

Electronically Filed
Mar 02 2020 10:41 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

BOIES SCHILLER FLEXNER LLP
RICHARD J. POCKER, ESQ.
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CHASEY LAW OFFICES
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3295 N. Fort Apache Road, Suite 110
Las Vegas, Nevada 89129
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Attorneys for Respondents
POPE INVESTMENTS, LLC,
POPE INVESTMENTS II, LLC, and
ANNUITY & LIFE REASSURANCE, LTD.

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

CHINA YIDA HOLDING CO., a Nevada)	CASE NO.: A-16-746732-P
corporation,)	DEPT NO.: XXVII
)	
Petitioner,)	
)	
v.)	RESPONDENTS'
)	NOTICE OF APPEAL
POPE INVESTMENTS, LLC, a Delaware)	
limited liability company; POPE)	
INVESTMENTS II, LLC, a Delaware)	
limited liability company; and ANNUITY)	
& LIFE REASSURANCE, LTD.,)	
an unknown limited company;)	
)	
Respondents.)	

Notice is hereby given that Pope Investments, LLC, Pope Investments II, LLC and Annuity & Life Reassurance, Ltd. (the "Respondents") appeal to the Supreme Court of Nevada from the Order entered on January 28, 2020 Granting Petitioner China Yida Holding

1 Company's Motion for Attorney Fees, and the Notice of Entry regarding the same filed on
2 January 29, 2020, as well as all orders, rulings, or decisions related thereto that are made
3 appealable thereby.

4 Dated this 26th day of February, 2020.

5 BOIES SCHILLER FLEXNER LLP

6
7 By: /s/ Richard J. Pocker
8 RICHARD J. POCKER, ESQ.
9 Nevada Bar No. 3568
300 S. Fourth St., Suite 800
Las Vegas, Nevada 89101

10 - AND -

11
12 CHASEY LAW OFFICES
13 PETER L. CHASEY, ESQ.
14 Nevada Bar No. 7650
3295 N. Fort Apache Rd., Suite 110
15 Las Vegas, Nevada 89129
Attorneys for Respondents

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CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of February, 2020, a true and correct copy of the foregoing ***RESPONDENTS’ NOTICE OF APPEAL*** was served by electronically submitting and filing with the Eighth Judicial District Court’s e-filing system and by mailing a true and correct copy to the party below:

J. Robert Smith, Esq.
Joshua M. Halen, Esq.
Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Petitioner, China Yida Holding, Co.

/s/ Shilah Wisniewski
An employee of Boies Schiller Flexner LLP



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RICHARD J. POCKER, ESQ.
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Attorneys for Respondents
POPE INVESTMENTS, LLC,
POPE INVESTMENTS II, LLC, and
ANNUITY & LIFE REASSURANCE, LTD.

EIGHTH JUDICIAL DISTRICT COURT

CLARK COUNTY, NEVADA

CHINA YIDA HOLDING CO., a Nevada) CASE NO.: A-16-746732-P
corporation,) DEPT NO.: XXVII

Petitioner,)

v.)

**RESPONDENTS' CASE APPEAL
STATEMENT**

POPE INVESTMENTS, LLC, a Delaware)
limited liability company; POPE)
INVESTMENTS II, LLC, a Delaware)
limited liability company; and ANNUITY)
& LIFE REASSURANCE, LTD.,)
an unknown limited company;)

Respondents.)

1. Name of appellants filing this case appeal statement:

Pope Investments, LLC
Pope Investments II, LLC

1 Annuity & Life Reassurance, Ltd.

2 **2. Name of the judge issuing the decision, judgment, or order appealed from:**

3 Judge Nancy L. Allf

4 **3. Each appellant and the name and address of counsel for each appellant:**

5 (1) Pope Investments, LLC

6 Counsel: Peter L. Chasey, Esq.
7 Chasey Law Offices
8 3295 N. Forth Apache Rd., Suite 110
9 Las Vegas, Nevada 89129

10 -and-

11 Richard J. Pocker, Esq.
12 Boies Schiller Flexner LLP
13 300 S. Fourth St., Suite 800
14 Las Vegas, Nevada 89101

15 (2) Pope Investments II, LLC

16 Counsel: Peter L. Chasey, Esq.
17 Chasey Law Offices
18 3295 N. Forth Apache Rd., Suite 110
19 Las Vegas, Nevada 89129

20 -and-

21 Richard J. Pocker, Esq.
22 Boies Schiller Flexner LLP
23 300 S. Fourth St., Suite 800
24 Las Vegas, Nevada 89101

25 (3) Annuity & Life Reassurance, Ltd.

26 Counsel: Peter L. Chasey, Esq.
27 Chasey Law Offices
28 3295 N. Forth Apache Rd., Suite 110
29 Las Vegas, Nevada 89129

30 -and-

31 Richard J. Pocker, Esq.
32 Boies Schiller Flexner LLP
33 300 S. Fourth St., Suite 800
34 Las Vegas, Nevada 89101

1 **4. Each respondent and the name and address of appellate counsel, if known,**
2 **for each respondent:**

3 (1) China Yida Holding, Co.

4 Counsel: J. Robert Smith, Esq.
5 Joshua M. Halen, Esq.
6 Holland & Hart LLP
7 9555 Hillwood Drive, 2nd Floor
8 Las Vegas, Nevada 89134

9 **5. Whether any attorney identified above in response to question 3 through 5**
10 **is not licensed to practice law in Nevada:**

11 All attorneys are licensed to practice law in Nevada.

12 **6. Whether appellant is represented by appointed or retained counsel in the**
13 **district court:**

14 Retained counsel.

15 **7. Whether appellant was represented by appointed or retained counsel in the**
16 **appeal:**

17 Retained counsel.

18 **8. Whether appellant was granted leave to proceed in forma pauperis:**

19 No.

20 **9. The date the proceedings commenced in the district court (e.g., date**
21 **complaint, indictment, information, or petition was filed):**

22 November 15, 2016

23 **10. A brief description of the nature of the action and result in the district**
24 **court, including the type of judgment or order being appealed and the relief granted by**
25 **the district court:**

26 The present action is a dissenter's rights action commenced on November 15, 2016 by
27 China Yida Holding Co. (CYH) pursuant to Chapter 92A of the Nevada Revised Statutes, as a
28 consequence of the decision by the appellants (stockholders in CYH) to exercise their rights to
dissent from a CYH corporate action characterized by the company as a "merger", and to seek a
fair value determination as to the value of the appellants' CYH stock. CYH moved for

1 summary judgment, arguing that despite the company having represented to the appellants that
2 dissenter's rights were available and having litigated the fair value petition for two and one-half
3 years, the appellants had no dissenter's rights due to the provisions of Section 92A.390 of the
4 Nevada Revised Statutes. The District Court granted the Petitioner's Motion for Summary
5 Judgment, filing and entering its Order on September 9, 2019. The Notice of Entry of the
6 Court's Order was filed on that same date.

