

1 **NOAS**

2 Alex Ghibaudo, Esq.

3 Bar No. 10592

4 **ALEX B. GHIBAUDO, PC.**

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10 *Attorney for Plaintiff*

Electronically Filed  
Jan 15 2020 10:26 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

11 **DISTRICT COURT, FAMILY DIVISION**

12 **CLARK COUNTY, NEVADA**

13 **HOWARD SHAPIRO,**

Dist. Ct. No.: A-14-706566-C

14 Plaintiff,

Dist. Ct. Dept. No.: XXVII

15 vs.

16 **NOTICE OF APPEAL**

17 **GLEN WELT et al.,**

18 Defendants.

19 COMES NOW Plaintiff Howard Shapiro, (hereinafter referred to as "Plaintiff"), by  
20 and through his attorney of record, ALEX B. GHIBAUDO, ESQ., of the law firm of ALEX  
21 B. GHIBAUDO, P.C., and pursuant to the Nevada Rule of Appellant Procedure 3, files the  
22 following Notice of Appeal from the above-captioned Court's Order granting Defendant's  
23 motion for attorney's fees and costs pursuant to Nevada's Anti-SLAPP statute (NRS  
24 41.660), electronically filed on December 23, 2019.

25 ///

26 ///



1 The decision granting that motion was made on October 10, 2019. Notice of entry of that  
2 order was filed on December 26, 2019.

3 DATED this 6<sup>th</sup> day of January, 2020.

4 ALEX B. GHIBAUDO, P.C.

6 By: /s/ Alex B. Ghibaud, Esq.

7 Alex B. Ghibaud, Esq.  
8 Nevada Bar No.: 010592  
9 703 S. 8<sup>th</sup> Street  
10 Las Vegas, Nevada 89101  
11 Attorney for *Plaintiff*

ALEX B. GHIBAUDO, PC  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 6<sup>th</sup> day of January, 2020, I served a true and correct copy of the foregoing **NOTICE OF APPEAL**, via the Court designated electronic service, addressed to the following:

Michael Lowry, Esq.  
Michael.lowry@wilsonelser.com

By: /s/ Alex Ghibaudo  
An Employee of ALEX B. GHIBAUDO, P.C.

ALEX B. GHIBAUDO, PC  
703 S. 8<sup>th</sup> STREET  
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**CASE SUMMARY****CASE NO. A-14-706566-C**

**Howard Shapiro, Plaintiff(s)**  
**vs.**  
**Glen Welt, Defendant(s)**

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§  
§

Location: **Department 27**  
 Judicial Officer: **Allf, Nancy**  
 Filed on: **09/04/2014**  
 Cross-Reference Case Number: **A706566**  
 Supreme Court No.: **67363**  
**67596**  
**73943**

**CASE INFORMATION****Statistical Closures**

08/04/2017 Motion to Dismiss by the Defendant(s)  
 01/02/2015 Motion to Dismiss by the Defendant(s)

Case Type: **Other Civil Matters**

Case Status: **01/29/2019 Reopened**

**DATE****CASE ASSIGNMENT****Current Case Assignment**

Case Number A-14-706566-C  
 Court Department 27  
 Date Assigned 09/04/2014  
 Judicial Officer Allf, Nancy

**PARTY INFORMATION**

		<i>Lead Attorneys</i>
<b>Plaintiff</b>	<b>Shapiro, Howard</b>	<b>Ghibaud, Alex</b> <i>Retained</i> 702-978-7090(W)
	<b>Shapiro, Jenna</b>	<b>Ghibaud, Alex</b> <i>Retained</i> 702-978-7090(W)
<b>Defendant</b>	<b>Checksnet.com</b> Removed: 01/02/2015 Dismissed	
	<b>Welt, Glen</b>	<b>Lowry, Michael P.</b> <i>Retained</i> 702-727-1400(W)
	<b>Welt, Lynn</b> Removed: 01/02/2015 Dismissed	<b>Lowry, Michael P.</b> <i>Retained</i> 702-727-1400(W)
	<b>Welt, Lynn</b>	<b>Lowry, Michael P.</b> <i>Retained</i> 702-727-1400(W)
	<b>Welt, Lynn</b> Removed: 10/20/2017 Dismissed	
	<b>Welt, Michele</b> Removed: 10/20/2017 Dismissed	<b>Lowry, Michael P.</b> <i>Retained</i> 702-727-1400(W)
	<b>Welt, Michele</b>	<b>Lowry, Michael P.</b> <i>Retained</i> 702-727-1400(W)

# CASE SUMMARY

CASE NO. A-14-706566-C

**Welt, Michelle**

Removed: 01/02/2015  
Dismissed

**Welt, Rhoda**

Removed: 01/02/2015  
Dismissed

**Welt, Rhoda**

**Welt, Rhoda**










Removed: 10/20/2017  
Dismissed

**Lowry, Michael P.**

*Retained*  
702-727-1400(W)







**Lowry, Michael P.**

*Retained*  
702-727-1400(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
	<b><u>EVENTS</u></b>	
09/04/2014	 Complaint Filed By: Plaintiff Shapiro, Howard <i>Complaint</i>	
09/04/2014	Case Opened	
09/05/2014	 Initial Appearance Fee Disclosure Filed By: Plaintiff Shapiro, Howard <i>Initial Appearance Fee Disclosure (NRS Chapter 19)</i>	
10/01/2014	 Demand for Security of Costs Filed By: Defendant Welt, Rhoda <i>Rhoda Welt and Lynn Welt's Demand for Security of Costs</i>	
10/01/2014	 Initial Appearance Fee Disclosure Filed By: Defendant Welt, Rhoda <i>Initial Appearance Fee Disclosure for Rhoda Welt and Lynn Welt</i>	
10/01/2014	 Disclosure Statement Party: Defendant Welt, Rhoda <i>Rhoda Welt and Lynn Welt's NRCP 7.1 Disclosure Statement</i>	
10/08/2014	 Affidavit of Service Filed By: Plaintiff Shapiro, Howard <i>Affidavit of Service</i>	
10/08/2014	 Affidavit of Service Filed By: Plaintiff Shapiro, Howard <i>Affidavit of Service</i>	
10/08/2014	 Affidavit of Service Filed By: Plaintiff Shapiro, Howard <i>Affidavit of Service</i>	
10/13/2014	 Demand for Security of Costs Filed By: Defendant Welt, Glen <i>Glenn Welt &amp; Michele Welt's Demand for Security of Costs</i>	
10/13/2014		

# CASE SUMMARY

CASE NO. A-14-706566-C

	 Initial Appearance Fee Disclosure Filed By: Defendant Welt, Glen <i>Glenn Welt &amp; Michele Welt's Initial Appearance Fee Disclosure</i>
10/13/2014	 Disclosure Statement Party: Defendant Welt, Glen <i>Glenn Welt &amp; Michele Welt's NRCP 7.1 Disclosure Statement</i>
10/21/2014	 Affidavit Filed By: Plaintiff Shapiro, Howard <i>Affidavit of Service</i>
10/28/2014	 Summons Filed by: Plaintiff Shapiro, Howard <i>Summons</i>
11/14/2014	 Motion to Dismiss Filed By: Defendant Welt, Glen <i>Glenn Welt, Rhoda Welt, Lynn Welt &amp; Michele Welt's Motion to Dismiss</i>
11/17/2014	 Undertaking for Security for Costs for Non-Resident Party: Plaintiff Shapiro, Jenna <i>Undertaking for Security for Costs for Non-Resident</i>
11/17/2014	 Undertaking for Security for Costs for Non-Resident Party: Plaintiff Shapiro, Jenna <i>Undertaking for Security for Costs for Non-Resident</i>
11/17/2014	 Undertaking for Security for Costs for Non-Resident Party: Plaintiff Shapiro, Howard <i>Undertaking for Security for Costs for Non-Resident</i>
11/17/2014	 Undertaking for Security for Costs for Non-Resident Party: Plaintiff Shapiro, Howard <i>Undertaking for Security for Costs for Non-Resident</i>
11/18/2014	 Certificate of Mailing Filed By: Plaintiff Shapiro, Howard <i>Certificate of Mailing</i>
11/19/2014	 Notice Filed By: Plaintiff Shapiro, Howard <i>Notice of Posting Security Cost Bond</i>
11/25/2014	 Certificate of Service Filed by: Plaintiff Shapiro, Howard <i>Certificate of Service</i>
12/02/2014	 Opposition Filed By: Plaintiff Shapiro, Howard <i>Opposition to Motion to Dismiss</i>
12/10/2014	 Reply to Opposition Filed by: Defendant Welt, Glen

# CASE SUMMARY

CASE NO. A-14-706566-C

*Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt's Reply re Motion to Dismiss*

12/11/2014	 Undertaking for Security for Costs for Non-Resident Party: Plaintiff Shapiro, Howard <i>Undertaking for Security for Costs for Non-Resident</i>
12/11/2014	 Undertaking for Security for Costs for Non-Resident Party: Plaintiff Shapiro, Howard <i>Undertaking for Security for Costs for Non-Resident</i>
12/11/2014	 Undertaking for Security for Costs for Non-Resident Party: Plaintiff Shapiro, Jenna <i>Undertaking for Security for Costs for Non-Resident</i>
12/11/2014	 Undertaking for Security for Costs for Non-Resident Party: Plaintiff Shapiro, Jenna <i>Undertaking for Security for Costs for Non-Resident</i>
12/12/2014	 Supplement to Opposition Filed By: Plaintiff Shapiro, Howard <i>First Supplement to Opposition to Motion to Dismiss</i>
12/12/2014	 Notice Filed By: Plaintiff Shapiro, Howard <i>Notice of Posting Additional Security Cost Bonds</i>
12/15/2014	 Notice of Withdrawal of Motion Filed By: Defendant Welt, Glen <i>Glenn Welt, Rhoda Welt, Lynn Welt &amp; Michele Welt's Notice of Withdrawal of Motion</i>
12/15/2014	 Motion to Dismiss Filed By: Defendant Welt, Glen <i>Glenn Welt, Rhoda Welt, Lynn Welt &amp; Michele Welt's Motion to Dismiss</i>
12/18/2014	 Opposition to Motion to Dismiss Filed By: Plaintiff Shapiro, Howard <i>Opposition to Defendants' Motion to Dismiss Plaintiff's Complaint and Counter-motion for Attorney's Fees, Costs, and Sanctions</i>
12/19/2014	 Reply to Opposition Filed by: Defendant Welt, Glen <i>Glenn Welt, Rhoda Welt, Lynn Welt and Michele Welt's Reply Re Motion to Dismiss</i>
12/29/2014	 Supplemental Brief Filed By: Defendant Welt, Glen <i>Glenn Welt, Rhoda Welt, Lynn Welt &amp; Michele Welt's Supplement re Motion to Dismiss</i>
01/02/2015	 Order For Dismissal Without Prejudice <i>Order Granting Defendant's Motion to Dismiss</i>
01/02/2015	 Notice of Entry of Order Filed By: Defendant Welt, Glen <i>Notice of Entry of Order Granting Motion to Dismiss</i>

