 to Sujata Yalamanchili's deposition needs to be located and marked as a trial exhibit at a later time.

James McGovern called by counsel Pilatowicz, sworn and testified.

***Witness McGovern deemed qualified to provide opinion testimony as to business valuation.

Witness McGovern further direct examined.

***Deposition of James McGovern dated March 28, 2018 opened and published.

Witness McGovern further direct examined.

Counsel Gilmore objected to testimony regarding matrix valuation.

Witness further direct examined.

Counsel Gilmore withdrew his objection to the testimony regarding matrix valuation.

CASE NO. CV13-02663

**TITLE: WILLIAM A. LEONARD, Trustee for the Bankruptcy
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EDWARD BAYUK, EDWARD WILLIAM BAYUK LIVING TRUST,
SALVATORE MORABITO and SNOWSHOE PETROLEUM, INC.**

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CONT'D TO

11/1/18
J. Schonlau
(Reporter)

NON-JURY TRIAL – DAY FOUR

Witness McGovern further direct examined; examined by the Court; cross-examined by counsel Gilmore.

11:50 a.m. Court recessed for lunch until 1:00 p.m.

1:04 p.m. Court reconvened with respective counsel and parties present.

EXHIBIT 301 (Exhibit 15 to Sujata Yalamanchili's Deposition) marked and offered by counsel Gilmore; no objection by counsel Pilatowicz; ordered admitted into evidence.

Witness McGovern, heretofore sworn, resumed stand and was further cross-examined; redirect examined; recross-examined; further examined by counsel Pilatowicz; excused.

***Deposition of Paul Morabito taken March 21, 2016 opened and published. Designated portions played via video. Transcript of the designated portions marked for the record as **EXHIBIT 302**. Respective counsel advised the Court of the number of the trial exhibit that correlates with the deposition exhibits.

Discussion ensued regarding the trial schedule for the remainder of the day and the next day.

2:33 p.m. Court recessed.

2:48 p.m. Court reconvened with respective counsel and parties present.

Video deposition of Paul Morabito continued.

5:40 p.m. Court recessed.

4:51 p.m. Court reconvened with respective counsel and parties present.

***Deposition of Gary Krausz dated March 16, 2016 opened and published. Designated portions read into the record. Respective counsel advised the Court of the number of the trial exhibit that correlates with the deposition exhibits.

Additional discussion ensued regarding the trial schedule for the next day.

5:54 p.m. Court recessed until 10:15 on November 2, 2018.

**11/2/18
10:15 a.m.
Ongoing
Non-Jury
Trial – Day
Five**

CASE NO. CV13-02663

**TITLE: WILLIAM A. LEONARD, Trustee for the Bankruptcy
Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC.,
EDWARD BAYUK, EDWARD WILLIAM BAYUK LIVING TRUST,
SALVATORE MORABITO and SNOWSHOE PETROLEUM, INC.**

DATE, JUDGE
OFFICERS OF

PAGE ONE

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

11/2/18

NON-JURY TRIAL – DAY FIVE

HONORABLE

Plaintiff William A. Leonard, Trustee for the Bankruptcy Estate of Paul Anthony

CONNIE

Morabito, present with counsel, Teresa Pilatowicz, Esq., Erika Turner, Esq., and

STEINHEIMER

Gabrielle Hamm, Esq. Defendant Edward Bayuk present, individually and as

DEPT. NO.4

representative for Edward William Bayuk Living Trust, Superpumper, Inc., and

M. Stone

Snowshoe Petroleum, Inc., and Defendant Salvatore Morabito present,

(Clerk)

individually and as representative for Superpumper, Inc., and Snowshoe

J. Schonlau

Petroleum, Inc., with counsel, Frank Gilmore, Esq.

(Reporter)

Chris Kemper, Esq., counsel for the Herbst Family present in the gallery.

10:17 a.m. Court convened.

William Kimmel called by counsel Hamm, sworn and testified.

***Witness qualified to testify as to his opinion regarding real estate valuation.

Witness Kimmel further direct examined.

EXHIBIT 276 offered by counsel Hamm; stipulated by counsel Gilmore; ordered admitted into evidence.

Witness Kimmel further direct examined.

EXHIBIT 262 ordered admitted into evidence based on stipulation of respective counsel.

EXHIBIT 260 offered by counsel Hamm; no objection by counsel Gilmore; ordered admitted into evidence.

Witness Kimmel further direct examined.

Counsel Gilmore presented objection to the hypothetical testimony by this Witness regarding Exhibit 262 and supplementing his expert report. **COURT ENTERED ORDER** overruling the objection and allowed for the testimony.

Witness Kimmel further direct examined.

***Respective counsel stipulated to Mr. Kimmel's value of the Clayton Place Property.

Witness Kimmel cross-examined by counsel Gilmore.

11:55 p.m. Court recessed until 2:00 p.m.

CASE NO. CV13-02663

**TITLE: WILLIAM A. LEONARD, Trustee for the Bankruptcy
Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC.,
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SALVATORE MORABITO and SNOWSHOE PETROLEUM, INC.**

**DATE, JUDGE
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COURT PRESENT**

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APPEARANCES-HEARING

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NON-JURY TRIAL – DAY FIVE

J. Schonlau
(Reporter)

2:06 p.m. Court reconvened with respective counsel and parties present.

Witness Kimmel further cross-examined; redirect examined.

2:28 p.m. Salvatore Morabito excused for the remainder of the day due to a personal emergency.

Witness Kimmel further redirect examined; recross-examined; excused.

William Leonard called by counsel Turner, sworn and testified.

EXHIBIT 19 offered by counsel Turner; no objection by counsel Gilmore; ordered admitted into evidence.

Witness Leonard further examined by counsel Turner.

***Court took judicial notice of the Order contained in Exhibit 175.

EXHIBIT 175 offered by counsel Turner; objection by counsel Gilmore; ordered admitted into evidence over objection after having taken judicial notice of such document.

Witness Leonard further examined by counsel Turner.

Counsel Gilmore objected to testimony from this Witness regarding Paul Morabito's reputation. **COURT ENTERED ORDER** overruling objection and allowed for the testimony.

Witness Leonard further examined by counsel Turner.

EXHIBIT 37 offered by counsel Turner; no objection by counsel Gilmore; ordered admitted into evidence.

EXHIBIT 233, 252 and 255 offered by counsel Gilmore; no objection by counsel Turner; ordered admitted into evidence.

Witness Leonard further examined by counsel Turner.

EXHIBITS 25, 29, 30 and 79, having been provisionally admitted previously,

CASE NO. CV13-02663

**TITLE: WILLIAM A. LEONARD, Trustee for the Bankruptcy
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COURT PRESENT**

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NON-JURY TRIAL – DAY FIVE

J. Schonlau
(Reporter)

ordered admitted into evidence over counsel Gilmore's previous objection.
EXHIBITS 26, 31, 34, 68, 70, 78, 135, 138, 139, 141, 144, 159, 161 and 162
offered by counsel Turner; objection by counsel Gilmore; ordered admitted into
evidence over objection.
EXHIBITS 28, 33, 134, 137 and 143, although offered at this time, Court noted
their prior admission by either stipulation or no objection.

Witness Leonard further examined by counsel Turner.

Counsel Turner requested that the Court take judicial notice of the Bankruptcy
docket for case number 13-51237 as to claims filed. Counsel Gilmore advised
the Court that the Defendants in this action have not filed claims in the
Bankruptcy case.

Witness Leonard examined by counsel Gilmore.

***Deposition of William Leonard taken March 25, 2016 opened and published.

Witness Leonard further examined counsel Gilmore.

Discussion ensued regarding the trial schedule for the remainder of the day.
Counsel Turner advised the Court that the Plaintiff will no longer be calling
Dennis Vacco, Stanton Bernstein and Christian Lovelace.

3:45 p.m. Court recessed.

4:02 p.m. Court reconvened with respective counsel and parties present, except
for Salvatore Morabito.

Witness Leonard, heretofore sworn, resumed stand and was further examined
by counsel Gilmore; excused.

EXHIBIT 303 (Bankruptcy docket for case number 13-51237) marked and
offered by counsel Turner; objection by counsel Gilmore; ordered admitted into
evidence over objection.

Mr. Loretz, heretofore sworn, resumed stand for the continued reading of
depositions.

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**TITLE: WILLIAM A. LEONARD, Trustee for the Bankruptcy
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SALVATORE MORABITO and SNOWSHOE PETROLEUM, INC.**

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APPEARANCES-HEARING

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11/2/18

NON-JURY TRIAL – DAY FIVE

J. Schonlau
(Reporter)

***Deposition of Gary Krausz dated March 16, 2016 designated portions continued. Respective counsel advised the Court of the number of the trial exhibit that correlates with the deposition exhibits.

EXHIBIT 304 marked and ordered admitted into evidence based on stipulation of respective counsel.

Plaintiff rested.

Discussion ensued regarding the trial schedule for the following week. Counsel Gilmore advised the Court that he would review the deposition designations of Dennis Vacco, Stanton Bernstein and Christian Lovelace to determine whether or not the Defendants would be calling them as witnesses. Further, counsel Gilmore advised the Court that the Defendants would no longer be calling Mark Justmann.

5:10 p.m. Court recessed until 1:00 p.m. on November 5, 2018.

**11/5/18
1:00 p.m.
Ongoing
Non-Jury
Trial – Day
Six**

CASE NO. CV13-02663

**TITLE: WILLIAM A. LEONARD, Trustee for the Bankruptcy
Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC.,
EDWARD BAYUK, EDWARD WILLIAM BAYUK LIVING TRUST,
SALVATORE MORABITO and SNOWSHOE PETROLEUM, INC.**

DATE, JUDGE
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COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

11/5/18

NON-JURY TRIAL – DAY SIX

HONORABLE

Plaintiff William A. Leonard, Trustee for the Bankruptcy Estate of Paul Anthony

CONNIE

Morabito, present with counsel, Teresa Pilatowicz, Esq., Erika Turner, Esq., and

STEINHEIMER

Gabrielle Hamm, Esq. Defendant Edward Bayuk present, individually and as

DEPT. NO.4

representative for Edward William Bayuk Living Trust, Superpumper, Inc., and

M. Stone

Snowshoe Petroleum, Inc., and Defendant Salvatore Morabito present,

(Clerk)

individually and as representative for Superpumper, Inc., and Snowshoe

J. Schonlau

Petroleum, Inc., with counsel, Frank Gilmore, Esq.

(Reporter)

Chris Kemper, Esq., counsel for the Herbst Family present in the gallery.

1:16 p.m. Court convened.

Jan Friederich called by counsel Gilmore, sworn and testified.

EXHIBIT 230 offered by counsel Gilmore; no objection by counsel Pilatowicz;
ordered admitted into evidence.

Witness Friederich further direct examined.

Counsel Gilmore requested that this Witness be qualified to give opinion
testimony based on his knowledge of Superpumper, Inc., and the industry.
Counsel Pilatowicz objection to such testimony.

Witness Friederich excused from the courtroom in order for respective counsel
to present additional arguments.

Respective counsel presented additional arguments regarding the qualifications
of Witness Friederich. **COURT ORDERED** that Witness Friederich would not
be allowed to testify as to an expert, nor would he be able to testify as to the
valuation of Superpumper.

Witness Friederich, heretofore sworn, resumed stand and was further direct
examined; cross-examined by Pilatowicz; redirect examined; excused.

Michelle Salazar called by counsel Gilmore, sworn and testified.

***Witness qualified to testify as to her opinion as to the topics listed in her expert
witness disclosure.

Witness Salazar further direct examined.

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**TITLE: WILLIAM A. LEONARD, Trustee for the Bankruptcy
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11/5/18

NON-JURY TRIAL – DAY SIX

J. Schonlau
(Reporter)

EXHIBIT 235 offered by counsel Gilmore; stipulated by counsel Turner; ordered admitted into evidence.

Witness Salazar further direct examined.

3:11 p.m. Court recessed.

3:44 p.m. Court reconvened with respective counsel and parties present.

Witness Salazar, heretofore sworn, resumed stand and was further direct examined; cross-examined by counsel Turner; redirect examined; excused.

Court advised respective counsel that exhibit 302, the designated portions of the deposition of Paul Morabito, has never been formally admitted as evidence in this matter.

EXHIBIT 302 ordered admitted into evidence based on stipulation of respective counsel.

Discussion ensued regarding the trial schedule for the next day and closing arguments.

5:51 p.m. Court recessed until November 6, 2018 at 8:30 a.m.

**11/6/18
8:30 a.m.
Ongoing
Non-Jury
Trial – Day
Seven**

CASE NO. CV13-02663

**TITLE: WILLIAM A. LEONARD, Trustee for the Bankruptcy
Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC.
EDWARD BAYUK, EDWARD WILLIAM BAYUK LIVING TRUST,
SALVATORE MORABITO and SNOWSHOE PETROLEUM, INC.**

Jacqueline Bryant
Clerk of the Court
Transaction # 6969490

DATE, JUDGE
OFFICERS OF

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COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

11/6/18

NON-JURY TRIAL – DAY SEVEN

HONORABLE

Plaintiff William A. Leonard, Trustee for the Bankruptcy Estate of Paul Anthony

CONNIE

Morabito, present with counsel, Teresa Pilatowicz, Esq., Erika Turner, Esq., and

STEINHEIMER

Gabrielle Hamm, Esq. Defendant Edward Bayuk present, individually and as

DEPT. NO.4

representative for Edward William Bayuk Living Trust, Superpumper, Inc., and

M. Stone

Snowshoe Petroleum, Inc., and Defendant Salvatore Morabito present,

(Clerk)

individually and as representative for Superpumper, Inc., and Snowshoe

J. Kernan

Petroleum, Inc., with counsel, Frank Gilmore, Esq.

(Reporter)

Chris Kemper, Esq., counsel for the Herbst Family present in the gallery.

8:35 a.m. Court convened.

Dennis Banks called by counsel Gilmore, sworn and testified; excused.

Darryl Noble called by counsel Gilmore, sworn and testified.

EXHIBIT 277 offered by counsel Gilmore; no objection by counsel Hamm;
ordered admitted into evidence.

Witness Noble further direct examined.

EXHIBIT 281 offered by counsel Gilmore; no objection by counsel Hamm;
ordered admitted into evidence.

Witness Noble further direct examined.

EXHIBIT 222 ordered admitted into evidence based on stipulation of respective
counsel.

Witness Noble further direct examined; cross-examined by counsel Hamm.

10:26 a.m. Court recessed.

10:46 a.m. Court reconvened with respective counsel and parties present.

Witness Noble, heretofore sworn, resumed stand and was redirect examined;
excused.

Jennifer Prokop sworn to read the deposition testimony of Dennis Vacco.

***Depositions of Dennis Vacco taken July 10, 2017, July 11, 2017 and October

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**TITLE: WILLIAM A. LEONARD, Trustee for the Bankruptcy
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**DATE, JUDGE
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COURT PRESENT**

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APPEARANCES-HEARING

CONT'D TO

11/6/18

NON-JURY TRIAL – DAY SEVEN

J. Kernan
(Reporter)

21, 2015, individually and as PMK of Snowshoe Petroleum, Inc., opened and published. Designated portions read into the record. Respective counsel advised the Court of the number of the trial exhibit that correlates with the deposition exhibits.

Discussion ensued regarding the reading of the depositions.

11:55 a.m. Court recessed for lunch until 1:15 p.m.

1:17 p.m. Court reconvened with respective counsel and parties present.

EXHIBITS 27, 36, 69, 76, 130, 133, 142, 149, 150, 152, 153, 154 and 160 offered by counsel Pilatowicz; standing objection by counsel Gilmore; ordered admitted into evidence over objection.

Sean Savoy sworn to read the remaining portions of the deposition testimony of Dennis Vacco, and the depositions of Christian Lovelace and Spencer Cavalier.

***Depositions of Dennis Vacca dated July 10, 2017, July 11, 2017 and October 21, 2015, individually and as PMK of Snowshoe Petroleum, Inc., designated portions continued. Respective counsel advised the Court of the number of the trial exhibit that correlates with the deposition exhibits.

***Deposition of Christian Lovelace taken October 21, 2015 opened and published. Designated portions read into the record. Respective counsel advised the Court of the number of the trial exhibit that correlates with the deposition exhibits.

***Depositions of Spencer Cavalier taken June 19, 2015 opened and published. Designated portions read into the record. Respective counsel advised the Court of the number of the trial exhibit that correlates with the deposition exhibits.

***Deposition of Michael Sewitz taken March 22, 2016 opened and published.

Discussion ensued regarding the trial schedule for the following day. Counsel Gilmore advised the Court that the designated portions of the depositions of Michael Sewitz and Stanton Bernstein will complete the Defendants' case-in-chief.

Counsel Pilatowicz advised the Court that the Plaintiff does not intend to present any rebuttal evidence in this matter.

CASE NO. CV13-02663

**TITLE: WILLIAM A. LEONARD, Trustee for the Bankruptcy
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APPEARANCES-HEARING

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11/6/18

NON-JURY TRIAL – DAY SEVEN

J. Kernan
(Reporter)

Discussion ensued regarding the closing arguments. Closing arguments set.
In conjunction with the closing argument hearing, **COURT** directed respective
counsel to provide supplemental findings of fact, conclusions of law citing
specific testimony.

4:51 p.m. Court recessed until 9:00 a.m. on November 7, 2018.

**11/7/18
9:00 a.m.
Ongoing
Non-Jury
Trial – Day
Eight**

**11/26/18
9:00 a.m.
Ongoing
Non-Jury
Trial –
Closing
Arguments**

CASE NO. CV13-02663

**TITLE: WILLIAM A. LEONARD, Trustee for the Bankruptcy
Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC.
EDWARD BAYUK, EDWARD WILLIAM BAYUK LIVING TRUST,
SALVATORE MORABITO and SNOWSHOE PETROLEUM, INC.**

DATE, JUDGE
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APPEARANCES-HEARING

CONT'D TO

11/7/18 HONORABLE CONNIE STEINHEIMER DEPT. NO.4 M. Stone (Clerk) J. Kernan (Reporter)	<u>NON-JURY TRIAL – DAY EIGHT</u> Plaintiff William A. Leonard, Trustee for the Bankruptcy Estate of Paul Anthony Morabito, present with counsel, Teresa Pilatowicz, Esq., Erika Turner, Esq., and Gabrielle Hamm, Esq. Defendant Edward Bayuk present, individually and as representative for Edward William Bayuk Living Trust, Superpumper, Inc., and Snowshoe Petroleum, Inc., and Defendant Salvatore Morabito present, individually and as representative for Superpumper, Inc., and Snowshoe Petroleum, Inc., with counsel, Frank Gilmore, Esq. Chris Kemper, Esq., counsel for the Herbst Family present in the gallery. 9:05 a.m. Court convened.
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Jennifer Prokop, heretofore sworn, resumed stand to read the deposition testimony of Stanton Bernstein and Michael Sewitz.

***Depositions of Stanton Bernstein dated May 17, 2017 opened and published. Designated portions read into the record. Respective counsel advised the Court of the number of the trial exhibit that correlates with the deposition exhibits.

EXHIBIT 296 offered by counsel Gilmore; stipulation by counsel Pilatowicz; ordered admitted into evidence.