7 The Petitioner filed its Motion for Attorneys Fees (the subject of this present Notice of
8 Appeal), which the District Court granted. The Petitioners based its request for an award of
9 attorneys fees upon a rejected offer of judgment. The Court's Order granting the Petitioner's
10 Motion was filed on January 28, 2020, and the Notice of Entry was filed January 29, 2020.

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

14 On October 9, 2019 the Respondent appealed the District Court's Order granting
15 summary judgment in favor of the Petitioner. That appeal is presently pending, and the case is
16 denominated as Pope Invs., LLC vs. China Yida Holding, Co., and the Supreme Court docket
17 number is 79807.

18 **12. Whether this appeal involves child custody or visitation:**

19 No.

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

There is, as always, the possibility that this appeal could settle, but a settlement judge has already determined that the earlier appeal of the summary judgment Order was not resolvable through the Supreme Court's Settlement Program.

Dated this 26th day of February, 2020.

BOIES SCHILLER FLEXNER LLP

By: /s/ Richard J. Pocker
 RICHARD J. POCKER, ESQ.
 Nevada Bar No. 3568
 300 S. Fourth St., Suite 800
 Las Vegas, Nevada 89101

- AND -

CHASEY LAW OFFICES
PETER L. CHASEY, ESQ.
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Attorneys for Respondents

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CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of February, 2020, a true and correct copy of the foregoing ***RESPONDENTS’ CASE APPEAL STATEMENT*** was served by electronically submitting and filing with the Eighth Judicial District Court’s e-filing system and by mailing a true and correct copy to the party below:

J. Robert Smith, Esq.
Joshua M. Halen, Esq.
Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
Attorneys for Petitioner, China Yida Holding, Co.

/s/ Shilah Wisniewski
An employee of Boies Schiller Flexner LLP

CASE SUMMARY**CASE NO. A-16-746732-P**

China Yida Holding Co, Petitioner(s)
vs.
Annuity & Life Reassurance Ltd, Respondent(s)

§
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§
§
§
§

Location: **Department 27**
 Judicial Officer: **Allf, Nancy**
 Filed on: **11/15/2016**
 Cross-Reference Case Number: **A746732**
 Supreme Court No.: **79807**

CASE INFORMATION**Statistical Closures**

09/09/2019 Summary Judgment

Case Type: **Other Civil Filings (Petition)**

Case Status: **09/09/2019 Closed**





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

Case Number A-16-746732-P
 Court Department 27
 Date Assigned 11/15/2016
 Judicial Officer Allf, Nancy

PARTY INFORMATION

Petitioner	China Yida Holding Co	<i>Lead Attorneys</i> Smith, J. Robert, ESQ <i>Retained</i> 775-327-3000(W)
Respondent	Annuity & Life Reassurance Ltd	Pocker, Richard J. <i>Retained</i> 7023827300(W)
	Pope Investments II LLC	Pocker, Richard J. <i>Retained</i> 7023827300(W)
	Pope Investments LLC	Pocker, Richard J. <i>Retained</i> 7023827300(W)

DATE**EVENTS & ORDERS OF THE COURT****INDEX****EVENTS**

11/15/2016	 Petition Filed by: Petitioner China Yida Holding Co <i>Petition for: (1) Declaratory Relief and; (2) Fair Value Determination</i>
11/15/2016	 Initial Appearance Fee Disclosure Filed By: Petitioner China Yida Holding Co <i>Initial Appearance Fee Disclosure</i>
12/01/2016	 Summons Filed by: Petitioner China Yida Holding Co <i>Summons</i>
12/01/2016	 Summons Filed by: Petitioner China Yida Holding Co

CASE SUMMARY

CASE NO. A-16-746732-P

Summons - Civil and Acceptance of Service

12/01/2016



Summons

Filed by: Petitioner China Yida Holding Co

Summons-Civil

01/06/2017



Amended Petition

Filed By: Petitioner China Yida Holding Co

First Amended Petition for Fair Value Determination

02/06/2017



Answer to Complaint

Filed by: Respondent Pope Investments LLC

Response to First Amended Petition for Fair Value Determination

04/14/2017



Commissioners Decision on Request for Exemption - Granted

Commissioner's Decision on Request for Exemption - Granted

04/17/2017



Arbitration File

Arbitration File

06/06/2017



Joint Case Conference Report

Filed By: Petitioner China Yida Holding Co

Joint Case Conference Report

06/23/2017



Scheduling Order

Scheduling Order

06/29/2017



Order Setting Civil Bench Trial

Order Setting Civil Bench Trial, Pre-Trial/Calendar Call

10/12/2017



Stipulation and Order

Stipulation and Order to Continue Discovery

10/13/2017



Notice of Entry of Stipulation and Order

Filed By: Respondent Pope Investments LLC; Respondent Pope Investments II LLC; Respondent Annuity & Life Reassurance Ltd

Notice of Entry of Stipulation and Order to Continue Discovery

12/08/2017



Stipulation and Order

Filed by: Petitioner China Yida Holding Co

Stipulation and Order to Extend Rebuttal Expert Disclosure Deadline

12/11/2017



Notice of Entry of Stipulation and Order

Filed By: Petitioner China Yida Holding Co

Notice of Entry of Stipulation and Order to Extend Rebuttal Expert Disclosure Deadline