# CASE SUMMARY

CASE NO. A-14-706566-C

01/05/2015	 Affidavit in Support Filed By: Defendant Welt, Glen <i>Affidavit in Support of Fees and Costs per NRS 41.670</i>
01/08/2015	 Substitution of Attorney Filed by: Plaintiff Shapiro, Howard <i>Substitution of Attorney</i>
01/15/2015	 Memorandum Filed By: Plaintiff Shapiro, Howard <i>Respondent's to Defendants' Memorandum of Fees and Costs Under NRS 41.670</i>
01/16/2015	 Reply in Support Filed By: Defendant Welt, Glen <i>Reply in Support of Affidavit re Fees and Costs per NRS 41.670</i>
02/02/2015	 Voluntary Dismissal Filed by: Plaintiff Shapiro, Howard <i>Voluntary Dismissal</i>
02/02/2015	 Certificate of Service Filed by: Plaintiff Shapiro, Howard <i>Certificate of Electronic Service</i>
02/02/2015	 Notice of Appeal Filed By: Plaintiff Shapiro, Howard <i>Notice of Appeal</i>
02/04/2015	 Case Appeal Statement Filed By: Plaintiff Shapiro, Howard <i>Case Appeal Statement</i>
02/13/2015	 Notice of Appeal Filed By: Defendant Welt, Glen <i>Notice of Cross-Appeal</i>
02/13/2015	 Case Appeal Statement Filed By: Defendant Welt, Glen <i>Cross-Appeal Case Statement</i>
02/20/2015	 Order Granting Motion <i>Order Granting Defendants' Motion for Attorneys' Fee</i>
02/23/2015	 Notice of Entry of Order Filed By: Defendant Welt, Glen <i>Notice of Entry of Order Granting Motion for Attorneys' Fees</i>
03/14/2015	 Case Appeal Statement Filed By: Defendant Welt, Glen <i>Defendants' Case Appeal Statement</i>
03/14/2015	 Notice of Appeal Filed By: Defendant Welt, Glen



# CASE SUMMARY

CASE NO. A-14-706566-C

## Defendants' Notice of Appeal

03/14/2015



Case Appeal Statement

Filed By: Defendant Welt, Glen

*Defendants' Case Appeal Statement*

07/06/2015



Transcript of Proceedings

Party: Plaintiff Shapiro, Howard

*Request for Transcript of Proceedings*

07/31/2015



Recorders Transcript of Hearing

*Recorder's Transcript of Proceedings: Glen Welt, Rhoda Welt, Lynn Welt & Michelle Welt's Motion to Dismiss; Opposition to Defendants' Motion to Dismiss Plaintiff's Complaint and Countermotion for Attorney's Fees, Costs, and Sanctions - December 24, 2014*

01/07/2016



Withdrawal of Attorney

Filed by: Plaintiff Shapiro, Jenna

*Withdrawal of Attorney of Record 1-7-16*

07/29/2016



Substitution of Attorney

Filed by: Defendant Welt, Glen

*Substitution of Attorney*

05/04/2017



NV Supreme Court Clerks Certificate/Judgment - Affd/Rev Part

*Nevada Supreme Court Clerk's Certificate Judgment - Affirmed in Part, Reversed in Part, Vacated in Part and Remand; Rehearing Denied*

05/26/2017



Motion to Dismiss

Filed By: Defendant Welt, Glen

*Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt s Renewed Motion to Dismiss*

05/26/2017



Notice of Hearing

Filed By: Defendant Welt, Glen

*Notice of Hearing re Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt s Renewed Motion to Dismiss*

06/20/2017



Opposition and Countermotion

Filed By: Plaintiff Shapiro, Howard; Plaintiff Shapiro, Jenna

*Plaintiff's Opposition to Defendants Special Motion to Dismiss and Counter-Motion for sanctions, attorney's fees, and cost*

06/21/2017



Order

*Order Continuing June 22, 2017 Hearing*

06/21/2017



Reply to Opposition

*Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt s Reply re Renewed Motion to Dismiss*

06/22/2017



Certificate of Service

Filed by: Plaintiff Shapiro, Howard

*Certificate of Service*

07/10/2017



Reply

Filed by: Defendant Welt, Glen

*Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt s Supplemental Reply re Renewed Motion*

# CASE SUMMARY

CASE NO. A-14-706566-C

*to Dismiss*

08/04/2017



Order Granting

Filed By: Defendant Welt, Glen

*Order Granting Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt's Renewed Motion to Dismiss*

08/07/2017



Notice of Entry of Order

*Notice of Entry of Order*

08/15/2017



Motion for Attorney Fees and Costs

Filed By: Defendant Welt, Glen

*Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt s Motion for Attorneys Fees & to Amend Order Granting Summary Judgment*

09/06/2017



Notice of Appeal

Filed By: Plaintiff Shapiro, Howard; Plaintiff Shapiro, Jenna

*Notice of Appeal*

09/13/2017



Case Appeal Statement

Filed By: Plaintiff Shapiro, Howard; Plaintiff Shapiro, Jenna

*Case Appeal Statement*

09/14/2017



Recorders Transcript of Hearing

*Transcript Of Proceedings, Glen Welt, Rhoda Welt, Lynn Welt & Michele Welt s Renewed Motion To Dismiss Plaintiff s Opposition To Defendants Special Motion To Dismiss And Countermotion For Sanctions, Attorney s Fees, And Costs, Heard On July 19, 2017*

09/20/2017



Order Granting Motion

Filed By: Defendant Welt, Glen; Defendant Welt, Rhoda; Defendant Welt, Lynn; Defendant Welt, Michele

*Amended Order Granting Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt's Renewed Motion to Dismiss*

09/20/2017



Order

Filed By: Defendant Welt, Glen; Defendant Welt, Rhoda; Defendant Welt, Lynn; Defendant Welt, Michele

*Order re Glenn Welt, Rhoda Welt, Lynn Welt and Michele Welt's Motion for Attorneys' Fees and to Amend Order Granting Summary Judgment*

09/25/2017



Notice of Entry of Order

Filed By: Defendant Welt, Glen; Defendant Welt, Rhoda; Defendant Welt, Lynn; Defendant Welt, Michele

*Notice of Entry of Amended Order*

09/25/2017



Notice of Entry of Order

Filed By: Defendant Welt, Glen; Defendant Welt, Rhoda; Defendant Welt, Lynn; Defendant Welt, Michele

*Notice of Entry of Order*

10/20/2017



Stipulation and Order

Filed by: Defendant Welt, Rhoda; Defendant Welt, Lynn; Defendant Welt, Michele

*Stipulation and Order for Second Amended Order Granting Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt's Renewed Motion to Dismiss*

10/20/2017

# CASE SUMMARY

CASE NO. A-14-706566-C

	 Amended Order Filed By: Defendant Welt, Rhoda; Defendant Welt, Lynn; Defendant Welt, Michele <i>Second Amended Order Granting Glenn Welt, Rhoda Welt, Lynn Welt &amp; Michele Welt's Renewed Motion to Dismiss</i>
10/24/2017	 Notice of Entry of Order Filed By: Defendant Welt, Glen <i>Notice of Entry of Order</i>
10/24/2017	 Notice of Entry of Stipulation and Order Filed By: Defendant Welt, Glen <i>Notice of Entry of Stipulation and Order</i>
11/09/2017	 Motion Filed By: Plaintiff Shapiro, Howard; Plaintiff Shapiro, Jenna <i>Motion to Stay Proceedings and to Waive Supersedeas Bond</i>
11/27/2017	 Opposition to Motion Filed By: Defendant Welt, Glen <i>Defendants' Opposition to Motion to Stay Proceedings and to Waive Supersedeas Bond</i>
12/05/2017	 Application Filed By: Plaintiff Shapiro, Howard; Plaintiff Shapiro, Jenna <i>Ex Parte Application for Order Shortening Time on Plaintiffs' Motion to Stay Proceedings</i>
01/02/2018	 Order Filed By: Defendant Welt, Glen <i>Order re Plaintiffs' Motion to Stay Proceedings and to Waive Supersedeas Bond</i>
01/09/2018	 Notice of Entry of Order Filed By: Defendant Welt, Glen <i>Notice of Entry of Order</i>
01/17/2018	 Motion Filed By: Plaintiff Shapiro, Howard; Plaintiff Shapiro, Jenna <i>Renewed Motion to Stay Proceedings and to Waive Supersedeas Bond or in the Alternative Motion to Reconsider</i>
01/17/2018	 Ex Parte Application Party: Plaintiff Shapiro, Howard; Plaintiff Shapiro, Jenna <i>Ex Parte Application for an Order Shortening Time</i>
01/19/2018	 Order Shortening Time Filed By: Plaintiff Shapiro, Howard; Plaintiff Shapiro, Jenna <i>Order Shortening Time on Plaintiffs' Renewed Motion to Stay Proceedings and to Waiver Supersedeas Bond or in the Alternative Motion to Reconsider</i>
01/22/2018	 Notice of Entry of Order Filed By: Plaintiff Shapiro, Howard; Plaintiff Shapiro, Jenna <i>Notice of Entry of Order Shortening Time on Plaintiffs' Renewed Motion to Stay Proceedings and to Waive Supersedeas Bond or in the Alternative Motion to Reconsider</i>
01/23/2018	 Opposition to Motion Filed By: Defendant Welt, Glen

# CASE SUMMARY

CASE NO. A-14-706566-C

*Defendants Opposition to Renewed Motion to Stay Proceedings and to Waive Supersedeas Bond*