Respective counsel stipulated regarding the Mark Justmann appraisal as follows: The date of Mr. Justman's appraisal is the date the appraisal was delivered; the date of valuation is the appraisal's effective date; and to the date of inspection. Those dates are reflected in trial exhibits 180 – 184.

***Depositions of Michael Sewitz previously opened and published. Designated portions read into the record. Respective counsel advised the Court of the number of the trial exhibit that correlates with the deposition exhibits.

EXHIBIT 261 (Exhibit 1 to deposition of Michael Sewitz) offered by counsel Gilmore; no objection by counsel Pilatowicz; ordered admitted into evidence.

EXHIBIT 236 (Testimony of Dennis Vacco) offered by counsel Gilmore; no objection by counsel Pilatowicz; ordered admitted into evidence.

EXHIBIT 247 (Testimony of Salvatore Morabito) offered by counsel Gilmore; no objection by counsel Pilatowicz; ordered admitted into evidence.

EXHIBIT 295 (Testimony of Stanton Bernstein) offered by counsel Gilmore; no objection by counsel Pilatowicz; ordered admitted into evidence.

Defendants' rested.

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**TITLE: WILLIAM A. LEONARD, Trustee for the Bankruptcy
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**DATE, JUDGE
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COURT PRESENT**

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APPEARANCES-HEARING

CONT'D TO

11/7/18

NON-JURY TRIAL – DAY EIGHT

J. Kernan

Plaintiff had no rebuttal evidence to present.

(Reporter)

The Clerk reviewed the admitted exhibits for the record.

EXHIBIT 148 re-offered by counsel Pilatowicz; standing objection by counsel Turner; ordered admitted into evidence over objection.

COURT ENTERED ORDER that all exhibits that were not offered during this trial shall be returned to the party that marked the exhibit.

10:57 a.m. Court recessed until 9:00 a.m. on November 26, 2018, wherein closing arguments will be presented.

11/26/18

9:00 a.m.

Ongoing

Non-Jury

Trial –

Closing

Arguments

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

PLTF: **WILLIAM A. LEONARD, TRUSTEE**

PATY: **ERIKA PIKE TURNER, ESQ.
GABRIELLE A. HAMM, ESQ.
TERESA M. PILATOWICZ, ESQ.**

DEFT: **SUPERPUMPER, INC.
EDWARD WILLIAM BAYUK LIVING TRUST
SALVATORE MORABITO
SNOWSHOE PETROLEUM, INC.**

DATY: **FRANK GILMORE, ESQ.**

Case No: **CV13-02663**

Dept. No: **4**

Clerk: **M. Stone**

Date: **10/29/2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
1	Plaintiff	<i>Transcript of Proceedings, Judge's Ruling</i> , Case No. CV07-02764, September 13, 2010 (LMWF_SUPP_23097-23121)	10/25/18	Stipulation	10/29/18
2	Plaintiff	<i>Finding of Facts & Conclusions of Law</i> , Case No. CV07-02764, October 12, 2010 (WL002855 – WL002870)	10/25/18	Stipulation	10/29/18
3	Plaintiff	<i>Judgment</i> , Case No. CV07-02764, August 23, 2011 (WL002853 – WL002854)	10/25/18	Stipulation	10/29/18
4	Plaintiff	<i>Confession of Judgment</i> , Case No. CV07-02764, June 18, 2013 (WL002871 – WL002895)	10/25/18	No Objection	10/29/18

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

PLTF: **WILLIAM A. LEONARD, TRUSTEE**

PATY: **ERIKA PIKE TURNER, ESQ.
GABRIELLE A. HAMM, ESQ.
TERESA M. PILATOWICZ, ESQ.**

DEFT: **SUPERPUMPER, INC.
EDWARD WILLIAM BAYUK LIVING
TRUST
SALVATORE MORABITO
SNOWSHOE PETROLEUM, INC.**

DATY: **FRANK GILMORE, ESQ.**

Case No: **CV13-02663**

Dept. No: **4**

Clerk: **M. Stone**

Date: **10/29/2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
5	Plaintiff	November 30, 2011 Settlement Agreement (WL002188-2319)	10/25/18	Objection Overruled	10/29/18 w/caveat
6	Plaintiff	March 1, 2013 Forbearance Agreement (WL003103 – WL003111)	10/25/18	Objection Overruled	10/29/18
7	Plaintiff	<i>Involuntary Petition</i> , Case 13-51237, ECF No. 1, June 20, 2013	10/25/18	Objection Sustained w/Stip.	
8	Plaintiff	<i>Order Denying Motion to Dismiss Involuntary Chapter 7 Petition and Suspending Proceedings</i> , Case 13-51237. ECF No. 94, 12/17/2013	10/25/18	Stipulation	10/29/18
9	Plaintiff	<i>Order</i> , Case 13-51237, ECF No. 123, July 10, 2014 RETURNED TO PARTY	10/25/18		

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

PLTF: **WILLIAM A. LEONARD, TRUSTEE**

PATY: **ERIKA PIKE TURNER, ESQ.
GABRIELLE A. HAMM, ESQ.
TERESA M. PILATOWICZ, ESQ.**

DEFT: **SUPERPUMPER, INC.
EDWARD WILLIAM BAYUK LIVING
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SNOWSHOE PETROLEUM, INC.**

DATY: **FRANK GILMORE, ESQ.**

Case No: **CV13-02663**

Dept. No: **4**

Clerk: **M. Stone**

Date: **10/29/2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
10	Plaintiff	<i>Order for Relief</i> , Case 13-51237, ECF No. 162, December 17, 2014 RETURNED TO PARTY	10/25/18		
11	Plaintiff	<i>Findings of fact and Conclusions of Law in support of Order Granting Summary Judgment and Judgment</i> , Case 13-51237, ECF No. 160, December 17, 201 RETURNED TO PARTY	10/25/18		
12	Plaintiff	<i>Order Granting Summary Judgment and Judgment</i> , Case 13-51237, ECF No. 161, December 17, 2014 RETURNED TO PARTY	10/25/18		

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Exhibit No.	Party	Description	Marked	Offered	Admitted
13	Plaintiff	<i>Amended Findings of fact and Conclusions of Law in support of Order Granting Summary Judgment and Judgment, Case 13-51237, ECF No. 167, December 22, 2014</i> RETURNED TO PARTY	10/25/18		
14	Plaintiff	<i>Amended Order for Relief, Case No. 13-51237, ECF No. 168, December 22, 2014</i> RETURNED TO PARTY	10/25/18		
15	Plaintiff	<i>Schedules and Statements, Case No. 13-51237, ECF No. 211 (WL003132 – WL003167)</i> RETURNED TO PARTY	10/25/18		

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Exhibit No.	Party	Description	Marked	Offered	Admitted
16	Plaintiff	<i>Amended Schedules of Financial Affairs</i> , Case No. 13-51237, ECF No. 249 (WL003168 – WL003183) RETURNED TO PARTY	10/25/18		
17	Plaintiff	JH, Inc. Jerry Herbst and Berry-Hinckley Industries Amended Proof of Claim filed in Bankruptcy Case No. 13-51237 RETURNED TO PARTY	10/25/18		
18	Plaintiff	Remaining Claims filed in Case No. 13-51237 (WL002909 -WL002936, Claim No. 4 filed 2/24/16 and Claim No. 5 filed 2/20/18) RETURNED TO PARTY	10/25/18		

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Exhibit No.	Party	Description	Marked	Offered	Admitted
19	Plaintiff	<i>Report of Undisputed Election – Appointment of Trustee, Case No. 13-51237, ECF No. 220</i>	10/25/18	No Objection	11/2/18
20	Plaintiff	<i>Stipulation and Order to Substitute a Party Pursuant to NRCP 17(a), Case No. CV13-02663, May 15, 2015</i>	10/25/18	Stipulation	10/29/18
21	Plaintiff	<i>Non-Dischargeable Judgment Regarding Plaintiff's First and Second Causes of Action, Case No. 15-05019-GWZ, ECF No. 123, April 30, 2018</i>	10/25/18	Objection Overruled with Court taking Judicial Notice	10/29/18
22	Plaintiff	<i>Memorandum & Decision Case No. 15-05019-GWZ, ECF No. 124, April 30, 2018</i>	10/25/18	Objection Overruled with Court taking Judicial Notice	10/29/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
23	Plaintiff	<i>Amended Findings of Fact, Conclusions of Law in support of Judgment Regarding Plaintiff's First and Second Causes of Action, Case 15-05019-GWZ, ECF No. 122, April 30, 2018</i>	10/25/18	Objection Overruled with Court taking Judicial Notice	10/29/18
24	Plaintiff	<i>Complaint for Fraudulent Transfer and Injunctive Relief, Case No. 15-05046, ECF No. 1, October 15, 2015</i> RETURNED TO PARTY	10/25/18		
25	Plaintiff	September 15, 2010 e-mail from Yalamanchili to Vacco and P. Morabito (LMWF SUPP 082393 – LMWF SUPP 082394)	10/25/18	Stipulation	10/29/18

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Exhibit No.	Party	Description	Marked	Offered	Admitted
26	Plaintiff	September 18, 2010 email from P. Morabito to Vacco (LMWF_SUPP_030151-030152)	10/25/18	Objection Overruled	11/2/18
27	Plaintiff	September 20, 2010 e-mail from Vacco to P. Morabito (HR0000317)	10/25/18	Objection Overruled	11/6/18
28	Plaintiff	September 20, 2010 e-mail between Yalamanchili and Crotty (HR000218 – HR0000220)	10/25/18	Stipulation	10/29/18
29	Plaintiff	September 20, 2010 e-mail from Yalamanchili to Graber (HR0000376 – HR0000377)	10/25/18	Objection Overruled	11/1/18

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Exhibit No.	Party	Description	Marked	Offered	Admitted
30	Plaintiff	September 21, 2010 email from Morabito to Vacco and Cross (LMWF_SUPP_030154-030156)	10/25/18	No Objection	11/1/18
31	Plaintiff	September 23, 2010 e-mail chain between Graber and P. Morabito (LMWF_SUPP_098309 - 098310)	10/25/18	Objection Overruled	11/2/18
32	Plaintiff	September 23, 2010 e-mail from Yalamanchili to Graber (HR0000837 – HR0000838)	10/25/18	No Objection	11/1/18
33	Plaintiff	September 24, 2010 e-mail from P. Morabito to Vacco (LMWF_SUPP_035138)	10/25/18	No Objection	10/31/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
34	Plaintiff	September 26, 2010 email from Vacco to P. Morabito (LMWF_SUPP_087535)	10/25/18	Objection Overruled	11/2/18
35	Plaintiff	September 27, 2010 e-mail from P. Morabito to Vacco (LMWF_SUPP_035071-035073)	10/25/18	No Objection	10/29/18
36	Plaintiff	11/07/2012 emails between Vacco, P. Morabito, C. Lovelace (LMWF_SUPP_042884-042885)	10/25/18	Objection Overruled	11/6/18
37	Plaintiff	Morabito BMO Bank Statement – September 2010 (Morabito (341).005349-005355)	10/25/18	No Objection	11/2/18

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Exhibit No.	Party	Description	Marked	Offered	Admitted
38	Plaintiff	Lippes Mathias Trust Ledger History (LMWF000478 – 000483)	10/25/18	Stipulation	10/29/18
39	Plaintiff	Fifth Amendment & Restatement of the Trust Agreement for the Arcadia Living Trust dated September 30, 2010 (RBSL001868 – 001906)	10/25/18	Stipulation	10/29/18
40	Plaintiff	Florida Revocable Arcadia Living Trust dated August 25, 1998 (CG000043 – CG000099) RETURNED TO PARTY	10/25/18		

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
41	Plaintiff	10-14-2005 Spendthrift Trust Agreement for the Arcadia Living Trust dated October 14, 2005 (RBSL001907 – 001942) RETURNED TO PARTY	10/25/18		
42	Plaintiff	Paul A. Morabito Statement of Assets & Liabilities as of May 5, 2009 (Gursey023422)	10/25/18	Stipulation	10/29/18
43	Plaintiff	March 10, 2010 e-mail chain between Afshar and Takemoto dated 3/10/10 (Gursey004094 – 004095)	10/25/18	Stipulation	10/29/18
44	Plaintiff	Salazar Net Worth Report Dated March 15, 2011 (WL004530 – WL004543)	10/25/18	Stipulation	10/29/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
45	Plaintiff	Purchase and Sale Agreement (Morabito (341).006971-006978)	10/25/18	Stipulation	10/29/18
46	Plaintiff	First Amendment to Purchase and Sale Agreement (Morabito (341).002363-002364)	10/25/18	Stipulation	10/29/18
47	Plaintiff	Panorama – Estimated Settlement Statement (Morabito (341).006929-006938)	10/25/18	Stipulation	10/29/18
48	Plaintiff	El Camino – Final Settlement Statement (Morabito (341).006939)	10/25/18	Stipulation	10/29/18
49	Plaintiff	Los Olivos – Final Settlement Statement (Morabito (341).006940)	10/25/18	Stipulation	10/29/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
50	Plaintiff	Deed for Transfer of Panorama Property	10/25/18	Stipulation	10/29/18
51	Plaintiff	Deed for Transfer for Los Olivos (Morabito (341).006950)	10/25/18	Stipulation	10/29/18
52	Plaintiff	Deed for Transfer of El Camino (Morabito (341).006949)	10/25/18	Stipulation	10/29/18
53	Plaintiff	Kimmel Appraisal Report for Panorama and Clayton (Kimmel 000001-78)	10/25/18	Stipulation	10/29/18
54	Plaintiff	Bill of Sale – Panorama (Morabito (341).002433-002436)	10/25/18	Stipulation	10/29/18
55	Plaintiff	Bill of Sale – Mary Fleming (Morabito (341).002437-002440)	10/25/18	Stipulation	10/29/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
56	Plaintiff	Bill of Sale – El Camino (Morabito (341).002445-002448)	10/25/18	Stipulation	10/29/18
57	Plaintiff	Bill of Sale – Los Olivos (Morabito (341).002441-002444)	10/25/18	Stipulation	10/29/18
58	Plaintiff	8355 Panorama – 12/31/2012 Declaration of Value and Transfer Deed (WL004575 – WL004577)	10/25/18	Stipulation	10/29/18
59	Plaintiff	8355 Panorama – 12/31/2012 sale closing statement (SBCPA001789) RETURNED TO PARTY	10/25/18		
60	Plaintiff	Baruk Properties Operating Agreement (Morabito (341).006908-6917)	10/25/18	Stipulation	10/29/18

Exhibits

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61	Plaintiff	Baruk Membership Transfer Agreement (Morabito (341).006901-006907)	10/25/18	Stipulation	10/29/18
62	Plaintiff	Promissory Note for \$1,617,050 (Morabito (341).006918-006920)	10/25/18	Stipulation	10/29/18
63	Plaintiff	Baruk Properties/Snowshoe Properties, Certificate of Merger (Morabito (341).006921-006922)	10/25/18	Stipulation	10/29/18
64	Plaintiff	Baruk Properties/Snowshoe Properties, Articles of Merger (Morabito (341).006891-006900)	10/25/18	Stipulation	10/29/18

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Exhibit No.	Party	Description	Marked	Offered	Admitted
65	Plaintiff	Grant Deed from Snowshoe to Bayuk Living Trust (Morabito (341).006956)	10/25/18	Stipulation	10/29/18
66	Plaintiff	Grant Deed – 1461 Glenneyre, Recorded 10/8/2010 (Morabito (341).007096)	10/25/18	Stipulation	10/29/18
67	Plaintiff	Grant Deed – 570 Glenneyre, Recorded 10/8/2010 (Morabito (341).007094-007095)	10/25/18	Stipulation	10/29/18
68	Plaintiff	Attorney File re: Conveyance between Woodland Heights and Arcadia Living Trust (Lippes PAM0001413-0001448)	10/25/18	Objection Overruled	11/2/18

Exhibits

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69	Plaintiff	October 24, 2011 e-mail from P. Morabito to Vacco with list of things to do (LMWF_SUPP_029661-029662)	10/25/18	Objection Overruled	11/6/18
70	Plaintiff	November 10, 2011 e-mail chain between Vacco and P. Morabito (LMWF_SUPP_077068-077070)	10/25/18	Objection Overruled	11/2/18
71	Plaintiff	Bayuk First Ledger (Morabito (341).0000110-000111)	10/25/18	Stipulation	10/29/18
72	Plaintiff	Amortization Schedule (Morabito (341).000002-000004)	10/25/18	Stipulation	10/29/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
73	Plaintiff	Bayuk Second Ledger (Superpumper 002110-002112)	10/25/18	Stipulation	10/29/18
74	Plaintiff	Declaration of Edward Bayuk, Case No. 13-51237, ECF No. 146, dated October 3, 2014	10/25/18	No Objection	10/30/18
75	Plaintiff	March 30, 2012 e-mail from Vacco to Bayuk (LMWF_SUPP_71829)	10/25/18	Stipulation	10/30/18
76	Plaintiff	March 10, 2010 e-mail chain between P. Morabito and jon@aim13.com (LMWF_SUPP_048623)	10/25/18	Objection Overruled	11/6/18
77	Plaintiff	May 20, 2010 e-mail chain between P. Morabito, Vacco and Michael Pace (LMWF_SUPP_042578)	10/25/18	Objection Overruled	10/29/18

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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DEFT: **SUPERPUMPER, INC.
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DATY: **FRANK GILMORE, ESQ.**

Case No: **CV13-02663**

Dept. No: **4**

Clerk: **M. Stone**

Date: **10/29/2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
78	Plaintiff	Morabito Personal Financial Statement May 2010 (Compass 00085)	10/25/18	Objection Overruled	11/2/18
79	Plaintiff	June 28, 2010 e-mail from P. Morabito to George Garner (LMWF_SUPP_043995-044001)	10/25/18	Objection Overruled	10/29/18 – Must be Authentic. By Leonard – 11/2/18
80	Plaintiff	Shareholder Interest Purchase Agreement (Superpumper 000033-000037)	10/25/18	Stipulation	10/29/18
81	Plaintiff	Plan of Merger of Consolidated Western Corporation with and Into Superpumper, Inc. (Superpumper 000046-000049)	10/25/18	Stipulation	10/29/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
82	Plaintiff	Articles of Merger of Consolidated Western Corporation with and Into Superpumper, Inc. (Superpumper 000050-000051)	10/25/18	Stipulation	10/29/18
83	Plaintiff	Unanimous Written Consent of the Board of Directors and Sole Shareholder of Superpumper, Inc. (Superpumper 000021-000023)	10/25/18	Stipulation	10/29/18
84	Plaintiff	Unanimous Written Consent of the Directors and Shareholders of Consolidated Western Corporation (Superpumper 000024-000026)	10/25/18	Stipulation	10/29/18

Exhibits

Title: WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.