01/24/2018



Order Setting Civil Bench Trial

Order Re-Setting Civil Bench Trial, Pre-Trial/Calendar Call

01/25/2018



Stipulation and Order

Stipulation and Order to Continue Discovery and Trial

01/30/2018



Notice of Entry of Stipulation and Order

CASE SUMMARY

CASE NO. A-16-746732-P

Filed By: Respondent Pope Investments LLC; Respondent Pope Investments II LLC; Respondent Annuity & Life Reassurance Ltd
Notice of Entry of Stipulation and Order to Continue Discovery and Trial

05/11/2018



Stipulation and Order

Stipulation and Order to Continue Discovery and Trial (Fourth Request)

05/14/2018



Notice of Entry of Stipulation and Order

Filed By: Respondent Pope Investments LLC; Respondent Pope Investments II LLC; Respondent Annuity & Life Reassurance Ltd

Notice of Entry of Stipulation and Order to Continue Discovery and Trial

05/14/2018



Order Setting Civil Non-Jury Trial and Calendar Call

Filed By: Petitioner China Yida Holding Co

Order Re-Setting Civil Bench Trial, Pre-Trial/Calendar Call

09/07/2018



Stipulation and Order

Stipulation and Order to Continue Discovery (Fifth Request)

09/11/2018



Notice of Entry of Stipulation and Order

Filed By: Respondent Pope Investments LLC; Respondent Pope Investments II LLC; Respondent Annuity & Life Reassurance Ltd

Notice of Entry of Stipulation and Order to Continue Discovery

09/20/2018



Stipulation and Order

Amended Stipulation and Order to Continue Discovery (Fifth Request)

09/21/2018



Notice of Entry of Stipulation and Order

Filed By: Respondent Pope Investments LLC; Respondent Pope Investments II LLC; Respondent Annuity & Life Reassurance Ltd

Notice of Entry of Amended Stipulation and Order to Continue Discovery

12/14/2018



Stipulation and Order

Filed by: Petitioner China Yida Holding Co

Stipulation and Order to Continue Trial Date and Certain Discovery Deadlines

12/17/2018



Notice of Entry of Stipulation and Order

Filed By: Petitioner China Yida Holding Co

Notice of Entry of Stipulation and Order to Continue Trial Date and Certain Discovery Deadlines

12/19/2018



Order Setting Civil Non-Jury Trial and Calendar Call

Order Re-Setting Civil Bench Trial, Pre-Trial / Calendar Call

03/22/2019



Stipulation and Order

Filed by: Petitioner China Yida Holding Co

Stipulation and Order to Continue Trial Date and Certain Discovery Deadlines

03/22/2019



Notice of Entry of Stipulation and Order

Filed By: Petitioner China Yida Holding Co

Notice of Entry of Stipulation and Order to Continue Trial Date and Certain Discovery Deadlines

04/24/2019



Order Setting Civil Non-Jury Trial and Calendar Call

CASE SUMMARY

CASE NO. A-16-746732-P

Order Re-Setting Civil Bench Trial, Pre-Trial/Calendar Call

05/22/2019	 Motion for Summary Judgment Filed By: Petitioner China Yida Holding Co <i>Petitioner China Yida Holdings, Co.'s Motion for Summary Judgment</i>
05/22/2019	 Declaration Filed By: Petitioner China Yida Holding Co <i>Declaration of Minhua Chen in Support of Motion for Summary Judgment</i>
05/22/2019	 Declaration Filed By: Petitioner China Yida Holding Co <i>Declaration of J. Robert Smith, Esq. in Support of Petitioner's Motion for Summary Judgment</i>
05/22/2019	 Appendix Filed By: Petitioner China Yida Holding Co <i>Appendix of Exhibits to Petitioner China Yida Holding, Co.'s Motion for Summary Judgment</i>
05/22/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
06/03/2019	 Stipulation and Order Filed by: Petitioner China Yida Holding Co <i>Stipulation and Order Re-Noticing Petitioner's Motion for Summary Judgment</i>
06/03/2019	 Notice of Entry of Stipulation and Order Filed By: Petitioner China Yida Holding Co <i>Notice of Entry of Stipulation and Order Re-Noticing Petitioner's Motion for Summary Judgment</i>
06/26/2019	 Opposition to Motion For Summary Judgment Filed By: Respondent Pope Investments LLC; Respondent Pope Investments II LLC; Respondent Annuity & Life Reassurance Ltd <i>Respondents' Opposition to Motion for Summary Judgment</i>
07/10/2019	 Reply in Support Filed By: Petitioner China Yida Holding Co <i>Petitioner China Yida Holding, Co.'s Reply in Support of Motion for Summary Judgment</i>
07/12/2019	 Motion to Strike Filed By: Petitioner China Yida Holding Co <i>Petitioner's Motion to Strike Respondent's Experts Reports and Exclude Respondents' Expert Joseph Leauanae</i>
07/12/2019	 Declaration Filed By: Petitioner China Yida Holding Co <i>Declaration of J. Robert Smith in Support of Petitioner's Motion to Strike</i>
07/12/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
09/09/2019	 Order Granting Summary Judgment Filed By: Petitioner China Yida Holding Co <i>Order Granting Petitioner China Yida Holding, Co.'s Motion for Summary Judgment</i>

CASE SUMMARY

CASE NO. A-16-746732-P

09/09/2019	 Notice of Entry of Order Filed By: Petitioner China Yida Holding Co <i>Notice of Entry of Order Granting Petitioner China Yida Holding Co.'s Motion for Summary Judgment</i>
09/16/2019	 Memorandum of Costs and Disbursements Filed By: Petitioner China Yida Holding Co <i>Petitioner's Memorandum of Costs and Disbursements</i>
09/19/2019	 Motion to Retax Filed By: Respondent Pope Investments LLC; Respondent Pope Investments II LLC; Respondent Annuity & Life Reassurance Ltd <i>Respondents' Motion to Retax Petitioner's Memorandum of Costs</i>
09/19/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
09/23/2019	 Motion for Attorney Fees Filed By: Petitioner China Yida Holding Co <i>Petitioner's Motion for Attorneys' Fees</i>
09/23/2019	 Declaration Filed By: Petitioner China Yida Holding Co <i>Declaration of J. Robert Smith in Support of Motion for Attorneys' Fees</i>
09/24/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
10/03/2019	 Stipulation and Order <i>Stipulation and Order Regarding Petitioner's Opposition to Motion to Retax Costs & Respondent's Opposition to Motion for Attorney's Fees</i>
10/04/2019	 Opposition to Motion Filed By: Petitioner China Yida Holding Co <i>Petitioner's Opposition to Respondents' Motion to Retax</i>
10/08/2019	 Notice of Appearance Party: Respondent Pope Investments LLC; Respondent Pope Investments II LLC; Respondent Annuity & Life Reassurance Ltd <i>Notice of Appearance and Association of Counsel</i>
10/08/2019	 Notice of Entry of Order Filed By: Petitioner China Yida Holding Co <i>Notice of Entry of Stipulation and Order Regarding Petitioner's Opposition to Motion to Retax Costs and Respondent's Opposition to Motion for Attorney's Fees (First Request)</i>
10/09/2019	 Notice of Appeal Filed By: Respondent Pope Investments LLC; Respondent Pope Investments II LLC; Respondent Annuity & Life Reassurance Ltd <i>Respondents' Notice of Appeal</i>
10/09/2019	 Case Appeal Statement Filed By: Respondent Pope Investments LLC; Respondent Pope Investments II LLC; Respondent Annuity & Life Reassurance Ltd