02/09/2018	 Order Denying Motion Filed By: Defendant Welt, Glen <i>Order re Plaintiffs' Renewed Motion to Stay Proceedings and to Waive Supersedeas Bond, or in the Alternative Motion to Reconsider</i>
03/09/2018	 Notice of Entry of Order Filed By: Defendant Welt, Glen <i>Notice of Entry of Order</i>
01/29/2019	 NV Supreme Court Clerks Certificate/Judgment -Remanded <i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Reversed and Remand</i>
02/11/2019	 Order Setting Hearing <i>Order Setting Status Hearing</i>
05/02/2019	 Motion to Dismiss Filed By: Defendant Welt, Glen <i>Glenn Welt, Rhoda Welt, Lynn Welt &amp; Michele Welt's Motion to Dismiss Certain Causes of Action</i>
05/02/2019	 Motion to Dismiss Filed By: Defendant Welt, Glen <i>Glenn Welt, Rhoda Welt, Lynn Welt &amp; Michele Welt's Motion to Dismiss re NRS 41.660</i>
05/02/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
07/09/2019	 Opposition to Motion Filed By: Plaintiff Shapiro, Howard; Plaintiff Shapiro, Jenna <i>Opposition to Defendants' Motion to Dismiss Pursuant to NRS 41.660</i>
07/12/2019	 Miscellaneous Filing Filed by: Plaintiff Shapiro, Howard <i>Receipt of Donation</i>
07/12/2019	 Reply to Motion <i>Glenn Welt, Rhoda Welt, Lynn Welt &amp; Michele Welt s Reply re Motion to Dismiss re NRS 41.660</i>
08/07/2019	 Order Filed By: Defendant Welt, Glen <i>Order re Glenn Welt, Rhoda Welt, Lynn Welt &amp; Michelle Welt's 1) Motion to Dismiss re NRS 41.660, &amp; 2) Motion to Dismiss Certain Causes of Action</i>
08/08/2019	 Notice of Entry Filed By: Defendant Welt, Glen <i>Notice of Entry of Order</i>
08/08/2019	 Answer to Complaint Filed by: Defendant Welt, Glen <i>Glenn Welt, Rhoda Welt, Lynn Welt &amp; Michelle Welt's Answer to Complaint</i>

# CASE SUMMARY

CASE NO. A-14-706566-C

08/16/2019	 Motion for Fees Filed By: Defendant Welt, Glen <i>Glenn Welt, Rhoda Welt, Lynn Welt &amp; Michele Welt's Motion for Fees, Costs, and Discretionary Relief</i>
08/16/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
09/26/2019	 Appointment of Arbitrator <i>Appointment of Arbitrator</i>
10/03/2019	 Opposition Filed By: Plaintiff Shapiro, Howard <i>Opposition to Defendants' Motion</i>
10/04/2019	 Reply to Motion Filed By: Defendant Welt, Glen; Defendant Welt, Rhoda; Defendant Welt, Lynn; Defendant Welt, Michele <i>Glenn Welt, Rhoda Welt, Lynn Welt and Michele Welt's Reply Re Motion for Fees, Costs, and Discretionary Relief</i>
11/05/2019	 Declaration Filed By: Defendant Welt, Glen; Defendant Welt, Rhoda; Defendant Welt, Lynn; Defendant Welt, Michele <i>Declaration of Michael Lowry re Glenn Welt, Rhoda Welt, Lynn Welt &amp; Michelle Welt's Motion for Fees, Costs, and Discretionary Relief</i>
11/06/2019	 Notice of Early Arbitration Conference Filed By: Arbitrator Trost, Janet <i>Notice of Early Arbitration Conference</i>
11/08/2019	 Notice to Appear for Arbitration Hearing Filed by: Arbitrator Trost, Janet <i>Notice to Appear for Arbitration Hearing</i>
11/08/2019	 Arbitration Discovery Order Filed By: Arbitrator Trost, Janet <i>Arbitration Discovery Order</i>
12/23/2019	 Order Filed By: Defendant Welt, Glen; Defendant Welt, Rhoda; Defendant Welt, Lynn; Defendant Welt, Michele <i>Order re Glenn Welt, Rhoda Welt, Lynn Welt &amp; Michele Welt's Motion for Fees, Costs and Discretionary Relief</i>
12/26/2019	 Notice of Entry Filed By: Defendant Welt, Glen; Defendant Welt, Rhoda; Defendant Welt, Lynn; Defendant Welt, Michele <i>Notice of Entry of Order re Motion for Fees, Costs and Discretionary Relief</i>
01/06/2020	 Notice of Appeal Filed By: Plaintiff Shapiro, Howard <i>Notice of Appeal</i>

# CASE SUMMARY

CASE NO. A-14-706566-C

## DISPOSITIONS

01/02/2015	<p><b>Order of Dismissal Without Prejudice</b> (Judicial Officer: Allf, Nancy)  Debtors: Howard Shapiro (Plaintiff), Jenna Shapiro (Plaintiff)  Creditors: Glen Welt (Defendant), Rhoda Welt (Defendant), Lynn Welt (Defendant), Michelle Welt (Defendant), Checksnet.com (Defendant)  Judgment: 01/02/2015, Docketed: 01/08/2015</p>
02/02/2015	<p><b>Voluntary Dismissal</b> (Judicial Officer: Allf, Nancy)  Debtors: Checksnet.com (Defendant)  Creditors: Howard Shapiro (Plaintiff), Jenna Shapiro (Plaintiff)  Judgment: 02/02/2015, Docketed: 02/10/2015</p>
02/20/2015	<p><b>Order</b> (Judicial Officer: Allf, Nancy)  Debtors: Howard Shapiro (Plaintiff), Jenna Shapiro (Plaintiff)  Creditors: Glen Welt (Defendant), Rhoda Welt (Defendant), Lynn Welt (Defendant), Michelle Welt (Defendant), Checksnet.com (Defendant)  Judgment: 02/20/2015, Docketed: 02/26/2015  Total Judgment: 5,054.68</p>
08/04/2017	<p><b>Order of Dismissal With Prejudice</b> (Judicial Officer: Allf, Nancy)  Debtors: Howard Shapiro (Plaintiff), Jenna Shapiro (Plaintiff)  Creditors: Glen Welt (Defendant), Lynn Welt (Defendant), Michelle Welt (Defendant)  Judgment: 08/04/2017, Docketed: 08/11/2017</p>
10/20/2017	<p><b>Order of Dismissal With Prejudice</b> (Judicial Officer: Allf, Nancy)  Debtors: Howard Shapiro (Plaintiff), Jenna Shapiro (Plaintiff)  Creditors: Glen Welt (Defendant), Rhoda Welt (Defendant), Lynn Welt (Defendant), Michele Welt (Defendant)  Judgment: 10/20/2017, Docketed: 10/23/2017</p>
10/20/2017	<p><b>Order</b> (Judicial Officer: Allf, Nancy)  Debtors: Glen Welt (Defendant)  Creditors: Howard Shapiro (Plaintiff)  Judgment: 10/20/2017, Docketed: 10/23/2017</p> <p>Debtors: Lynn Welt (Defendant)  Creditors: Howard Shapiro (Plaintiff)  Judgment: 10/20/2017, Docketed: 10/23/2017</p> <p>Debtors: Michele Welt (Defendant)  Creditors: Howard Shapiro (Plaintiff)  Judgment: 10/20/2017, Docketed: 10/23/2017</p> <p>Debtors: Rhoda Welt (Defendant)  Creditors: Howard Shapiro (Plaintiff)  Judgment: 10/20/2017, Docketed: 10/23/2017  Total Judgment: 10,000.00</p>
10/20/2017	<p><b>Order</b> (Judicial Officer: Allf, Nancy)  Debtors: Glen Welt (Defendant)  Creditors: Jenna Shapiro (Plaintiff)  Judgment: 10/20/2017, Docketed: 10/23/2017  Total Judgment: 10,000.00</p> <p>Debtors: Lynn Welt (Defendant)  Creditors: Jenna Shapiro (Plaintiff)  Judgment: 10/20/2017, Docketed: 10/23/2017  Total Judgment: 10,000.00</p> <p>Debtors: Michele Welt (Defendant)  Creditors: Jenna Shapiro (Plaintiff)  Judgment: 10/20/2017, Docketed: 10/23/2017  Total Judgment: 10,000.00</p> <p>Debtors: Rhoda Welt (Defendant)  Creditors: Jenna Shapiro (Plaintiff)</p>

# CASE SUMMARY

CASE NO. A-14-706566-C

	Judgment: 10/20/2017, Docketed: 10/23/2017 Total Judgment: 10,000.00
01/29/2019	<b>Clerk's Certificate</b> (Judicial Officer: Allf, Nancy) Debtors: Glen Welt (Defendant), Rhoda Welt (Defendant), Lynn Welt (Defendant), Michele Welt (Defendant) Creditors: Howard Shapiro (Plaintiff), Jenna Shapiro (Plaintiff) Judgment: 01/29/2019, Docketed: 02/05/2019 Comment: Supreme Court No. 73943 APPEAL REVERSED AND REMAND
08/07/2019	<b>Order of Dismissal</b> (Judicial Officer: Allf, Nancy) Debtors: Jenna Shapiro (Plaintiff) Creditors: Glen Welt (Defendant), Rhoda Welt (Defendant), Lynn Welt (Defendant), Michele Welt (Defendant) Judgment: 08/07/2019, Docketed: 08/21/2019 Comment: Certain Causes
12/23/2019	<b>Judgment</b> (Judicial Officer: Allf, Nancy) Debtors: Jenna Shapiro (Plaintiff) Creditors: Glen Welt (Defendant), Rhoda Welt (Defendant), Lynn Welt (Defendant), Michele Welt (Defendant) Judgment: 12/23/2019, Docketed: 12/24/2019 Total Judgment: 32,261.61 Debtors: Jenna Shapiro (Plaintiff) Creditors: Glen Welt (Defendant) Judgment: 12/23/2019, Docketed: 12/24/2019 Total Judgment: 100.00 Debtors: Jenna Shapiro (Plaintiff) Creditors: Lynn Welt (Defendant) Judgment: 12/23/2019, Docketed: 12/24/2019 Total Judgment: 100.00 Debtors: Jenna Shapiro (Plaintiff) Creditors: Michele Welt (Defendant) Judgment: 12/23/2019, Docketed: 12/24/2019 Total Judgment: 100.00 Debtors: Jenna Shapiro (Plaintiff) Creditors: Rhoda Welt (Defendant) Judgment: 12/23/2019, Docketed: 12/24/2019 Total Judgment: 100.00
12/23/2019	<b>Judgment</b> (Judicial Officer: Allf, Nancy) Debtors: Howard Shapiro (Plaintiff) Creditors: Glen Welt (Defendant), Rhoda Welt (Defendant), Lynn Welt (Defendant), Michele Welt (Defendant) Judgment: 12/23/2019, Docketed: 12/24/2019 Total Judgment: 21,440.60 Debtors: Howard Shapiro (Plaintiff) Creditors: Glen Welt (Defendant) Judgment: 12/23/2019, Docketed: 12/24/2019 Total Judgment: 100.00 Debtors: Howard Shapiro (Plaintiff) Creditors: Lynn Welt (Defendant) Judgment: 12/23/2019, Docketed: 12/24/2019 Total Judgment: 100.00 Debtors: Howard Shapiro (Plaintiff) Creditors: Michele Welt (Defendant) Judgment: 12/23/2019, Docketed: 12/24/2019 Total Judgment: 100.00 Debtors: Howard Shapiro (Plaintiff) Creditors: Rhoda Welt (Defendant) Judgment: 12/23/2019, Docketed: 12/24/2019 Total Judgment: 100.00