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Exhibit No.	Party	Description	Marked	Offered	Admitted
85	Plaintiff	Arizona Corporation Commission Letter dated October 21, 2010 (Superpumper 000011-000018)	10/25/18	Stipulation	10/29/18
86	Plaintiff	Nevada Articles of Merger (Superpumper 000027-000032)	10/25/18	Stipulation	10/29/18
87	Plaintiff	New York Creation of Snowshoe	10/25/18	Stipulation	10/29/18
88	Plaintiff	April 26, 2012 e-mail from Vacco to Afshar (Superpumper 001379-001381)	10/25/18	Objection Overruled	10/29/18

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Exhibit No.	Party	Description	Marked	Offered	Admitted
89	Plaintiff	April 8, 2011 email from Vacco to Takemoto and Bayuk (Superpumper 001382-001384) RETURNED TO PARTY	10/25/18		
90	Plaintiff	Matrix Retention Agreement (LMWF000001 – 00004)	10/25/18	Stipulation	10/29/18
91	Plaintiff	McGovern Expert Report (MG000001 – MG000076)	10/25/18	Stipulation	10/29/18
92	Plaintiff	Appendix B to McGovern Report – Source 4 – Budgets (Superpumper 001005-001006)	10/25/18	Stipulation	10/29/18

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Exhibit No.	Party	Description	Marked	Offered	Admitted
93	Plaintiff	Appendix B to McGovern Report – Source 8 – Gas Station Mini Mart MD DE 2011 (MG02201 – MG02233) RETURNED TO PARTY	10/25/18		
94	Plaintiff	Appendix B to McGovern Report – Source 9 – Convenience-Stores-Industry – Center for Economic Vitality, Western Washington University, College of Business and Economics Snapshot (MG02193 – MG02200) RETURNED TO PARTY	10/25/18		

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
95	Plaintiff	Appendix B to McGovern Report – Source 10 – Pratt’s Stats Transaction Reports – gas stations with convenience stores NAICS code 447110 (MG00663 – MG00664) RETURNED TO PARTY	10/25/18		
96	Plaintiff	Appendix B to McGovern Report – Source 11 – The National Economic Report – September 2010 – compiled by KeyValueData (MG02236 – MG02255) RETURNED TO PARTY	10/25/18		

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Exhibit No.	Party	Description	Marked	Offered	Admitted
97	Plaintiff	Appendix B to McGovern Report – Source 12 - Business Valuation Resources report IRS 2010 Returns for Gasoline Stations with asset range between 10M-25M (MG02234 – MG02235) RETURNED TO PARTY	10/25/18		
98	Plaintiff	Appendix B to McGovern Report – Source 14 - DELAWARE OPEN MRI RADIOLOGY ASSOC.-Tax Affecting S Corp RETURNED TO PARTY	10/25/18		

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Exhibit No.	Party	Description	Marked	Offered	Admitted
99	Plaintiff	Appendix B to McGovern Report – Source 15 – Duff & Phelps Cost of Equity Calculator (MG00681 – MG00702) RETURNED TO PARTY	10/25/18		
100	Plaintiff	Appendix B to McGovern Report – Source 16 - The Market Approach to Valuing Businesses – Pratt RETURNED TO PARTY	10/25/18		
101	Plaintiff	Appendix B to McGovern Report – Source 17a – Superpumper Answers to Plaintiffs First Set of Interrogatories RETURNED TO PARTY	10/25/18		

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Exhibit No.	Party	Description	Marked	Offered	Admitted
102	Plaintiff	Appendix B to McGovern Report – Source 17b – Answer to Interrogatories (2nd set) by Superpumper RETURNED TO PARTY	10/25/18		
103	Plaintiff	Superpumper Note (Superpumper 000001-000002)	10/25/18	Stipulation	10/29/18
104	Plaintiff	Superpumper Successor Note (Superpumper 000003-000004)	10/25/18	Stipulation	10/29/18
105	Plaintiff	Superpumper Successor Note in the amount of \$939,000 (Superpumper 000005-000006)	10/25/18	Stipulation	10/29/18

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Exhibit No.	Party	Description	Marked	Offered	Admitted
106	Plaintiff	Superpumper Stock Power transfers to Sam Morabito and Bayuk dated January 1, 2011 (Superpumper 000019-000020)	10/25/18	Stipulation	10/29/18
107	Plaintiff	Declaration of Paul A. Morabito in Support of Opposition to Motion of JH, Inc., Jerry Herbst, and Berry-Hinckley Industries for Order Prohibiting Debtor from Using, Acquiring or Transferring Assets Pursuant to 11 U.S.C. §§ 105 and 303(f) Pending Appointment of Trustee, Case 13-51237, ECF No. 22	10/25/18	No Objection	10/31/18

Exhibits

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Date: **10/29/2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
108	Plaintiff	October 12, 2012 e-mail between P. Morabito and Bernstein (SBCPA001388)	10/25/18	Stipulation	10/29/18
109	Plaintiff	Compass Term Loan (Compass 000618 – 000625)	10/25/18	Stipulation	10/29/18
110	Plaintiff	Paul Morabito – Term Note (Superpumper 001364)	10/25/18	Stipulation	10/29/18
111	Plaintiff	Loan Agreement between Compass Bank and Superpumper (Compass 000577 – 000605)	10/25/18	Stipulation	10/29/18
112	Plaintiff	Consent Agreement (Superpumper 000038- 000042)	10/25/18	Stipulation	10/29/18

Exhibits

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Case No: **CV13-02663**

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Date: **10/29/2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
113	Plaintiff	Superpumper Financial Statement dated December 31, 2007 (Superpumper 000292-000305)	10/25/18	Stipulation	10/29/18
114	Plaintiff	Superpumper Financial Statement dated December 31, 2009 (Superpumper 000319-000331)	10/25/18	Stipulation	10/29/18
115	Plaintiff	Notes Receivable Interest Income Calculation dated 12/31/09 (Gursey023421)	10/25/18	Stipulation	10/29/18
116	Plaintiff	Audit Conclusions Memo (Gursey003426 – 003431)	10/25/18	Stipulation	10/29/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
117	Plaintiff	Superpumper YTD Income Statement and Balance Sheets (Superpumper 001264-001278)	10/25/18	Stipulation	10/29/18
118	Plaintiff	Management Letter dated 3/12/2010 (Gursey004848 – 004850)	10/25/18	Stipulation	10/29/18
119	Plaintiff	Superpumper - Unaudited 2010 Balance Sheet (Superpumper 001002-001006)	10/25/18	Stipulation	10/29/18
120	Plaintiff	Superpumper Financial Statements 12-31-10 (Superpumper 000332-000346)	10/25/18	Stipulation	10/29/18
121	Plaintiff	Notes Receivable Balance as of 9-30-10 (Superpumper 001284)	10/25/18	Stipulation	10/29/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
122	Plaintiff	Salvatore Morabito Term Note (Superpumper 001280-001281)	10/25/18	Stipulation	10/29/18
123	Plaintiff	Edward Bayuk Term Note – (Superpumper 001282-001283)	10/25/18	Stipulation	10/29/18
124	Plaintiff	Statement of Financial Accounting Standards No. 78 (WL004544 – WL004556) RETURNED TO PARTY	10/25/18		
125	Plaintiff	Management Letter dated 4/21/2011 (Gursey005430 – 005432)	10/25/18	Stipulation	10/29/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
126	Plaintiff	Bayuk and S. Morabito Statements of Assets & Liabilities dated 2/1/2011 (Gursey003470; Gursey003424)	10/25/18	Stipulation	10/29/18
127	Plaintiff	January 6, 2012 e-mail from Bayuk to Lovelace re Letter of Credit (LMWF_SUPP_068551-068553)	10/25/18	Stipulation	10/29/18
128	Plaintiff	January 6, 2012 e-mail from Vacco to Bernstein (LMWF_SUPP_090409-090411)	10/25/18	No Objection	10/29/18
129	Plaintiff	January 7, 2012 e-mail from Bernstein to Lovelace (LMWF_SUPP_090404-090408)	10/25/18	Objection Overruled	10/30/18 w/caveat of Court's further review

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
130	Plaintiff	March 18, 2012 e-mail from P. Morabito to Vacco (LMWF_SUPP_045806)	10/25/18	Objection Overruled	11/6/18
131	Plaintiff	April 2011 Nella Oil Documents (Lippes.PAM0001457-0001463)	10/25/18	Stipulation	10/29/18
132	Plaintiff	April 15, 2011 e-mail chain between P. Morabito and Vacco (Lippes.PAM0001465)	10/25/18	No Objection	10/31/18
133	Plaintiff	April 5, 2011 e-mail from P. Morabito to Vacco (Lippes.PAM0001466)	10/25/18	Objection Overruled	11/6/18
134	Plaintiff	April 16, 2012 e-mail from Vacco to Morabito (LMWF_SUPP_068534-068539)	10/25/18	Stipulated	10/30/18

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Exhibit No.	Party	Description	Marked	Offered	Admitted
135	Plaintiff	August 7, 2011 e-mail chain between Vacco and P. Morabito (LMWF_SUPP_076610)	10/25/18	Objection Overruled	11/2/18
136	Plaintiff	August 2011 Lovelace letter to Timothy Halves (LIPPES.PAM0002925-0002929)	10/25/18	Objection Overruled	10/29/18
137	Plaintiff	August 24, 2011 e-mail chain between Vacco and P. Morabito (LMWF_SUPP_102772)	10/25/18	Stipulation	10/29/18
138	Plaintiff	November 11, 2011 e-mail from Vacco to P. Morabito (LMWF_SUPP_076609)	10/25/18	Objection Overruled	11/2/18
139	Plaintiff	November 16, 2011 e-mail from P. Morabito to Vacco (LMWF_SUPP_029579)	10/25/18	Objection Overruled	11/2/18

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Exhibit No.	Party	Description	Marked	Offered	Admitted
140	Plaintiff	November 28, 2011 e-mail chain between Vacco, S, Morabito and P. Morabito (LMWF_SUPP_084849-084850)	10/25/18	No Objection	10/31/18
141	Plaintiff	December 7, 2011 e-mail from Vacco to P. Morabito (LMWF_SUPP_087520)	10/25/18	Objection Overruled	11/2/18
142	Plaintiff	February 10, 2012 e-mail chain between P. Morabito Wells, and Vacco (LMWF_SUPP_075549 – 075552)	10/25/18	Objection Overruled	11/6/18
143	Plaintiff	April 20, 2012 e-mail from P. Morabito to Bayuk (LMWF_SUPP_043179)	10/25/18	No Objection	10/30/18

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GABRIELLE A. HAMM, ESQ.
TERESA M. PILATOWICZ, ESQ.**

DEFT: **SUPERPUMPER, INC.
EDWARD WILLIAM BAYUK LIVING TRUST
SALVATORE MORABITO
SNOWSHOE PETROLEUM, INC.**

DATY: **FRANK GILMORE, ESQ.**

Case No: **CV13-02663**

Dept. No: **4**

Clerk: **M. Stone**

Date: **10/29/2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
144	Plaintiff	April 24, 2012 e-mail from P. Morabito to Vacco re SPI Loan Detail (SPI NO PAM0000018-19)	10/25/18	Objection Overruled	10/29/18 – Must be Authentic. By Leonard – 11/2/18
145	Plaintiff	September 4, 2012 e-mail chain between Vacco and Bayuk (LMWF SUPP 100011-100050)	10/25/18	Objection Overruled	10/30/18
146	Plaintiff	September 7, 2012 BofA and Morabito Settlement Agreement (WL002794 – WL002801) RETURNED TO PARTY	10/25/18		

Exhibits

Title: WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.

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Exhibit No.	Party	Description	Marked	Offered	Admitted
147	Plaintiff	September 4, 2012 e-mail from P. Morabito to Vacco (LMWF_SUPP_045298-045301)	10/25/18	Objection Overruled	10/30/18 – Provisional Admission pending briefing
148	Plaintiff	September 4, 2012 e-mail from Bayuk to Vacco (LMWF_SUPP_086881-086884)	10/25/18	Objection Sustained/ Re-Offered/ Objection Overruled	11/7/18
149	Plaintiff	December 6, 2012 e-mail from Vacco to P. Morabito re: BOA and the path of money (LMWF_SUPP_086836-086837)	10/25/18	Objection Overruled	11/6/18

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Exhibit No.	Party	Description	Marked	Offered	Admitted
150	Plaintiff	September 18, 2012 e-mail chain between P. Morabito and Bayuk (LMWF_SUPP_043640 - 043643)	10/25/18	Objection Overruled	11/6/18
151	Plaintiff	October 3, 2012 e-mail chain between Vacco and P. Morabito (LMWF_SUPP_093077-093078)	10/25/18	No Objection	10/30/18
152	Plaintiff	September 3, 2012 e-mail from P. Morabito to Vacco (LMWF_SUPP_050441)	10/25/18	Objection Overruled	11/6/18
153	Plaintiff	March 14, 2013 e-mail chain between P. Morabito and Vacco (LMWF_SUPP_043081)	10/25/18	Objection Overruled	11/6/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
154	Plaintiff	Morabito 2009 Tax Return (Morabito (341).000408 - 000437)	10/25/18	Objection Overruled	11/6/18
155	Plaintiff	Superpumper Form 8879-S tax year ended 12-31-10 (Superpumper000416 – 000436)	10/25/18	Stipulation	10/29/18
156	Plaintiff	2010 U.S. S Corporation Tax Return for Consolidated Western Corporation (SBCPA002422 – 002493)	10/25/18	Stipulation	10/29/18
157	Plaintiff	Snowshoe form 8879-S for year ended 12-31-10 (Superpumper 000271 – 000291)	10/25/18	Stipulation	10/29/18

Exhibits

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Date: **10/29/2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
158	Plaintiff	Snowshoe Form 1120S 2011 Amended Tax Return (Superpumper 000193 – 000270)	10/25/18	Stipulation	10/29/18
159	Plaintiff	September 14, 2012 e-mail from Vacco to P. Morabito (LMWF_SUPP_089954-089955)	10/25/18	Objection Overruled	11/2/18
160	Plaintiff	October 1, 2012 e-mail from P. Morabito to Vacco (LMWF_SUPP_045273)	10/25/18	Objection Overruled	11/6/18
161	Plaintiff	December 18, 2012 e-mail from Vacco to P. Morabito (LMWF_SUPP_076553)	10/25/18	Objection Overruled	11/2/18
162	Plaintiff	April 24, 2013 e-mail from P. Morabito to Vacco (LMWF_SUPP_043086)	10/25/18	Objection Overruled	11/2/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
163	Plaintiff	Membership Interest Purchases, Agreement – Watch My Block (Morabito (341).007100 – 007104)	10/25/18	Stipulation	10/29/18
164	Plaintiff	Watch My Block organizational documents (WL4578 – 4591)	10/25/18	Stipulation	10/29/18
165	Plaintiff	9/15/15 Edward Bayuk's Answers to Plaintiff's First Set of Interrogatories RETURNED TO PARTY	10/25/18		
166	Plaintiff	9/14/15 Snowshoe Petroleum, Inc.'s Answers to Plaintiff's First Set of Interrogatories RETURNED TO PARTY	10/25/18		

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Exhibit No.	Party	Description	Marked	Offered	Admitted
167	Plaintiff	9/15/15 Edward Bayuk, as Trustee of the Edward William Bayuk Living Trust's Answers to Plaintiff's First Set of Interrogatories RETURNED TO PARTY	10/25/18		
168	Plaintiff	10/16/15 Salvatore Morabito's Answers to Plaintiff's First Set of Interrogatories RETURNED TO PARTY	10/25/18		
169	Plaintiff	02/02/16 Superpumper, Inc.'s Supplemental Answers to Plaintiff's Second Set of Interrogatories RETURNED TO PARTY	10/25/18		
170	Plaintiff	9/24/15 Subpoena to Dennis Vacco RETURNED TO PARTY	10/25/18		

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Exhibit No.	Party	Description	Marked	Offered	Admitted
171	Plaintiff	9/29/15 New York Subpoena/Subpoena Duces Tecum to Dennis Vacco, c/o Lippes Mathias Wexler Friedman LLP RETURNED TO PARTY	10/25/18		
172	Plaintiff	9/29/15 Notice of Issuance of Subpoena to Dennis Vacco RETURNED TO PARTY	10/25/18		
173	Plaintiff	10/15/15 Lippes Mathias Wexler Friedman's Response to Subpoena RETURNED TO PARTY	10/25/18		
174	Plaintiff	10/15/15 Certificate of Service of copy of Lippes Mathias Wexler Friedman's Response to Subpoena	10/25/18	Stipulation	10/29/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
175	Plaintiff	02/03/16 Order Granting Motion to Compel Responses to Deposition Questions (ECF # 502 in Case No. 13-51237-gwz)	10/25/18	Objection Overruled with Court taking Judicial Notice	11/2/18
176	Plaintiff	06/13/16 Recommendation for Order, Case No. CV13-0266 RETURNED TO PARTY	10/25/18		
177	Plaintiff	07/06/16 Order Confirming Master Recommendation, Case No. CV13-02663 RETURNED TO PARTY	10/25/18		
178	Plaintiff	Hodgson Russ LLP Subpoena RETURNED TO PARTY	10/25/18		
179	Plaintiff	Gursey Schneider LLP Subpoena	10/25/18	Stipulation	10/29/18

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Exhibit No.	Party	Description	Marked	Offered	Admitted
180	Plaintiff	Summary Appraisal of 570 Glenneyre (Morabito (341).002402 - 002432)	10/25/18	Stipulation	10/29/18
181	Plaintiff	Appraisal of 1461 Glenneyre Street (Morabito (341).006842-006890)	10/25/18	Stipulation	10/29/18
182	Plaintiff	Appraisal of 370 Los Olivos (Morabito (341).002462 - 002488)	10/25/18	Stipulation	10/29/18
183	Plaintiff	Appraisal of 371 El Camino Del Mar (Morabito (341).002489 – 002514)	10/25/18	Stipulation	10/29/18

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Exhibit No.	Party	Description	Marked	Offered	Admitted
184	Plaintiff	Appraisal of 1254 Mary Fleming Circle (Morabito (341).002515 – 002543)	10/25/18	Stipulation	10/29/18
185	Plaintiff	Mortgage – Panorama (Superpumper 1353)	10/25/18	Stipulation	10/29/18
186	Plaintiff	Mortgage - El Camino (Superpumper 1352)	10/25/18	Stipulation	10/29/18
187	Plaintiff	Mortgage – Los Olivos (Superpumper 1351)	10/25/18	Stipulation	10/29/18
188	Plaintiff	Mortgage – Glenneyre (Superpumper 1354)	10/25/18	Stipulation	10/29/18
189	Plaintiff	Mortgage – Mary Fleming (Superpumper 1350)	10/25/18	Stipulation	10/29/18
190	Plaintiff	Settlement Statement – 371 El Camino Del Mar (Morabito (341).006962)	10/25/18	Stipulation	10/29/18