CASE SUMMARY

CASE NO. A-16-746732-P

Respondents' Case Appeal Statement

10/11/2019



Opposition to Motion

Filed By: Respondent Pope Investments LLC; Respondent Pope Investments II LLC; Respondent Annuity & Life Reassurance Ltd

Respondents' Opposition to Petitioner's Motion for Attorneys' Fees

10/16/2019



Reply in Support

Filed By: Petitioner China Yida Holding Co

Petitioner's Reply in Support of Motion for Attorney's Fees

10/17/2019



Reply in Support

Filed By: Respondent Pope Investments LLC; Respondent Pope Investments II LLC; Respondent Annuity & Life Reassurance Ltd

Reply Brief in Support of Respondents' Motion to Retax Petitioner's Memorandum of Costs

12/30/2019



Request

Filed by: Respondent Pope Investments LLC; Respondent Pope Investments II LLC; Respondent Annuity & Life Reassurance Ltd

Request for Transcript of Proceedings

01/28/2020



Order Granting Motion

Filed By: Petitioner China Yida Holding Co

Order Granting Petitioner China Yida Holding Co.'s Motion for Attorneys' Fees

01/28/2020



Recorders Transcript of Hearing

Transcript of Proceedings, Petitioner China Yida Holding, Co.'s Motion for Summary Judgment, Heard on July 18, 2019

01/29/2020



Notice of Entry of Order

Filed By: Petitioner China Yida Holding Co

Notice of Entry of Order Granting Petitioner China Yida Holding Co.'s Motion for Attorneys' Fees

01/29/2020



Order Granting

Order Granting in Part and Denying in Part Respondents' Motion to Retax Costs

01/30/2020



Notice of Entry of Order

Filed By: Respondent Pope Investments LLC; Respondent Pope Investments II LLC; Respondent Annuity & Life Reassurance Ltd

Notice of Entry of Order

02/26/2020



Notice of Appeal

Filed By: Respondent Pope Investments LLC; Respondent Pope Investments II LLC; Respondent Annuity & Life Reassurance Ltd

Respondents' Notice of Appeal

02/26/2020



Case Appeal Statement

Filed By: Respondent Pope Investments LLC; Respondent Pope Investments II LLC; Respondent Annuity & Life Reassurance Ltd

Respondents' Case Appeal Statement

DISPOSITIONS


09/09/2019

Summary Judgment (Judicial Officer: Allf, Nancy)

Debtors: Pope Investments LLC (Respondent), Pope Investments II LLC (Respondent), Annuity

CASE SUMMARY


CASE NO. A-16-746732-P

	<p>& Life Reassurance Ltd (Respondent) Creditors: China Yida Holding Co (Petitioner) Judgment: 09/09/2019, Docketed: 09/09/2019</p>
01/28/2020	<p>Judgment for Attorney's Fees (Judicial Officer: Allf, Nancy) Debtors: Pope Investments LLC (Respondent), Pope Investments II LLC (Respondent), Annuity & Life Reassurance Ltd (Respondent) Creditors: China Yida Holding Co (Petitioner) Judgment: 01/28/2020, Docketed: 01/28/2020 Total Judgment: 41,053.50</p>
01/29/2020	<p>Order (Judicial Officer: Allf, Nancy) Debtors: Pope Investments LLC (Respondent), Pope Investments II LLC (Respondent), Annuity & Life Reassurance Ltd (Respondent) Creditors: China Yida Holding Co (Petitioner) Judgment: 01/29/2020, Docketed: 01/30/2020 Total Judgment: 4,387.00</p>
	<p><u>HEARINGS</u></p>
05/10/2018	<p>CANCELED Pretrial/Calendar Call (10:30 AM) (Judicial Officer: Allf, Nancy) <i>Vacated - per Stipulation and Order</i></p>
05/14/2018	<p>CANCELED Bench Trial (10:30 AM) (Judicial Officer: Allf, Nancy) <i>Vacated - per Stipulation and Order</i> <i>Order Setting Civil Bench Trial, Pre-Trial/Calendar Call</i></p>
08/30/2018	<p>CANCELED Pretrial/Calendar Call (10:31 AM) (Judicial Officer: Allf, Nancy) <i>Vacated - Superseding Order</i></p>
09/04/2018	<p>CANCELED Bench Trial (10:30 AM) (Judicial Officer: Allf, Nancy) <i>Vacated - Superseding Order</i></p>
01/10/2019	<p>CANCELED Pretrial/Calendar Call (10:30 AM) (Judicial Officer: Allf, Nancy) <i>Vacated - Superseding Order</i></p>
01/14/2019	<p>CANCELED Bench Trial (10:30 AM) (Judicial Officer: Allf, Nancy) <i>Vacated - Superseding Order</i></p>
06/27/2019	<p>CANCELED Calendar Call (10:30 AM) (Judicial Officer: Allf, Nancy) <i>Vacated - per Stipulation and Order</i></p>
07/01/2019	<p>CANCELED Jury Trial (10:30 AM) (Judicial Officer: Allf, Nancy) <i>Vacated - per Stipulation and Order</i></p>
07/18/2019	<p> Motion for Summary Judgment (10:30 AM) (Judicial Officer: Allf, Nancy) Events: 05/22/2019 Motion for Summary Judgment <i>Petitioner China Yida Holding, Co.'s Motion for Summary Judgment</i> Granted; Journal Entry Details: <i>Arguments by counsel regarding the merits of and opposition to the pending motion. Colloquy regarding the provision in the merger agreement as it applies to the minutes. Court stated its findings and ORDERED, Petitioner China Yida Holding, Co.'s Motion for Summary Judgment GRANTED. Mr. Smith to prepare the findings of fact and conclusions of law which are to be incorporated into the order and submitted to Mr. Chasey for approval. COURT FURTHER ORDERED, all future hearings VACATED. ;</i></p>
08/15/2019	<p>CANCELED Motion to Strike (9:30 AM) (Judicial Officer: Allf, Nancy) <i>Vacated</i> <i>Petitioner's Motion to Strike Respondents' Expert Reports and Exclude Respondents' Expert Joseph Leauanae</i></p>