# CASE SUMMARY

CASE NO. A-14-706566-C

## HEARINGS

12/17/2014

**CANCELED Motion to Dismiss** (10:00 AM) (Judicial Officer: Allf, Nancy)

*Vacated*

*Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt's Motion to Dismiss re NRS 18.130(4).*

12/24/2014

**Motion to Dismiss** (10:00 AM) (Judicial Officer: Allf, Nancy)

*Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt's Motion to Dismiss*

Continued for Chambers Decision;

Journal Entry Details:

*Plaintiff Howard Shapiro present telephonically. Arguments by counsel regarding the merits of the motion, opposition and countermotion. Colloquy regarding status of guardianship litigation and procedure there. Mr. Lowry stated a tentative settlement has been reached however it requires Court approval. Matter trialed for Mr. Ghibaudo to speak to his client off the record regarding the New Jersey litigation. MATTER RECALLED. Mr. Ghibaudo stated, as to the New Jersey litigation, there is an order out of New Jersey, there is a conservator that has been appointed to handle the finances, however, his client is solely in charge of any and all medical decisions concerning his father, Defendants Lynn, Rhoda and Michelle Welt have agreed to that, and Defendant Glen Welt has not been involved in any of the litigation in New Jersey but he is handling the website. Further arguments by counsel. COURT ORDERED, Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt's Motion to Dismiss and the Counter-motion for Attorney's Fees, Costs, and Sanctions CONTINUED FOR WRITTEN DECISION, if there is an update to the New Jersey litigation then Court would welcome a supplement and the filed document should be faxed or emailed to the Judicial Executive Assistant or Law Clerk. ;*

*Plaintiff Howard Shapiro present telephonically. Arguments by counsel regarding the merits of the motion, opposition and countermotion. Colloquy regarding status of guardianship litigation and procedure there. Mr. Lowry stated a tentative settlement has been reached however it requires Court approval. Matter trialed for Mr. Ghibaudo to speak to his client off the record regarding the New Jersey litigation. MATTER RECALLED. Mr. Ghibaudo stated, as to the New Jersey litigation, there is an order out of New Jersey, there is a conservator that has been appointed to handle the finances, however, his client is solely in charge of any and all medical decisions concerning his father, Defendants Lynn, Rhoda and Michelle Welt have agreed to that, and Defendant Glen Welt has not been involved in any of the litigation in New Jersey but he is handling the website. Further arguments by counsel. COURT ORDERED, Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt's Motion to Dismiss and the Counter-motion for Attorney's Fees, Costs, and Sanctions CONTINUED FOR WRITTEN DECISION, if there is an update to the New Jersey litigation then Court would welcome a supplement and the filed document should be faxed or emailed to the Judicial Executive Assistant or Law Clerk. ;*

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## CASE SUMMARY

CASE NO. A-14-706566-C

Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt's Motion to Dismiss and the Counter-motion for Attorney's Fees, Costs, and Sanctions CONTINUED FOR WRITTEN DECISION, if there is an update to the New Jersey litigation then Court would welcome a supplement and the filed document should be faxed or emailed to the Judicial Executive Assistant or Law Clerk. ;

Plaintiff Howard Shapiro present telephonically. Arguments by counsel regarding the merits of the motion, opposition and counter-motion. Colloquy regarding status of guardianship litigation and procedure there. Mr. Lowry stated a tentative settlement has been reached however it requires Court approval. Matter trialed for Mr. Ghibaudo to speak to his client off the record regarding the New Jersey litigation. MATTER RECALLED. Mr. Ghibaudo stated, as to the New Jersey litigation, there is an order out of New Jersey, there is a conservator that has been appointed to handle the finances, however, his client is solely in charge of any and all medical decisions concerning his father, Defendants Lynn, Rhoda and Michelle Welt have agreed to that, and Defendant Glen Welt has not been involved in any of the litigation in New Jersey but he is handling the website. Further arguments by counsel. COURT ORDERED, Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt's Motion to Dismiss and the Counter-motion for Attorney's Fees, Costs, and Sanctions CONTINUED FOR WRITTEN DECISION, if there is an update to the New Jersey litigation then Court would welcome a supplement and the filed document should be faxed or emailed to the Judicial Executive Assistant or Law Clerk. ;

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Plaintiff Howard Shapiro present telephonically. Arguments by counsel regarding the merits of the motion, opposition and counter-motion. Colloquy regarding status of guardianship

# CASE SUMMARY

CASE NO. A-14-706566-C

litigation and procedure there. Mr. Lowry stated a tentative settlement has been reached however it requires Court approval. Matter trialed for Mr. Ghibaudo to speak to his client off the record regarding the New Jersey litigation. **MATTER RECALLED.** Mr. Ghibaudo stated, as to the New Jersey litigation, there is an order out of New Jersey, there is a conservator that has been appointed to handle the finances, however, his client is solely in charge of any and all medical decisions concerning his father, Defendants Lynn, Rhoda and Michelle Welt have agreed to that, and Defendant Glen Welt has not been involved in any of the litigation in New Jersey but he is handling the website. Further arguments by counsel. **COURT ORDERED,** Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt's Motion to Dismiss and the Counter-motion for Attorney's Fees, Costs, and Sanctions **CONTINUED FOR WRITTEN DECISION,** if there is an update to the New Jersey litigation then Court would welcome a supplement and the filed document should be faxed or emailed to the Judicial Executive Assistant or Law Clerk. ;

Plaintiff Howard Shapiro present telephonically. Arguments by counsel regarding the merits of the motion, opposition and countermotion. Colloquy regarding status of guardianship litigation and procedure there. Mr. Lowry stated a tentative settlement has been reached however it requires Court approval. Matter trialed for Mr. Ghibaudo to speak to his client off the record regarding the New Jersey litigation. **MATTER RECALLED.** Mr. Ghibaudo stated, as to the New Jersey litigation, there is an order out of New Jersey, there is a conservator that has been appointed to handle the finances, however, his client is solely in charge of any and all medical decisions concerning his father, Defendants Lynn, Rhoda and Michelle Welt have agreed to that, and Defendant Glen Welt has not been involved in any of the litigation in New Jersey but he is handling the website. Further arguments by counsel. **COURT ORDERED,** Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt's Motion to Dismiss and the Counter-motion for Attorney's Fees, Costs, and Sanctions **CONTINUED FOR WRITTEN DECISION,** if there is an update to the New Jersey litigation then Court would welcome a supplement and the filed document should be faxed or emailed to the Judicial Executive Assistant or Law Clerk. ;

12/24/2014

**Opposition and Countermotion (10:00 AM)** (Judicial Officer: Allf, Nancy)

*Opposition to Defendants' Motion to Dismiss Plaintiff's Complaint and Counter-motion for Attorney's Fees, Costs, and Sanctions*  
Continued for Chambers Decision;

12/24/2014



**All Pending Motions (10:00 AM)** (Judicial Officer: Allf, Nancy)

Matter Heard;

Journal Entry Details:

**GLENN WELT, RHODA WELT, LYNN WELT & MICHELE WELT'S MOTION TO DISMISS...OPPOSITION TO DEFENDANTS' MOTION TO DISMISS PLAINTIFF'S COMPLAINT AND COUNTER-MOTION FOR ATTORNEY'S FEES, COSTS, AND SANCTIONS** Plaintiff Howard Shapiro present telephonically. Arguments by counsel regarding the merits of the motion, opposition and countermotion. Colloquy regarding status of guardianship litigation and procedure there. Mr. Lowry stated a tentative settlement has been reached however it requires Court approval. Matter trialed for Mr. Ghibaudo to speak to his client off the record regarding the New Jersey litigation. **MATTER RECALLED.** Mr. Ghibaudo stated, as to the New Jersey litigation, there is an order out of New Jersey, there is a conservator that has been appointed to handle the finances, however, his client is solely in charge of any and all medical decisions concerning his father, Defendants Lynn, Rhoda and Michelle Welt have agreed to that, and Defendant Glen Welt has not been involved in any of the litigation in New Jersey but he is handling the website. Further arguments by counsel. **COURT ORDERED,** Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt's Motion to Dismiss and the Counter-motion for Attorney's Fees, Costs, and Sanctions **CONTINUED FOR WRITTEN DECISION,** if there is an update to the New Jersey litigation then Court would welcome a supplement and the filed document should be faxed or emailed to the Judicial Executive Assistant or Law Clerk. **CONTINUED FOR CHAMBER'S DECISION.....12/30/2014 (CHAMBERS) ;**

12/30/2014



**Status Check (3:00 AM)** (Judicial Officer: Allf, Nancy)

*Status Check: Written Decision*

Minute Order - No Hearing Held;

Journal Entry Details:





*Order Granting Motion to Dismiss filed January 2, 2015.;*

07/19/2017

**Motion to Dismiss (9:30 AM)** (Judicial Officer: Allf, Nancy)

# CASE SUMMARY

CASE NO. A-14-706566-C

	<p><i>Glenn Welt, Rhoda Welt, Lynn Welt &amp; Michele Welt's Renewed Motion to Dismiss</i> Granted;</p>
07/19/2017	<p><b>Opposition and Countermotion</b> (9:30 AM) (Judicial Officer: Allf, Nancy) <i>Plaintiff's Opposition to Defendants Special Motion to Dismiss and Counter-Motion for sanctions, attorney's fees, and costs</i> Denied;</p>
07/19/2017	<p> <b>All Pending Motions</b> (9:30 AM) (Judicial Officer: Allf, Nancy) Matter Heard; Journal Entry Details: <i>GLENN WELT, RHODA WELT, LYNN WELT &amp; MICHELE WELT'S RENEWED MOTION TO DISMISS...PLAINTIFF'S OPPOSITION TO DEFENDANTS SPECIAL MOTION TO DISMISS AND COUNTER-MOTION FOR SANCTIONS, ATTORNEY'S FEES, AND COSTS</i> Arguments by counsel regarding the merits of and opposition to the motion and countermotion. Court stated its findings and ORDERED, Glenn Welt, Rhoda Welt, Lynn Welt &amp; Michele Welt's Renewed Motion to Dismiss GRANTED; Plaintiff's Opposition to Defendants Special Motion to Dismiss and Counter-Motion for sanctions, attorney's fees, and costs DENIED; Defendant will be tasked with preparing the findings of fact and conclusions of law in support of the order to dismiss. Mr. Ghibaudo requested Court state the facts that support granting of the motion to dismiss. Court noted it directed defense counsel to prepare the findings of fact and conclusions of law based on the papers filed in this case and if Mr. Esposito wishes to challenge that Court would entertain that.;</p>
09/20/2017	<p> <b>Motion for Attorney Fees</b> (9:00 AM) (Judicial Officer: Allf, Nancy) <i>Glenn Welt, Rhoda Welt, Lynn Welt &amp; Michele Welt's Motion for Attorneys Fees &amp; to Amend Order Granting Summary Judgment</i> Granted; Journal Entry Details: <i>Mr. Lowry stated he has had no communication with Plaintiff or counsel for Plaintiff. Court stated its findings and ORDERED, Glenn Welt, Rhoda Welt, Lynn Welt &amp; Michele Welt's Motion for Attorney Fees &amp; to Amend Order Granting Summary Judgment GRANTED. Amended Order Granting Glenn Welt, Rhoda Welt, Lynn Welt &amp; Michele Welt's Renewed Motion to Dismiss and Order re Glenn Welt, Rhoda Welt, Lynn Welt &amp; Michele Welt's Motion for Attorneys' Fees &amp; to Amend Order Granting Summary Judgment SIGNED IN OPEN COURT.;</i></p>
12/13/2017	<p> <b>Motion to Stay</b> (9:00 AM) (Judicial Officer: Allf, Nancy) <i>Motion to Stay Proceedings and to Waive Supersedeas Bond</i> Granted in Part; Journal Entry Details: <i>Arguments by counsel regarding the merits of and opposition to the motion. Motion to Stay Proceedings and to Waive Supersedeas Bond GRANTED IN PART, stay pending appeal GRANTED upon the condition of posting bond in the full amount of \$130,948.10 plus two years of interest at the statutory rate. Mr. Ghibaudo requested matter be set over a week to provide a financial statement to the Court. COURT ORDERED, request DENIED, if there are new grounds then counsel can bring them. Mr. Lowry to prepare the order and submit to opposing counsel for approval. CONFERENCE AT BENCH.;</i></p>
01/25/2018	<p> <b>Motion to Stay</b> (10:00 AM) (Judicial Officer: Allf, Nancy) <i>Renewed Motion to Stay Proceedings and to Waive Supersedeas Bond or in the Alternative Motion to Reconsider</i> Conditionally Granted; Journal Entry Details: <i>Mr. Ghibaudo provided a copy of his client's financial statement. Mr. Ghibaudo requested document be filed in open court. Arguments by counsel regarding staying proceedings and posting the bond. COURT ORDERED, Renewed Motion to Stay Proceedings and to Waive Supersedeas Bond or in the Alternative Motion to Reconsider CONDITIONALLY GRANTED upon the posting of a bond in the amount sufficient to comply with the previous order of the Court, Court declines to waive the supersedeas bond, declines to reconsider the previous argument, and declines to file the financial statement in open court. Financial statement returned to Mr. Ghibaudo. Mr. Ghibaudo request an order that no judgment shall proceed</i></p>

# CASE SUMMARY

CASE No. A-14-706566-C

against the business. Court stated the judgment is against Jenna Shapiro and Howard Shapiro and with regard to whatever interest they may have.;

03/20/2019



**Status Check** (9:00 AM) (Judicial Officer: Allf, Nancy)

*Supreme Court Order*

## MINUTES

Hearing Set;

Journal Entry Details:

*Court stated the matter has been remanded from the Supreme Court and Court is inclined to require blind briefs and replies then set the matter for another hearing on the issues. Mr. Ghibauda stated he agrees however, he believes Plaintiff is going to file another Motion to Dismiss under the Anti-Slapp statute. Ms. Ebert agreed. COURT ORDERED, matter SET for hearing, blind briefs to be due on April 5, 2019, blind replies to be due on April 12, 2019, and if anything is filed in the meantime it should be set on April 17, 2019 at 10:30 a.m. 4/17/2019 10:30 AM HEARING: ISSUES IN SUPREME COURT ORDER;*

## SCHEDULED HEARINGS

**CANCELED Hearing** (04/17/2019 at 10:30 AM) (Judicial Officer: Allf, Nancy)

*Vacated - Documents not filed timely*

04/17/2019

**CANCELED Hearing** (10:30 AM) (Judicial Officer: Allf, Nancy)

*Vacated - Documents not filed timely*

07/10/2019

**Motion to Dismiss** (10:00 AM) (Judicial Officer: Allf, Nancy)

**07/10/2019, 07/17/2019**

*Glenn Welt, Rhoda Welt, Lynn Welt, & Michele Welt's Motion to Dismiss Certain Causes of Action*

Matter Continued;

Granted in Part;

Matter Continued;

Granted in Part;

07/10/2019

**Motion to Dismiss** (10:00 AM) (Judicial Officer: Allf, Nancy)

**07/10/2019, 07/17/2019**

*Glen Welt, Rhoda Welt, Lynn Welt, & Michele Welt's Motion to Dismiss re NRS 41.660*

Matter Continued;

Granted in Part;

Matter Continued;

Granted in Part;

07/10/2019



**All Pending Motions** (10:00 AM) (Judicial Officer: Allf, Nancy)

Matter Heard;

Journal Entry Details:

*GLENN WELT, RHODA WELT, LYNN WELT, & MICHELE WELT'S MOTION TO DISMISS CERTAIN CAUSES OF ACTION...GLEN WELT, RHODA WELT, LYNN WELT, & MICHELE WELT'S MOTION TO DISMISS RE NRS 41.660 Mr. Lowery stated he received the opposition late last night. Mr. Ghibauda requested a continuance so that Mr. Lowery can do a reply and Court can review the pleadings. Opposition to continuance by Mr. Lowry. COURT ORDERED, Glen Welt, Rhoda Welt, Lynn Welt, & Michele Welt's Motion to Dismiss Certain Causes of Action and Glen Welt, Rhoda Welt, Lynn Welt, & Michele Welt's Motion to Dismiss re NRS 41.660 CONTINUED based on Plaintiff's client making a \$100.00 donation to the Legal Aid Center of Southern Nevada with proof to be filed, reply will be due by July 12, 2019. CONTINUED TO 7/17/2019 10:00 AM;*

07/17/2019




**All Pending Motions** (10:00 AM) (Judicial Officer: Allf, Nancy)

Matter Heard;

Journal Entry Details:

*GLENN WELT, RHODA WELT, LYNN WELT, & MICHELE WELT'S MOTION TO DISMISS CERTAIN CAUSES OF ACTION...GLENN WELT, RHODA WELT, LYNN WELT, & MICHELE WELT'S MOTION TO DISMISS RE NRS 41.660 Mr. Lowry moved to strike the supplement exhibit. Opposition by Mr. Ghibauda. COURT ORDERED, oral motion to strike*

**CASE SUMMARY****CASE NO. A-14-706566-C**

	<p><i>GRANTED, the exhibits filed July 16, 2019 are STRICKEN from the record. Arguments by counsel regarding the merits of and opposition to the pending motions. COURT ORDERED, Glenn Welt, Rhoda Welt, Lynn Welt, &amp; Michele Welt's Motion to Dismiss Certain Causes of Action and Glen Welt, Rhoda Welt, Lynn Welt, &amp; Michele Welt's Motion to Dismiss re NRS 41.660 GRANTED IN PART for those causes of action the Plaintiff does not intend to pursue, Jenna Shapiro will be dismissed, and the answer will be due August 9, 2019; remainder of motion DENIED IN PART. Mr. Lowry to prepare the order and submit it to opposing counsel. Mr. Lowry requested for clarification as to why the motion is denied. Court stated it has adopted all the arguments of the opposition.;</i></p>
10/03/2019	<p> <b>Motion for Fees</b> (9:30 AM) (Judicial Officer: Allf, Nancy)</p> <p><b>10/03/2019, 10/10/2019</b></p> <p><i>Glenn Welt, Rhoda Welt, Lynn Welt &amp; Michele Welt's Motion for Fees, Costs, and Discretionary Relief</i></p> <p>Matter Continued;</p> <p>Granted;</p> <p>Journal Entry Details:</p> <p><i>Arguments by counsel regarding the merits of and opposition to the motion. COURT ORDERED, Glenn Welt, Rhoda Welt, Lynn Welt &amp; Michele Welt's Motion for Fees, Costs, and Discretionary Relief CONDITIONALLY GRANTED, Mr. Lowry to provide an affidavit or declaration as to his effort for appropriation, memorandum of costs is required for costs, discretionary award will be \$100.00 to each moving party, and order is interlocutory.;</i></p> <p>Matter Continued;</p> <p>Granted;</p> <p>Journal Entry Details:</p> <p><i>Court noted there is no one present for the Shapiro Plaintiffs. Mr. Lowry stated an opposition was filed at 3:01 a.m. Mr. Lowry further stated he has been in contact with Mr. Ghibauda who stated he was in a North Las Vegas courtroom and requested a continuance. Mr. Lowry expressed his frustrations regarding delays and continuances. COURT ORDERED, Glenn Welt, Rhoda Welt, Lynn Welt &amp; Michele Welt's Motion for Fees, Costs, and Discretionary Relief CONTINUED and Court will entertain a supplement to the motion. CONTINUED TO: 10/10/2019 9:30 AM;</i></p>
03/23/2020	<b>Arbitration Hearing</b> (7:00 AM)