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Exhibit No.	Party	Description	Marked	Offered	Admitted
191	Plaintiff	Settlement Statement – 370 Los Olivos (Morabito (341).006961)	10/25/18	Stipulation	10/29/18
192	Plaintiff	8355 Panorama Dr. – 2010 Declaration of value (Morabito (341).006932-006933)	10/25/18	Stipulation	10/29/18
193	Plaintiff	Mortgage – 8355 Panorama Drive (Morabito (341).006969 – 006970)	10/25/18	Stipulation	10/29/18
194	Plaintiff	Compass – Certificate of Custodian of Records	10/25/18	Stipulation	10/29/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
195	Plaintiff	May 12, 2014 Declaration of Salvatore Morabito in Support of Snowshoe Capital's Motion to Dismiss – filed in Case No. CV13-02663 RETURNED TO PARTY	10/25/18		
196	Plaintiff	June 6, 2014 Declaration of Sam Morabito – Exhibit 1 to Snowshoe Reply in Support of Motion to Dismiss Complaint for Lack of Personal Jurisdiction – filed in Case No. CV13-02663	10/25/18	Stipulation	10/29/18
197	Plaintiff	June 19, 2014 Declaration of Sam Morabito – Exhibit 1 to Superpumper Motion to Dismiss Complaint for Lack of Personal Jurisdiction – filed in Case No. CV13-02663	10/25/18	Stipulation	10/29/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
198	Plaintiff	September 22, 2017 Declaration of Sam Morabito – Exhibit 22 to Defendants' SSOF in Support of Opposition to Plaintiff's MSJ – filed in Case No. CV13-02663	10/25/18	Stipulation	10/29/18
199	Plaintiff	January 22, 2010 Deposition of Edward Bayuk in CV07-02764 RETURNED TO PARTY	10/25/18		
200	Plaintiff	February 22, 2010 Deposition of Paul Morabito in CV07-02764 (Volume 1) RETURNED TO PARTY	10/25/18		
201	Plaintiff	February 23, 2010 Deposition of Paul Morabito in CV07-02764 (Volume 2) RETURNED TO PARTY	10/25/18		

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
202	Plaintiff	March 3, 2010 Deposition of Paul Morabito in CV07-02764 (Volume 3) RETURNED TO PARTY	10/25/18		
203	Plaintiff	March 12, 2015 Transcript of Morabito 341 Meeting of Creditors (Volume 1) RETURNED TO PARTY	10/25/18		
204	Plaintiff	June 19, 2015 Deposition of Spencer Cavalier RETURNED TO PARTY	10/25/18		
205	Plaintiff	June 25, 2015 Transcript of Morabito 341 Meeting of Creditors (Volume 2) RETURNED TO PARTY	10/25/18		

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
206	Plaintiff	October 20, 2015 Deposition of Dennis C. Vacco as PMK for Snowshoe RETURNED TO PARTY	10/25/18		
207	Plaintiff	October 20, 2015 Deposition of Dennis C. Vacco, individual RETURNED TO PARTY	10/25/18		
208	Plaintiff	October 21, 2015 Deposition of Christian Lovelace as PMK of Snowshoe RETURNED TO PARTY	10/25/18		
209	Plaintiff	December 5, 2015 Transcript of Morabito Examination (Volume 4) RETURNED TO PARTY	10/25/18		

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
210	Plaintiff	January 27, 2016 Deposition of Mark Justmann RETURNED TO PARTY	10/25/18		
211	Plaintiff	March 16, 2016 Deposition of Gary L. Krausz, CPA RETURNED TO PARTY	10/25/18		
212	Plaintiff	March 21, 2016 Deposition of Paul Morabito RETURNED TO PARTY	10/25/18		
213	Plaintiff	March 22, 2016 Deposition of Michael Sewitz RETURNED TO PARTY	10/25/18		
214	Plaintiff	September 14, 2016 Transcript of Morabito Examination (Volume 3) RETURNED TO PARTY	10/25/18		

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
215	Plaintiff	December 6, 2016 Transcript of Morabito Examination (Volume 5) RETURNED TO PARTY	10/25/18		
216	Plaintiff	May 17, 2017 Deposition of Stanton Bernstein RETURNED TO PARTY	10/25/18		
217	Plaintiff	July 10, 2017 Deposition of Dennis C. Vacco RETURNED TO PARTY	10/25/18		
218	Plaintiff	July 11, 2017 Deposition of Dennis C. Vacco RETURNED TO PARTY	10/25/18		
219	Plaintiff	July 12, 2017 Deposition of Garry Graber RETURNED TO PARTY	10/25/18		

Exhibits

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Case No: **CV13-02663**

Dept. No: **4**

Clerk: **M. Stone**

Date: **10/29/2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
220	Plaintiff	May 1, 2018 Deposition of Garry Graber as PMK of Hodgson Russ RETURNED TO PARTY	10/25/18		
221	Plaintiff	May 1, 2018 Deposition of Sujata Yalamanchili as PMK of Hodgson Russ RETURNED TO PARTY	10/25/18		
222	Plaintiff	Kimmel – January 21, 2016, Comment on Alves Appraisal (Kimmel 0000081-84)	10/25/18	Stipulation	11/6/18
223	Plaintiff	September 20, 2010 email from Yalamanchili to Morabito (HR0000358)	10/25/18	Stipulation	10/29/18
224	Plaintiff	March 24, 2011 E-mail from Naz Afshar re “telephone call regarding CWC” (G. Kraus Exh 22)	10/25/18	Stipulation	10/29/18

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225	Plaintiff	Bank of America Records for Edward Bayuk re:	11/1/18	Stipulation	11/1/18
226	Defendants	June 11, 2007 Wholesale Marketer Agreement (Kraus Ex. 15)	10/25/18	No Objection	10/31/18
227	Defendants	May 25, 2006 Wholesale Marketer Facility Development Incentive Program Agreement (Superpumper 001862-001868)	10/25/18	No Objection	10/31/18
228	Defendants	June 2007 Master Lease Agreement – Spirit SPE Portfolio and Superpumper, Inc. (Superpumper 000616-00670)	10/25/18	No Objection	10/31/18
229	Defendants	Superpumper Inc 2008 Financial Statement (12/31/08) (Cavalier Ex 7)	10/25/18	Stipulation	10/29/18

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230	Defendants	November 9, 2009 Email from P. Morabito to Bernstein, Yalaman re: Jan Friederich – entered into Consulting Agreement	10/25/18	No Objection	11/5/18
231	Defendants	September 30, 2010, Letter from Compass to Superpumper, Morabito, CWC re: reducing face amount of the revolving note (Superpumper 000440-000443)	10/25/18	No Objection	10/31/18
232	Defendants	October 15, 2010, letter from Quarles & Brady to Vacco re: Revolving Loan Documents and Term Loan Documents between Superpumper and Compass Bank (Superpumper 000444-000448)	10/25/18	No Objection	10/31/18

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Exhibit No.	Party	Description	Marked	Offered	Admitted
233	Defendants	BMO Account Tracker Banking report (10/1-10/31/10) (Morabito (341) 005357-005363)	10/25/18	No Objection	11/2/18
234	Defendants	September 28, 2010 Bank of Montreal Wire \$517,547 (Superpumper 000606) RETURNED TO PARTY	10/25/18		
235	Defendants	August 31, 2010 Superpumper Inc., Valuation of 100 percent of the common equity in Superpumper, Inc on a controlling marketable basis (Cavalier Ex 3)	10/25/18	Stipulation	11/5/18
236	Defendants	June 18, 2014 Email from S. Morabito to Vanek (WF) re: Analysis of Superpumper Acquisition in 2010 (Superpumper 000097-00098)	10/25/18	No Objection	11/7/18

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Exhibit No.	Party	Description	Marked	Offered	Admitted
237	Defendants	Bank of Montreal Customer Service Request Commitment Sam to Superpumper First Loan to Business \$\$659,000 (Superpumper 000605) RETURNED TO PARTY	10/25/18		
238	Defendants	November 28, 2011 Wire transfer from S. Morabito to Lippes (payment to Paul) (Superpumper 000610) RETURNED TO PARTY	10/25/18		
239	Defendants	January 22, 2016 e-mail from Bernstein to S. Morabito re: Consolidated Amounts of Notes Receivable or Payable for CWC from Inception 4/26/2006 - 9/30/10. (Superpumper 001359-1360) RETURNED TO PARTY	10/25/18		

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Exhibit No.	Party	Description	Marked	Offered	Admitted
240	Defendants	December 18, 2015 Email from G. Krausz to S. Morabito re: Combining SPI and CWC – add 2 entities loans to and from Paul _ \$1,917,126 (Superpumper 001361-63) RETURNED TO PARTY	10/25/18		
241	Defendants	Superpumper March 2010 YTD Income Statement (Superpumper 000990-001004)	10/25/18	Stipulation	10/29/18

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Exhibit No.	Party	Description	Marked	Offered	Admitted
242	Defendants	March 20, 2017 Letter from Dept of Treasury to Stanton R Bernstein CPA re: IRS letter to Snowshoe Petroleum re: "No Change to Their Tax Return." (Superpumper 003439 – 03448) RETURNED TO PARTY	10/25/18		
243	Defendants	August 13, 2010 Superpumper 3 Million Dollar Term Loan Initiated by P. Morabito (Superpumper 000458-000462) RETURNED TO PARTY	10/25/18		
244	Defendants	Assignment Agreement for \$939,000 Morabito Note (Superpumper 000007-000009)	10/25/18	Stipulation	10/29/18

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Exhibit No.	Party	Description	Marked	Offered	Admitted
245	Defendants	\$3mm Line of Credit for SP – (Superpumper 000925- 000926) RETURNED TO PARTY	10/25/18		
246	Defendants	December 9, 2010 Letter from Quarles & Brady to Superpumper, Morabito, CWC re: Business Loan Agreement dated 11/5/09 between Superpumper and Compass Bank (Superpumper 000454- 000457) RETURNED TO PARTY	10/25/18		
247	Defendants	July 1, 2011 Third Amendment to Forbearance Agreement Superpumper and Compass Bank (Superpumper 000486- 000494)	10/25/18	No Objection	11/7/18

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Exhibit No.	Party	Description	Marked	Offered	Admitted
248	Defendants	Superpumper Cash Contributions 1/2010 thru 9/2015 – Bayuk and S. Morabito (Superpumper 001371-001378)	10/25/18	No Objection	10/31/18
249	Defendants	Salvatore Morabito Wire Transfers to Superpumper Superpumper 000607-000609 RETURNED TO PARTY	10/25/18		
250	Defendants	11/11 Cash Management Deposit \$450,000, \$449,980 (Superpumper 001860) RETURNED TO PARTY	10/25/18		
251	Defendants	January 6, 2011 Check #102 from S. Morabito to Superpumper for \$250,000 for Capital Infusion (Superpumper 001861) RETURNED TO PARTY	10/25/18		

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Exhibit No.	Party	Description	Marked	Offered	Admitted
252	Defendants	October 15, 2010 Letter from Quarles & Brady to Vacco re: Revolving Loan documents and Term Loan documents between Superpumper Prop. and Compass Bank (Morabito 341.007014-16)	10/25/18	No Objection	11/2/18
253	Defendants	February 26, 2010 Superpumper Properties Summary Appraisal Reports (Morabito (341) 002549-002559) RETURNED TO PARTY	10/25/18		
254	Defendants	Bank of America – S. Morabito SP Properties Sale, SP Purchase Balance (Superpumper 000948)	10/25/18	No Objection	10/31/18
255	Defendants	Superpumper Prop. Final Closing Statement for 920 Mountain City Hwy, Elko, NV (Morabito (341) 002560)	10/25/18	No Objection	11/2/18

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Exhibit No.	Party	Description	Marked	Offered	Admitted
256	Defendants	September 30, 2010 Raffles Insurance Limited Member Summary (Morabito (341) 007166)	10/25/18	No Objection	10/31/18
257	Defendants	Equalization Spreadsheet (Morabito (341) 000001)	10/25/18	No Objection	10/31/18
258	Defendants	November 9, 2005 Grant Bargain and Sale Deed Doc #3306300 for Property Washoe County (Morabito (341) 002449-00250)	10/25/18	Stipulation	10/29/18
259	Defendants	February 9, 2009 Paul Morabito/Edward Bayuk Interior Design Furnishings Layout Plans (Sewitz Ex 2) RETURNED TO PARTY	10/25/18		

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Exhibit No.	Party	Description	Marked	Offered	Admitted
260	Defendants	January 7, 2016 Budget Summary – Panorama Drive (Superpumper 001208-001209)	10/25/18	Stipulated	11/2/18
261	Defendants	Mary 22, 2006 Compulation of Quotes and Invoices Quote of Valley Drapery (Sewitz Ex 1)	10/25/18	No Objection	11/7/18
262	Defendants	Photos of 8355 Panorama Home (Superpumper 001825-001859)	10/25/18	Stipulation	11/2/18
263	Defendants	Water Rights Deed (Document #4190152) between P Morabito, E Bayuk, Grantors, RCA Trust One Grantee (Morabito (341-002456-002469)	10/25/18	Stipulation	10/29/18

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Exhibit No.	Party	Description	Marked	Offered	Admitted
264	Defendants	Bank of America Payoff Demand Statement for 371 El Camino Del Mar, Laguna Beach, CA 92851 for \$870,569.74 (Superpumper 000439) RETURNED TO PARTY	10/25/18		
265	Defendants	October 1, 2010 Bank of America Wire Transfer – Bayuk – Morabito \$60,117 (Superpumper 000437)	10/25/18	No Objection	10/30/18
266	Defendants	October 1, 2010 Check #2354 from E. Bayuk to P. Morabito for \$29,383 for 8355 Panorama funding (Morabito (341) 006943-006944)	10/25/18	No Objection	10/30/18

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Exhibit No.	Party	Description	Marked	Offered	Admitted
267	Defendants	Bank of America Payoff Demand Statement for 370 Los Olivos, Laguna Beach, CA 92651 for \$1,044,082.73 (Superpumper 000438) RETURNED TO PARTY	10/25/18		
268	Defendants	October 1, 2010 Check #2356 from E. Bayuk to P. Morabito for \$12,763 for 370 Los Olivos Funding (Morabito (341) 006941)	10/25/18	No Objection	10/30/18
269	Defendants	October 1, 2010 Check # 2357 from E. Bayuk to P. Morabito for \$31,284 for 371 El Camino Del Mar Funding (Morabito 341.006945-46)	10/25/18	No Objection	10/30/18
270	Defendants	Bayuk Payment Ledger Support Documents Checks and Bank Statements (Superpumper 002154-002343)	10/25/18	No Objection	10/31/18

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271	Defendants	Bayuk Superpumper Contributions (Superpumper 001879-001885)	10/25/18	No Objection	10/31/18
272	Defendants	May 14, 2012 Email String between P. Morabito, D. Vacco, E Bayuk, S. Bernstein re: Info for Laguna purchase (SBCPA 006044-006048)	10/25/18	Portion Offered/ Objection as to only a Portion	10/31/18
273	Defendants	April 15, 2010 Addendum to Incentive Agreement between Shell Oil Products and Superpumper, re: Seller agreeing to assist with costs of the improvements. (Superpumper 001869-001872) RETURNED TO PARTY	10/25/18		

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274	Defendants	January 14, 2013 Superpumper Inc, Executive Summary Business Plan (Superpumper 001398- 001408) RETURNED TO PARTY	10/25/18		
275	Defendants	March 30, 2013 Email from J. Friederick to S. Morabito, E. Bayuk re: She just prepared the EBITDA comparison (Superpumper 001415) RETURNED TO PARTY	10/25/18		
276	Defendants	September 21, 2010 Appraisal of 8355 Panorama Drive Reno, NV by Alves Appraisal	10/25/18	Stipulation	11/2/18
277	Defendants	Assessor's Map/Home Caparisons for 8355 Panorama Drive, Reno, NV (Noble 741) (Superpumper 001113- 001149)	10/25/18	No Objection	11/6/18

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278	Defendants	December 3, 2007 - Case Docket for CV07-02764	10/25/18	Stipulation	10/29/18
279	Defendants	May 12, 2011 Expert Report of Craig L. Greene, CPA/CFF, CFE, MCJ	10/25/18	Objection Sustained	
280	Defendants	May 25, 2011 Stipulation Regarding the Imposition of Punitive Damages	10/25/18	No Objection	10/29/18
281	Defendants	Work File for September 24, 2010 Appraisal of 8355 Panorama Drive, Reno, NV (Noble 742) (Superpumper 001667-001724)	10/25/18	No Objection	11/6/18

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Exhibit No.	Party	Description	Marked	Offered	Admitted
282	Defendants	January 7, 2016 Email string between James McGovern, CPA and Teresa Pilatowicz re: completing the Valuation Report without receiving the documents that are missing. McGovern says he can prepare a "limiting condition" to the report and update/supplement as needed. (WL003829-003834) RETURNED TO PARTY	10/25/18		
283	Defendants	January 25, 2016 Expert Witness Report Leonard v. Superpumper Snowshoe	10/25/18	Stipulation	11/1/18
284	Defendants	February 29, 2016 Defendants' Rebuttal Expert Witness Disclosure	10/25/18	Stipulation	11/1/18

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

PLTF: **WILLIAM A. LEONARD, TRUSTEE**

PATY: **ERIKA PIKE TURNER, ESQ.
GABRIELLE A. HAMM, ESQ.
TERESA M. PILATOWICZ, ESQ.**

DEFT: **SUPERPUMPER, INC.
EDWARD WILLIAM BAYUK LIVING TRUST
SALVATORE MORABITO
SNOWSHOE PETROLEUM, INC.**

DATY: **FRANK GILMORE, ESQ.**

Case No: **CV13-02663**

Dept. No: **4**

Clerk: **M. Stone**

Date: **10/29/2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
285	Defendants	February 3, 2016 Email S. Morabito to F. Gilmore re: attaching 2 spreadsheets for CWC which shows the detail in the account due from P. Morabito. (Bernstein Ex 21) RETURNED TO PARTY	10/25/18		
286	Defendants	2015 Budget (Superpumper 001516-001518) RETURNED TO PARTY	10/25/18		
287	Defendants	2012-2015 Superpumper Inc Store Income Expense Data (Superpumper 001432-001446) RETURNED TO PARTY	10/25/18		
288	Defendants	January 19, 2016 Email from Justmann to F. Gilmore re: Glenneyre (Justmann Ex 1) RETURNED TO PARTY	10/25/18		

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Date: **10/29/2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
289	Defendants	September 21, 2010 Property Comparison Summary Report (Justmann Ex 4) RETURNED TO PARTY	10/25/18		
290	Defendants	2008-Present – Summary Report of Sold Office Properties (Justmann Ex 5) RETURNED TO PARTY	10/25/18		
291	Defendants	Listing for 460 S. Coast Hwy, Laguna Beach, 92651 (Justmann Ex 6) RETURNED TO PARTY	10/25/18		
292	Defendants	January 23, 2016 Email from Justmann to F. Gilmore attaching his resume (Justmann Ex 9) RETURNED TO PARTY	10/25/18		

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Case No: **CV13-02663**

Dept. No: **4**

Clerk: **M. Stone**

Date: **10/29/2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
293	Defendants	September 20, 2010 – Lehman Appraisal Notes for California Real Estate Transaction (Justmann Ex 10) RETURNED TO PARTY	10/25/18		
294	Defendants	October 5, 2010 Lippes, Mathias Wexler Friedman, LLP, Invoices to P. Morabito (LMWF 000532-000553)	10/25/18	No Objection	11/1/18
295	Defendants	P. Morabito 2010 Tax Return Morabito (341).000112-171)	10/25/18	No Objection	11/7/18
296	Defendants	December 31, 2010 Superpumper Inc. Note to Financial Statements (SBCPA008347-008350)	10/25/18	Stipulation	11/7/18
297	Defendants	December 31, 2010 Superpumper Consultations (Kraus Exh. 19)	10/25/18	Objection Overruled	11/2/18

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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DATY: **FRANK GILMORE, ESQ.**

Case No: **CV13-02663**

Dept. No: **4**

Clerk: **M. Stone**

Date: **10/29/2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
298	Defendants	April 19, 2011 Memo from D. Takemoto re: "Workpapers" re: Notes Receivable and Loan Refinancing (Kraus Exh. 21) RETURNED TO PARTY	10/25/18		
299	Defendants	Superpumper Lease & Rent Information (Cavalier Exh 11) RETURNED TO PARTY	10/25/18		
300	Defendants	9/20/10 Email Chain between Yalmanchili and Graber re: Attorney Client Privileged Communication (Graber Exh. 8)	11/1/18	Stipulation	11/1/18
301	Defendant	9/15/10 Email from Vacco to Paul Morabito re: Tomorrow (Yalamanchili Exh. 15)	11/1/18	No Objection	11/1/18
302	Plaintiff	Designation Portions of the Video Deposition of Paul Morabito	11/1/18	Stipulation	11/5/18

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

PLTF: **WILLIAM A. LEONARD, TRUSTEE**

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GABRIELLE A. HAMM, ESQ.
TERESA M. PILATOWICZ, ESQ.**

DEFT: **SUPERPUMPER, INC.
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TRUST
SALVATORE MORABITO
SNOWSHOE PETROLEUM, INC.**

DATY: **FRANK GILMORE, ESQ.**

Case No: **CV13-02663**

Dept. No: **4**

Clerk: **M. Stone**

Date: **10/29/2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
303	Plaintiff	Bankruptcy Court District of Nevada Claims Register case no. 13-51237	11/2/18	Objection Overruled	11/2/18
304	Defendant	4/14/18 Email from Allen to Krausz re: Superpumper (Krausz Exh. 20)	11/2/18	Stipulation	11/2/18

CASE NO. CV13-02663

**TITLE: WILLIAM A. LEONARD, Trustee for the Bankruptcy
Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC.,
EDWARD BAYUK, EDWARD WILLIAM BAYUK LIVING TRUST,
SALVATORE MORABITO and SNOWSHOE PETROLEUM, INC.**

**DATE, JUDGE
OFFICERS OF**

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

11/26/18

NON-JURY TRIAL – DAY NINE

HONORABLE

CONNIE

STEINHEIMER

DEPT. NO.4

M. Stone

(Clerk)

C. Amundson

(Reporter)

Plaintiff William A. Leonard, Trustee for the Bankruptcy Estate of Paul Anthony Morabito, present with counsel, Teresa Pilatowicz, Esq., Erika Turner, Esq., and Gabrielle Hamm, Esq. Defendant Edward Bayuk present, individually and as representative for Edward William Bayuk Living Trust, Superpumper, Inc., and Snowshoe Petroleum, Inc., with counsel, Frank Gilmore, Esq., who also represented Defendant Salvatore Morabito, not present, individually and as representative for Superpumper, Inc., and Snowshoe Petroleum, Inc.