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. A-16-746732-P

08/22/2019	CANCELED Calendar Call (10:31 AM) (Judicial Officer: Allf, Nancy) <i>Vacated</i>
08/26/2019	CANCELED Bench Trial (10:30 AM) (Judicial Officer: Allf, Nancy) <i>Vacated</i>
11/06/2019	Motion to Retax (1:15 PM) (Judicial Officer: Allf, Nancy) <i>Respondents' Motion to Retax Petitioner's Memorandum of Costs</i>
11/06/2019	Motion for Attorney Fees (1:15 PM) (Judicial Officer: Allf, Nancy) <i>Petitioner's Motion for Attorney's Fees</i> Granted;
11/06/2019	 All Pending Motions (1:15 PM) (Judicial Officer: Allf, Nancy) Matter Heard; Journal Entry Details: <i>RESPONDENT'S MOTION TO RETAX PETITIONER'S MEMORANDUM OF COSTS...PETITIONER'S MOTION FOR ATTORNEY'S FEES PETITIONER'S MOTION FOR ATTORNEY'S FEES Upon inquiry of Court if Mr. Smith was abandoning the 18.010 for fees, Mr. Smith stated he was. Arguments by Mr. Smith and Mr. Pocker regarding the merits of and opposition to the motion. Court stated the motion was only being consider under NRCP 68, stated its findings, and ORDERED, Petitioner's Motion for Attorney's Fees. Mr. Smith to prepare the order and submit it to opposing counsel for approval as to form. RESPONDENT'S MOTION TO RETAX PETITIONER'S MEMORANDUM OF COSTS Arguments by Mr. Pocker and Mr. Smith regarding the merits of and opposition to the motion. Court stated its findings and ORDERED, Respondents' Motion to Retax Petitioner's Memorandum of Costs GRANTED IN PART as to costs after the time the judgment was made. Mr. Pocker to prepare the order and submit it to opposing counsel for approval as to form.;</i>

DATE

FINANCIAL INFORMATION

Petitioner China Yida Holding Co	
Total Charges	547.00
Total Payments and Credits	547.00
Balance Due as of 2/28/2020	0.00
Respondent Annuity & Life Reassurance Ltd	
Total Charges	30.00
Total Payments and Credits	30.00
Balance Due as of 2/28/2020	0.00
Respondent Pope Investments II LLC	
Total Charges	30.00
Total Payments and Credits	30.00
Balance Due as of 2/28/2020	0.00
Respondent Pope Investments LLC	
Total Charges	312.50
Total Payments and Credits	312.50
Balance Due as of 2/28/2020	0.00
Respondent Pope Investments LLC	
Appeal Bond Balance as of 2/28/2020	500.00
Respondent Pope Investments LLC	
Appeal Bond Balance as of 2/28/2020	500.00

DISTRICT COURT CIVIL COVER SHEET

Case No. _____

County, Nevada

XXVII

(Assigned by Clerk's Office)

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

Plaintiff(s) (name/address/phone):

China Yida Holding, Co., a Nevada corporation

Defendant(s) (name/address/phone):

Pope Investments, LLC; Pope Investments II, LLC;
Annuity & Life Reassurance, Ltd.

Attorney (name/address/phone):

J. Robert Smith, Holland & Hart LLP
5441 Kietzke Lane, Second Floor
Reno, NV 89511
775-327-3000

Attorney (name/address/phone):

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

Real Property	Negligence	Torts
Landlord/Tenant <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant Title to Property <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property Other Real Property <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	<input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence Malpractice <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	Other Torts <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
Probate	Construction Defect & Contract	Judicial Review/Appeal
Probate (select case type and estate value) <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 Estate Value <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	Construction Defect <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect Contract Case <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	Judicial Review <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency Nevada State Agency Appeal <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency Appeal Other <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
Civil Writ		Other Civil Filing
Civil Writ <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		Other Civil Filing <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input checked="" type="checkbox"/> Other Civil Matters

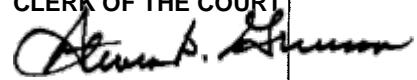
Business Court filings should be filed using the Business Court civil coversheet.

Nov. 15, 2016

Date

Signature of initiating party or representative

See other side for family-related case filings.



ORDR

J. Robert Smith
Nevada Bar No. 10992
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, NV 89134
Phone: 702.669.4600
Fax: 702.669.4650
jrsmith@hollandhart.com

Attorneys for Petitioner

**DISTRICT COURT
CLARK COUNTY, NEVADA**

CHINA YIDA HOLDING, CO. a Nevada
corporation,

Petitioner,

v.

POPE INVESTMENTS, LLC, a Delaware
limited liability company; POPE
INVESTMENTS II, LLC, a Delaware limited
liability company; and ANNUITY & LIFE
REASSURANCE, LTD., an unknown limited
company,

Respondent.