**DATE****FINANCIAL INFORMATION**

<b>Defendant</b> Welt, Michelle	
Total Charges	30.00
Total Payments and Credits	30.00
<b>Balance Due as of 1/8/2020</b>	<b>0.00</b>
<b>Defendant</b> Welt, Glen	
Total Charges	294.00
Total Payments and Credits	294.00
<b>Balance Due as of 1/8/2020</b>	<b>0.00</b>
<b>Defendant</b> Welt, Lynn	
Total Charges	30.00
Total Payments and Credits	30.00
<b>Balance Due as of 1/8/2020</b>	<b>0.00</b>
<b>Defendant</b> Welt, Rhoda	
Total Charges	223.00
Total Payments and Credits	223.00
<b>Balance Due as of 1/8/2020</b>	<b>0.00</b>
<b>Plaintiff</b> Shapiro, Howard	
Total Charges	347.00
Total Payments and Credits	347.00
<b>Balance Due as of 1/8/2020</b>	<b>0.00</b>
<b>Plaintiff</b> Shapiro, Jenna	
Total Charges	30.00
Total Payments and Credits	30.00

**CASE SUMMARY**

**CASE NO. A-14-706566-C**

**Balance Due as of 1/8/2020**

**0.00**

**Plaintiff** Shapiro, Howard

Appeal Bond Balance as of 1/8/2020

**500.00**

# DISTRICT COURT CIVIL COVER SHEET

County, Nevada  
Case No. **A-14-706566-C** Dept **XXVII**  
*(Assigned by Clerk's Office)*

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

Plaintiff(s) (name/address/phone): <div style="text-align: center;">Howard Shapiro Jenna Shapiro</div>	Defendant(s) (name/address/phone): <div style="text-align: center;">Glen Welt, Rhoda Welt, Lynn Welt, and Checksnet.com</div>
Attorney (name/address/phone): <div style="text-align: center;">Eric P. Roy, Esq. 818 E. Charleston Blvd., Las Vegas, NV 89104 (702)423-3333 Nevada Bar No. 11869</div>	Attorney (name/address/phone): <div style="text-align: center;">Unknown</div>

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


### Civil Case Filing Types

<b>Real Property</b> <b>Landlord/Tenant</b> <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant <b>Title to Property</b> <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property <b>Other Real Property</b> <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	<b>Negligence</b> <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence <b>Malpractice</b> <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	<b>Torts</b> <b>Other Torts</b> <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
<b>Probate</b> <i>(select case type and estate value)</i> <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate <b>Estate Value</b> <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	<b>Construction Defect &amp; Contract</b> <b>Construction Defect</b> <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect <b>Contract Case</b> <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	<b>Judicial Review/Appeal</b> <b>Judicial Review</b> <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency <b>Nevada State Agency Appeal</b> <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency <b>Appeal Other</b> <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
<b>Civil Writ</b> <b>Civil Writ</b> <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ		<b>Other Civil Filing</b> <b>Other Civil Filing</b> <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input checked="" type="checkbox"/> Other Civil Matters

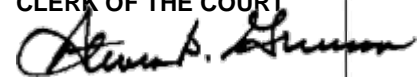
*Business Court filings should be filed using the Business Court civil coversheet.*

**9.4.14**

Date

  
Signature of initiating party or representative

*See other side for family-related case filings.*



MICHAEL P. LOWRY, ESQ.  
Nevada Bar No. 10666  
E-mail: Michael.Lowry@wilsonelser.com  
300 South 4<sup>th</sup> Street, 11<sup>th</sup> Floor  
Las Vegas, NV 89101-6014  
Tel: 702.727.1400/Fax: 702.727.1401  
Attorneys for Glenn Welt; Rhoda Welt; Lynn Welt;  
Michelle Welt

**EIGHTH JUDICIAL DISTRICT COURT**

**CLARK COUNTY, NEVADA**

Howard Shapiro and Jenna Shapiro,

Plaintiffs,

vs.

Glenn Welt, Rhoda Welt, Lynn Welt, Michelle Welt,  
individuals; Checksnet.com, a corporation; Does I  
through X, and Roe Corporations I through X,  
inclusive,

Defendants.

Case No.: A-14-706566-C  
Dept. No.: 27

**Order re Glenn Welt, Rhoda Welt,  
Lynn Welt & Michelle Welt's Motion  
for Fees, Costs, and Discretionary  
Relief**

On August 7, 2019 the court entered an order granting, in part, relief per NRS 41.660. Specifically, it was granted as to Jenna Shapiro because she conceded she cannot meet her burden of proof as to NRS 41.660. The motion was granted in part as to Howard Shapiro because he conceded he could not meet the burden as to four of the six causes of action alleged in the complaint. This was confirmed in open court on July 17.

As a result of this ruling, on August 16, 2019 the Welts filed a motion seeking fees, costs, and discretionary relief. The motion was originally scheduled for hearing on September 19. The parties then stipulated to continue the hearing to October 3. Plaintiffs did not file an opposition to the motion until October 3. As a result the court continued the hearing to October 10, 2019. Michancy Cramer appeared at the hearing for the Shapiros, Michael Lowry appeared for the Welts.

"If the court grants a special motion to dismiss filed pursuant to NRS 41.660: (a) The court shall award reasonable costs and attorney's fees to the person against whom the action was



1 brought....”<sup>1</sup> Here, the Welts filed a special motion to dismiss. That motion was granted in full as  
2 to Jenna Shapiro. It was granted as to four of Howard’s six causes of action. As a result, an  
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4 **A. The *Brunzell* factors are satisfied.**

5 NRS 41.670(1)(a) permits an award of only “reasonable” attorney’s fees. *Brunzell v.*  
6 *Golden Gate Nat. Bank* provides the analysis by which to evaluate if the attorneys’ fees were  
7 reasonable. *Brunzell* requires district courts to consider at least four factors.

- 8 (1) the qualities of the advocate: his ability, his training, education, experience,  
9 professional standing and skill;  
10 (2) the character of the work to be done: its difficulty, its intricacy, its importance,  
11 time and skill required, the responsibility imposed and the prominence and character  
12 of the parties where they affect the importance of the litigation;  
13 (3) the work actually performed by the lawyer: the skill, time and attention given to  
14 the work;  
15 (4) the result: whether the attorney was successful and what benefits were derived.<sup>2</sup>

16 These factors help evaluate whether the attorney’s fees requested are appropriate for the facts and  
17 circumstances of the individual case. They are designed to protect opposing parties from  
18 exorbitant rates from less qualified lawyers, dubious billing activities, or poor quality work. The  
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<sup>1</sup> NRS 41.670(1)(a).

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1 the third *Brunzell* factor as the work actually performed reflects a level of skill, time, and attention  
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4 advocated, resulting in a favorable decision. The decision benefitted the Welts in that it  
5 terminated Jenna's claims against them and limited the remaining claims that Howard asserts.

6 **B. Apportioning the fees and costs requested.**

7 The Welts provided supporting documentation indicating they incurred total fees of  
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9 reasonably incurred. The more difficult question is how to apportion these amounts where the  
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14 which ones related to work concerning Jenna as opposed to Howard. The Welts did so, but filed a  
15 declaration of counsel on November 6, 2019, explaining why that attempt was unsuccessful and  
16 neither the fees nor costs requested could be apportioned in this manner.

17 As a result, the court is persuaded the method of apportionment proposed in the Welts'  
18 opening brief is equitable under the circumstances.

19 **C. Discretionary relief per NRS 41.670(1)(b).**

20 The Welts also requested discretionary relief per this statute. "The court may award, in  
21 addition to reasonable costs and attorney's fees awarded pursuant to paragraph (a), an amount of  
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23 Welts' reasoning as to why an award is merited, but disagrees with them as to the amount. The  
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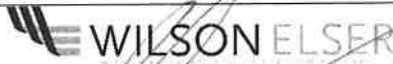

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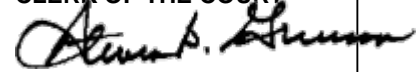
**D. Judgment**

Judgment for fees and costs is entered as follows:

- Jenna Shapiro, individually: \$32,261.61 (Fees & Costs)
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<p>ALEX B. GHIBAUDO, P.C.</p> <p><i>Approval declined.</i></p> <p>BY: _____</p> <p>ALEX GHIBAUDO Nevada Bar No. 10592 703 S. 8<sup>th</sup> St. Las Vegas, NV 89101 Attorneys for Howard Shapiro; Jenna Shapiro</p>	<p> WILSON ELSER</p> <p>BY: _____</p> <p>MICHAEL P. LOWRY Nevada Bar No. 10666 300 South 4<sup>th</sup> Street, 11<sup>th</sup> Floor Las Vegas, NV 89101-6014 Attorneys for Glenn Welt; Rhoda Welt; Lynn Welt; Michelle Welt</p>
	<p>It is so ordered.</p> <p></p> <p>DISTRICT JUDGE</p>

12/21/19 JD



MICHAEL P. LOWRY, ESQ.  
Nevada Bar No. 10666  
E-mail: Michael.Lowry@wilsonelser.com  
300 South 4<sup>th</sup> Street, 11<sup>th</sup> Floor  
Las Vegas, NV 89101-6014  
Tel: 702.727.1400/Fax: 702.727.1401  
Attorneys for Glenn Welt; Rhoda Welt; Lynn Welt;  
Michelle Welt

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

Howard Shapiro and Jenna Shapiro,  
Plaintiffs,

vs.

Glenn Welt, Rhoda Welt, Lynn Welt, Michelle Welt,  
individuals; Checksnet.com, a corporation; Does I  
through X, and Roe Corporations I through X,  
inclusive,

Defendants.

Case No.: A-14-706566-C  
Dept. No.: 27

**Notice of Entry of Order re Motion for  
Fees, Costs and Discretionary Relief**

**PLEASE TAKE NOTICE** that an Order granting Defendants Glenn Welt, Rhoda Welt, Lynn Welt & Michelle Welt's Motion for Fees, Costs, and Discretionary Relief was entered by the Court on December 23, 2019. A true and correct copy is attached hereto as Exhibit A.

DATED this 26<sup>th</sup> day of December, 2019.