9:15 a.m. Court convened.

Counsel Turner presented Plaintiff's opening closing argument.

10:50 a.m. Court recessed.

11:07 a.m. Court reconvened with respective counsel and parties present.

Counsel Turner further presented Plaintiff's opening closing argument.

12:12 p.m. Court recessed until 1:30 p.m.

1:37 p.m. Court reconvened with respective counsel and parties present.

Counsel Gilmore presented Defendants' answering closing argument.

3:03 p.m. Court recessed.

3:17 p.m. Court reconvened with respective counsel and parties present.

Counsel Gilmore further presented answering closing argument.

Counsel Turner presented Plaintiff's final closing argument.

COURT took matter under advisement.

4:48 p.m. Court recessed.

CASE NO. CV13-02663

**TITLE: WILLIAM A. LEONARD, Trustee for the Bankruptcy
Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC.,
EDWARD BAYUK, EDWARD WILLIAM BAYUK LIVING TRUST,
SALVATORE MORABITO and SNOWSHOE PETROLEUM, INC.**

DATE, JUDGE
OFFICERS OF

PAGE TWO

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

2/7/19

MOTION TO REOPEN EVIDENCE

HONORABLE
CONNIE
STEINHEIMER
DEPT. NO.4
M. Stone
(Clerk)
J. Kernan
(Reporter)

Erika Turner, Esq., represented on behalf of Plaintiff William A. Leonard, Trustee for the Bankruptcy Estate of Paul Anthony Morabito. Frank Gilmore, Esq., represented Defendant Edward Bayuk present, individually and as representative for Edward William Bayuk Living Trust, Superpumper, Inc., and Snowshoe Petroleum, Inc., Defendant Salvatore Morabito, individually and as representative for Superpumper, Inc., and Snowshoe Petroleum, Inc.
Court convened.
Counsel Turner noted for the record that John Murtha, Esq., attorney for the Plaintiff in Bankruptcy Court, is present in the gallery.
Motion to Reopen Evidence by counsel Turner; presented argument; response by counsel Gilmore. **COURT ENTERED ORDER** granting the Motion to Reopen Evidence. The documents shall be provided to the Clerk, marked and are admitted into evidence. (Marked as **Exhibits 305 through 309** to the Trial)
Court set ongoing non-jury trial wherein the Defendants will have the opportunity to present rebuttal evidence. All witnesses must testify in person on that day.
Court adjourned.

**3/1/19
1:00 p.m.
Ongoing
Non-Jury
Trial**

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

PLTF: **WILLIAM A. LEONARD, TRUSTEE**

PATY: **ERIKA PIKE TURNER, ESQ.
GABRIELLE A. HAMM, ESQ.
TERESA M. PILATOWICZ, ESQ.**

DEFT: **SUPERPUMPER, INC.
EDWARD WILLIAM BAYUK LIVING TRUST
SALVATORE MORABITO
SNOWSHOE PETROLEUM, INC.**

DATY: **FRANK GILMORE, ESQ.**

Case No: **CV13-02663**

Dept. No: **4**

Clerk: **M. Stone**

Date: **10/29/2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
1	Plaintiff	<i>Transcript of Proceedings, Judge's Ruling, Case No. CV07-02764, September 13, 2010 (LMWF_SUPP_23097-23121)</i>	10/25/18	Stipulation	10/29/18
2	Plaintiff	<i>Finding of Facts & Conclusions of Law, Case No. CV07-02764, October 12, 2010 (WL002855 – WL002870)</i>	10/25/18	Stipulation	10/29/18
3	Plaintiff	<i>Judgment, Case No. CV07-02764, August 23, 2011 (WL002853 – WL002854)</i>	10/25/18	Stipulation	10/29/18
4	Plaintiff	<i>Confession of Judgment, Case No. CV07-02764, June 18, 2013 (WL002871 – WL002895)</i>	10/25/18	No Objection	10/29/18

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

PLTF: **WILLIAM A. LEONARD, TRUSTEE**

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Case No: **CV13-02663**

Dept. No: **4**

Clerk: **M. Stone**

Date: **10/29/2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
5	Plaintiff	November 30, 2011 Settlement Agreement (WL002188-2319)	10/25/18	Objection Overruled	10/29/18 w/caveat
6	Plaintiff	March 1, 2013 Forbearance Agreement (WL003103 – WL003111)	10/25/18	Objection Overruled	10/29/18
7	Plaintiff	<i>Involuntary Petition</i> , Case 13-51237, ECF No. 1, June 20, 2013	10/25/18	Objection Sustained w/Stip.	
8	Plaintiff	<i>Order Denying Motion to Dismiss Involuntary Chapter 7 Petition and Suspending Proceedings</i> , Case 13-51237. ECF No. 94, 12/17/2013	10/25/18	Stipulation	10/29/18
9	Plaintiff	<i>Order</i> , Case 13-51237, ECF No. 123, July 10, 2014 RETURNED TO PARTY	10/25/18		

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Case No: **CV13-02663**

Dept. No: **4**

Clerk: **M. Stone**

Date: **10/29/2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
10	Plaintiff	<i>Order for Relief</i> , Case 13-51237, ECF No. 162, December 17, 2014 RETURNED TO PARTY	10/25/18		
11	Plaintiff	<i>Findings of fact and Conclusions of Law in support of Order Granting Summary Judgment and Judgment</i> , Case 13-51237, ECF No. 160, December 17, 201 RETURNED TO PARTY	10/25/18		
12	Plaintiff	<i>Order Granting Summary Judgment and Judgment</i> , Case 13-51237, ECF No. 161, December 17, 2014 RETURNED TO PARTY	10/25/18		

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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DATY: **FRANK GILMORE, ESQ.**

Case No: **CV13-02663**

Dept. No: **4**

Clerk: **M. Stone**

Date: **10/29/2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
13	Plaintiff	<i>Amended Findings of fact and Conclusions of Law in support of Order Granting Summary Judgment and Judgment, Case 13-51237, ECF No. 167, December 22, 2014</i> RETURNED TO PARTY	10/25/18		
14	Plaintiff	<i>Amended Order for Relief, Case No. 13-51237, ECF No. 168, December 22, 2014</i> RETURNED TO PARTY	10/25/18		
15	Plaintiff	<i>Schedules and Statements, Case No. 13-51237, ECF No. 211 (WL003132 – WL003167)</i> RETURNED TO PARTY	10/25/18		

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Exhibit No.	Party	Description	Marked	Offered	Admitted
16	Plaintiff	<i>Amended Schedules of Financial Affairs</i> , Case No. 13-51237, ECF No. 249 (WL003168 – WL003183) RETURNED TO PARTY	10/25/18		
17	Plaintiff	JH, Inc. Jerry Herbst and Berry-Hinckley Industries Amended Proof of Claim filed in Bankruptcy Case No. 13-51237 RETURNED TO PARTY	10/25/18		
18	Plaintiff	Remaining Claims filed in Case No. 13-51237 (WL002909 -WL002936, Claim No. 4 filed 2/24/16 and Claim No. 5 filed 2/20/18) RETURNED TO PARTY	10/25/18		

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Exhibit No.	Party	Description	Marked	Offered	Admitted
19	Plaintiff	<i>Report of Undisputed Election – Appointment of Trustee, Case No. 13-51237, ECF No. 220</i>	10/25/18	No Objection	11/2/18
20	Plaintiff	<i>Stipulation and Order to Substitute a Party Pursuant to NRCP 17(a), Case No. CV13-02663, May 15, 2015</i>	10/25/18	Stipulation	10/29/18
21	Plaintiff	<i>Non-Dischargeable Judgment Regarding Plaintiff's First and Second Causes of Action, Case No. 15-05019-GWZ, ECF No. 123, April 30, 2018</i>	10/25/18	Objection Overruled with Court taking Judicial Notice	10/29/18
22	Plaintiff	<i>Memorandum & Decision Case No. 15-05019-GWZ, ECF No. 124, April 30, 2018</i>	10/25/18	Objection Overruled with Court taking Judicial Notice	10/29/18

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Exhibit No.	Party	Description	Marked	Offered	Admitted
23	Plaintiff	<i>Amended Findings of Fact, Conclusions of Law in support of Judgment Regarding Plaintiff's First and Second Causes of Action, Case 15-05019-GWZ, ECF No. 122, April 30, 2018</i>	10/25/18	Objection Overruled with Court taking Judicial Notice	10/29/18
24	Plaintiff	<i>Complaint for Fraudulent Transfer and Injunctive Relief, Case No. 15-05046, ECF No. 1, October 15, 2015</i> RETURNED TO PARTY	10/25/18		
25	Plaintiff	September 15, 2010 e-mail from Yalamanchili to Vacco and P. Morabito (LMWF SUPP 082393 – LMWF SUPP 082394)	10/25/18	Stipulation	10/29/18

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Case No: **CV13-02663**

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Date: **10/29/2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
26	Plaintiff	September 18, 2010 email from P. Morabito to Vacco (LMWF_SUPP_030151-030152)	10/25/18	Objection Overruled	11/2/18
27	Plaintiff	September 20, 2010 e-mail from Vacco to P. Morabito (HR0000317)	10/25/18	Objection Overruled	11/6/18
28	Plaintiff	September 20, 2010 e-mail between Yalamanchili and Crotty (HR000218 – HR0000220)	10/25/18	Stipulation	10/29/18
29	Plaintiff	September 20, 2010 e-mail from Yalamanchili to Graber (HR0000376 – HR0000377)	10/25/18	Objection Overruled	11/1/18

Exhibits

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Case No: **CV13-02663**

Dept. No: **4**

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Date: **10/29/2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
30	Plaintiff	September 21, 2010 email from Morabito to Vacco and Cross (LMWF_SUPP_030154-030156)	10/25/18	No Objection	11/1/18
31	Plaintiff	September 23, 2010 e-mail chain between Graber and P. Morabito (LMWF_SUPP_098309 - 098310)	10/25/18	Objection Overruled	11/2/18
32	Plaintiff	September 23, 2010 e-mail from Yalamanchili to Graber (HR0000837 – HR0000838)	10/25/18	No Objection	11/1/18
33	Plaintiff	September 24, 2010 e-mail from P. Morabito to Vacco (LMWF_SUPP_035138)	10/25/18	No Objection	10/31/18

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Case No: **CV13-02663**

Dept. No: **4**

Clerk: **M. Stone**

Date: **10/29/2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
34	Plaintiff	September 26, 2010 email from Vacco to P. Morabito (LMWF_SUPP_087535)	10/25/18	Objection Overruled	11/2/18
35	Plaintiff	September 27, 2010 e-mail from P. Morabito to Vacco (LMWF_SUPP_035071-035073)	10/25/18	No Objection	10/29/18
36	Plaintiff	11/07/2012 emails between Vacco, P. Morabito, C. Lovelace (LMWF_SUPP_042884-042885)	10/25/18	Objection Overruled	11/6/18
37	Plaintiff	Morabito BMO Bank Statement – September 2010 (Morabito (341).005349-005355)	10/25/18	No Objection	11/2/18

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

PLTF: **WILLIAM A. LEONARD, TRUSTEE**

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DATY: **FRANK GILMORE, ESQ.**

Case No: **CV13-02663**

Dept. No: **4**

Clerk: **M. Stone**

Date: **10/29/2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
38	Plaintiff	Lippes Mathias Trust Ledger History (LMWF000478 – 000483)	10/25/18	Stipulation	10/29/18
39	Plaintiff	Fifth Amendment & Restatement of the Trust Agreement for the Arcadia Living Trust dated September 30, 2010 (RBSL001868 – 001906)	10/25/18	Stipulation	10/29/18
40	Plaintiff	Florida Revocable Arcadia Living Trust dated August 25, 1998 (CG000043 – CG000099) RETURNED TO PARTY	10/25/18		

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
41	Plaintiff	10-14-2005 Spendthrift Trust Agreement for the Arcadia Living Trust dated October 14, 2005 (RBSL001907 – 001942) RETURNED TO PARTY	10/25/18		
42	Plaintiff	Paul A. Morabito Statement of Assets & Liabilities as of May 5, 2009 (Gursey023422)	10/25/18	Stipulation	10/29/18
43	Plaintiff	March 10, 2010 e-mail chain between Afshar and Takemoto dated 3/10/10 (Gursey004094 – 004095)	10/25/18	Stipulation	10/29/18
44	Plaintiff	Salazar Net Worth Report Dated March 15, 2011 (WL004530 – WL004543)	10/25/18	Stipulation	10/29/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
45	Plaintiff	Purchase and Sale Agreement (Morabito (341).006971-006978)	10/25/18	Stipulation	10/29/18
46	Plaintiff	First Amendment to Purchase and Sale Agreement (Morabito (341).002363-002364)	10/25/18	Stipulation	10/29/18
47	Plaintiff	Panorama – Estimated Settlement Statement (Morabito (341).006929-006938)	10/25/18	Stipulation	10/29/18
48	Plaintiff	El Camino – Final Settlement Statement (Morabito (341).006939)	10/25/18	Stipulation	10/29/18
49	Plaintiff	Los Olivos – Final Settlement Statement (Morabito (341).006940)	10/25/18	Stipulation	10/29/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
50	Plaintiff	Deed for Transfer of Panorama Property	10/25/18	Stipulation	10/29/18
51	Plaintiff	Deed for Transfer for Los Olivos (Morabito (341).006950)	10/25/18	Stipulation	10/29/18
52	Plaintiff	Deed for Transfer of El Camino (Morabito (341).006949)	10/25/18	Stipulation	10/29/18
53	Plaintiff	Kimmel Appraisal Report for Panorama and Clayton (Kimmel 000001-78)	10/25/18	Stipulation	10/29/18
54	Plaintiff	Bill of Sale – Panorama (Morabito (341).002433-002436)	10/25/18	Stipulation	10/29/18
55	Plaintiff	Bill of Sale – Mary Fleming (Morabito (341).002437-002440)	10/25/18	Stipulation	10/29/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
56	Plaintiff	Bill of Sale – El Camino (Morabito (341).002445-002448)	10/25/18	Stipulation	10/29/18
57	Plaintiff	Bill of Sale – Los Olivos (Morabito (341).002441-002444)	10/25/18	Stipulation	10/29/18
58	Plaintiff	8355 Panorama – 12/31/2012 Declaration of Value and Transfer Deed (WL004575 – WL004577)	10/25/18	Stipulation	10/29/18
59	Plaintiff	8355 Panorama – 12/31/2012 sale closing statement (SBCPA001789) RETURNED TO PARTY	10/25/18		
60	Plaintiff	Baruk Properties Operating Agreement (Morabito (341).006908-6917)	10/25/18	Stipulation	10/29/18