Case No. A-16-746732-P
Dept. No. XXVII

**[PROPOSED]
ORDER GRANTING PETITIONER
CHINA YIDA HOLDING CO.'S
MOTION FOR ATTORNEYS' FEES**

THIS MATTER came before the Court on November 6, 2019 on Petitioner China Yida Holding Co.'s Motion for Attorneys' Fees following the Court's order granting Petitioner summary judgment. Respondents Pope Investments, LLC, Pope Investments II, LLC and Annuity & Life Reassurance, Ltd. (collectively "Respondents") filed their Opposition to the Motion on October 11, 2019, and China Yida Holding Co. (CYH) filed its Reply on October 16, 2019. At the hearing, J. Robert Smith of Holland & Hart, LLP appeared on behalf of CYH, and Richard J. Pocker of Boies Schiller Flexner, LLP and Peter L. Chasey of Chasey Law Offices appeared on behalf of the Respondents. The Court, having carefully considered the Motion,

1 Opposition, Reply, the exhibits attached thereto, and the oral argument of counsel, and being fully
2 advised in the premises, hereby finds and concludes as follows:

3
4 **I. FINDINGS AND CONCLUSIONS**

5 1. On May 22, 2019, CYH filed a Motion for Summary Judgment arguing that
6 Respondents were not entitled to a fair value determination as CYH's stock was a covered security
7 pursuant to 15 U.S.C. §77r(b)(1)(A) or (B) and related SEC regulations.

8 2. On June 13, 2019, and before Respondents' opposition to CYH's Motion for
9 Summary Judgment was due, CYH served an Offer of Judgment on Respondents pursuant to
10 NRCP 68. CYH offered to have judgment entered in favor of Respondents in the total amount of
11 \$10,000, inclusive of all prejudgment interest, attorneys' fees, and costs.

12 3. Respondents rejected CYH's Offer of Judgment.

13 4. On July 19, 2019 the Court granted CYH's Motion for Summary Judgment.

14 5. On September 9, 2019, the Court entered judgment in favor of CYH and against
15 Respondents.

16 6. Because judgment was entered in CYH's favor and against Respondents on all
17 claims asserted against them, CYH is deemed the prevailing party.

18 7. On September 23, 2019, CYH, as the prevailing party, filed the instant Motion
19 moving this Court, pursuant to its Offer of Judgment, for an award of attorneys' fees in the amount
20 of \$41,053.50.

21 8. Pursuant to Rule 68 of the Nevada Rules of Civil Procedure ("NRCP"), a party is
22 entitled to an award of attorneys' fees and costs whenever an offeree does not accept an offer of
23 judgment and the offeree fails to obtain a more favorable judgment at trial. *See* NRCP 68(f)(2).

24 9. There are several factors the trial court should consider when deciding a motion for
25 attorneys' fees and costs under NRCP 68. *See Beattie v. Thomas*, 99 Nev. 579, 587-89 (1983).
26 These factors include: (1) whether the plaintiff's claims were brought in good faith; (2) whether
27 the offeror's offer of judgment was brought in good faith; (3) whether the offeree's decision to
28 reject the offer and proceed to trial was unreasonable or in bad faith; and (4) whether fees sought

1 by the offeror are reasonable and justified in amount. *Id.* The trial court does not have to find
2 each of these factors to support an award of fees. Rather, the court may consider each of the
3 factors and give weight to those most pertinent to the case. *Id.*

4 10. With respect to CYH's Offer of Judgment in the amount of \$10,000.00, the Court
5 has carefully considered each of the *Beattie* factors above and concludes that at the time the offer
6 was made that CYH's Offer was reasonable and in good faith as to timing and amount, and
7 Respondent's decision to reject the offer was unreasonable.

8 11. The "well known basic elements to be considered in determining the reasonable
9 value of an attorney's services . . . may be classified under four general headings." *Brunzell v.*
10 *Golden Gate. Nat. Bank*, 85 Nev. 345, 349, 455 P.2d 31, 33 (1969). Those four factors are:

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

19 *Id.* (emphasis added). Although no one element controls, the district court should use "reason
20 and fairness" in calculating attorneys' fees. *Albios*, 122 Nev. at 417; *Miller v. Wilfong*, 121 Nev.
21 619, 623 (2005); *Brunzell*, 85 Nev. at 349. An analysis of reason and fairness includes
22 consideration of the complexity of the matter, the amount of time spent, and therefore the
23 reasonableness of the number of hours spent thereon. *See e.g., Salmon v. Davis Cty.*, 916 P.2d
24 890, 893 (Utah 1996).

25 15. The Court has carefully considered the supporting documentation supplied by
26 CYH in its Motion, and the factors set forth in *Brunzell v. Golden Gate. Nat. Bank*, 85 Nev. 345,
27 349, 455 P.2d 31, 33 (1969) related to an award of attorneys' fees – the advocates' professional
28 qualities, the character and nature of the litigation, the work actually performed, and the result
achieved – and finds that the attorneys' fees identified below are reasonable and justified in
amount.

16. Having carefully considered the *Beattie* factors and *Brunzell* factors, Court finds

1 that CYH is entitled to their attorney's fees pursuant to their Offer of Judgment, calculated from
2 June 13, 2019 in the amount of \$41,053.50, and that such fees are reasonable and justified in
3 amount.

4 **ORDER**

5 Based on the foregoing findings and conclusions, and other good cause appearing,

6 IT IS HEREBY ORDERED that:

- 7 1. China Yida Holding Co.'s Motion for Attorneys' Fees is **GRANTED**.
8 2. China Yida Holding Co. is awarded its reasonable attorney's fees in the amount of
9 \$41,053.50 against Respondents, jointly and severally.
10 3. Interest on the amount of \$41,053.50 shall accrue at the statutory rate from the
11 date of this Order until paid in full.

12 DATED this 24 day of Jan, 2019.

13
14
15 Nancy L. Allf
16 THE HONORABLE NANCY ALLF
17 DISTRICT COURT JUDGE *FD*

18 Respectfully submitted by:

19 HOLLAND & HART, LLP

20 J. Robert Smith
21 J. Robert Smith (SBN #10992)

22 9555 HILLWOOD DRIVE, 2ND FLOOR
23 LAS VEGAS, NV 89134

24 *Attorneys for Petitioner China Yida Holding, Co.*

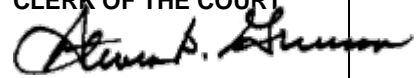
25 Approved as to form:

26 BOIES SCHILLER FLEXNER, LLP

27 Richard J. Pocker
28 Richard J. Pocker (SBN #3568)

300 South Fourth Street, Suite 800
Las Vegas, Nevada 89101

Attorneys for Respondents



1 **NEOJ**

2 J. Robert Smith, Esq. (SBN 10992)

3 HOLLAND & HART LLP

4 9555 Hillwood Drive, 2nd Floor

5 Las Vegas, NV 89134

6 Phone: (702) 669-4600

7 Fax: (702) 669-4650

8 *Attorneys for Petitioner*

9 **DISTRICT COURT**

10 **CLARK COUNTY, NEVADA**

11 CHINA YIDA HOLDING, CO., a Nevada
12 corporation,

13 Petitioner,

14 v.

15 POPE INVESTMENTS, LLC, a Delaware
16 limited liability company; POPE
17 INVESTMENTS II, LLC, a Delaware limited
18 liability company; and ANNUITY & LIFE
19 REASSURANCE, LTD., an unknown limited
20 company;

21 Respondents.

Case No. A-16-746732-P

Dept. No. XXVII

**NOTICE OF ENTRY OF ORDER
GRANTING PETITIONER CHINA
YIDA HOLDING CO.'S MOTION FOR
ATTORNEYS' FEES**

22 PLEASE TAKE NOTICE that an Order Granting Petitioner China Yida Holding Co.'s
23 Motion for Attorneys' Fees was entered in the above-captioned matter on January 28, 2020. A
24 copy of said Order is attached hereto.

25 DATED this 29th day of January, 2020.

26 HOLLAND & HART LLP

27 /s/ J. Robert Smith

28 J. Robert Smith, Esq. (SBN 10992)

9555 Hillwood Drive, 2nd Floor

Las Vegas, NV 89134

Attorneys for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of January, 2020, a true and correct copy of the foregoing **NOTICE OF ENTRY OF ORDER GRANTING PETITIONER CHINA YIDA HOLDING CO.'S MOTION FOR ATTORNEYS' FEES** was served by the following method(s):

☒ Electronic: by submitting electronically for filing and/or service with the Eighth Judicial District Court's Odyssey eFileNV Electronic Filing system and serving all parties with an email address on record, as indicated below, pursuant to Administrative Order 14-2 and Rule 9 of the .N.E.F.C.R. That date and time of the electronic proof of service in place of the date and place of deposit in the U.S. Mail.

Richard J. Pocker, Esq.
BOIES SCHILLER FLEXNER, LLP
300 South Fourth Street, Suite 800
Las Vegas, Nevada 89101

Peter L. Chasey, Esq.
CHASEY LAW OFFICES
3295 N. Fort Apache Road, Suite 110
Las Vegas, Nevada 89129

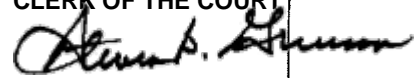
Attorneys for Respondents

☐ U.S. Mail: by depositing same in the United States mail, first class postage fully prepaid to the persons and addresses listed below:

☐ Email: by electronically delivering a copy via email to the following e-mail address:

☐ Facsimile: by faxing a copy to the following numbers referenced below:

/s/ Joyce Heilich
An Employee of HOLLAND & HART LLP



ORDR

J. Robert Smith
Nevada Bar No. 10992
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, NV 89134
Phone: 702.669.4600
Fax: 702.669.4650
jrsmith@hollandhart.com

Attorneys for Petitioner

**DISTRICT COURT
CLARK COUNTY, NEVADA**

CHINA YIDA HOLDING, CO. a Nevada
corporation,

Petitioner,

v.

POPE INVESTMENTS, LLC, a Delaware
limited liability company; POPE
INVESTMENTS II, LLC, a Delaware limited
liability company; and ANNUITY & LIFE
REASSURANCE, LTD., an unknown limited
company,

Respondent.

Case No. A-16-746732-P
Dept. No. XXVII

**[PROPOSED]
ORDER GRANTING PETITIONER
CHINDA YIDA HOLDING CO.'S
MOTION FOR ATTORNEYS' FEES**

THIS MATTER came before the Court on November 6, 2019 on Petitioner China Yida Holding Co.'s Motion for Attorneys' Fees following the Court's order granting Petitioner summary judgment. Respondents Pope Investments, LLC, Pope Investments II, LLC and Annuity & Life Reassurance, Ltd. (collectively "Respondents") filed their Opposition to the Motion on October 11, 2019, and China Yida Holding Co. (CYH) filed its Reply on October 16, 2019. At the hearing, J. Robert Smith of Holland & Hart, LLP appeared on behalf of CYH, and Richard J. Pocker of Boies Schiller Flexner, LLP and Peter L. Chasey of Chasey Law Offices appeared on behalf of the Respondents. The Court, having carefully considered the Motion,

1 Opposition, Reply, the exhibits attached thereto, and the oral argument of counsel, and being fully
2 advised in the premises, hereby finds and concludes as follows:

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6 Respondents were not entitled to a fair value determination as CYH's stock was a covered security
7 pursuant to 15 U.S.C. §77r(b)(1)(A) or (B) and related SEC regulations.

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3 factors and give weight to those most pertinent to the case. *Id.*

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5 has carefully considered each of the *Beattie* factors above and concludes that at the time the offer
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7 Respondent's decision to reject the offer was unreasonable.

8 11. The "well known basic elements to be considered in determining the reasonable
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10 *Golden Gate. Nat. Bank*, 85 Nev. 345, 349, 455 P.2d 31, 33 (1969). Those four factors are:

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12 experience, professional standing and skill; (2) the character of the work
13 to be done: its difficulty, its intricacy, its importance, time and skill
14 required, the responsibility imposed and the prominence and character
15 of the parties where they affect the importance of the litigation; (3) the
16 work actually performed by the lawyer: the skill, time and attention
17 given to the work; (4) the result: whether the attorney was successful
18 and what benefits were derived.

19 *Id.* (emphasis added). Although no one element controls, the district court should use "reason
20 and fairness" in calculating attorneys' fees. *Albios*, 122 Nev. at 417; *Miller v. Wilfong*, 121 Nev.
21 619, 623 (2005); *Brunzell*, 85 Nev. at 349. An analysis of reason and fairness includes
22 consideration of the complexity of the matter, the amount of time spent, and therefore the
23 reasonableness of the number of hours spent thereon. *See e.g., Salmon v. Davis Cty.*, 916 P.2d
24 890, 893 (Utah 1996).

25 15. The Court has carefully considered the supporting documentation supplied by
26 CYH in its Motion, and the factors set forth in *Brunzell v. Golden Gate. Nat. Bank*, 85 Nev. 345,
27 349, 455 P.2d 31, 33 (1969) related to an award of attorneys' fees – the advocates' professional
28 qualities, the character and nature of the litigation, the work actually performed, and the result
achieved – and finds that the attorneys' fees identified below are reasonable and justified in
amount.

16. Having carefully considered the *Beattie* factors and *Brunzell* factors, Court finds

1 that CYH is entitled to their attorney's fees pursuant to their Offer of Judgment, calculated from
2 June 13, 2019 in the amount of \$41,053.50, and that such fees are reasonable and justified in
3 amount.

4 **ORDER**

5 Based on the foregoing findings and conclusions, and other good cause appearing,

6 IT IS HEREBY ORDERED that:

- 7 1. China Yida Holding Co.'s Motion for Attorneys' Fees is **GRANTED**.
8 2. China Yida Holding Co. is awarded its reasonable attorney's fees in the amount of
9 \$41,053.50 against Respondents, jointly and severally.
10 3. Interest on the amount of \$41,053.50 shall accrue at the statutory rate from the
11 date of this Order until paid in full.

12 DATED this 24 day of Jan, 2019.

13
14
15 Nancy L. Allf
16 THE HONORABLE NANCY ALLF
17 DISTRICT COURT JUDGE *FD*

18 Respectfully submitted by:

19 HOLLAND & HART, LLP

20 J. Robert Smith
21 J. Robert Smith (SBN #10992)
22 9555 HILLWOOD DRIVE, 2ND FLOOR
23 LAS VEGAS, NV 89134
24 Attorneys for Petitioner China Yida Holding, Co.

25 Approved as to form:

26 BOIES SCHILLER FLEXNER, LLP

27 Richard J. Pocker *7650 for*
28 Richard J. Pocker (SBN #3568)
300 South Fourth Street, Suite 800
Las Vegas, Nevada 89101
Attorneys for Respondents

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filings (Petition)

COURT MINUTES

July 18, 2019

A-16-746732-P China Yida Holding Co, Petitioner(s)
vs.
Annuity & Life Reassurance Ltd, Respondent(s)

**July 18, 2019 10:30 AM Motion for Summary
Judgment**

HEARD BY: Allf, Nancy

COURTROOM: RJC Courtroom 03A

COURT CLERK: Nicole McDevitt

RECORDER: Brynn White

REPORTER:

PARTIES

PRESENT: Chasey, Peter L. Attorney
 Smith, J. Robert, ESQ Attorney

JOURNAL ENTRIES

- Arguments by counsel regarding the merits of and opposition to the pending motion. Colloquy regarding the provision in the merger agreement as it applies to the minutes. Court stated its findings and ORDERED, Petitioner China Yida Holding, Co.'s Motion for Summary Judgment GRANTED. Mr. Smith to prepare the findings of fact and conclusions of law which are to be incorporated into the order and submitted to Mr. Chasey for approval. COURT FURTHER ORDERED, all future hearings VACATED.

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Other Civil Filings (Petition)

COURT MINUTES

November 06, 2019

A-16-746732-P China Yida Holding Co, Petitioner(s)
vs.
Annuity & Life Reassurance Ltd, Respondent(s)

November 06, 2019 1:15 PM All Pending Motions

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

COURT CLERK: Nicole McDevitt

RECORDER: Brynn White

REPORTER:

PARTIES

PRESENT: Chasey, Peter L. Attorney
 Pocker, Richard J. Attorney
 Smith, J. Robert, ESQ Attorney

JOURNAL ENTRIES

- RESPONDENT'S MOTION TO RETAX PETITIONER'S MEMORANDUM OF COSTS...PETITIONER'S MOTION FOR ATTORNEY'S FEES

PETITIONER'S MOTION FOR ATTORNEY'S FEES

Upon inquiry of Court if Mr. Smith was abandoning the 18.010 for fees, Mr. Smith stated he was. Arguments by Mr. Smith and Mr. Pocker regarding the merits of and opposition to the motion. Court stated the motion was only being consider under NRCP 68, stated its findings, and ORDERED, Petitioner's Motion for Attorney's Fees. Mr. Smith to prepare the order and submit it to opposing counsel for approval as to form.

RESPONDENT'S MOTION TO RETAX PETITIONER'S MEMORANDUM OF COSTS

Arguments by Mr. Pocker and Mr. Smith regarding the merits of and opposition to the motion. Court stated its findings and ORDERED, Respondents' Motion to Retax Petitioner's Memorandum of Costs GRANTED IN PART as to costs after the time the judgment was made. Mr. Pocker to prepare the order and submit it to opposing counsel for approval as to form.

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):

RESPONDENTS' NOTICE OF APPEAL; RESPONDENTS' CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; [PROPOSED] ORDER GRANTING PETITIONER CHINDA YIDA HOLDING CO.'S MOTION FOR ATTORNEYS' FEES; NOTICE OF ENTRY OF ORDER GRANTING PETITIONER CHINA YIDA HOLDINGS CO.'S MOTION FOR ATTORNEYS' FEES; DISTRICT COURT MINUTES

CHINA YIDA HOLDINGS, CO.,

Petitioner(s),

vs.

POPE INVESTMENTS, LLC; POPE INVESTMENTS II, LLC; ANNUITY & LIFE REASSURANCE, LTD,

Respondent(s),

Case No: A-16-746732-P

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 28 day of February 2020.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk

BOIES SCHILLER FLEXNER LLP
LAS VEGAS EXPENSE ACCOUNT
300 S 4TH ST STE 800
LAS VEGAS, NV 89101
702-382-7300

WELLS FARGO BANK, N.A.
www.wellsfargo.com
51-110/211

4296

DATE

02/26/2020

AMOUNT

\$

250.00

TWO HUNDRED FIFTY DOLLARS AND NO/100*****

PAY
TO THE
ORDER
OF:

CLERK of the NEVADA SUPREME COURT



AUTHORIZED SIGNATURE

⑈0000004296⑈ ⑆021101108⑆ 3520711643⑈