BY: /s/ Michael P. Lowry

MICHAEL P. LOWRY  
Nevada Bar No. 10666  
300 South 4<sup>th</sup> Street, 11<sup>th</sup> Floor  
Las Vegas, NV 89101-6014  
Tel: 702.727.1400/Fax: 702.727.1401  
Attorneys for Glenn Welt; Rhoda Welt; Lynn Welt;  
Michelle Welt

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**Certificate of Service**

Pursuant to NRCP 5, I certify that I am an employee of Wilson Elser Moskowitz Edelman & Dicker LLP, and that on December 26, 2019, I served **Notice of Entry of Order re Motion for Fees, Costs and Discretionary Relief** as follows:

- ☐ by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada;
- ☒ via electronic means by operation of the Court's electronic filing system, upon each party in this case who is registered as an electronic case filing user with the Clerk;

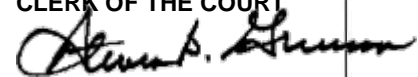
Alex B. Ghibaudo G Law 7720 Cimarron Rd., Suite 110B Las Vegas, NV 89113 Tel: 702.778.1238/Fax: 702.924.6553 E-mail: <a href="mailto:alex@alexglaw.com">alex@alexglaw.com</a> Attorneys for Howard Shapiro and Jenna Shapiro	
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BY: /s/ Cynthia Kelley  
An Employee of



Exhibit A

Exhibit A



MICHAEL P. LOWRY, ESQ.  
Nevada Bar No. 10666  
E-mail: Michael.Lowry@wilsonelser.com  
300 South 4<sup>th</sup> Street, 11<sup>th</sup> Floor  
Las Vegas, NV 89101-6014  
Tel: 702.727.1400/Fax: 702.727.1401  
Attorneys for Glenn Welt; Rhoda Welt; Lynn Welt;  
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**EIGHTH JUDICIAL DISTRICT COURT**

**CLARK COUNTY, NEVADA**

Howard Shapiro and Jenna Shapiro,

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through X, and Roe Corporations I through X,  
inclusive,

Defendants.

Case No.: A-14-706566-C  
Dept. No.: 27

**Order re Glenn Welt, Rhoda Welt,  
Lynn Welt & Michelle Welt's Motion  
for Fees, Costs, and Discretionary  
Relief**

On August 7, 2019 the court entered an order granting, in part, relief per NRS 41.660. Specifically, it was granted as to Jenna Shapiro because she conceded she cannot meet her burden of proof as to NRS 41.660. The motion was granted in part as to Howard Shapiro because he conceded he could not meet the burden as to four of the six causes of action alleged in the complaint. This was confirmed in open court on July 17.

As a result of this ruling, on August 16, 2019 the Welts filed a motion seeking fees, costs, and discretionary relief. The motion was originally scheduled for hearing on September 19. The parties then stipulated to continue the hearing to October 3. Plaintiffs did not file an opposition to the motion until October 3. As a result the court continued the hearing to October 10, 2019. Michancy Cramer appeared at the hearing for the Shapiros, Michael Lowry appeared for the Welts.

"If the court grants a special motion to dismiss filed pursuant to NRS 41.660: (a) The court shall award reasonable costs and attorney's fees to the person against whom the action was

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13 These factors help evaluate whether the attorney’s fees requested are appropriate for the facts and  
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15 exorbitant rates from less qualified lawyers, dubious billing activities, or poor quality work. The  
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7 The Welts provided supporting documentation indicating they incurred total fees of  
8 \$62,906, and total costs of \$1,407.22. The court is satisfied those amounts were actually and  
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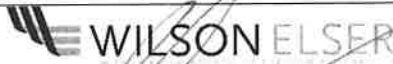

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**D. Judgment**

Judgment for fees and costs is entered as follows:

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<p>ALEX B. GHIBAUDO, P.C.</p> <p><i>Approval declined.</i></p> <p>BY: _____</p> <p>ALEX GHIBAUDO Nevada Bar No. 10592 703 S. 8<sup>th</sup> St. Las Vegas, NV 89101 Attorneys for Howard Shapiro; Jenna Shapiro</p>	<p> WILSON ELSER</p> <p>BY: _____</p> <p>MICHAEL P. LOWRY Nevada Bar No. 10666 300 South 4<sup>th</sup> Street, 11<sup>th</sup> Floor Las Vegas, NV 89101-6014 Attorneys for Glenn Welt; Rhoda Welt; Lynn Welt; Michelle Welt</p>
	<p>It is so ordered.</p> <p></p> <p>DISTRICT JUDGE</p>

12/21/19 JD

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Civil Matters**

**COURT MINUTES**

**December 24, 2014**

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A-14-706566-C      Howard Shapiro, Plaintiff(s)  
vs.  
Glen Welt, Defendant(s)

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**December 24, 2014      10:00 AM      Motion to Dismiss**

**HEARD BY:** Alf, Nancy

**COURTROOM:** RJC Courtroom 03A

**COURT CLERK:** Nicole McDevitt

**RECORDER:** Traci Rawlinson

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Plaintiff Howard Shapiro present telephonically.

Arguments by counsel regarding the merits of the motion, opposition and countermotion. Colloquy regarding status of guardianship litigation and procedure there. Mr. Lowry stated a tentative settlement has been reached however it requires Court approval. Matter trialed for Mr. Ghibaudo to speak to his client off the record regarding the New Jersey litigation.

MATTER RECALLED. Mr. Ghibaudo stated, as to the New Jersey litigation, there is an order out of New Jersey, there is a conservator that has been appointed to handle the finances, however, his client is solely in charge of any and all medical decisions concerning his father, Defendants Lynn, Rhoda and Michelle Welt have agreed to that, and Defendant Glen Welt has not been involved in any of the litigation in New Jersey but he is handling the website. Further arguments by counsel. COURT ORDERED, Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt's Motion to Dismiss and the Counter-motion for Attorney's Fees, Costs, and Sanctions CONTINUED FOR WRITTEN DECISION, if there is an update to the New Jersey litigation then Court would welcome a supplement and the filed document should be faxed or emailed to the Judicial Executive Assistant or Law Clerk.

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**COURT MINUTES**

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vs.  
Glen Welt, Defendant(s)

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**December 24, 2014      10:00 AM      All Pending Motions**

**HEARD BY:** Allf, Nancy      **COURTROOM:** RJC Courtroom 03A

**COURT CLERK:** Nicole McDevitt

**RECORDER:** Traci Rawlinson

**REPORTER:**

**PARTIES**

**PRESENT:**      Ghibaudo, Alex, ESQ      Attorney  
                 Lowry, Michael P.      Attorney  
                 Shapiro, Howard      Plaintiff

**JOURNAL ENTRIES**

- GLENN WELT, RHODA WELT, LYNN WELT & MICHELE WELT'S MOTION TO DISMISS...OPPOSITION TO DEFENDANTS' MOTION TO DISMISS PLAINTIFF'S COMPLAINT AND COUNTER-MOTION FOR ATTORNEY'S FEES, COSTS, AND SANCTIONS

Plaintiff Howard Shapiro present telephonically.

Arguments by counsel regarding the merits of the motion, opposition and countermotion. Colloquy regarding status of guardianship litigation and procedure there. Mr. Lowry stated a tentative settlement has been reached however it requires Court approval. Matter trialed for Mr. Ghibaudo to speak to his client off the record regarding the New Jersey litigation.

MATTER RECALLED. Mr. Ghibaudo stated, as to the New Jersey litigation, there is an order out of New Jersey, there is a conservator that has been appointed to handle the finances, however, his client is solely in charge of any and all medical decisions concerning his father, Defendants Lynn, Rhoda and Michelle Welt have agreed to that, and Defendant Glen Welt has not been involved in any of the litigation in New Jersey but he is handling the website. Further arguments by counsel. COURT



ORDERED, Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt's Motion to Dismiss and the Counter-motion for Attorney's Fees, Costs, and Sanctions CONTINUED FOR WRITTEN DECISION, if there is an update to the New Jersey litigation then Court would welcome a supplement and the filed document should be faxed or emailed to the Judicial Executive Assistant or Law Clerk.

CONTINUED FOR CHAMBER'S DECISION.....12/30/2014 (CHAMBERS)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Civil Matters**

**COURT MINUTES**

**December 30, 2014**

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A-14-706566-C      Howard Shapiro, Plaintiff(s)  
vs.  
Glen Welt, Defendant(s)

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**December 30, 2014      3:00 AM      Status Check**

**HEARD BY:** Allf, Nancy      **COURTROOM:** No Location

**COURT CLERK:** Nicole McDevitt

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Order Granting Motion to Dismiss filed January 2, 2015.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Civil Matters**

**COURT MINUTES**

**July 19, 2017**

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A-14-706566-C      Howard Shapiro, Plaintiff(s)  
vs.  
Glen Welt, Defendant(s)

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**July 19, 2017**

**9:30 AM**

**All Pending Motions**

**HEARD BY:** Alf, Nancy

**COURTROOM:** RJC Courtroom 03A

**COURT CLERK:** Nicole McDevitt

**RECORDER:** Brynn White

**REPORTER:**

**PARTIES**

**PRESENT:**

Ghibaudo, Alex, ESQ  
Lowry, Michael P.

Attorney  
Attorney

**JOURNAL ENTRIES**

- GLENN WELT, RHODA WELT, LYNN WELT & MICHELE WELT'S RENEWED MOTION TO DISMISS...PLAINTIFF'S OPPOSITION TO DEFENDANTS SPECIAL MOTION TO DISMISS AND COUNTER-MOTION FOR SANCTIONS, ATTORNEY'S FEES, AND COSTS

Arguments by counsel regarding the merits of and opposition to the motion and countermotion. Court stated its findings and ORDERED, Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt's Renewed Motion to Dismiss GRANTED; Plaintiff's Opposition to Defendants Special Motion to Dismiss and Counter-Motion for sanctions, attorney's fees, and costs DENIED; Defendant will be tasked with preparing the findings of fact and conclusions of law in support of the order to dismiss. Mr. Ghibaudo requested Court state the facts that support granting of the motion to dismiss. Court noted it directed defense counsel to prepare the findings of fact and conclusions of law based on the papers filed in this case and if Mr. Esposito wishes to challenge that Court would entertain that.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

## Other Civil Matters

## COURT MINUTES

September 20, 2017

A-14-706566-C      Howard Shapiro, Plaintiff(s)  
vs.  
Glen Welt, Defendant(s)

**September 20, 2017      9:00 AM      Motion for Attorney Fees**

**HEARD BY:** Allf, Nancy **COURTROOM:** RJC Courtroom 03A

**COURT CLERK:** Nicole McDevitt

**RECORDER:** Brynn White

**REPORTER:**

## PARTIES

**PRESENT:** Welt, Glen Defendant

## JOURNAL ENTRIES

- Mr. Lowry stated he has had no communication with Plaintiff or counsel for Plaintiff. Court stated its findings and ORDERED, Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt's Motion for Attorney Fees & to Amend Order Granting Summary Judgment GRANTED. Amended Order Granting Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt's Renewed Motion to Dismiss and Order re Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt's Motion for Attorneys' Fees & to Amend Order Granting Summary Judgment SIGNED IN OPEN COURT.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Civil Matters**

**COURT MINUTES**

**December 13, 2017**

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A-14-706566-C      Howard Shapiro, Plaintiff(s)  
vs.  
Glen Welt, Defendant(s)

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**December 13, 2017      9:00 AM      Motion to Stay**

**HEARD BY:** Alf, Nancy      **COURTROOM:** RJC Courtroom 03A

**COURT CLERK:** Nicole McDevitt

**RECORDER:** Brynn White

**REPORTER:**

**PARTIES**

**PRESENT:**      Ghibaud, Alex, ESQ      Attorney  
Lowry, Michael P.      Attorney

**JOURNAL ENTRIES**

- Arguments by counsel regarding the merits of and opposition to the motion.