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Exhibit No.	Party	Description	Marked	Offered	Admitted
61	Plaintiff	Baruk Membership Transfer Agreement (Morabito (341).006901-006907)	10/25/18	Stipulation	10/29/18
62	Plaintiff	Promissory Note for \$1,617,050 (Morabito (341).006918-006920)	10/25/18	Stipulation	10/29/18
63	Plaintiff	Baruk Properties/Snowshoe Properties, Certificate of Merger (Morabito (341).006921-006922)	10/25/18	Stipulation	10/29/18
64	Plaintiff	Baruk Properties/Snowshoe Properties, Articles of Merger (Morabito (341).006891-006900)	10/25/18	Stipulation	10/29/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
65	Plaintiff	Grant Deed from Snowshoe to Bayuk Living Trust (Morabito (341).006956)	10/25/18	Stipulation	10/29/18
66	Plaintiff	Grant Deed – 1461 Glenneyre, Recorded 10/8/2010 (Morabito (341).007096)	10/25/18	Stipulation	10/29/18
67	Plaintiff	Grant Deed – 570 Glenneyre, Recorded 10/8/2010 (Morabito (341).007094-007095)	10/25/18	Stipulation	10/29/18
68	Plaintiff	Attorney File re: Conveyance between Woodland Heights and Arcadia Living Trust (Lippes PAM0001413-0001448)	10/25/18	Objection Overruled	11/2/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
69	Plaintiff	October 24, 2011 e-mail from P. Morabito to Vacco with list of things to do (LMWF_SUPP_029661-029662)	10/25/18	Objection Overruled	11/6/18
70	Plaintiff	November 10, 2011 e-mail chain between Vacco and P. Morabito (LMWF_SUPP_077068-077070)	10/25/18	Objection Overruled	11/2/18
71	Plaintiff	Bayuk First Ledger (Morabito (341).0000110-000111)	10/25/18	Stipulation	10/29/18
72	Plaintiff	Amortization Schedule (Morabito (341).000002-000004)	10/25/18	Stipulation	10/29/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
73	Plaintiff	Bayuk Second Ledger (Superpumper 002110-002112)	10/25/18	Stipulation	10/29/18
74	Plaintiff	Declaration of Edward Bayuk, Case No. 13-51237, ECF No. 146, dated October 3, 2014	10/25/18	No Objection	10/30/18
75	Plaintiff	March 30, 2012 e-mail from Vacco to Bayuk (LMWF_SUPP_71829)	10/25/18	Stipulation	10/30/18
76	Plaintiff	March 10, 2010 e-mail chain between P. Morabito and jon@aim13.com (LMWF_SUPP_048623)	10/25/18	Objection Overruled	11/6/18
77	Plaintiff	May 20, 2010 e-mail chain between P. Morabito, Vacco and Michael Pace (LMWF_SUPP_042578)	10/25/18	Objection Overruled	10/29/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
78	Plaintiff	Morabito Personal Financial Statement May 2010 (Compass 00085)	10/25/18	Objection Overruled	11/2/18
79	Plaintiff	June 28, 2010 e-mail from P. Morabito to George Garner (LMWF_SUPP_043995-044001)	10/25/18	Objection Overruled	10/29/18 – Must be Authentic. By Leonard – 11/2/18
80	Plaintiff	Shareholder Interest Purchase Agreement (Superpumper 000033-000037)	10/25/18	Stipulation	10/29/18
81	Plaintiff	Plan of Merger of Consolidated Western Corporation with and Into Superpumper, Inc. (Superpumper 000046-000049)	10/25/18	Stipulation	10/29/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
82	Plaintiff	Articles of Merger of Consolidated Western Corporation with and Into Superpumper, Inc. (Superpumper 000050-000051)	10/25/18	Stipulation	10/29/18
83	Plaintiff	Unanimous Written Consent of the Board of Directors and Sole Shareholder of Superpumper, Inc. (Superpumper 000021-000023)	10/25/18	Stipulation	10/29/18
84	Plaintiff	Unanimous Written Consent of the Directors and Shareholders of Consolidated Western Corporation (Superpumper 000024-000026)	10/25/18	Stipulation	10/29/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
85	Plaintiff	Arizona Corporation Commission Letter dated October 21, 2010 (Superpumper 000011-000018)	10/25/18	Stipulation	10/29/18
86	Plaintiff	Nevada Articles of Merger (Superpumper 000027-000032)	10/25/18	Stipulation	10/29/18
87	Plaintiff	New York Creation of Snowshoe	10/25/18	Stipulation	10/29/18
88	Plaintiff	April 26, 2012 e-mail from Vacco to Afshar (Superpumper 001379-001381)	10/25/18	Objection Overruled	10/29/18

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Exhibit No.	Party	Description	Marked	Offered	Admitted
89	Plaintiff	April 8, 2011 email from Vacco to Takemoto and Bayuk (Superpumper 001382-001384) RETURNED TO PARTY	10/25/18		
90	Plaintiff	Matrix Retention Agreement (LMWF000001 – 00004)	10/25/18	Stipulation	10/29/18
91	Plaintiff	McGovern Expert Report (MG000001 – MG000076)	10/25/18	Stipulation	10/29/18
92	Plaintiff	Appendix B to McGovern Report – Source 4 – Budgets (Superpumper 001005-001006)	10/25/18	Stipulation	10/29/18

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Exhibit No.	Party	Description	Marked	Offered	Admitted
93	Plaintiff	Appendix B to McGovern Report – Source 8 – Gas Station Mini Mart MD DE 2011 (MG02201 – MG02233) RETURNED TO PARTY	10/25/18		
94	Plaintiff	Appendix B to McGovern Report – Source 9 – Convenience-Stores-Industry – Center for Economic Vitality, Western Washington University, College of Business and Economics Snapshot (MG02193 – MG02200) RETURNED TO PARTY	10/25/18		

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Exhibit No.	Party	Description	Marked	Offered	Admitted
95	Plaintiff	Appendix B to McGovern Report – Source 10 – Pratt’s Stats Transaction Reports – gas stations with convenience stores NAICS code 447110 (MG00663 – MG00664) RETURNED TO PARTY	10/25/18		
96	Plaintiff	Appendix B to McGovern Report – Source 11 – The National Economic Report – September 2010 – compiled by KeyValueData (MG02236 – MG02255) RETURNED TO PARTY	10/25/18		

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Exhibit No.	Party	Description	Marked	Offered	Admitted
97	Plaintiff	Appendix B to McGovern Report – Source 12 - Business Valuation Resources report IRS 2010 Returns for Gasoline Stations with asset range between 10M-25M (MG02234 – MG02235) RETURNED TO PARTY	10/25/18		
98	Plaintiff	Appendix B to McGovern Report – Source 14 - DELAWARE OPEN MRI RADIOLOGY ASSOC.-Tax Affecting S Corp RETURNED TO PARTY	10/25/18		

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
99	Plaintiff	Appendix B to McGovern Report – Source 15 – Duff & Phelps Cost of Equity Calculator (MG00681 – MG00702) RETURNED TO PARTY	10/25/18		
100	Plaintiff	Appendix B to McGovern Report – Source 16 - The Market Approach to Valuing Businesses – Pratt RETURNED TO PARTY	10/25/18		
101	Plaintiff	Appendix B to McGovern Report – Source 17a – Superpumper Answers to Plaintiffs First Set of Interrogatories RETURNED TO PARTY	10/25/18		

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Exhibit No.	Party	Description	Marked	Offered	Admitted
102	Plaintiff	Appendix B to McGovern Report – Source 17b – Answer to Interrogatories (2nd set) by Superpumper RETURNED TO PARTY	10/25/18		
103	Plaintiff	Superpumper Note (Superpumper 000001-000002)	10/25/18	Stipulation	10/29/18
104	Plaintiff	Superpumper Successor Note (Superpumper 000003-000004)	10/25/18	Stipulation	10/29/18
105	Plaintiff	Superpumper Successor Note in the amount of \$939,000 (Superpumper 000005-000006)	10/25/18	Stipulation	10/29/18

Exhibits

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GABRIELLE A. HAMM, ESQ.
TERESA M. PILATOWICZ, ESQ.**

DEFT: **SUPERPUMPER, INC.
EDWARD WILLIAM BAYUK LIVING
TRUST
SALVATORE MORABITO
SNOWSHOE PETROLEUM, INC.**

DATY: **FRANK GILMORE, ESQ.**

Case No: **CV13-02663**

Dept. No: **4**

Clerk: **M. Stone**

Date: **10/29/2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
106	Plaintiff	Superpumper Stock Power transfers to Sam Morabito and Bayuk dated January 1, 2011 (Superpumper 000019-000020)	10/25/18	Stipulation	10/29/18
107	Plaintiff	Declaration of Paul A. Morabito in Support of Opposition to Motion of JH, Inc., Jerry Herbst, and Berry-Hinckley Industries for Order Prohibiting Debtor from Using, Acquiring or Transferring Assets Pursuant to 11 U.S.C. §§ 105 and 303(f) Pending Appointment of Trustee, Case 13-51237, ECF No. 22	10/25/18	No Objection	10/31/18

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Exhibit No.	Party	Description	Marked	Offered	Admitted
108	Plaintiff	October 12, 2012 e-mail between P. Morabito and Bernstein (SBCPA001388)	10/25/18	Stipulation	10/29/18
109	Plaintiff	Compass Term Loan (Compass 000618 – 000625)	10/25/18	Stipulation	10/29/18
110	Plaintiff	Paul Morabito – Term Note (Superpumper 001364)	10/25/18	Stipulation	10/29/18
111	Plaintiff	Loan Agreement between Compass Bank and Superpumper (Compass 000577 – 000605)	10/25/18	Stipulation	10/29/18
112	Plaintiff	Consent Agreement (Superpumper 000038- 000042)	10/25/18	Stipulation	10/29/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
113	Plaintiff	Superpumper Financial Statement dated December 31, 2007 (Superpumper 000292-000305)	10/25/18	Stipulation	10/29/18
114	Plaintiff	Superpumper Financial Statement dated December 31, 2009 (Superpumper 000319-000331)	10/25/18	Stipulation	10/29/18
115	Plaintiff	Notes Receivable Interest Income Calculation dated 12/31/09 (Gursey023421)	10/25/18	Stipulation	10/29/18
116	Plaintiff	Audit Conclusions Memo (Gursey003426 – 003431)	10/25/18	Stipulation	10/29/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
117	Plaintiff	Superpumper YTD Income Statement and Balance Sheets (Superpumper 001264-001278)	10/25/18	Stipulation	10/29/18
118	Plaintiff	Management Letter dated 3/12/2010 (Gursey004848 – 004850)	10/25/18	Stipulation	10/29/18
119	Plaintiff	Superpumper - Unaudited 2010 Balance Sheet (Superpumper 001002-001006)	10/25/18	Stipulation	10/29/18
120	Plaintiff	Superpumper Financial Statements 12-31-10 (Superpumper 000332-000346)	10/25/18	Stipulation	10/29/18
121	Plaintiff	Notes Receivable Balance as of 9-30-10 (Superpumper 001284)	10/25/18	Stipulation	10/29/18

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Exhibit No.	Party	Description	Marked	Offered	Admitted
122	Plaintiff	Salvatore Morabito Term Note (Superpumper 001280-001281)	10/25/18	Stipulation	10/29/18
123	Plaintiff	Edward Bayuk Term Note – (Superpumper 001282-001283)	10/25/18	Stipulation	10/29/18
124	Plaintiff	Statement of Financial Accounting Standards No. 78 (WL004544 – WL004556) RETURNED TO PARTY	10/25/18		
125	Plaintiff	Management Letter dated 4/21/2011 (Gursey005430 – 005432)	10/25/18	Stipulation	10/29/18

Exhibits

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Case No: CV13-02663

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Exhibit No.	Party	Description	Marked	Offered	Admitted
126	Plaintiff	Bayuk and S. Morabito Statements of Assets & Liabilities dated 2/1/2011 (Gursey003470; Gursey003424)	10/25/18	Stipulation	10/29/18
127	Plaintiff	January 6, 2012 e-mail from Bayuk to Lovelace re Letter of Credit (LMWF_SUPP_068551-068553)	10/25/18	Stipulation	10/29/18
128	Plaintiff	January 6, 2012 e-mail from Vacco to Bernstein (LMWF_SUPP_090409-090411)	10/25/18	No Objection	10/29/18
129	Plaintiff	January 7, 2012 e-mail from Bernstein to Lovelace (LMWF_SUPP_090404-090408)	10/25/18	Objection Overruled	10/30/18 w/caveat of Court's further review

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
130	Plaintiff	March 18, 2012 e-mail from P. Morabito to Vacco (LMWF_SUPP_045806)	10/25/18	Objection Overruled	11/6/18
131	Plaintiff	April 2011 Nella Oil Documents (Lippes.PAM0001457-0001463)	10/25/18	Stipulation	10/29/18
132	Plaintiff	April 15, 2011 e-mail chain between P. Morabito and Vacco (Lippes.PAM0001465)	10/25/18	No Objection	10/31/18
133	Plaintiff	April 5, 2011 e-mail from P. Morabito to Vacco (Lippes.PAM0001466)	10/25/18	Objection Overruled	11/6/18
134	Plaintiff	April 16, 2012 e-mail from Vacco to Morabito (LMWF_SUPP_068534-068539)	10/25/18	Stipulated	10/30/18

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Exhibit No.	Party	Description	Marked	Offered	Admitted
135	Plaintiff	August 7, 2011 e-mail chain between Vacco and P. Morabito (LMWF_SUPP_076610)	10/25/18	Objection Overruled	11/2/18
136	Plaintiff	August 2011 Lovelace letter to Timothy Halves (LIPPES.PAM0002925-0002929)	10/25/18	Objection Overruled	10/29/18
137	Plaintiff	August 24, 2011 e-mail chain between Vacco and P. Morabito (LMWF_SUPP_102772)	10/25/18	Stipulation	10/29/18
138	Plaintiff	November 11, 2011 e-mail from Vacco to P. Morabito (LMWF_SUPP_076609)	10/25/18	Objection Overruled	11/2/18
139	Plaintiff	November 16, 2011 e-mail from P. Morabito to Vacco (LMWF_SUPP_029579)	10/25/18	Objection Overruled	11/2/18

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Exhibit No.	Party	Description	Marked	Offered	Admitted
140	Plaintiff	November 28, 2011 e-mail chain between Vacco, S, Morabito and P. Morabito (LMWF_SUPP_084849-084850)	10/25/18	No Objection	10/31/18
141	Plaintiff	December 7, 2011 e-mail from Vacco to P. Morabito (LMWF_SUPP_087520)	10/25/18	Objection Overruled	11/2/18
142	Plaintiff	February 10, 2012 e-mail chain between P. Morabito Wells, and Vacco (LMWF_SUPP_075549 – 075552)	10/25/18	Objection Overruled	11/6/18
143	Plaintiff	April 20, 2012 e-mail from P. Morabito to Bayuk (LMWF_SUPP_043179)	10/25/18	No Objection	10/30/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
144	Plaintiff	April 24, 2012 e-mail from P. Morabito to Vacco re SPI Loan Detail (SPI NO PAM0000018-19)	10/25/18	Objection Overruled	10/29/18 – Must be Authentic. By Leonard – 11/2/18
145	Plaintiff	September 4, 2012 e-mail chain between Vacco and Bayuk (LMWF SUPP 100011-100050)	10/25/18	Objection Overruled	10/30/18
146	Plaintiff	September 7, 2012 BofA and Morabito Settlement Agreement (WL002794 – WL002801) RETURNED TO PARTY	10/25/18		

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Exhibit No.	Party	Description	Marked	Offered	Admitted
147	Plaintiff	September 4, 2012 e-mail from P. Morabito to Vacco (LMWF_SUPP_045298-045301)	10/25/18	Objection Overruled	10/30/18 – Provisional Admission pending briefing
148	Plaintiff	September 4, 2012 e-mail from Bayuk to Vacco (LMWF_SUPP_086881-086884)	10/25/18	Objection Sustained/ Re-Offered/ Objection Overruled	11/7/18
149	Plaintiff	December 6, 2012 e-mail from Vacco to P. Morabito re: BOA and the path of money (LMWF_SUPP_086836-086837)	10/25/18	Objection Overruled	11/6/18

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Exhibit No.	Party	Description	Marked	Offered	Admitted
150	Plaintiff	September 18, 2012 e-mail chain between P. Morabito and Bayuk (LMWF_SUPP_043640 - 043643)	10/25/18	Objection Overruled	11/6/18
151	Plaintiff	October 3, 2012 e-mail chain between Vacco and P. Morabito (LMWF_SUPP_093077-093078)	10/25/18	No Objection	10/30/18
152	Plaintiff	September 3, 2012 e-mail from P. Morabito to Vacco (LMWF_SUPP_050441)	10/25/18	Objection Overruled	11/6/18
153	Plaintiff	March 14, 2013 e-mail chain between P. Morabito and Vacco (LMWF_SUPP_043081)	10/25/18	Objection Overruled	11/6/18

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Exhibit No.	Party	Description	Marked	Offered	Admitted
154	Plaintiff	Morabito 2009 Tax Return (Morabito (341).000408 - 000437)	10/25/18	Objection Overruled	11/6/18
155	Plaintiff	Superpumper Form 8879-S tax year ended 12-31-10 (Superpumper000416 – 000436)	10/25/18	Stipulation	10/29/18
156	Plaintiff	2010 U.S. S Corporation Tax Return for Consolidated Western Corporation (SBCPA002422 – 002493)	10/25/18	Stipulation	10/29/18
157	Plaintiff	Snowshoe form 8879-S for year ended 12-31-10 (Superpumper 000271 – 000291)	10/25/18	Stipulation	10/29/18

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Exhibit No.	Party	Description	Marked	Offered	Admitted
158	Plaintiff	Snowshoe Form 1120S 2011 Amended Tax Return (Superpumper 000193 – 000270)	10/25/18	Stipulation	10/29/18
159	Plaintiff	September 14, 2012 e-mail from Vacco to P. Morabito (LMWF_SUPP_089954-089955)	10/25/18	Objection Overruled	11/2/18
160	Plaintiff	October 1, 2012 e-mail from P. Morabito to Vacco (LMWF_SUPP_045273)	10/25/18	Objection Overruled	11/6/18
161	Plaintiff	December 18, 2012 e-mail from Vacco to P. Morabito (LMWF_SUPP_076553)	10/25/18	Objection Overruled	11/2/18
162	Plaintiff	April 24, 2013 e-mail from P. Morabito to Vacco (LMWF_SUPP_043086)	10/25/18	Objection Overruled	11/2/18

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Exhibit No.	Party	Description	Marked	Offered	Admitted
163	Plaintiff	Membership Interest Purchases, Agreement – Watch My Block (Morabito (341).007100 – 007104)	10/25/18	Stipulation	10/29/18
164	Plaintiff	Watch My Block organizational documents (WL4578 – 4591)	10/25/18	Stipulation	10/29/18
165	Plaintiff	9/15/15 Edward Bayuk's Answers to Plaintiff's First Set of Interrogatories RETURNED TO PARTY	10/25/18		
166	Plaintiff	9/14/15 Snowshoe Petroleum, Inc.'s Answers to Plaintiff's First Set of Interrogatories RETURNED TO PARTY	10/25/18		

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Exhibit No.	Party	Description	Marked	Offered	Admitted
167	Plaintiff	9/15/15 Edward Bayuk, as Trustee of the Edward William Bayuk Living Trust's Answers to Plaintiff's First Set of Interrogatories RETURNED TO PARTY	10/25/18		
168	Plaintiff	10/16/15 Salvatore Morabito's Answers to Plaintiff's First Set of Interrogatories RETURNED TO PARTY	10/25/18		
169	Plaintiff	02/02/16 Superpumper, Inc.'s Supplemental Answers to Plaintiff's Second Set of Interrogatories RETURNED TO PARTY	10/25/18		
170	Plaintiff	9/24/15 Subpoena to Dennis Vacco RETURNED TO PARTY	10/25/18		

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Exhibit No.	Party	Description	Marked	Offered	Admitted
171	Plaintiff	9/29/15 New York Subpoena/Subpoena Duces Tecum to Dennis Vacco, c/o Lippes Mathias Wexler Friedman LLP RETURNED TO PARTY	10/25/18		
172	Plaintiff	9/29/15 Notice of Issuance of Subpoena to Dennis Vacco RETURNED TO PARTY	10/25/18		
173	Plaintiff	10/15/15 Lippes Mathias Wexler Friedman's Response to Subpoena RETURNED TO PARTY	10/25/18		
174	Plaintiff	10/15/15 Certificate of Service of copy of Lippes Mathias Wexler Friedman's Response to Subpoena	10/25/18	Stipulation	10/29/18

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Exhibit No.	Party	Description	Marked	Offered	Admitted
175	Plaintiff	02/03/16 Order Granting Motion to Compel Responses to Deposition Questions (ECF # 502 in Case No. 13-51237-gwz)	10/25/18	Objection Overruled with Court taking Judicial Notice	11/2/18
176	Plaintiff	06/13/16 Recommendation for Order, Case No. CV13-0266 RETURNED TO PARTY	10/25/18		
177	Plaintiff	07/06/16 Order Confirming Master Recommendation, Case No. CV13-02663 RETURNED TO PARTY	10/25/18		
178	Plaintiff	Hodgson Russ LLP Subpoena RETURNED TO PARTY	10/25/18		
179	Plaintiff	Gursey Schneider LLP Subpoena	10/25/18	Stipulation	10/29/18

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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DEFT: **SUPERPUMPER, INC.
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DATY: **FRANK GILMORE, ESQ.**

Case No: **CV13-02663**

Dept. No: **4**

Clerk: **M. Stone**

Date: **10/29/2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
180	Plaintiff	Summary Appraisal of 570 Glenneyre (Morabito (341).002402 - 002432)	10/25/18	Stipulation	10/29/18
181	Plaintiff	Appraisal of 1461 Glenneyre Street (Morabito (341).006842-006890)	10/25/18	Stipulation	10/29/18
182	Plaintiff	Appraisal of 370 Los Olivos (Morabito (341).002462 - 002488)	10/25/18	Stipulation	10/29/18
183	Plaintiff	Appraisal of 371 El Camino Del Mar (Morabito (341).002489 – 002514)	10/25/18	Stipulation	10/29/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
184	Plaintiff	Appraisal of 1254 Mary Fleming Circle (Morabito (341).002515 – 002543)	10/25/18	Stipulation	10/29/18
185	Plaintiff	Mortgage – Panorama (Superpumper 1353)	10/25/18	Stipulation	10/29/18
186	Plaintiff	Mortgage - El Camino (Superpumper 1352)	10/25/18	Stipulation	10/29/18
187	Plaintiff	Mortgage – Los Olivos (Superpumper 1351)	10/25/18	Stipulation	10/29/18
188	Plaintiff	Mortgage – Glenneyre (Superpumper 1354)	10/25/18	Stipulation	10/29/18
189	Plaintiff	Mortgage – Mary Fleming (Superpumper 1350)	10/25/18	Stipulation	10/29/18
190	Plaintiff	Settlement Statement – 371 El Camino Del Mar (Morabito (341).006962)	10/25/18	Stipulation	10/29/18

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Exhibit No.	Party	Description	Marked	Offered	Admitted
191	Plaintiff	Settlement Statement – 370 Los Olivos (Morabito (341).006961)	10/25/18	Stipulation	10/29/18
192	Plaintiff	8355 Panorama Dr. – 2010 Declaration of value (Morabito (341).006932-006933)	10/25/18	Stipulation	10/29/18
193	Plaintiff	Mortgage – 8355 Panorama Drive (Morabito (341).006969 – 006970)	10/25/18	Stipulation	10/29/18
194	Plaintiff	Compass – Certificate of Custodian of Records	10/25/18	Stipulation	10/29/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
195	Plaintiff	May 12, 2014 Declaration of Salvatore Morabito in Support of Snowshoe Capital's Motion to Dismiss – filed in Case No. CV13-02663 RETURNED TO PARTY	10/25/18		
196	Plaintiff	June 6, 2014 Declaration of Sam Morabito – Exhibit 1 to Snowshoe Reply in Support of Motion to Dismiss Complaint for Lack of Personal Jurisdiction – filed in Case No. CV13-02663	10/25/18	Stipulation	10/29/18
197	Plaintiff	June 19, 2014 Declaration of Sam Morabito – Exhibit 1 to Superpumper Motion to Dismiss Complaint for Lack of Personal Jurisdiction – filed in Case No. CV13-02663	10/25/18	Stipulation	10/29/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
198	Plaintiff	September 22, 2017 Declaration of Sam Morabito – Exhibit 22 to Defendants' SSOF in Support of Opposition to Plaintiff's MSJ – filed in Case No. CV13-02663	10/25/18	Stipulation	10/29/18
199	Plaintiff	January 22, 2010 Deposition of Edward Bayuk in CV07-02764 RETURNED TO PARTY	10/25/18		
200	Plaintiff	February 22, 2010 Deposition of Paul Morabito in CV07-02764 (Volume 1) RETURNED TO PARTY	10/25/18		
201	Plaintiff	February 23, 2010 Deposition of Paul Morabito in CV07-02764 (Volume 2) RETURNED TO PARTY	10/25/18		

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Exhibit No.	Party	Description	Marked	Offered	Admitted
202	Plaintiff	March 3, 2010 Deposition of Paul Morabito in CV07-02764 (Volume 3) RETURNED TO PARTY	10/25/18		
203	Plaintiff	March 12, 2015 Transcript of Morabito 341 Meeting of Creditors (Volume 1) RETURNED TO PARTY	10/25/18		
204	Plaintiff	June 19, 2015 Deposition of Spencer Cavalier RETURNED TO PARTY	10/25/18		
205	Plaintiff	June 25, 2015 Transcript of Morabito 341 Meeting of Creditors (Volume 2) RETURNED TO PARTY	10/25/18		

Exhibits

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Dept. No: **4**

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Exhibit No.	Party	Description	Marked	Offered	Admitted
206	Plaintiff	October 20, 2015 Deposition of Dennis C. Vacco as PMK for Snowshoe RETURNED TO PARTY	10/25/18		
207	Plaintiff	October 20, 2015 Deposition of Dennis C. Vacco, individual RETURNED TO PARTY	10/25/18		
208	Plaintiff	October 21, 2015 Deposition of Christian Lovelace as PMK of Snowshoe RETURNED TO PARTY	10/25/18		
209	Plaintiff	December 5, 2015 Transcript of Morabito Examination (Volume 4) RETURNED TO PARTY	10/25/18		

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
210	Plaintiff	January 27, 2016 Deposition of Mark Justmann RETURNED TO PARTY	10/25/18		
211	Plaintiff	March 16, 2016 Deposition of Gary L. Krausz, CPA RETURNED TO PARTY	10/25/18		
212	Plaintiff	March 21, 2016 Deposition of Paul Morabito RETURNED TO PARTY	10/25/18		
213	Plaintiff	March 22, 2016 Deposition of Michael Sewitz RETURNED TO PARTY	10/25/18		
214	Plaintiff	September 14, 2016 Transcript of Morabito Examination (Volume 3) RETURNED TO PARTY	10/25/18		

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
215	Plaintiff	December 6, 2016 Transcript of Morabito Examination (Volume 5) RETURNED TO PARTY	10/25/18		
216	Plaintiff	May 17, 2017 Deposition of Stanton Bernstein RETURNED TO PARTY	10/25/18		
217	Plaintiff	July 10, 2017 Deposition of Dennis C. Vacco RETURNED TO PARTY	10/25/18		
218	Plaintiff	July 11, 2017 Deposition of Dennis C. Vacco RETURNED TO PARTY	10/25/18		
219	Plaintiff	July 12, 2017 Deposition of Garry Graber RETURNED TO PARTY	10/25/18		

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
220	Plaintiff	May 1, 2018 Deposition of Garry Graber as PMK of Hodgson Russ RETURNED TO PARTY	10/25/18		
221	Plaintiff	May 1, 2018 Deposition of Sujata Yalamanchili as PMK of Hodgson Russ RETURNED TO PARTY	10/25/18		
222	Plaintiff	Kimmel – January 21, 2016, Comment on Alves Appraisal (Kimmel 0000081-84)	10/25/18	Stipulation	11/6/18
223	Plaintiff	September 20, 2010 email from Yalamanchili to Morabito (HR0000358)	10/25/18	Stipulation	10/29/18
224	Plaintiff	March 24, 2011 E-mail from Naz Afshar re “telephone call regarding CWC” (G. Kraus Exh 22)	10/25/18	Stipulation	10/29/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
225	Plaintiff	Bank of America Records for Edward Bayuk re:	11/1/18	Stipulation	11/1/18
226	Defendants	June 11, 2007 Wholesale Marketer Agreement (Kraus Ex. 15)	10/25/18	No Objection	10/31/18
227	Defendants	May 25, 2006 Wholesale Marketer Facility Development Incentive Program Agreement (Superpumper 001862-001868)	10/25/18	No Objection	10/31/18
228	Defendants	June 2007 Master Lease Agreement – Spirit SPE Portfolio and Superpumper, Inc. (Superpumper 000616-00670)	10/25/18	No Objection	10/31/18
229	Defendants	Superpumper Inc 2008 Financial Statement (12/31/08) (Cavalier Ex 7)	10/25/18	Stipulation	10/29/18

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Exhibit No.	Party	Description	Marked	Offered	Admitted
230	Defendants	November 9, 2009 Email from P. Morabito to Bernstein, Yalaman re: Jan Friederich – entered into Consulting Agreement	10/25/18	No Objection	11/5/18
231	Defendants	September 30, 2010, Letter from Compass to Superpumper, Morabito, CWC re: reducing face amount of the revolving note (Superpumper 000440-000443)	10/25/18	No Objection	10/31/18
232	Defendants	October 15, 2010, letter from Quarles & Brady to Vacco re: Revolving Loan Documents and Term Loan Documents between Superpumper and Compass Bank (Superpumper 000444-000448)	10/25/18	No Objection	10/31/18

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Exhibit No.	Party	Description	Marked	Offered	Admitted
233	Defendants	BMO Account Tracker Banking report (10/1-10/31/10) (Morabito (341) 005357-005363)	10/25/18	No Objection	11/2/18
234	Defendants	September 28, 2010 Bank of Montreal Wire \$517,547 (Superpumper 000606) RETURNED TO PARTY	10/25/18		
235	Defendants	August 31, 2010 Superpumper Inc., Valuation of 100 percent of the common equity in Superpumper, Inc on a controlling marketable basis (Cavalier Ex 3)	10/25/18	Stipulation	11/5/18
236	Defendants	June 18, 2014 Email from S. Morabito to Vanek (WF) re: Analysis of Superpumper Acquisition in 2010 (Superpumper 000097-00098)	10/25/18	No Objection	11/7/18

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Exhibit No.	Party	Description	Marked	Offered	Admitted
237	Defendants	Bank of Montreal Customer Service Request Commitment Sam to Superpumper First Loan to Business \$\$659,000 (Superpumper 000605) RETURNED TO PARTY	10/25/18		
238	Defendants	November 28, 2011 Wire transfer from S. Morabito to Lippes (payment to Paul) (Superpumper 000610) RETURNED TO PARTY	10/25/18		
239	Defendants	January 22, 2016 e-mail from Bernstein to S. Morabito re: Consolidated Amounts of Notes Receivable or Payable for CWC from Inception 4/26/2006 - 9/30/10. (Superpumper 001359-1360) RETURNED TO PARTY	10/25/18		

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Exhibit No.	Party	Description	Marked	Offered	Admitted
240	Defendants	December 18, 2015 Email from G. Krausz to S. Morabito re: Combining SPI and CWC – add 2 entities loans to and from Paul _ \$1,917,126 (Superpumper 001361-63) RETURNED TO PARTY	10/25/18		
241	Defendants	Superpumper March 2010 YTD Income Statement (Superpumper 000990-001004)	10/25/18	Stipulation	10/29/18

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Exhibit No.	Party	Description	Marked	Offered	Admitted
242	Defendants	March 20, 2017 Letter from Dept of Treasury to Stanton R Bernstein CPA re: IRS letter to Snowshoe Petroleum re: "No Change to Their Tax Return." (Superpumper 003439 – 03448) RETURNED TO PARTY	10/25/18		
243	Defendants	August 13, 2010 Superpumper 3 Million Dollar Term Loan Initiated by P. Morabito (Superpumper 000458-000462) RETURNED TO PARTY	10/25/18		
244	Defendants	Assignment Agreement for \$939,000 Morabito Note (Superpumper 000007-000009)	10/25/18	Stipulation	10/29/18

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Exhibit No.	Party	Description	Marked	Offered	Admitted
245	Defendants	\$3mm Line of Credit for SP – (Superpumper 000925-000926) RETURNED TO PARTY	10/25/18		
246	Defendants	December 9, 2010 Letter from Quarles & Brady to Superpumper, Morabito, CWC re: Business Loan Agreement dated 11/5/09 between Superpumper and Compass Bank (Superpumper 000454-000457) RETURNED TO PARTY	10/25/18		
247	Defendants	July 1, 2011 Third Amendment to Forbearance Agreement Superpumper and Compass Bank (Superpumper 000486-000494)	10/25/18	No Objection	11/7/18

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Date: **10/29/2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
248	Defendants	Superpumper Cash Contributions 1/2010 thru 9/2015 – Bayuk and S. Morabito (Superpumper 001371-001378)	10/25/18	No Objection	10/31/18
249	Defendants	Salvatore Morabito Wire Transfers to Superpumper Superpumper 000607-000609 RETURNED TO PARTY	10/25/18		
250	Defendants	11/11 Cash Management Deposit \$450,000, \$449,980 (Superpumper 001860) RETURNED TO PARTY	10/25/18		
251	Defendants	January 6, 2011 Check #102 from S. Morabito to Superpumper for \$250,000 for Capital Infusion (Superpumper 001861) RETURNED TO PARTY	10/25/18		

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

PLTF: **WILLIAM A. LEONARD, TRUSTEE**

PATY: **ERIKA PIKE TURNER, ESQ.
GABRIELLE A. HAMM, ESQ.
TERESA M. PILATOWICZ, ESQ.**

DEFT: **SUPERPUMPER, INC.
EDWARD WILLIAM BAYUK LIVING
TRUST
SALVATORE MORABITO
SNOWSHOE PETROLEUM, INC.**

DATY: **FRANK GILMORE, ESQ.**

Case No: **CV13-02663**

Dept. No: **4**

Clerk: **M. Stone**

Date: **10/29/2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
252	Defendants	October 15, 2010 Letter from Quarles & Brady to Vacco re: Revolving Loan documents and Term Loan documents between Superpumper Prop. and Compass Bank (Morabito 341.007014-16)	10/25/18	No Objection	11/2/18
253	Defendants	February 26, 2010 Superpumper Properties Summary Appraisal Reports (Morabito (341) 002549-002559) RETURNED TO PARTY	10/25/18		
254	Defendants	Bank of America – S. Morabito SP Properties Sale, SP Purchase Balance (Superpumper 000948)	10/25/18	No Objection	10/31/18
255	Defendants	Superpumper Prop. Final Closing Statement for 920 Mountain City Hwy, Elko, NV (Morabito (341) 002560)	10/25/18	No Objection	11/2/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
256	Defendants	September 30, 2010 Raffles Insurance Limited Member Summary (Morabito (341) 007166)	10/25/18	No Objection	10/31/18
257	Defendants	Equalization Spreadsheet (Morabito (341) 000001)	10/25/18	No Objection	10/31/18
258	Defendants	November 9, 2005 Grant Bargain and Sale Deed Doc #3306300 for Property Washoe County (Morabito (341) 002449-00250)	10/25/18	Stipulation	10/29/18
259	Defendants	February 9, 2009 Paul Morabito/Edward Bayuk Interior Design Furnishings Layout Plans (Sewitz Ex 2) RETURNED TO PARTY	10/25/18		

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Exhibit No.	Party	Description	Marked	Offered	Admitted
260	Defendants	January 7, 2016 Budget Summary – Panorama Drive (Superpumper 001208-001209)	10/25/18	Stipulated	11/2/18
261	Defendants	Mary 22, 2006 Compulation of Quotes and Invoices Quote of Valley Drapery (Sewitz Ex 1)	10/25/18	No Objection	11/7/18
262	Defendants	Photos of 8355 Panorama Home (Superpumper 001825-001859)	10/25/18	Stipulation	11/2/18
263	Defendants	Water Rights Deed (Document #4190152) between P Morabito, E Bayuk, Grantors, RCA Trust One Grantee (Morabito (341-002456-002469)	10/25/18	Stipulation	10/29/18

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Case No: **CV13-02663**

Dept. No: **4**

Clerk: **M. Stone**

Date: **10/29/2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
264	Defendants	Bank of America Payoff Demand Statement for 371 El Camino Del Mar, Laguna Beach, CA 92851 for \$870,569.74 (Superpumper 000439) RETURNED TO PARTY	10/25/18		
265	Defendants	October 1, 2010 Bank of America Wire Transfer – Bayuk – Morabito \$60,117 (Superpumper 000437)	10/25/18	No Objection	10/30/18
266	Defendants	October 1, 2010 Check #2354 from E. Bayuk to P. Morabito for \$29,383 for 8355 Panorama funding (Morabito (341) 006943-006944)	10/25/18	No Objection	10/30/18

Exhibits

Title: WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.

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Case No: CV13-02663

Dept. No: 4

Clerk: M. Stone

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Exhibit No.	Party	Description	Marked	Offered	Admitted
267	Defendants	Bank of America Payoff Demand Statement for 370 Los Olivos, Laguna Beach, CA 92651 for \$1,044,082.73 (Superpumper 000438) RETURNED TO PARTY	10/25/18		
268	Defendants	October 1, 2010 Check #2356 from E. Bayuk to P. Morabito for \$12,763 for 370 Los Olivos Funding (Morabito (341) 006941)	10/25/18	No Objection	10/30/18
269	Defendants	October 1, 2010 Check # 2357 from E. Bayuk to P. Morabito for \$31,284 for 371 El Camino Del Mar Funding (Morabito 341.006945-46)	10/25/18	No Objection	10/30/18
270	Defendants	Bayuk Payment Ledger Support Documents Checks and Bank Statements (Superpumper 002154-002343)	10/25/18	No Objection	10/31/18

Exhibits

Title: **WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC., EDWARD WILLIAM BAYUK LIVING TRUST, SALVATORE MORABITO and SNOWSHOE PETROLEUM INC.**

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Case No: **CV13-02663**

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Exhibit No.	Party	Description	Marked	Offered	Admitted
271	Defendants	Bayuk Superpumper Contributions (Superpumper 001879-001885)	10/25/18	No Objection	10/31/18
272	Defendants	May 14, 2012 Email String between P. Morabito, D. Vacco, E Bayuk, S. Bernstein re: Info for Laguna purchase (SBCPA 006044-006048)	10/25/18	Portion Offered/ Objection as to only a Portion	10/31/18
273	Defendants	April 15, 2010 Addendum to Incentive Agreement between Shell Oil Products and Superpumper, re: Seller agreeing to assist with costs of the improvements. (Superpumper 001869-001872) RETURNED TO PARTY	10/25/18		

Exhibits

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Dept. No: **4**

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Exhibit No.	Party	Description	Marked	Offered	Admitted
274	Defendants	January 14, 2013 Superpumper Inc, Executive Summary Business Plan (Superpumper 001398- 001408) RETURNED TO PARTY	10/25/18		
275	Defendants	March 30, 2013 Email from J. Friederick to S. Morabito, E. Bayuk re: She just prepared the EBITDA comparison (Superpumper 001415) RETURNED TO PARTY	10/25/18		
276	Defendants	September 21, 2010 Appraisal of 8355 Panorama Drive Reno, NV by Alves Appraisal	10/25/18	Stipulation	11/2/18
277	Defendants	Assessor's Map/Home Caparisons for 8355 Panorama Drive, Reno, NV (Noble 741) (Superpumper 001113- 001149)	10/25/18	No Objection	11/6/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
278	Defendants	December 3, 2007 - Case Docket for CV07-02764	10/25/18	Stipulation	10/29/18
279	Defendants	May 12, 2011 Expert Report of Craig L. Greene, CPA/CFF, CFE, MCJ	10/25/18	Objection Sustained	
280	Defendants	May 25, 2011 Stipulation Regarding the Imposition of Punitive Damages	10/25/18	No Objection	10/29/18
281	Defendants	Work File for September 24, 2010 Appraisal of 8355 Panorama Drive, Reno, NV (Noble 742) (Superpumper 001667-001724)	10/25/18	No Objection	11/6/18

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Exhibit No.	Party	Description	Marked	Offered	Admitted
282	Defendants	January 7, 2016 Email string between James McGovern, CPA and Teresa Pilatowicz re: completing the Valuation Report without receiving the documents that are missing. McGovern says he can prepare a "limiting condition" to the report and update/supplement as needed. (WL003829-003834) RETURNED TO PARTY	10/25/18		
283	Defendants	January 25, 2016 Expert Witness Report Leonard v. Superpumper Snowshoe	10/25/18	Stipulation	11/1/18
284	Defendants	February 29, 2016 Defendants' Rebuttal Expert Witness Disclosure	10/25/18	Stipulation	11/1/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
285	Defendants	February 3, 2016 Email S. Morabito to F. Gilmore re: attaching 2 spreadsheets for CWC which shows the detail in the account due from P. Morabito. (Bernstein Ex 21) RETURNED TO PARTY	10/25/18		
286	Defendants	2015 Budget (Superpumper 001516-001518) RETURNED TO PARTY	10/25/18		
287	Defendants	2012-2015 Superpumper Inc Store Income Expense Data (Superpumper 001432-001446) RETURNED TO PARTY	10/25/18		
288	Defendants	January 19, 2016 Email from Justmann to F. Gilmore re: Glenneyre (Justmann Ex 1) RETURNED TO PARTY	10/25/18		

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
289	Defendants	September 21, 2010 Property Comparison Summary Report (Justmann Ex 4) RETURNED TO PARTY	10/25/18		
290	Defendants	2008-Present – Summary Report of Sold Office Properties (Justmann Ex 5) RETURNED TO PARTY	10/25/18		
291	Defendants	Listing for 460 S. Coast Hwy, Laguna Beach, 92651 (Justmann Ex 6) RETURNED TO PARTY	10/25/18		
292	Defendants	January 23, 2016 Email from Justmann to F. Gilmore attaching his resume (Justmann Ex 9) RETURNED TO PARTY	10/25/18		

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Date: **10/29/2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
293	Defendants	September 20, 2010 – Lehman Appraisal Notes for California Real Estate Transaction (Justmann Ex 10) RETURNED TO PARTY	10/25/18		
294	Defendants	October 5, 2010 Lippes, Mathias Wexler Friedman, LLP, Invoices to P. Morabito (LMWF 000532-000553)	10/25/18	No Objection	11/1/18
295	Defendants	P. Morabito 2010 Tax Return Morabito (341).000112-171)	10/25/18	No Objection	11/7/18
296	Defendants	December 31, 2010 Superpumper Inc. Note to Financial Statements (SBCPA008347-008350)	10/25/18	Stipulation	11/7/18
297	Defendants	December 31, 2010 Superpumper Consultations (Kraus Exh. 19)	10/25/18	Objection Overruled	11/2/18

Exhibits

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Exhibit No.	Party	Description	Marked	Offered	Admitted
298	Defendants	April 19, 2011 Memo from D. Takemoto re: "Workpapers" re: Notes Receivable and Loan Refinancing (Kraus Exh. 21) RETURNED TO PARTY	10/25/18		
299	Defendants	Superpumper Lease & Rent Information (Cavalier Exh 11) RETURNED TO PARTY	10/25/18		
300	Defendants	9/20/10 Email Chain between Yalmanchili and Graber re: Attorney Client Privileged Communication (Graber Exh. 8)	11/1/18	Stipulation	11/1/18
301	Defendant	9/15/10 Email from Vacco to Paul Morabito re: Tomorrow (Yalamanchili Exh. 15)	11/1/18	No Objection	11/1/18
302	Plaintiff	Designation Portions of the Video Deposition of Paul Morabito	11/1/18	Stipulation	11/5/18

Exhibits

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Clerk: **M. Stone**

Date: **10/29/2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
303	Plaintiff	Bankruptcy Court District of Nevada Claims Register case no. 13-51237	11/2/18	Objection Overruled	11/2/18
304	Defendant	4/14/18 Email from Allen to Krausz re: Superpumper (Krausz Exh. 20)	11/2/18	Stipulation	11/2/18
305	Plaintiff	Subpoena In a Case Under the Bankruptcy Code to Robison Sharp Sullivan Brust issued in case no. BK-N-13-51237-GWZ	2/8/19	No Objection	2/8/19
306	Plaintiff	Letter to Mark Weisenmiller, Esq., from Frank Gilmore, Esq., dated 8/30/18	2/8/19	No Objection	2/8/19
307	Plaintiff	Order Granting Motion to Compel Compliance with the Subpoena to Robison Sharp Sullivan Brust filed in case no. BK-N-13-51237-GWZ	2/8/19	No Objection	2/8/19

Exhibits

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Case No: **CV13-02663**

Dept. No: **4**

Clerk: **M. Stone**

Date: **10/29/2018**

Exhibit No.	Party	Description	Marked	Offered	Admitted
308	Plaintiff	Response of Robison, Sharp, Sullivan & Brust's to Subpoena filed in case no. BK-N-13-51237-GWZ	2/8/19	No Objection	2/8/19
309	Plaintiff	Declaration of Frank C. Gilmore in support of Robison, Sharp, Sullivan & Brust's Opposition to Motion for Order Holding Robison in Contempt filed in case no. BK-N-13-51237-GWZ	2/8/19	No Objection	2/8/19

CASE NO. CV13-02663

**TITLE: WILLIAM A. LEONARD, Trustee for the Bankruptcy
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SALVATORE MORABITO and SNOWSHOE PETROLEUM, INC.**

**DATE, JUDGE
OFFICERS OF**

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

2/26/19	<u>MOTION TO CONTINUE ONGOING NON-JURY TRIAL (TELEPHONIC)</u>	
HONORABLE	Erika Turner, Esq., represented on behalf of Plaintiff William A. Leonard,	
CONNIE	Trustee for the Bankruptcy Estate of Paul Anthony Morabito. Frank Gilmore,	3/1/19
STEINHEIMER	Esq., represented Defendant Edward Bayuk present, individually and as	1:00 p.m.
DEPT. NO.4	representative for Edward William Bayuk Living Trust, Superpumper, Inc., and	Ongoing
M. Stone	Snowshoe Petroleum, Inc., Defendant Salvatore Morabito, individually and as	Non-Jury
(Clerk)	representative for Superpumper, Inc., and Snowshoe Petroleum, Inc.	Trial
J. Schonlau	Court convened.	
(Reporter)	Neither counsel had anything to add to the pleadings.	
	COURT ENTERED ORDER denying the Motion to Continue the Ongoing Non-	
	Jury Trial scheduled for March 1, 2019.	
	As suggested by Plaintiff's counsel in Plaintiff's Opposition to the Motion,	
	COURT ENTERED ORDER allowing Defendant Bayuk to testify by audiovisual	
	transmission pursuant to NRCP 43(a) and Part IX-B(B) of the Nevada Supreme	
	Court Rules.	
	Court adjourned.	

CASE NO. CV13-02663

**TITLE: WILLIAM A. LEONARD, Trustee for the Bankruptcy
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**DATE, JUDGE
OFFICERS OF
COURT PRESENT**

PAGE ONE

APPEARANCES-HEARING

CONT'D TO

6/24/19

DECISION ON SUBMITTED MOTIONS (TELEPHONIC)

HONORABLE
CONNIE
STEINHEIMER
DEPT. NO.4
M. Stone
(Clerk)
J. Schonlau
(Reporter)

Erika Turner, Esq., Teresa Pilatowicz, Esq., and Gabrielle Hamm, Esq., represented Plaintiff William A. Leonard, Trustee for the Bankruptcy Estate of Paul Anthony Morabito. Jeffrey Hartman, Esq., represented Defendant Edward Bayuk, individually and as representative for Edward William Bayuk Living Trust. Frank Gilmore, Esq., represented Salvatore Morobito, individually and as representative for Superpumper, Inc., and Snowshoe Petroleum, Inc. Court convened.

The Court having reviewed all the pleadings filed related to the Motion to Retax Costs, the entire file and having presided over the trial in this matter is persuaded by a majority of the arguments of the Plaintiff. Therefore, **COURT ENTERED ORDER** granting in part/denying in part the Motion to Retax Costs as follows: Granting Plaintiff's request to extend the 5-day deadline to file the memorandum of costs through April 11, 2019 and excuse the 4-day delay as it did not cause any prejudice to the Defendant and good cause was presented by the Plaintiff; granting the Motion to Retax Costs in that reasonable costs were incurred in the amount of \$152,856.84; reducing expert fees to \$75,505.90; reducing photocopy fees to \$17,772.17; and denying request for Odyssey fees as they do not apply in the Second Judicial District Court and e-filing is free in the Second Judicial District Court.

The Court finds that the above fees were reasonably and necessarily incurred. Plaintiff's counsel shall prepare a proposed Order, provide it to Defendant's counsel for review and submit to the Court within 2 weeks of the date of this hearing.

The Court having reviewed all the pleadings filed related to the Application for Attorney's Fees and Cost Pursuant to NRCP 68, the entire file and having presided over the trial, the Memorandum of Costs, Motion to Retax Costs and Decision on the Motion to Retax Costs, finds that Plaintiff is entitled to attorneys' fees and costs, that Plaintiff served a valid offer of judgment on Defendants, that the Plaintiff obtained a higher verdict after a trial on the merits, that Plaintiff's offer was a good faith offer, premised on sound factual and legal basis, reasonable in timing and amount; that Plaintiff's Offer was an apportioned offer and must be enforced under NRCP 68(f) and consistent under the factors in

CASE NO. CV13-02663

**TITLE: WILLIAM A. LEONARD, Trustee for the Bankruptcy
Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC.,
EDWARD BAYUK, EDWARD WILLIAM BAYUK LIVING TRUST,
SALVATORE MORABITO and SNOWSHOE PETROLEUM, INC.**

**DATE, JUDGE
OFFICERS OF
COURT PRESENT**

PAGE TWO

APPEARANCES-HEARING

CONT'D TO

6/24/19

DECISION ON SUBMITTED MOTIONS (TELEPHONIC)

J. Schonlau
(Reporter)

Beattie v. Thomas; and that the Defendants' rejection of the offer was unreasonable. Therefore, **COURT ENTERED ORDER** granting costs incurred from June 1, 2016 which have not been reduced by the decision in the Motion to Retax Costs; that Defendants are to pay Plaintiff's attorney's fees in the amount of \$773,116.00, less \$8,128.87 for sanctions previously paid; and that the amount of attorney's fees ordered applies to Defendant Bayuk as well and that he must pay his portion.

Plaintiff's counsel shall prepare a proposed Order, provide it to Defendant's counsel for review and submit to the Court within 2 weeks of the date of this hearing.

The Court having reviewed all the pleadings filed related to the Motion for New Trial and/or Alter or Amend Judgment Pursuant to NRCP 52, 59 and 60 filed by Defendants Salvatore Morabito, Superpumper Inc., and Snowshoe Petroleum, Inc., the entire file and having presided over the trial in this matter is persuaded by a majority of the arguments of the Plaintiff, finds there are no clerical mistakes, oversights or newly discovery evidence or any other reason to justify relief from the Judgment pursuant to NRCP 60; that NRCP 52, as incorrectly cited by Defendant, does not support modification of the Judgment as written; that there are no irregularities that denied the Defendants a fair trial nor any error in law over Defendant objections that would justify a new trial and/or altering the Judgment pursuant to NRS 59; and that in light of the evidence supporting the Court's finding regarding multiple badges of fraud and lack of good faith by the Defendants, Defendants cannot demonstrate that any error materially affected their substantial rights or affected the outcome of the trial. Therefore, **COURT ENTERED ORDER** denying Defendants' Motion for New Trial and/or Alter or Amend Judgment Pursuant to NRCP 52, 59 ad 60.

Plaintiff's counsel shall prepare a proposed Order, provide it to Defendant's counsel for review and submit to the Court within 2 weeks of the date of this hearing.

Court adjourned.

CASE NO. CV13-02663

**TITLE: WILLIAM A. LEONARD, Trustee for the Bankruptcy
Estate of Paul Anthony Morabito VS. SUPERPUMPER, INC.,
EDWARD BAYUK, EDWARD WILLIAM BAYUK LIVING TRUST,
SALVATORE MORABITO and SNOWSHOE PETROLEUM, INC.**

**DATE, JUDGE
OFFICERS OF**

COURT PRESENT

APPEARANCES-HEARING

CONT'D TO

7/22/19

HEARING ON OBJECTION TO CLAIM FOR EXEMPTION

HONORABLE
CONNIE

Erika Turner, Esq., and Teresa Pilatowicz, Esq., represented Plaintiff William A. Leonard, Trustee for the Bankruptcy Estate of Paul Anthony Morabito.

STEINHEIMER

Defendant Edward Bayuk present individually and as trustee for the Edward

DEPT. NO.4

William Bayuk Living Trust, with counsel, Jeffrey Hartman, Esq., and

M. Stone/T.

Michael Lehnert Esq., who also represented Salvatore Morabito.

Adrian

Objection to Claim for Exemption by counsel Turner; presented argument;

(Clerk)

objection and argument by counsel Lehnert.

J. Schonlau

3:12 p.m. Court recessed for counsel Lehnert to consult with co-counsel and his client.

(Reporter)

3:25 p.m. Court reconvened with respective counsel and Defendant Bayuk present.

Reply argument by counsel Turner.

The Court found that there are not sufficient factors in this case to create trust protections based on fact that neither a trustee or beneficiary of the Edward William Bayuk Living Trust live in the State of Nevada, that this Court does have the necessary jurisdiction to rule in this case, and that the objection was waived by the Defendants as it was not raised during the course of the trial. Therefore, **COURT ENTERED ORDER** denying the claim for exemption.

Counsel for the Plaintiff to prepare order in accordance with the above ruling.

Motion for Stay of Proceedings Pending Appeal by counsel Lehnert; presented argument; objection and argument by counsel Turner.

Motion for Leave to Supplement Record as to the burial plot by counsel Lehnert; presented argument; objection and argument by counsel Turner.

COURT ENTERED ORDER denying the request to supplement the record with testimony by Edward Bayuk regarding the burial plot; and denying the Motion for Stay of Proceedings with leave to renew once written decision is entered regarding the request for exemption.

COURT ENTERED ORDER denying the Edward William Bayuk Living Trust's third-party claim.

Court recessed.

Code 4132

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

IN AND FOR THE COUNTY OF WASHOE

WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate
of Paul Antony Morabito,

Case No. CV13-02663

Dept. No. 4

Plaintiff,

vs.

SUPERPUMPER, INC., an Arizona corporation; EDWARD
BAYUK, individually and as Trustee of the EDWARD
WILLIAM BAYUK LIVING TRUST; SALVATORE
MORABITO, and individual; and SNOWSHOE
PETROLEUM, INC., a New York Corporation,

Defendants.

NOTICE OF APPEAL DEFICIENCY

TO: Clerk of the Court, Nevada Supreme Court,
and All Parties or their Respective Counsel Of Record:

On December 6th, 2019, Attorney Micah S. Echols, Esq. for Defendants, Superpumper, Inc., Edward Bayuk, Salvatore Morabito and Snowshoe Petroleum, Inc., filed a Notice of Appeal with the Court. Attorney Micah S. Echols failed to include the Five Hundred Dollar (\$500.00) District Court appeal bond fee.

Pursuant to NRAP 3(a)(3), on December 10th, 2019, the Notice of Appeal was filed with the Nevada Supreme Court. By copy of this notice Attorney Micah S. Echols, Esq., was apprised of the deficiency.

Dated this 10th day of December, 2019.

Jacqueline Bryant
Clerk of the Court
By: /s/YViloria
YViloria
Deputy Clerk

CERTIFICATE OF SERVICE

CASE NO. CV13-02663

I certify that I am an employee of the Second Judicial District Court of the State of Nevada, County Of Washoe; that on the 10th day of December, 2019, I electronically filed the Notice of Appeal Deficiency with the Clerk of the Court by using the ECF system.

I further certify that I transmitted a true and correct copy of the foregoing document by the method(s) noted below:

Electronically filed with the Clerk of the Court by using the ECF system which will send a notice of electronic filing to the following: GABRIELLE HAMM, ESQ. for WILLIAM A. LEONARD, JR, TRSTEE OF ESTATE OF PAUL A. MORABITO;

JEFFREY HARTMAN, ESQ. for EDWARD BAYUK, EDWARD WILLIAM BAYUK LIVING TRUST

TERESA PILATOWICZ, ESQ. for WILLIAM A. LEONARD, JR, TRSTEE OF ESTATE OF PAUL A. MORABITO

TOM STEWART, ESQ. for SALVATORE R. MORABITO et al

MARK WEISENMILLER, ESQ. for WILLIAM A. LEONARD, JR, TRSTEE OF ESTATE OF PAUL A. MORABITO

ERIKA TURNER, ESQ. for WILLIAM A. LEONARD, JR, TRSTEE OF ESTATE OF PAUL A. MORABITO

KATHLEEN WILDE, ESQ. for SALVATORE R. MORABITO et al

MICHAEL LEHNERS, ESQ. for SALVATORE R. MORABITO

MICAH ECHOLS, ESQ. for SALVATORE R. MORABITO et al

FRANK GILMORE, ESQ. for SALVATORE R. MORABITO, SUPERPUMPER, INC., SNOWSHOE PETROLEUM, INC.

Deposited in the Washoe County mailing system for postage and mailing with the United States Postal Service in Reno, Nevada:

/s/YViloria
YViloria
Deputy Clerk

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Code 1350

IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA
IN AND FOR THE COUNTY OF WASHOE

WILLIAM A. LEONARD, Trustee for the Bankruptcy Estate
of Paul Antony Morabito,

Case No. CV13-02663

Plaintiff,

Dept. No. 4

vs.

SUPERPUMPER, INC., an Arizona corporation; EDWARD
BAYUK, individually and as Trustee of the EDWARD
WILLIAM BAYUK LIVING TRUST; SALVATORE
MORABITO, and individual; and SNOWSHOE
PETROLEUM, INC., a New York Corporation,

Defendants.

CERTIFICATE OF CLERK AND TRANSMITTAL – NOTICE OF APPEAL

I certify that I am an employee of the Second Judicial District Court of the State of Nevada,
County of Washoe; that on the 10th day of December, 2019, I electronically filed the Notice of
Appeal in the above entitled matter to the Nevada Supreme Court.

I further certify that the transmitted record is a true and correct copy of the original
pleadings on file with the Second Judicial District Court.

Dated this 10th day of December, 2019

Jacqueline Bryant
Clerk of the Court

By /s/ YViloria
YViloria
Deputy Clerk

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12/9/2019

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OF

Clerk of the Supreme Court

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CU13-02663

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