Motion to Stay Proceedings and to Waive Supersedes Bond GRANTED IN PART, stay pending appeal GRANTED upon the condition of posting bond in the full amount of \$130,948.10 plus two years of interest at the statutory rate. Mr. Ghibaud requested matter be set over a week to provide a financial statement to the Court. COURT ORDERED, request DENIED, if there are new grounds then counsel can bring them. Mr. Lowry to prepare the order and submit to opposing counsel for approval. CONFERENCE AT BENCH.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Other Civil Matters

COURT MINUTES

January 25, 2018

A-14-706566-C      Howard Shapiro, Plaintiff(s)  
vs.  
Glen Welt, Defendant(s)

**January 25, 2018      10:00 AM      Motion to Stay**

**HEARD BY:** Alf, Nancy      **COURTROOM:** RJC Courtroom 03A

**COURT CLERK:** Nicole McDevitt

**RECORDER:** Brynn White

**REPORTER:**

**PARTIES**

**PRESENT:**      Ghibaudo, Alex, ESQ      Attorney  
                         Lowry, Michael P.      Attorney

**JOURNAL ENTRIES**

- Mr. Ghibaudo provided a copy of his client's financial statement. Mr. Ghibaudo requested document be filed in open court. Arguments by counsel regarding staying proceedings and posting the bond. COURT ORDERED, Renewed Motion to Stay Proceedings and to Waive Supersedeas Bond or in the Alternative Motion to Reconsider CONDITIONALLY GRANTED upon the posting of a bond in the amount sufficient to comply with the previous order of the Court, Court declines to waive the supersedeas bond, declines to reconsider the previous argument, and declines to file the financial statement in open court. Financial statement returned to Mr. Ghibaudo. Mr. Ghibaudo request an order that no judgment shall proceed against the business. Court stated the judgment is against Jenna Shapiro and Howard Shapiro and with regard to whatever interest they may have.

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Other Civil Matters****COURT MINUTES****March 20, 2019**

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A-14-706566-C      Howard Shapiro, Plaintiff(s)  
vs.  
Glen Welt, Defendant(s)

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**March 20, 2019      9:00 AM      Status Check**

**HEARD BY:** Alf, Nancy      **COURTROOM:** RJC Courtroom 03A

**COURT CLERK:** Nicole McDevitt

**RECORDER:** Brynn White

**REPORTER:**

**PARTIES**

**PRESENT:**      Ebert, Amanda A.      Attorney  
                         Ghibaud, Alex      Attorney

**JOURNAL ENTRIES**

- Court stated the matter has been remanded from the Supreme Court and Court is inclined to require blind briefs and replies then set the matter for another hearing on the issues. Mr. Ghibaud stated he agrees however, he believes Plaintiff is going to file another Motion to Dismiss under the Anti-Slapp statute. Ms. Ebert agreed. COURT ORDERED, matter SET for hearing, blind briefs to be due on April 5, 2019, blind replies to be due on April 12, 2019, and if anything is filed in the meantime it should be set on April 17, 2019 at 10:30 a.m.

4/17/2019 10:30 AM HEARING: ISSUES IN SUPREME COURT ORDER

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Civil Matters**

**COURT MINUTES**

**July 10, 2019**

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A-14-706566-C	Howard Shapiro, Plaintiff(s) vs. Glen Welt, Defendant(s)
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**July 10, 2019**

**10:00 AM**

**All Pending Motions**

**HEARD BY:** Alf, Nancy

**COURTROOM:** RJC Courtroom 03A

**COURT CLERK:** Nicole McDevitt

**RECORDER:** Brynn White

**REPORTER:**

**PARTIES**

**PRESENT:**

Ghibaudo, Alex  
Lowry, Michael P.

Attorney  
Attorney

**JOURNAL ENTRIES**

- GLENN WELT, RHODA WELT, LYNN WELT, & MICHELE WELT'S MOTION TO DISMISS CERTAIN CAUSES OF ACTION...GLEN WELT, RHODA WELT, LYNN WELT, & MICHELE WELT'S MOTION TO DISMISS RE NRS 41.660

Mr. Lowery stated he received the opposition late last night. Mr. Ghibaudo requested a continuance so that Mr. Lowery can do a reply and Court can review the pleadings. Opposition to continuance by Mr. Lowry. COURT ORDERED, Glen Welt, Rhoda Welt, Lynn Welt, & Michele Welt's Motion to Dismiss Certain Causes of Action and Glen Welt, Rhoda Welt, Lynn Welt, & Michele Welt's Motion to Dismiss re NRS 41.660 CONTINUED based on Plaintiff's client making a \$100.00 donation to the Legal Aid Center of Southern Nevada with proof to be filed, reply will be due by July 12, 2019.

CONTINUED TO 7/17/2019 10:00 AM



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Other Civil Matters

COURT MINUTES

July 17, 2019

A-14-706566-C      Howard Shapiro, Plaintiff(s)  
vs.  
Glen Welt, Defendant(s)

**July 17, 2019      10:00 AM      All Pending Motions**

**HEARD BY:** Alf, Nancy      **COURTROOM:** RJC Courtroom 03A

**COURT CLERK:** Nicole McDevitt

**RECORDER:** Brynn White

**REPORTER:**

**PARTIES**

**PRESENT:**      Ghibaud, Alex      Attorney  
Lowry, Michael P.      Attorney

**JOURNAL ENTRIES**

- GLENN WELT, RHODA WELT, LYNN WELT, & MICHELE WELT'S MOTION TO DISMISS CERTAIN CAUSES OF ACTION...GLENN WELT, RHODA WELT, LYNN WELT, & MICHELE WELT'S MOTION TO DISMISS RE NRS 41.660

Mr. Lowry moved to strike the supplement exhibit. Opposition by Mr. Ghibaud. COURT ORDERED, oral motion to strike GRANTED, the exhibits filed July 16, 2019 are STRICKEN from the record. Arguments by counsel regarding the merits of and opposition to the pending motions. COURT ORDERED, Glenn Welt, Rhoda Welt, Lynn Welt, & Michele Welt's Motion to Dismiss Certain Causes of Action and Glen Welt, Rhoda Welt, Lynn Welt, & Michele Welt's Motion to Dismiss re NRS 41.660 GRANTED IN PART for those causes of action the Plaintiff does not intend to pursue, Jenna Shapiro will be dismissed, and the answer will be due August 9, 2019; remainder of motion DENIED IN PART. Mr. Lowry to prepare the order and submit it to opposing counsel. Mr. Lowry requested for clarification as to why the motion is denied. Court stated it has adopted all the arguments of the opposition.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Civil Matters**

**COURT MINUTES**

**October 03, 2019**

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A-14-706566-C      Howard Shapiro, Plaintiff(s)  
vs.  
Glen Welt, Defendant(s)

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**October 03, 2019      9:30 AM      Motion for Fees**

**HEARD BY:** Alf, Nancy      **COURTROOM:** RJC Courtroom 03A

**COURT CLERK:** Nicole McDevitt

**RECORDER:** Brynn White

**REPORTER:**

**PARTIES**

**PRESENT:** Lowry, Michael P.      Attorney

**JOURNAL ENTRIES**

- Court noted there is no one present for the Shapiro Plaintiffs. Mr. Lowry stated an opposition was filed at 3:01 a.m. Mr. Lowry further stated he has been in contact with Mr. Ghibauda who stated he was in a North Las Vegas courtroom and requested a continuance. Mr. Lowry expressed his frustrations regarding delays and continuances. COURT ORDERED, Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt's Motion for Fees, Costs, and Discretionary Relief CONTINUED and Court will entertain a supplement to the motion.

CONTINUED TO: 10/10/2019 9:30 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Civil Matters**

**COURT MINUTES**

**October 10, 2019**

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A-14-706566-C      Howard Shapiro, Plaintiff(s)  
vs.  
Glen Welt, Defendant(s)

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**October 10, 2019      9:30 AM      Motion for Fees**

**HEARD BY:** Alf, Nancy      **COURTROOM:** RJC Courtroom 03A

**COURT CLERK:** Nicole McDevitt

**RECORDER:** Brynn White

**REPORTER:**

**PARTIES**

**PRESENT:**      Cramer, Michancy Moonblossom      Attorney  
Lowry, Michael P.      Attorney

**JOURNAL ENTRIES**

- Arguments by counsel regarding the merits of and opposition to the motion. COURT ORDERED, Glenn Welt, Rhoda Welt, Lynn Welt & Michele Welt's Motion for Fees, Costs, and Discretionary Relief CONDITIONALLY GRANTED, Mr. Lowry to provide an affidavit or declaration as to his effort for appropriation, memorandum of costs is required for costs, discretionary award will be \$100.00 to each moving party, and order is interlocutory.



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

ALEX GHIBAUDO, ESQ.  
703 S. 8<sup>TH</sup> ST.  
LAS VEGAS, NV 89101

DATE: January 8, 2020  
CASE: A-14-706566-C

**RE CASE:** HOWARD SHAPIRO; JENNA SHAPIRO vs. GLEN WELT; RHODA WELT; LYNN WELT; MICHELLE WELT

NOTICE OF APPEAL FILED: January 6, 2020

**YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.**

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

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

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

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

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

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

# Certification of Copy

State of Nevada }  
County of Clark } SS:

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

NOTICE OF APPEAL; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER RE GLENN WELT, RHODA WELT, LYNN WELT & MICHELLE WELT'S MOTION FOR FEES, COSTS, AND DISCRETIONARY RELIEF; NOTICE OF ENTRY OF ORDER RE MOTION FOR FEES, COSTS AND DISCRETIONARY RELIEF; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

HOWARD SHAPIRO; JENNA SHAPIRO,

Plaintiff(s),

vs.

GLEN WELT; RHODA WELT; LYNN WELT;  
MICHELLE WELT,

Defendant(s),

Case No: A-14-706566-C

Dept No: XXVII

now on file and of record in this office.

**IN WITNESS THEREOF**, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 8 day of January 2020.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk