

Case No. 81220

In the Supreme Court of Nevada

EDWARD N. DETWILER,

Petitioner,

vs.

THE HONORABLE RICHARD SCOTTI, DISTRICT JUDGE; AND THE EIGHTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA, IN AND FOR THE COUNTY OF CLARK,

Respondents,

and

BAKER BOYER NATIONAL BANK,

Real Party in Interest.

Electronically Filed
Aug 26 2020 03:38 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

District Court Case Nos.
A549111 & A772220

**BAKER BOYER NATIONAL BANK'S APPENDIX
VOLUME 3
PAGES 501-750**

DANIEL F. POLSENBERG (SBN 2376)
JOHN E. BRAGONJE (SBN 9519)
ABRAHAM G. SMITH (SBN 13,250)
LEWIS ROCA ROTHGERBER CHRISTIE LLP
3993 Howard Hughes Parkway, Suite 600
Las Vegas, Nevada 89169
(702) 949-8200

*Attorneys for Real Party in Interest
Baker Boyer National Bank*

CHRONOLOGICAL TABLE OF CONTENTS TO APPENDIX

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1	Notice of Entry of Order Denying Harry Hildibrand, LLC's Third Party Claim Under NRS 31.070 and Order Denying Harry Hildibrand, LLC's Motion to Intervene	04/17/18	1	1–8
2	Notice of Entry of Order Resolving Motion to Compel and Order Setting Future Hearing	07/27/18	1	9–12
3	Third Party Claimant Harry Hildibrand, LLC's Evidentiary Hearing Brief	10/29/18	1	13–36
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5	Evidentiary Hearing Exhibit 2, Bills of Sale	11/05/18	1	63–72
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9	Transcript of Proceedings Re: Evidentiary Hearing	11/05/18	2	407–494
10	Minute Order	11/19/19	2	495–495
11	Motion to Seal Supporting Documents to Affidavit of John E. Bragonje in Support of Lewis Roca Attorney Fees and Costs Incurred in Connection with Mr. Detwiler and Harry Hildibrand, LLC	02/25/20	2	497–499
12	Writ of Execution	03/09/20	2 3	500 501–531

13	Notice of Filing of Edward N. Detwiler's Deposition Transcript	03/27/20	3 4	532–750 751–848
14	Notice of Entry of Order Granting Applica- tion for Charging Order Against All Ne- vada Limited Company Membership Inter- ests of Edward N. Detwiler and Denying Counter-motion	07/06/20	4	849–854

ALPHABETICAL TABLE OF CONTENTS TO APPENDIX

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CERTIFICATE OF SERVICE

I certify that on August 26, 2020, I submitted the foregoing APPENDIX for filing *via* the Court's eFlex electronic filing system. Electronic notification will be sent to the following:

Mark A. Hutchison
Michael K. Wall
Brenoch Wirthlin
HUTCHISON & STEFFEN
10080 W. Alta Drive, Suite 200
Las Vegas, Nevada 89145

Attorneys for Petitioner

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage prepaid, at Las Vegas, Nevada, addressed as follows:

The Honorable Richard Scotti
DISTRICT COURT JUDGE – DEPT. 2
200 Lewis Avenue
Las Vegas, Nevada 89155

Respondent

/s/Jessie M. Helm
An Employee of Lewis Roca Rothgerber Christie LLP

JUDGMENT BALANCE**AMOUNTS TO BE COLLECTED BY LEVY**

Principal	\$662,287.96	NET BALANCE	\$1,381,003.31
Pre-judgment Interest			\$10.00
Attorney's Fees	\$100,757.16	Fee this Writ	
Costs	\$90,000.00	Garnishment Fee	\$5.00
Late Charges	\$525.68	Mileage	
Force Place Insurance Premiums—Net Amount	\$48,222.00		
Fees Paid to Third-Parties to Repossess Collateral	\$31,823.50		
Costs Subtotal	\$80,571.18		
Judgment Total	\$933,616.30	Levy Fee	
Accrued Costs	\$281,464.35	Advertising	
Accrued Interest	\$192,085.54	Storage	
Less Satisfaction	\$26,162.88	Interest from Date of Issuance	
NET BALANCE	\$1,381,003.31	SUB-TOTAL	
		Commission	
		TOTAL LEVY	

NOW, THEREFORE, you are commanded to satisfy the judgment with interest and costs as provided by law for the total amount due out of the following described personal property and if sufficient personal property cannot be found, then out of the real property belonging to the Judgment Debtor in the aforesaid county:

Funds in any banking accounts in the name of JAMES PATTERSON FOUST, JR. (a/k/a JAMES P. FOUST, JR.).

EXEMPTIONS WHICH APPLY TO THIS LEVY**(Check appropriate paragraph and complete as necessary)**

- ☐ Property other than wages, the exemption set forth in NRS 21.090 or in other applicable Federal Statutes may apply, consult an attorney.
- ☐ Earnings. The amount subject to garnishment and this writ shall not exceed for any one pay period the lesser of:
- A. 25% of the disposable earnings due the judgment debtor for the pay period, or
- B. The difference between the disposable earnings for the period and \$100.50 per week for each week of the pay period.

☐ Earnings (Judgment or Order of Support)

A Judgment was entered for amounts due under a decree or order entered on _____, 20____, by the _____ for support of _____, for the period from _____, 20____, through _____, 20____, in _____ installments of \$____.

The amount of disposable earnings subject to garnishment and this writ shall not exceed for any one pay period:

☐ A maximum of 50 percent of the disposable earnings of such judgment debtor who is supporting a spouse or dependent child other than the dependent named above;

☐ A maximum of 60 percent of the disposable earnings of such judgment debtor who is not supporting a spouse or dependent child other than the dependent named above;

☐ Plus an additional 5 percent of the disposable earnings of such judgment debtor if and to the extent that the judgment is for support due for a period of time more than 12 weeks prior to the beginning of the work period of the judgment debtor during which the levy is made upon the disposable earnings.

NOTE: Disposable earnings are defined as gross earnings less deductions for Federal Income Withholding, Federal Social Security Tax and Withholding for any State, County or City Taxes.

You are required to return this Writ from date of issuance not less than 10 days or more than 60 days with the results of your levy endorsed thereon.

STEVEN D. GRIERSON
CLERK OF COURT

BY: _____

Deputy Clerk

Michelle McCarthy

DATE: 3/11/2020

Issued at the direction of:

LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/ John E. Bragonje

John E. Bragonje
State Bar No.: 9519

Attorneys for Judgment Creditor Baker Boyer National Bank

SHERIFF OR CONSTABLE INFORMATION

AMOUNTS TO BE COLLECTED BY LEVY:

RETURN:

NET BALANCE: _____ Not satisfied \$ _____

_____ Satisfied in sum of \$ _____

Garnishment Fee: _____ Costs retained \$ _____

Mileage: _____ Commission retained \$ _____

Levy Fee: : _____ Costs incurred \$ _____

Sub-Total:: _____ Commission incurred \$ _____

Commission: _____ Costs received \$ _____

TOTAL LEVY: _____

REMITTED TO JUDGMENT CREDITOR:

\$ _____

I hereby certify that I have this date returned the foregoing Writ of Execution with the results of the levy endorsed thereon.

**SHERIFF OF CLARK COUNTY or
CONSTABLE FOR THE TOWNSHIP OF** _____

By: _____ **Title** _____ **Date** _____

Electronically Filed
8/31/2017 5:05 PM
Steven D. Grierson
CLERK OF THE COURT



NOFA
John E. Bragonje
State Bar No. 9519
E-mail: jbragonje@lrrc.com
LEWIS ROCA ROTHGERBER CHRISTIE LLP
3993 Howard Hughes Pkwy, Suite 600
Las Vegas, NV 89169-5996
Tel: 702.949.8200
Fax: 702.949.8398

Attorneys for Plaintiff Baker Boyer National Bank

**DISTRICT COURT
CLARK COUNTY, NEVADA**

BAKER BOYER NATIONAL BANK, a
Washington corporation,

Plaintiff/Judgment Creditor,

vs.

JAMES PATTERSON FOUST, JR., also
known as James P. Foust, Jr., individually, and
his marital community, if any,

Defendant/Judgment Debtor.

Case No.: A-17-760779-F

Dept. No.: 2

**NOTICE OF FILING OF FOREIGN
JUDGMENT AND AFFIDAVIT
PURSUANT TO NRS 17.360(2)**

TO: JUDGMENT DEBTOR: JAMES PATTERSON FOUST, JR.

FROM: BAKER BOYER NATIONAL BANK

You, and each of you, will please take notice that, pursuant to the Nevada Uniform Enforcement of Foreign Judgments Act, NRS 17.330 *et seq.*, judgment creditor Baker Boyer National Bank has filed, domesticated, and enrolled in the courts of the State of Nevada the judgment rendered by the Superior Court of the State of Washington in and for Walla Walla County in the action styled *Baker Boyer National Bank v. James Patterson Foust, Jr.* (case number 16-2-00829-2) on July 20, 2017.

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1 A copy of the Application, Affidavit in Support of Application, and Affidavit Showing Mailing of
2 Notice of The Filing of Judgment as required by NRS 17.350 and NRS 17.360 are included as
3 Exhibits A, B, and C to this notice.

4 DATED this 31st day of August, 2017.

5 LEWIS ROCA ROTHGERBER CHRISTIE LLP

6
7 By: /s/ John E. Bragonje

8 John E. Bragonje

9 State Bar No. 9519

10 E-mail: jbragonje@lrrc.com

11 3993 Howard Hughes Pkwy, Suite 600

12 Las Vegas, NV 89169-5996

13 Tel: 702.949.8200

14 Fax: 702.949.8398

15 *Attorneys for Plaintiff Baker Boyer National Bank*

000505
3993 Howard Hughes Pkwy, Suite 600
Las Vegas, NV 89169-5996

Lewis Roca
ROTHGERBER CHRISTIE

**CERTIFICATE OF SERVICE FOR NOTICE OF FILING
OF FOREIGN JUDGMENT AND AFFIDAVIT PURSUANT TO NRS 17.360(2)**

Pursuant to NRS 17.360(2), I hereby certify that I mailed, by both regular mail and by certified mail, return receipt requested, the forgoing "Notice of Filing of Foreign Judgment and Affidavit Pursuant to NRS 17.360(2)" to the judgment debtor named in this action and listed below. The certificates of certified mailing are appended to this certificate of service as Exhibit C and the United State Postal Service tracking numbers are also noted on this certificate.

James P. Foust, Jr. 10821 Woodstream Ct Las Vegas, NV 89135 [7016 3010 0000 5911 0017]	Counsel: Lenard L. Wittlake Lenard L. Wittlake, PLLC P.O. Box 1233 Walla Walla, WA 99362 [7016 3010 0000 5911 0024]
Counsel: Cody Munteer Marquis Aurbach Coffing 10001 Park Run Drive Las Vegas, NV 89145 [7016 3010 0000 5911 0031]	

Dated this 31st day of August, 2017.

/s/ Luz Horvath

LUZ HORVATH, an employee of LEWIS ROCA
ROTHGERBER CHRISTIE

3993 Howard Hughes Pkwy, Suite 600
Las Vegas, NV 89169-5996

Lewis Roca
ROTHGERBER CHRISTIE

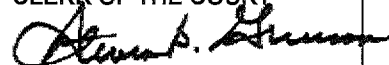
Exhibit A

000507

000507

Exhibit A

Electronically Filed
8/31/2017 9:29 AM
Steven D. Grierson
CLERK OF THE COURT



1 **AFJ**
2 John E. Bragonje
3 State Bar No. 9519
4 E-mail: jbragonje@lrrc.com
5 LEWIS ROCA ROTHGERBER CHRISTIE LLP
6 3993 Howard Hughes Pkwy, Suite 600
7 Las Vegas, NV 89169-5996
8 Tel: 702.949.8200
9 Fax: 702.949.8398

10 *Attorneys for Plaintiff Baker Boyer National Bank*

11 **DISTRICT COURT**
12 **CLARK COUNTY, NEVADA**

13 A-17-760779-F

14 BAKER BOYER NATIONAL BANK, a
15 Washington corporation,

Case No.: Department 2

16 Plaintiff/Judgment Creditor,

Dept. No.:

17 vs.

18 **APPLICATION FOR ENFORCEMENT**
19 **OF FOREIGN JUDGMENT PURSUANT**
20 **TO NRS 17.330 ET SEQ.**

21 JAMES PATTERSON FOUST, JR., also
22 known as James P. Foust, Jr., individually, and
23 his marital community, if any,

24 Defendant/Judgment Debtor.

25 Pursuant to NRS 17.330 *et seq.*, plaintiff and judgment creditor Baker Boyer National
26 Bank, by and through its counsel of record, Lewis Roca Rothgerber Christie LLP, hereby files its
27 application for enforcement of the foreign judgment against defendant and judgment debtor James
28 Patterson Foust, Jr., also known as James P. Foust, Jr., individually, and his marital community, if
any, and registers an exemplified copy of the judgment rendered by the Superior Court of the State
of Washington in and for Walla Walla County in the action styled *Baker Boyer National Bank v.*
James Patterson Foust, Jr. (case number 16-2-00829-2; judgment number 17-9-00590-4) on July

...

...

...

...

...

102172179_1

1 20, 2017 (Exhibit 1 hereto) as well an exemplified copy of the attorney-fee award order that was
2 added to the judgment on August 18, 2017 (Exhibit 2 hereto).

3 Dated August 30, 2017.

4 LEWIS ROCA ROTHGERBER CHRISTIE LLP

6 By: s/ John E. Bragonje

7 John E. Bragonje

8 State Bar No. 9519

9 E-mail: jbragonje@lrrc.com

10 3993 Howard Hughes Pkwy, Suite 600

11 Las Vegas, NV 89169-5996

12 Tel: 702.949.8200

13 Fax: 702.949.8398

14 *Attorneys for Plaintiff Baker Boyer National Bank*

605000
3993 Howard Hughes Pkwy, Suite 600
Las Vegas, NV 89169-5996

Lewis Roca
ROTHGERBER CHRISTIE

Exhibit 1

Exhibit 1

FILED
KATHY MARTIN
COUNTY CLERK

2011 JUL 20 P 3: 08

WALLA WALLA COUNTY
WASHINGTON

BY

SUPERIOR COURT OF WASHINGTON
IN AND FOR WALLA WALLA COUNTY

BAKER BOYER NATIONAL BANK,

Plaintiff,

v.

JAMES PATTERSON FOUST, JR., also
known as James P. Foust, Jr., individually,
and his marital community, if any,

Defendants.

No. 16-2-00829-2

JUDGMENT FOR BAKER BOYER
NATIONAL BANK

and

Order Denying Reconsideration

17 9 00590 4

JUDGMENT #

JUDGMENT SUMMARY:

1. Judgment Creditor:	Baker Boyer National Bank
2. Attorneys for Judgment Creditor:	Foster Pepper PLLC
3. Judgment Debtors:	James Patterson Foust, Jr., aka James P. Foust, Jr., individually and his marital community
4. Principal:	\$662,287.96
5. Interest through June 7, 2017:	\$100,757.16
6. Late Charges:	\$ 525.68
7. Force Place Insurance Premiums - Net Amount	\$ 48,222.00
8. Fees Paid to Third-Parties to Repossess Collateral:	\$ 31,823.50
TOTAL Judgment Amount as of June 7, 2017: *	\$843,616.30
Interest Rate:	7.88 % Per Annum

* Plus interest at 7.88% per annum from June 7, 2017 to entry of Judgment and until paid in full; and plus ongoing attorneys' fees, costs and expenses.

JUDGMENT FOR BAKER BOYER - I

FOSTER PEPPER PLLC
618 W. RIVERSIDE, SUITE 300
SPOKANE, WASHINGTON 99201-5102
PHONE (509) 777-1600 FAX (509) 777-1616

1 This matter came before the court on Plaintiff Baker Boyer National Bank's ("Baker
2 Boyer") presentation of a judgment based on the court's order granting summary judgment in
3 Baker Boyer's favor on all claims. The court heard oral argument of counsel for the plaintiff,
4 Todd Reuter, and counsel for the defendant, Lenard Wittlake. The court considered the pleadings
5 filed in the action.

6 I. DOCUMENT AND EVIDENCE CONSIDERED

7 The court also considered the documents and evidence that was brought to the court's
8 attention before the order on summary judgment was entered:

- 9 1. Baker Boyer's Motion for Summary Judgment as to All Claims;
- 10 2. Memo in Support of Baker Boyer's Motion for Summary Judgment as to All
11 Claims;
- 12 3. Declaration of John Blackmon;
- 13 4. Declaration of Tom Palumbo;
- 14 5. Declaration of Lacey Quiggle;
- 15 6. Declaration of Christopher Sentz;
- 16 7. Declaration of Russell S. Colombo in Support of Baker Boyer's Motion for
17 Summary Judgment as to All Claims;
- 18 8. December 14, 2016 Affidavit of Russell S. Colombo of Sums Certain and in
19 Support of Motion for entry of Default and Default Judgment, or in the Alternative, for Summary
20 Judgment;
- 21 9. Declaration of Todd Reuter in Support of Baker Boyer's Motion for Summary
22 Judgment as to All Claims;
- 23 10. January 19, 2017 Memorandum of Law Opposing Plaintiff's Motion for
24 Summary Judgment;
- 25 11. January 19, 2017 Declaration of James P. Foust, Jr.;
- 26

JUDGMENT FOR BAKER BOYER - 2

FOSTER PEPPER PLLC
618 W. RIVERSIDE, SUITE 300
SPOKANE, WASHINGTON 99201-5102
PHONE (509) 777-1600 FAX (509) 777-1616

12. Second Declaration of James P. Foust, Jr. Opposing Second Motion for Summary Judgment;

13. Declaration of John Eakin;

14. Memo of Law Opposing Plaintiff's Second Motion for Summary Judgment;

15. Reply in Support of Baker Boyer's Motion for Summary Judgment as to All Claims; and

16. Affidavit of Russell S. Colombo Regarding Amounts Owed.

17. *Motion for Reconsideration and Memorandum in Support (June 30, 2017) and*
 II. JUDGMENT *Baker Boyer's Response (July 17, 2017).* (H)

Based on the argument of counsel, the pleadings, order and evidence, judgment is entered as follows:

1. Plaintiff Baker Boyer is awarded \$662,287.96 in principal. This includes a \$223,125.00 reduction in the amount owed the bank based on Baker Boyer's receipt of net sale proceeds in that amount from the sale of 27 trailers in North Dakota. In the event the remaining three trailers are sold, this amount shall be reduced by the amount of the net sale proceeds received from such sale.

2. \$100,757.16 in prejudgment interest on the principal amount to June 7, 2017. A per diem of \$144.97 will accrue from June 7, 2017 to the date of the entry of this Judgment at the rate of 7.88%, as allowed in the Promissory Note.

3. \$525.68 in accumulated late charges.

4. \$31,823.50 in repossession costs.

5. \$48,222.00 for force-placed insurance on the trailers.

6. Post-judgment interest on the judgment amount at 7.88% per annum from the date of entry of this Judgment until the Judgment amount is paid in full.

7. Baker Boyer shall file a motion for award of reasonable attorneys' fees and costs within ten days of the entry of this Judgment, as allowed by Civil Rule 54(d)(2). Any amounts awarded will be added to the judgment amount. The court retains jurisdiction to add attorneys'

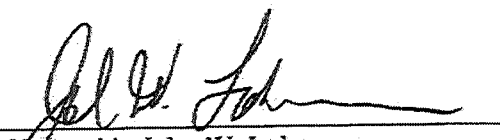
JUDGMENT FOR BAKER BOYER - 3

FOSTER PEPPER PLLC
 615 W. RIVERSIDE, SUITE 300
 SPOKANE, WASHINGTON 99201-5102
 PHONE (509) 777-1600 FAX (509) 777-1616

1 fees and costs to the judgment amount beyond what are ordered as part of the motion, if any are
 2 incurred and sought by Baker Boyer in collecting on its judgment.


3 *8. Defendants' Motion to Reconsider is denied for the reasons set forth in Plaintiff's Response.*

4 ENTERED this 20th day of July, 2017.

5
 6
 7 
 8 Honorable John W. Lohrmann

9 Presented by:

10 FOSTER PEPPER PLLC

11 

12 Todd Reuter, WSBA # 20859
 13 Attorneys for Plaintiff
 14 Baker Boyer National Bank

Approved as to content and form:

LENARD L. WITTLAKE, PLLC

15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25
 26
 Lenard L. Wittlake, WSBA # 15451
 Attorneys for Defendant

JUDGMENT FOR BAKER BOYER - 4

FOSTER PEPPER PLLC
 618 W. RIVERSIDE, SUITE 300
 SPOKANE, WASHINGTON 99201-5102
 PHONE (509) 777-1600 FAX (509) 777-1616

CERTIFICATE OF MAILING

I hereby certify that on the 26th day of June, 2017, I caused to be served a true and correct copy of the foregoing upon the person below stated and in the manner indicated:

Lenard L. Wittlake Lenard L. Wittlake, PLLC P. O. Box 1233 Walla Walla, WA 99362 E-Mail: lwlaw@my180.net Attorney for Defendant	VIA FIRST CLASS MAIL <input checked="" type="checkbox"/> VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED <input type="checkbox"/> VIA HAND DELIVERY <input type="checkbox"/> VIA FACSIMILE <input type="checkbox"/> VIA EMAIL <input checked="" type="checkbox"/>
--	---

Melody A. Roberts
 Melody A. Roberts, Paralegal

JUDGMENT FOR BAKER BOYER - 5

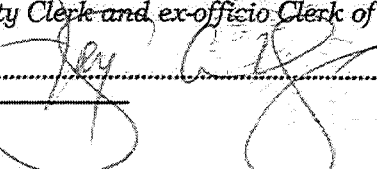
FOSTER PEPPER PLLC
 618 W. RIVERSIDE, SUITE 300
 SPOKANE, WASHINGTON 99201-5102
 PHONE (509) 777-1600 FAX (509) 777-1616

In the Superior Court of the State of Washington For the County of Walla Walla

STATE OF WASHINGTON, } ss.
County of Walla Walla,

I,Kathy Martin..... County Clerk of the County of Walla Walla, State of Washington, and ex-officio Clerk of the Superior Court of the State of Washington for Walla Walla County, do hereby certify that the within and foregoing are full, true and correct copies of the originals and of the whole thereof as the same are now on file and of record in the within entitled action in my office and custody.

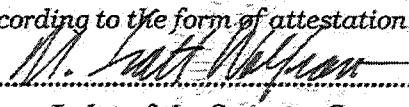
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Superior Court this22nd..... day ofAugust....., 2017.....

.....Kathy Martin.....
County Clerk and ex-officio Clerk of the Superior Court
By..... Deputy

STATE OF WASHINGTON, } ss.
County of Walla Walla,

I,M. Scott Wolfram..... Judge of the Superior Court of the State of Washington, for Walla Walla County, do hereby certify thatKathy Martin....., whose name is subscribed to the preceding exemplification is the County Clerk of Walla Walla County and ex-officio Clerk of the Superior Court of said County, and that full faith and credit are due to his official acts.

I further certify that the seal affixed to the exemplification is the seal of our said Superior Court, and that the attestation thereof is in due form and according to the form of attestation in this State.

..........
Judge of the Superior Court.

Dated at Walla Walla, Washington, this22nd..... day ofAugust..... A.D., 2017.....

STATE OF WASHINGTON, } ss.
County of Walla Walla,

I,Kathy Martin..... County Clerk and ex-officio Clerk of the Superior Court of the State of Washington, for Walla Walla County, do hereby certify thatM. Scott Wolfram..... whose name is subscribed to the preceding certificate, is Judge of the Superior Court of the State of Washington, for Walla Walla County, duly elected, sworn and qualified and that the signature of said Judge to said certificate is genuine.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal

Exhibit 2

000517

000517

Exhibit 2

FILED
KATHY MARTIN
COUNTY CLERK

2017 AUG 18 A 9:11

WALLA WALLA COUNTY
WASHINGTON

BY

SUPERIOR COURT OF WASHINGTON IN AND FOR WALLA WALLA COUNTY

BAKER BOYER NATIONAL BANK,

Plaintiff,

v.

JAMES PATTERSON FOUST, JR., also
known as James P. Foust, Jr., individually,
and his marital community, if any,

Defendants.

No. 16-2-00829-2

STIPULATED ORDER AWARDING
ATTORNEYS' FEES AND COSTS TO
BAKER BOYER NATIONAL BANK

THIS MATTER comes before the court on the parties' stipulation to the entry of an order granting Baker Boyer's Motion for Award of Attorneys' Fees and Costs in the amount of \$90,000. Solely to resolve the pending motion the parties have stipulated that:

1. The rates charged by Baker Boyer's counsel are reasonable, that Baker Boyer's legal team consists of experienced litigators, and that their work was of high quality.
2. The amount of money at stake warranted the level and extent of legal work done by Baker Boyer's counsel in this matter. Defendant retains the right to challenge the reasonableness of any attorneys' fees and costs incurred in the future in this matter, whether in the trial court or appellate court.
3. The legal work on behalf of Baker Boyer led to the bank fully prevailing in this matter.

ORDER - I
51629247

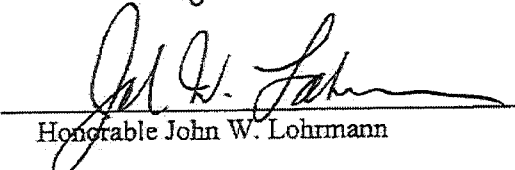
FOSTER PEPPER PLLC
615 W. RIVERSIDE, SUITE 300
SPOKANE, WASHINGTON 99201-5102
PHONE (509) 777-1600 FAX (509) 777-1616

4. Regarding the attorneys' fees and costs incurred by Crowley Fleck, Baker Boyer is free to pursue recovery of those fees and costs from JPF Enterprises LLC in the North Dakota action, McKenzie County cause No. 27-2016-CV-00392.

Based upon the parties' stipulation, **IT IS HEREBY ORDERED:**

1. Baker Boyer's motion for award of attorneys' fee and costs is **GRANTED**.
2. Defendant shall pay Baker Boyer \$90,000 in attorneys' fees and costs.
3. Payment is due immediately.
4. The \$90,000 awarded here is added to the judgment amount previously awarded to Baker Boyer in this matter.

ENTERED this 18th day of August, 2017.


Honorable John W. Lohrmann

Presented by:

FOSTER PEPPER PLLC


Todd Reuter, WSBA # 20859

Attorneys for Plaintiff
Baker Boyer National Bank

Approved as to form, notice of presentment waived:

LENARD L. WITTLAKE, PLLC


Lenard L. Wittlake, WSBA # 15451

Attorneys for Defendant

ORDER - 2
51629247

FOSTER PEPPER PLLC
618 W. RIVERSIDE, SUITE 300
SPOKANE, WASHINGTON 99201-5102
PHONE (509) 777-1600 FAX (509) 777-1616

In the Superior Court of the State of Washington For the County of Walla Walla

STATE OF WASHINGTON, } ss.
County of Walla Walla,

I, Kathy Martin County Clerk of the County of Walla Walla, State of Washington, and ex-officio Clerk of the Superior Court of the State of Washington for Walla Walla County, do hereby certify that the within and foregoing are full, true and correct copies of the originals and of the whole thereof as the same are now on file and of record in the within entitled action in my office and custody.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Superior Court this 23rd day of August, 2017.

Kathy Martin
County Clerk and ex-officio Clerk of the Superior Court

By Linda Palmer Deputy

STATE OF WASHINGTON, } ss.
County of Walla Walla,

I, John W. Lohrmann Judge of the Superior Court of the State of Washington, for Walla Walla County, do hereby certify that Kathy Martin, whose name is subscribed to the preceding exemplification is the County Clerk of Walla Walla County and ex-officio Clerk of the Superior Court of said County, and that full faith and credit are due to his official acts.

I further certify that the seal affixed to the exemplification is the seal of our said Superior Court, and that the attestation thereof is in due form and according to the form of attestation in this State.

John W. Lohrmann
Judge of the Superior Court.

Dated at Walla Walla, Washington, this 23rd day of August, A.D., 2017.

STATE OF WASHINGTON, } ss.
County of Walla Walla,

I, Kathy Martin County Clerk and ex-officio Clerk of the Superior Court of the State of Washington, for Walla Walla County, do hereby certify that John W. Lohrmann whose name is subscribed to the preceding certificate, is Judge of the Superior Court of the State of Washington, for Walla Walla County, duly elected, sworn and qualified and that the signature of said Judge to said certificate is genuine.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal

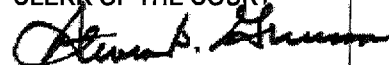
Exhibit B

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Exhibit B

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8/31/2017 1:44 PM
Steven D. Grierson
CLERK OF THE COURT



1 **AFFT**
John E. Bragonje
2 State Bar No. 9519
E-mail: jbragonje@lrrc.com
3 **LEWIS ROCA ROTHGERBER CHRISTIE LLP**
3993 Howard Hughes Pkwy, Suite 600
4 Las Vegas, NV 89169-5996
Tel: 702.949.8200
5 Fax: 702.949.8398

6 *Attorneys for Plaintiff Baker Boyer National Bank*

7 **DISTRICT COURT**
8 **CLARK COUNTY, NEVADA**

10 **BAKER BOYER NATIONAL BANK, a**
Washington corporation,

11 Plaintiff/Judgment Creditor,

12 vs.

13 **JAMES PATTERSON FOUST, JR., also**
14 known as James P. Foust, Jr., individually, and
his marital community, if any,

15 Defendant/Judgment Debtor.

Case No.: A-17-760779-F

Dept. No: 2

**AFFIDAVIT IN SUPPORT OF
APPLICATION FOR ENFORCEMENT
OF FOREIGN JUDGMENT PURSUANT
TO NRS 17.360(1)**

17 STATE OF NEVADA

18 COUNTY OF CLARK

}
} ss:

19 JOHN E. BRAGONJE, being first duly sworn, deposes and says:

20 1. I am an attorney licensed to practice law in the State of Nevada and am a partner of
21 the law firm of LEWIS ROCA ROTHGERBER CHRISTIE LLP.

22 2. I am counsel to plaintiff and judgment creditor in the above-captioned matter. I am
23 over the age of 18 years and a resident of Clark County, Nevada. I make this affidavit based upon
24 personal knowledge (except where stated to be upon information and belief, and as to that
25 information, I believe it to be true). If called upon to testify as to the contents of this affidavit, I
26 am legally competent to testify thereto in a court of law.

27 3. I make this affidavit to fulfill the requirements of NRS 17.360(1).

1 4. The names and the last-known post office addresses of the defendant and judgment
2 debtor, or his counsel of record, are as follows:

3 James P. Foust, Jr.
4 10821 Woodstream Ct
5 Las Vegas, NV 89135
6 [16-digit mail code]

7 Counsel: Lenard L. Wittlake
8 Lenard L. Wittlake, PLLC
9 P.O. Box 1233
10 Walla Walla, WA 99362
11 [16-digit mail code]

12 Counsel: Cody Munteer
13 Marquis Aurbach Coffing
14 10001 Park Run Drive
15 Las Vegas, NV 89145
16 [16-digit mail code]

17 5. The name of and post office address of the judgment creditor is as follows:

18 Baker Boyer National Bank
19 P.O. Box 1796
20 Walla Walla, WA 99362

21 6. Upon information and belief, I attest that the foreign judgment is valid and
22 enforceable based on my conversations with the authorized representatives of Baker Boyer
23 National Bank and my review of the exemplified copy of the foreign judgment filed concurrently
24 herewith.

25 7. The foreign judgment has not been satisfied at all.

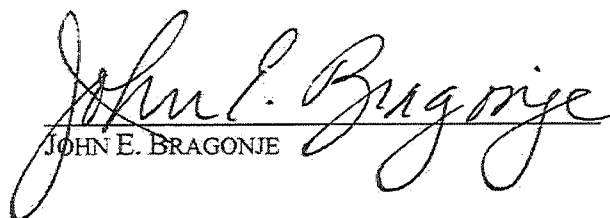
26 8. The rendering court in Washington state entered a judgment for principal in the
27 amount of \$622,287.96; pre-judgment interest through June 7, 2017 in the amount of \$100,757.16;
28 late charges in the amount of \$525.68; "force place insurance premiums—net amount" in the
amount of \$48,222.00; collateral repossession costs in the amount of \$31,823.50; and attorney fees
in the amount of \$90,000.00, for a total judgment on the rendering dates of July 20, 2017 (for the
original judgment) and August 18, 2017 (for the award of attorney fees) of \$933,616.30.
According to the express terms of the judgment and the underlying loan documents supporting the

1 judgment, the judgment was to bear interest at a rate of 7.88% per annum until satisfied. (See
2 generally the exemplified foreign judgment and attorney fee award filed concurrently herewith.)

3 9. At the time of this filing, then, the current value of the judgment, with interest, is
4 \$941,880.21. (Interest on \$933,616.30 at an interest rate of 7.88% per annum is \$201.55 per day;
5 41 days have elapsed between July 20, 2017 and August 30, 2017; this amounts to \$8,263.91 in
6 post-judgment interest for a total judgment of \$941,880.21.)

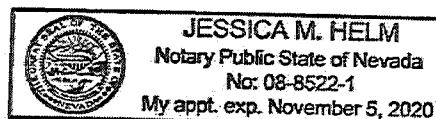
7 10. Further your affiant saith naught.

8 Dated August 31, 2016.

9
10
11 
12 JOHN E. BRAGONJE

13 On this 29th day of August, 2017, personally appeared before me, a Notary Public, in
14 and for said County and State, John E. Bragonje, known to me to be the person described,
15 and executed the foregoing instrument in the capacity set forth therein, who acknowledged to
16 me that he executed the same freely and voluntarily and for the uses and purposes therein
17 mentioned.

18 SUBSCRIBED and SWORN to before me
19 this 31st day of August, 2017.



3993 Howard Hughes Pkwy, Suite 600
Las Vegas, NV 89169-5996

Lewis Roca
ROTHGERBER CHRISTIE


Exhibit C

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Exhibit C

Electronically Filed
8/31/2017 2:18 PM
Steven D. Grierson
CLERK OF THE COURT



1 AFFT
John E. Bragonje
2 State Bar No. 9519
E-mail: jbragonje@lrrc.com
3 LEWIS ROCA ROTHGERBER CHRISTIE LLP
3993 Howard Hughes Pkwy, Suite 600
4 Las Vegas, NV 89169-5996
Tel: 702.949.8200
5 Fax: 702.949.8398

6 *Attorneys for Plaintiff Baker Boyer National Bank*

7 **DISTRICT COURT**
8 **CLARK COUNTY, NEVADA**

10 BAKER BOYER NATIONAL BANK, a
Washington corporation,

11 Plaintiff/Judgment Creditor,

12 vs.

13 JAMES PATTERSON FOUST, JR., also
14 known as James P. Foust, Jr., individually, and
his marital community, if any,

15 Defendant/Judgment Debtor.

Case No.: A-17-760779-F

Dept. No.: 2 II

**AFFIDAVIT OF MAILING IN
SUPPORT OF APPLICATION FOR
ENFORCEMENT OF FOREIGN
JUDGMENT PURSUANT TO NRS
17.360(2)**

17 STATE OF NEVADA

18 COUNTY OF CLARK

}
}
} ss:

19 LUZ HORVATH, being first duly sworn, deposes and says:

20 1. I am an employee of the law firm of LEWIS ROCA ROTHGERBER CHRISTIE LLP.

21 2. I assist attorney John E. Bragonje, the lawyer that acts as counsel of record to
22 plaintiff and judgment creditor Baker Boyer National Bank in the above-captioned matter.

23 3. I am over the age of 18 years and a resident of Clark County, Nevada. I make this
24 affidavit based upon personal knowledge. If called upon to testify as to the contents of this
25 affidavit, I am legally competent to testify thereto in a court of law.

26 4. I make this affidavit to fulfill the requirements of NRS 17.360(2).

27 5. I hereby certify that on August 31, 2017, I mailed, by both regular mail and by
28 certified mail, return receipt requested, the "Notice of Filing of Foreign Judgment and Affidavit

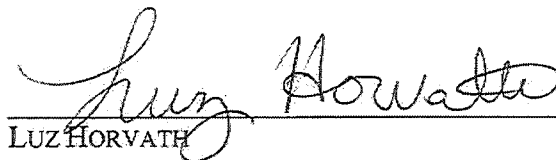
102169371_1

Pursuant to NRS 17.360(2)" required by law. I mailed said notice to the judgment debtor and his attorneys of record in this action and listed below:

James P. Foust, Jr. 10821 Woodstream Ct Las Vegas, NV 89135 [16-digit mail code]	Counsel: Lenard L. Wittlake Lenard L. Wittlake, PLLC P.O. Box 1233 Walla Walla, WA 99362 [16-digit mail code]
Counsel: Cody Munteer Marquis Aurbach Coffing 10001 Park Run Drive Las Vegas, NV 89145 [16-digit mail code]	

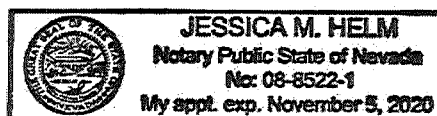
6. Further your affiant saith naught.

Dated August 31, 2017.


LUZ HORVATH

On this 30th day of August, 2017, personally appeared before me, a Notary Public, in and for said County and State, LUZ HORVATH, known to me to be the person described, and executed the foregoing instrument in the capacity set forth therein, who acknowledged to me that she executed the same freely and voluntarily and for the uses and purposes therein mentioned.

SUBSCRIBED and SWORN to before me
this 31st day of August, 2017.




Notary Public in and for said

County and State

DISTRICT COURT
CLARK COUNTY, NEVADA

NOTICE OF EXECUTION AFTER JUDGMENT

**YOUR PROPERTY IS BEING ATTACHED OR
YOUR WAGES ARE BEING GARNISHED**

A court has determined that you owe money to BAKER BOYER NATIONAL BANK, the judgment creditor listed on the Writ of Execution included with the Notice of Execution. They have begun the procedure to collect that money by garnishing your wages, bank account and other personal property held by third persons or by taking money or other property in your possession.

Certain benefits and property owned by you may be exempt from execution and may not be taken from you. The following is a partial list of exemptions:

1. Payments received pursuant to the federal Social Security Act, including, without limitation, retirement and survivors' benefits, supplemental security income benefits and disability insurance benefits.
2. Payments for benefits or the return of contributions under the Public Employees' Retirement System.
3. Payments for public assistance granted through the Division of Welfare and Supportive Services of the Department of Health and Human Services or a local governmental entity.
4. Proceeds from a policy of life insurance.
5. Payments of benefits under a program of industrial insurance.
6. Payments received as disability, illness or unemployment benefits.
7. Payments received as unemployment compensation.
8. Veteran's benefits.
9. A homestead in a dwelling or a mobile home, not to exceed \$605,000, unless:
 - (a) The judgment is for a medical bill, in which case all of the primary dwelling, including a mobile or manufactured home, may be exempt.
 - (b) Allodial title has been established and not relinquished for the dwelling or mobile home, in which case all of the dwelling or mobile home and its appurtenances are exempt, including the land on which they are located, unless a valid waiver executed pursuant to NRS 115.010 is applicable to the judgment.
10. All money reasonably deposited with a landlord by you to secure an agreement to rent or lease a dwelling that is used by you as your primary residence, except that such money is not except with respect to a landlord or landlord's successor in interest who seeks to enforce the terms of the agreement to rent or lease the dwelling.
11. A vehicle, if your equity in the vehicle is less than \$15,000.
12. At least eighty-two percent of the take-home pay for any workweek if your gross weekly salary or wage was \$770 or less on the date the most recent writ of garnishment was issued; or seventy-five percent of the take-home pay for any workweek if your gross salary or wage exceeded \$770 on the date the most recent writ of garnishment was issued; or if the weekly take-home pay is less than 50 times the federal minimum hourly wage, the entire amount may be exempt.
13. Money, not to exceed \$1,00,000 in present value, held in:
 - (a) An individual retirement arrangement which conforms with the applicable limitations and requirements of section 408 and 408A of the Internal Revenue Code, 26 U.S.C. §§ 408 and 408A, including, without limitation, an inherited individual retirement arrangement;

(b) A written simplified employee pension plan which conforms with or is maintained pursuant to the applicable limitations and requirements of section 408 of the Internal Revenue Code, 26 U.S.C. §§ 408, including without limitation, an inherited simplified employee pension plan;

(c) A cash or deferred arrangement plan which is qualified and maintained pursuant to the Internal Revenue Code, including without limitation, an inherited cash or deferred arrangement plan;

(d) A trust forming part of a stock bonus, pension or profit-sharing plan which is qualified and maintained pursuant to sections 401 et seq. of the Internal Revenue Code, 26 U.S.C. §§ 401 et seq.; and

(e) A trust forming part of a qualified tuition program pursuant to chapter 353B of NRS adopted pursuant to chapter 353B of NRS and section 529 of the Internal Revenue Code, 26 U.S.C. § 529, unless the money is deposited after the entry of a judgment against the purchaser or account owner or the money will not be used by any beneficiary to attend a college or university.

14. All money and other benefits paid pursuant to the order of a court of competent jurisdiction for the support, education and maintenance of a child, whether collected by the judgment debtor or the State.

15. All money and other benefits paid pursuant to the order of a court of competent jurisdiction for the support and maintenance of a former spouse, including the amount of any arrearages in the payment of such support and maintenance to which the former spouse may be entitled.

16. Regardless of whether a trust contains a spendthrift provision:

(a) A present or future interest in the income or principal of a trust that is a contingent interest, if the contingency has not been satisfied or removed;

(b) A present or future interest in the income or principal of a trust for which discretionary power is held by a trustee to determine whether to make a distribution from the trust, if the interest has not been distributed from the trust;

(c) The power to direct dispositions of property in the trust, other than such a power held by a trustee to distribute to a beneficiary of the trust;

(d) Certain powers held by a trust protector or certain other persons; and

(e) Any power held by the person who created the trust.

17. If a trust contains a spendthrift provision:

(a) A present or future interest in the income or principal of a trust that is a mandatory interest in which the trustee does not have discretion concerning whether to make the distribution from the trust, if the interest has not been distributed from the trust; and

(b) A present or future interest in the income or principal of a trust that is a support interest in which the standard for distribution may be interpreted by the trustee or a court, if the interest has not been distributed from the trust.

18. A vehicle for use by you or your dependent which is specially equipped or modified to provide mobility for a person with a permanent disability.

19. A prosthesis or any equipment prescribed by a physician or dentist for you or your dependent.

20. Payments, in an amount not to exceed \$16,150, received as compensation for personal injury, not including compensation for pain and suffering or actual pecuniary loss, by the judgment debtor or by a person upon whom the judgment debtor is dependent at the time the payment is received.

21. Payments received as compensation for the wrongful death of a person upon whom the judgment debtor was dependent at the time of the wrongful death, to the extent reasonably necessary for the support of the judgment debtor and any dependent of the judgment debtor.

22. Payments received as compensation for the loss of future earnings of the judgment debtor or of a person upon whom the judgment debtor is dependent at the time the payment is received, to the extent reasonably necessary for the support of the judgment debtor and any dependent of the judgment debtor.

23. Payments received as restitution for a criminal act.

24. Personal property, not to exceed \$10,000 in total value, if the property is not otherwise exempt from execution.
25. A tax refund received from the earned income credit provided by federal law or a similar state law.
26. Stock of a corporation described in subsection 2 of NRS 78.746 except as set forth in that section.

These exemptions may not apply in certain cases such as a proceeding to enforce a judgment for support of a person or a judgment of foreclosure of a mechanic's lien. You should consult an attorney immediately to assist you in determining whether your property or money is exempt from execution. If you cannot afford an attorney, you may be eligible for assistance through:

<i>Legal Aid Center of Southern Nevada</i>	<i>Senior Law Project</i>	<i>Nevada Legal Services</i>
725 E. Charleston Blvd.	(60 years or older only)	530 S. 6th Street
Las Vegas, NV 89104	530 Las Vegas Blvd. S. #310	Las Vegas, NV 89101
(702) 386-1070	Las Vegas, NV 89101	(702) 386-0404
www.lacsn.org	(702) 229-6569	www.nlslaw.net
	www.snsllp.org	

If you do not wish to consult an attorney or receive legal services from an organization that provides assistance to persons who qualify, you may obtain the form to be used to claim an exemption free of charge at the *Civil Law Self-Help Center*, 200 Lewis Avenue, on the first floor of the Regional Justice Center, downtown Las Vegas, Nevada, or on the Civil Law Self-Help Center's website at www.civillawselfhelpcenter.org.

PROCEDURE FOR CLAIMING EXEMPT PROPERTY

If you believe that the money or property taken from you is exempt, you must complete and file with the clerk of the court an executed claim of exemption. A copy of the claim of exemption must be served upon the sheriff, the garnishee and the judgment creditor within 10 days after the notice of execution or garnishment is served on you by mail pursuant to NRS 21.076 which identifies the specific property that is being levied on. The property must be released by the garnishee or the sheriff within 9 judicial days after you serve the claim of exemption upon the sheriff, garnishee and judgment creditor, unless the sheriff or garnishee receives a copy of an objection to the claim of exemption and a notice for a hearing to determine the issue of exemption. If this happens, a hearing will be held to determine whether the property or money is exempt.

The objection to the claim of exemption and notice for the hearing to determine the issue of exemption must be filed by the judgment creditor within 8 judicial days after the claim of exemption is served on the judgment creditor by mail or in person and served on the judgment debtor, the sheriff and any garnishee not less than 5 judicial days before the date set for the hearing. The hearing to determine whether the property or money is exempt must be held within 7 judicial days after the objection to the claim of exemption and notice for the hearing is filed.

You may be able to have your property released more quickly if you mail to the judgment creditor or the attorney of the judgment creditor written proof that the property is exempt. Such proof may include, without limitation a letter from the government, an annual statement from a pension fund, receipts for payments, copies of checks, records from financial institutions or any other document which demonstrates that the money in your account is exempt.

IF YOU DO NOT FILE THE EXECUTED CLAIM OF EXEMPTION WITHIN THE TIME SPECIFIED, YOUR PROPERTY MAY BE SOLD AND THE MONEY GIVEN TO THE JUDGMENT CREDITOR, EVEN IF THE PROPERTY OR MONEY IS EXEMPT.

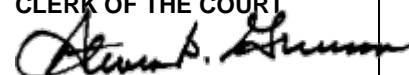
(Added to NRS by 1989, 1135; A 1991, 811, 1412; 1995, 227, 1071; 1997, 265, 3412; 2003, 1010, 1812)

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NOTC
John E. Bragonje
State Bar No. 9519
E-mail: jbragonje@lrrc.com
LEWIS ROCA ROTHGERBER CHRISTIE LLP
3993 Howard Hughes Pkwy, Suite 600
Las Vegas, NV 89169-5996
Tel: 702.949.8200
Fax: 702.949.8398

Attorneys for Plaintiff Baker Boyer National Bank

DISTRICT COURT

CLARK COUNTY, NEVADA

BAKER BOYER NATIONAL BANK, a
Washington corporation,

Case No.: A-17-760779-F

Dept. No.: II

Plaintiff/Judgment Creditor,

vs.

**NOTICE OF FILING EDWARD N.
DETWILER'S DEPOSITION
TRANSCRIPT**

JAMES PATTERSON FOUST, JR., also
known as James P. Foust, Jr., individually, and
his marital community, if any,

Defendant/Judgment Debtor.

PLEASE TAKE NOTICE, that the attached deposition transcript of Edward N. Detwiler,
dated July 6, 2018 has been filed with this Court and is attached as Exhibit 1.

Dated this 27th day of March, 2020.

LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/ John E. Bragonje

John E. Bragonje

State Bar No. 9519

jbragonje@lrrc.com

3993 Howard Hughes Parkway, Suite 600

Las Vegas, NV 89169

Attorneys for Plaintiff Baker Boyer National Bank

CERTIFICATE OF SERVICE

Pursuant to Rule 5(b), I hereby certify that on this date, I electronically filed and served the foregoing document entitled “*Notice of Filing Edward N. Detwiler’s Deposition Transcript*” through the Court’s electronic filing system on all parties on the Court’s e-service list.

Michael D. Mazur, Esq.
MAZUR & BROOKS
A PROFESSIONAL CORPORATION
 2355 Red Rock Street, Suite 100
 Las Vegas, NV 89146
Attorneys for Defendant James Patterson Foust, Jr.

Brenoch Wirthlin, Esq.
HUTCHISON & STEFFEN, PLLC
 Peccole Professional Park
 10080 W. Alta Drive, Suite 200
 Las Vegas, NV 89145
 bwirthlin@hutchlegal.com
Attorneys for Edward Detwiler

DATED this 27th day of March, 2020.

/s/ Luz Horvath

An employee of Lewis Roca Rothgerber Christie LLP

3993 Howard Hughes Pkwy, Suite 600
 Las Vegas, NV 89169-5996

Lewis Roca
ROTHGERBER CHRISTIE

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INDEX OF DOCUMENTS

EXHIBIT	DOCUMENT	PAGE NOS.
1	Deposition Transcript of Edward Detwilder dated July 6, 2018 with Exhibit	1-313

Exhibit 1

000535

000535

Exhibit 1

Baker Boyer National Bank v. Foust, Jr.

Deposition of:
Edward Detwiler

July 6, 2018



**WESTERN REPORTING
SERVICES, INC.**

801 South Rancho Drive • Suite E3B • Las Vegas, NV 89106
702/474-6255 • fax 702/474-6257

www.westernreportingservices.com

7/6/2018

Deposition of Edward Detwiler
Baker Boyer National Bank v. Foust, Jr.

1

1 DISTRICT COURT
2 CLARK COUNTY, NEVADA

3
4 BAKER BOYER NATIONAL BANK, a
5 Washington corporation,
6 Plaintiff/Judgment Creditor,

7 vs.

CASE NO. A-17-760779-F
DEPT. NO. II

8 JAMES PATTERSON FOUST, JR., also
9 known as James P. Foust, Jr.,
10 individually, and his marital
11 community, if any,
12 Defendant/Judgment Debtor.

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REPORTED BY: GAYLE SZELINSKI, CCR NO. 585

7/6/2018

Deposition of Edward Detwiler
Baker Boyer National Bank v. Foust, Jr.

2

1 APPEARANCES:

2 For Plaintiff/Judgment Creditor:

3 JOHN E. BRAGONJE, ESQ.
4 Lewis Roca Rothgerber Christie, LLP
5 3993 Howard Hughes Parkway, Suite 600
6 Las Vegas, Nevada 89169

7 For Defendant/Judgment Debtor:

8 THOMAS W. STEWART, ESQ.
9 Marquis Aurbach Coffing
10 10001 Park Run Drive
11 Las Vegas, Nevada 89145

12 For Harry Hildibrand, LLC, and the Deponent:

13 JOSEPH G. WENT, ESQ.
14 Holland & Hart, LLP
15 9555 Hillwood Drive, 2nd Floor
16 Las Vegas, Nevada 89134

17 I N D E X

18 WITNESS: EDWARD DETWILER

19 Examination

20 By Mr. Bragonje:

Page

3

21 E X H I B I T S

22 Plaintiff's

Description

Page

23 Exhibit 1

Binder of documents

22

24

25

7/6/2018

Deposition of Edward Detwiler
Baker Boyer National Bank v. Foust, Jr.

3

1 (Court reporter's opening statement was waived.)

2 * * * * *

3 Thereupon--

4 EDWARD DETWILER,

5 was called as a witness by the Plaintiff/Judgment
6 Creditor and having been first duly sworn, was examined
7 and testified as follows:

8 EXAMINATION

9 BY MR. BRAGONJE:

10 Q. Good morning. Would you please state your
11 name for the record?

12 A. My name is Edward Detwiler.

13 Q. All right. And would you kindly spell
14 that for the reporter?

15 A. Yes. D-E-T-W-I-L-E-R.

16 Q. My name is John Bragonje of Lewis Roca Law
17 Firm, and I represent the Plaintiff and Judgment
18 Creditor Baker Boyer National Bank. Do you understand
19 that?

20 A. I do.

21 Q. Would you kindly state your address for
22 the record?

23 A. My address is [REDACTED]
24 [REDACTED]. [REDACTED], all one word.

25 Q. And your phone number, please?

7/6/2018

Deposition of Edward Detwiler
Baker Boyer National Bank v. Foust, Jr.

4

1 A. Area code () .

2 Q. Have you ever had your deposition taken
3 before, Mr. Detwiler?

4 A. No, I have not.

5 Q. Do you understand that you are sworn to
6 tell the truth just as if we were in a court of law
7 and you have been sworn by a clerk?

8 A. Yes, I do.

9 Q. Do you understand that it's perjury if you
10 don't tell the truth?

11 A. Yes, I do.

12 Q. And do you understand that you're
13 obligated to speak the truth even if the truth puts
14 you personally or Mr. Foust in a bad light?

15 A. Yes.

16 Q. Everything we say today is being
17 transcribed by a court reporter, and there is the
18 possibility that it will be used in the future.

19 And because of that it's not -- it's not
20 like we have a natural conversation going. So a lot
21 of times when we speak in a normal conversation, we
22 use hand gestures and we nod and we say "uh-huh." For
23 purposes of a clear record, I will ask that you only
24 give audible answers.

25 So, for example, the court reporter has no

7/6/2018

Deposition of Edward Detwiler
Baker Boyer National Bank v. Foust, Jr.

5

1 way to record hand gestures or nodding of the head or
2 anything like that. So when I ask a question, I'll
3 kindly and respectfully ask that you just say "yes" or
4 "no" or give the other answer. Is that fair?

5 A. Yes, it is.

6 Q. And by the same token, it's very difficult
7 for the court reporter to record both us if we're
8 talking over one another. So I will ask, and I will
9 try and observe this myself as well, that we
10 complete -- let me complete the question before you
11 give your answer. Is that fine?

12 A. Yes, it is.

13 Q. I'm going to try to ask simple,
14 straightforward, understandable questions. I will say
15 that people in my profession aren't necessarily famous
16 for that.

17 If at any point the question I ask is
18 unclear, you are free to ask for clarification.
19 However, if you give a response, I'm going to assume
20 you understand the question. Is that fair?

21 A. Yes.

22 Q. Have you taken any medications that would
23 prevent you from giving correct answers today?

24 A. No, I have not.

25 Q. Okay. Any alcohol this morning?

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1 A. None.

2 Q. Is there anything going on at all in your
3 life that would prevent you from giving your very best
4 answers today?

5 A. No, there is not.

6 Q. This will likely take a few hours today.
7 And I just want to make clear that you're entitled to
8 have a break any time you'd like. We have
9 refreshments here. We have restrooms. I only ask
10 that you take a break after the question is answered,
11 so not when a question is pending. Is that fair?

12 A. Yes, it is.

13 Q. To try and speed things along today, I
14 want to lay some ground rules and definitions, so I'm
15 going to use some shorthand today to try and speed
16 things up.

17 So I imagine that you understand that
18 we'll be talking about a motor home today. So when I
19 say the word "motor home," what I mean is it's a
20 Prevost model. I think we all know what we're talking
21 about here. A Marathon vehicle. The vehicle
22 identification number ends in 26183. So when I say
23 motor home, that's what I mean. Is that fair?

24 A. Yes.

25 Q. And when I say the -- I'm not going to say

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1 the bank's full name every time. I'm just going to
2 say "the bank," instead of Baker Boyer National Bank.
3 Okay?

4 A. Yes.

5 Q. And the same with Harry Hildibrand. I'm
6 not going -- I understand that Harry Hildibrand
7 apparently was a real person who maybe is now
8 deceased. I'm not going to say Harry Hildibrand, LLC,
9 every single time. I'm just going to say Harry
10 Hildibrand, but when I say that I mean the entity
11 that's organized under Montana law, not the person,
12 unless I say otherwise. Is that fair?

13 A. Yes, it is.

14 Q. What do you do for a living, Mr. Detwiler?

15 A. I am a real estate agent.

16 Q. Do you work for Caldwell Bank?

17 A. Yes, I do.

18 Q. Are you a broker or an agent?

19 A. I'm an agent.

20 Q. Is selling real estate a full-time job for
21 you?

22 A. It is.

23 Q. How long have you known James Foust?

24 A. I met Jim in 1998. '97 or '98. He was
25 referred by a realtor in California to my

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1 father-in-law, who then said why don't you handle
2 this, and I did. And I met Jim in 1998 and sold him a
3 couple of houses.

4 Q. Are you friends with Mr. Foust?

5 A. No.

6 Q. Why do you say that?

7 A. Well, with whatever shenanigans he's been
8 involved with is now taking up my time to have to deal
9 with something that I shouldn't be dealing with. And
10 so whatever he did has -- it's upset me, so it's put
11 me in a position where I have to spend my time
12 cleaning, trying to clean up his mess. And so I would
13 say right now not high on my list of friends.

14 Q. Were you friends in the past? I'm not
15 trying to put...

16 A. He's more of an associate, more of a
17 colleague in the respect that -- an associate in that
18 he did refer business to me. In fact, he recommended
19 me to be the managing director when Harry Hildibrand
20 was going to convert from automobiles into real
21 estate.

22 I've been very blessed, very fortunate in
23 my real estate career. I've sold over 5,000 homes as
24 a realtor, which is a significant number of homes. I
25 was calling Capital's lead acquisition agent when they

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1 came into town, and I sold them 1300 homes in 11
2 months.

3 And so I'm very good at what I do, and
4 that was the whole idea behind transitioning
5 Hildibrand from automobiles into real estate. And
6 with the market turning like it did in '8 and going
7 like this, never got off the ground. Never did any
8 real estate transactions. I would have liked to have
9 done for Hildibrand and Harry what I did for Colony.
10 Just never got around to being able to get it off the
11 ground.

12 Q. So you knew Mr. Hildibrand, the name sake,
13 of Harry Hildibrand, LLC?

14 A. I spoke with him. I've never met him.

15 Q. Is he dead now?

16 A. He is.

17 Q. When did he --

18 A. He passed in 2010, I believe.

19 Q. I want to follow up on some of the things
20 that you said. You gave me the impression that the
21 business of Harry Hildibrand was cars, and it was
22 intended that that business transition into real
23 estate.

24 So beginning with what you said first, can
25 you give me your understanding of what the nature of

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1 Harry Hildibrand, the entity, was, I guess, when you
2 became involved?

3 A. Well, when I became involved they had
4 done, to the best my knowledge, strictly automobiles,
5 classic cars, collector's items, and they were buying
6 and selling cars. And I was never involved in that
7 because, I mean, as I shared with Joe, I know where
8 the key goes. I know where the gas goes. And that's
9 pretty much my extent of knowledge of automobiles.

10 Q. And you say when you became involved.
11 When was that year wise?

12 A. 2008.

13 Q. And how did you become involved?

14 A. I was asked to step in as being a managing
15 director and facilitate all of the real estate
16 transactions that were supposedly going to happen.

17 Q. Who asked you?

18 A. Well, Jim asked me on behalf of Harry to
19 replace him, because I know a lot more about real
20 estate than Jim did.

21 Q. So who explained to you the nature of what
22 Harry Hildibrand was doing, that it was in the classic
23 cars? I mean, who told you that?

24 A. No one told me that. It was just
25 obviously based on what they -- what they were dealing

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1 with and doing at the time. It was cars, so it
2 didn't -- they just had cars.

3 Q. You say it was obvious, but why was it
4 obvious to you? Did you see the cars or something?
5 Why was it obvious?

6 A. No. Just what they had shared with me.
7 They were all vehicles.

8 Q. Who shared that with you?

9 A. Harry did.

10 Q. And that was over the phone, I guess?

11 A. Yes, it was.

12 Q. How many times did you talk with Harry
13 Hildibrand, the person, on the phone?

14 A. A handful. Handful. But it was probably
15 only about two years from when I became managing
16 member, and then he died. And then, to be honest with
17 you, until -- there were years that went by nothing
18 ever happened. It was very dormant after Harry died.
19 And there wasn't really a whole lot to do. So his
20 heirs haven't done anything. And there certainly
21 wasn't any real estate to be done so...

22 Q. Who are his heirs, if you know?

23 A. His son, Harry Jr. and their two other
24 family members that I've never spoken to. I know one
25 of them, from what I understand, she is on -- she's a

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1 missionary in Africa. So I've never spoken to either
2 of the girls. I've spoken with Harry, and I have
3 spoken with Harry Jr., his son.

4 Q. When was the last time you spoke with
5 Harry Jr., the son?

6 A. Actually yesterday.

7 Q. What did you talk about?

8 A. He -- I wanted to let him know that I was
9 coming in to do a deposition. And he said "For what?"
10 And I said "For the assets that are still under HH's
11 name." And he says, "For what?" I said, "well,
12 Foust" -- he goes, all right, he goes "I'll call you
13 back." I haven't heard back from him.

14 So he wasn't real pleased either. So I
15 think Mr. Foust is on his brown list as well.

16 Q. I'd like to follow up on something you
17 said. You said there was a period of time where your
18 activities were dormant. Is that --

19 MR. WENT: Objection. Misstates
20 testimony.

21 BY MR. BRAGONJE:

22 Q. Well, you can answer. If he objects --
23 unless he directs you not to answer, you can respond
24 to the question.

25 So is that accurate, there was a time when

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1 you were not active in the management of Harry
2 Hildibrand? Or you tell me what you meant by that.

3 A. There wasn't anything to do on behalf of
4 the company. There was no transaction of business,
5 and there certainly wasn't any transaction of business
6 with my area of expertise.

7 I mean, the shareholders don't need my
8 permission to do anything. So it's not like I have
9 any final say so. And the matters of their conducting
10 their business just didn't involve me.

11 Q. So you became a manager in 2008; correct?

12 A. Correct.

13 Q. Okay. From the period of 2008 -- how long
14 did this dormant, this inactivity endure that began in
15 2008, if it began in 2008? Just I'm trying to find
16 out the dates.

17 A. It did begin in 2008. The direction was
18 to go to real estate. Market was crashing. Market
19 was tanking. Things didn't get off the ground. Never
20 got off the ground. I haven't done anything on behalf
21 of the company until I had to go file a police report
22 because I went to the coach, and it was gone.

23 Q. What was the plan to sell real estate?
24 Was it to -- tell me what the plan -- how were you
25 going to make money doing that?

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1 A. The plan was going to be buy and hold a
2 certain portfolio, rent them out and try to attain a
3 certain cash-on-cash return that was greater than what
4 banks were paying at the time. Flips, if available.

5 I've done over 50 flips in the valley over
6 the years, so I had some expertise in being able to
7 rehab and sell properties for a profit.

8 Q. Are we talking single-family homes?

9 A. Single-family homes, yes. All residential
10 real estate.

11 Q. And where would that be -- where would the
12 homes be located?

13 A. Valley, somewhere in Las Vegas.

14 Q. And no homes were ever purchased?

15 A. No.

16 Q. Where was the money to come from to do
17 this?

18 A. Harry.

19 Q. And how did the -- how was the decision
20 made not to invest this money to buy these homes?
21 Like how did that happen?

22 A. Sliding market. They asked me. They
23 said, "Should we be buying?" And as I'm watching, as
24 I'm getting 20 properties a day from banks as
25 properties are coming on the market, to say anything

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1 other than "we're in a declining market" would have
2 been a dereliction of my fiduciary responsibility to
3 them. So no. Part of the reason was I said it's not
4 a good time to buy.

5 Q. And when you said you were talking to
6 "they," who were you talking to?

7 A. Harry.

8 Q. Harry the person?

9 A. Harry Hildibrand, yes, the person.

10 Q. And I suppose after he died in 2010, you
11 had no further conversations with anyone; is that
12 correct?

13 A. That's correct.

14 Q. So what does Harry Hildibrand do now?

15 A. Virtually nothing.

16 Q. Okay. You said virtually?

17 A. Nothing. I can take virtually off.

18 Nothing.

19 Q. I have deposed Mr. Foust earlier, and he
20 said that he was a consultant for Harry Hildibrand.
21 Is that true?

22 MR. WENT: Objection, speculation.

23 THE WITNESS: Yeah. I wouldn't know. If
24 he consulted with them, it wasn't in a three-way
25 conversation, so I wouldn't know.

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1 BY MR. BRAGONJE:

2 Q. When you say "them," who else is involved?

3 A. It would be the shareholders. That would
4 be Harry and his -- I don't know if they're siblings
5 or just family members.

6 Q. This is Harry Hildibrand, Jr.?

7 A. That's correct.

8 Q. Does Harry Hildibrand have a bank account?

9 A. It does.

10 Q. What bank is that with?

11 A. U.S. U.S. Bank. It's been a couple
12 different banks over the years, but U.S. Bank is the
13 one that I'm familiar with.

14 Q. Does Harry -- so Harry Hildibrand owns no
15 real property as far as you know?

16 A. That's correct.

17 Q. What assets does Harry Hildibrand have?

18 A. From what I know, the motor coach, and
19 there's three vehicles, maybe a fourth, and I can't
20 ascertain whether or not Harry Hildibrand still owns
21 that vehicle or not.

22 Q. Does Harry Hildibrand have any employees?

23 A. It does not.

24 Q. Does Harry Hildibrand have any contracts
25 with any other businesses or any other people?

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1 A. No, not to my knowledge.

2 Q. So the bank account, does it have any
3 money in it?

4 A. I believe it does.

5 Q. Where did that money come from?

6 A. Well, I don't know. I'm not the
7 accountant, so I don't know.

8 Q. So does Harry Hildibrand have any way to
9 make money?

10 A. The only money that Harry Hildibrand could
11 make at this point would be to either collect or sell
12 its assets, collect on assets that have been pledged
13 or to sell the assets that it has. And at that point
14 it wouldn't have any other function once its assets
15 are gone.

16 Q. What assets have been pledged, as you say?

17 A. Well, there were three vehicles. And,
18 once again, I wasn't involved in the actual
19 transactions, and I've asked for the contracts so that
20 I can have them so that I could speak to them. I do
21 not have them, but I hope to get them.

22 Q. Who has them?

23 A. Harry.

24 Q. Harry?

25 A. Harry Jr., the person.

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18

1 Q. Thank you. I know that's a little bit
2 tedious but...

3 A. Yes. Yes.

4 Q. When did you ask Harry Hildibrand Jr. for
5 the contracts?

6 A. I have not.

7 Q. So in your opinion, who makes the ultimate
8 decisions for Harry Hildibrand?

9 A. Harry Jr., the person. He's the top
10 shareholder, and I don't know if he has a proxy for
11 the other two or not. It's like I said, it's -- I'm
12 not really involved in the day-to-day business of what
13 they do, and they have so little, you know.

14 In retrospect in 2009 or '10 when we
15 weren't going to move towards real estate
16 acquisitions, it would have been in my best interest
17 to resign because there isn't anything for me to do.
18 And because I didn't, now I'm here today because of a
19 motor coach that I thought we could make a quick buck
20 on. It's turned into a nightmare so...

21 Q. Do you -- in your opinion does Jim Foust
22 run Harry Hildibrand? Does he make all the decisions
23 for Harry Hildibrand?

24 A. No, sir. No.

25 Q. That would be Harry Hildibrand Jr. that

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19

1 makes the decisions?

2 A. Yes, sir. To the best of my knowledge
3 when -- if Harry were to call me, like he has, and had
4 me do -- and I go do things when Harry asks me to.
5 But the only thing he's ever asked me to do is, hey,
6 go get my coach back. So I did, and I'm sitting here
7 now.

8 Q. So did you hire the counsel that's here
9 with you today, or did Harry Hildibrand, the entity,
10 hire the counsel?

11 A. Harry Hildibrand hired the counsel. Their
12 office is about four minutes from my house at 817
13 Windhook Street.

14 Q. So you personally haven't been paying any
15 of the legal fees for this?

16 A. I have not.

17 Q. Now, when I talked with Jim Foust I talked
18 to him at some length on two different occasions. He
19 has mentioned a development project in Roatan. Does
20 that have anything to do with Harry Hildibrand?

21 A. Absolutely not.

22 Q. Is Mr. Foust involved in this Roatan
23 project?

24 A. Absolutely not.

25 Q. What is the project?

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1 MR. WENT: Objection, outside the scope.

2 BY MR. BRAGONJE:

3 Q. You can answer. Unless he tells you not
4 to answer, you can answer.

5 MR. WENT: You can answer.

6 THE WITNESS: I didn't know. I've never
7 been to a deposition before so...

8 BY MR. BRAGONJE:

9 Q. The normal rules don't apply. So unless
10 he tells you don't answer something, you can answer
11 even if he objects. He's probably going to object
12 to -- he may object. I don't know. Maybe he won't.

13 But there's certainly the potential that
14 he'll object to many of my questions. But unless he
15 tells you not to answer, you can answer.

16 A. Okay. Thank you. It's a project that
17 I've been working on for ten years. And it is a
18 Hilton Resort that -- it's under the Curio brand that
19 will start construction January of 2019.

20 It's a 120-room hotel, 130 condominiums,
21 18 villas and 12 lofts with a marina and a key side
22 open-air commercial venture with eight bars and four
23 restaurants on 26 acres with 2200 lineal feet of
24 shoreline. It is esthetically drop-dead gorgeous.

25 And Jim Foust, nor Harry Hildibrand, nor

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21

1 Harry Jr., nor any of the people that you are in
2 concert with or in speaking with have nothing to do
3 with my project in Roatan.

4 Q. So if Mr. Foust were to testify that he's
5 doing like IT-related work for this project through
6 Harry Hildibrand, that would have been false?

7 MR. STEWART: Objection. Calls for
8 speculation.

9 THE WITNESS: As a principal in Nai'a
10 Resorts, which is the owner of this property. I have
11 not engaged Mr. Foust to do any IT work, although he
12 would be highly qualified, but absolutely have not
13 offered to do -- have asked him to do any IT work on
14 behalf of our company -- my company. Excuse me.

15 BY MR. BRAGONJE:

16 Q. And tell me the name of the owner again --

17 A. Of what?

18 Q. -- that you mentioned just now? The owner
19 of the Roatan project.

20 A. It's Nai'a Resorts.

21 Q. Can you spell that for me?

22 A. N-A-I, apostrophe, A, Resorts, LLC. And
23 the subsidiary company is PSV Development, LLC, which
24 is an acronym for Puerto San Vicente.

25 Q. And Roatan is an island off of Honduras?

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22

1 A. It is.

2 Q. Is it a part of Honduras?

3 A. It is.

4 Q. All right.

5 MR. BRAGONJE: Ms. Reporter, would you
6 mark this as Exhibit 1?

7 (Plaintiff's Exhibit 1 was marked.)

8 BY MR. BRAGONJE:

9 Q. Okay. Mr. Detwiler, this is a copy of --
10 I'm going to have quite a few questions from this.
11 This is a copy of the disclosures that were made by
12 Harry Hildibrand's attorneys to my office in advance
13 of this evidentiary hearing that's going to occur
14 later this month. So I've got a series of questions
15 about these documents.

16 And at the bottom right-hand corner of
17 this document -- we're not going to talk about every
18 single page here, just to give you a preview here.
19 The bottom right-hand corner has letters and numbers
20 that we'll use to identify where we're going, so we're
21 going to skip around a little bit. So I'll ask you to
22 direct your attention to those.

23 Could you flip over to HHLLC. And by the
24 way, the alpha code at the beginning of that sequence
25 changes. There's different alpha codes and

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23

1 different -- so it's not a perfectly sequential
2 numbering here. There's different alpha codes, but I
3 think we'll be able to make sense of it here.

4 First we're going to go a couple pages
5 back, HHLLC Page 2. So these are the Articles of
6 Organization for Harry Hildibrand that's stamped
7 November 15th, 2006, up in the right-hand corner. Do
8 you see that?

9 A. I do see that.

10 Q. Okay. Have you ever been to Montana in
11 connection with your role as manager of Harry
12 Hildibrand?

13 A. No, I have not.

14 Q. Do you see there Article -- Article on the
15 same page, Page 2, Article 3, address of principal
16 place of business in Montana. Do you see that?

17 A. I do.

18 Q. Do you know if Harry Hildibrand has a
19 place of business now?

20 A. I do not know.

21 Q. Were you ever involved in filing any
22 documents with the Montana Secretary of State related
23 to the management or registration of Harry Hildibrand?

24 A. No, sir.

25 Q. Can you flip over to HHLLC Page 26. Take

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24

1 a moment to look at that. This is some papers from
2 the -- I'm actually interested in four pages following
3 that as well. So take a moment to look at that. So
4 I'm talking about Page 26 to Page 29. Have you ever
5 seen this document before today?

6 THE WITNESS: Did I see this with you and
7 Rachel at your office?

8 MR. WENT: You have to answer his
9 question.

10 THE WITNESS: I don't know if I have. I
11 looked at some paperwork with my counsel at their
12 office, and I asked him if this was there that day.

13 MR. WENT: I just want to lodge an
14 objection. You're not supposed to testify about
15 attorney/client privileged communications. So I'd
16 instruct you not to answer to the extent it calls for
17 that.

18 BY MR. BRAGONJE:

19 Q. And it's okay if you don't remember. I'm
20 just curious. Okay.

21 So as I understand it, the purpose of this
22 document, if you look at Page 28 at the bottom there,
23 this is like an amendment to the official status of
24 Harry Hildibrand, LLC. Do you see there on Page 28,
25 like it's crossed out. There's crossed out members,

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25

1 and then it's -- managers is above that crossed-out
2 members word. Do you see that?

3 A. I do.

4 Q. And then it looks like right below that
5 James P. Foust is -- status says removed. Do you see
6 that?

7 A. I do.

8 Q. And then it looks like Mr. Foust has been
9 replaced by Montana RV Registration, LLC. Do you see
10 that?

11 A. I do.

12 Q. Do you know anything about Montana RV
13 Registration, LLC?

14 A. Only that they were the original -- I
15 believe they were originally the resident agent or the
16 company of the resident agent when it was filed in
17 2006. But outside of that, I have -- I wouldn't know.
18 I don't know who they are or what they are.

19 Q. You don't know who owns Montana RV
20 Registration, LLC?

21 A. No, sir, I do not.

22 Q. Do you know the reason that apparently
23 Mr. Foust was removed as a member or manager and this
24 Montana RV Registration, LLC, was substituted?

25 A. The only recollection that I have

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1 concerning that was that they -- if I'm looking at the
2 date of this, was it in March of '18?

3 Q. Yes. If you look at Page 27, I think the
4 top says it was filed March 20th, 2018, there at the
5 top right.

6 A. The members sold an aircraft that was sold
7 in February of '18. The aircraft was -- as I recall,
8 was purchased before I was a manager. I had nothing
9 to do with the aircraft. I know less about airplanes
10 than I know about automobiles and vehicles.

11 To sell the aircraft, what I was told by
12 Junior, Harry Jr., the person, was that if they took
13 Jim Foust off of their paperwork, that they would have
14 to pay upon the sale of the property, they would have
15 to getting it -- getting him off they would have to go
16 through a process that I'm not familiar with. That
17 was going to cost, you know, an amount of money that
18 they're going to have to go through when they sell the
19 aircraft anyway.

20 So, once again, my knowledge of the
21 transaction or as to why they did what they did, I
22 don't know. I wasn't consulted.

23 Q. Is Harry Hildibrand Jr. a wealthy person?

24 MR. WENT: Objection, speculation,
25 ambiguous, uncertain.

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1 THE WITNESS: I wouldn't know.

2 BY MR. BRAGONJE:

3 Q. You mentioned the aircraft. Do you know
4 how much the aircraft sold for?

5 A. Sir, I don't.

6 Q. Do you know to whom it was sold?

7 A. No, sir.

8 Q. Do you know why it was sold?

9 A. No. Other than to -- no, sir, I don't.
10 And anything I say would be a guess. I just don't
11 know.

12 Q. Do you know, is there some plan to wind
13 down Harry Hildibrand to get rid of all of its assets,
14 sell them off?

15 A. Well, it looks to me it's been wound down
16 for quite a while, because there's just -- there
17 hasn't been any business conducted. There are, as I
18 shared earlier, four assets that I'm aware of. And
19 one of them is encumbered with a loan that is in Jim
20 Foust's name.

21 So there aren't a whole lot of assets to
22 wind down. So I would say it's already wound down and
23 has wound down for quite sometime.

24 Q. Okay. Can you flip over to Page 31 in
25 this sequence.

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1 So who owns Harry Hildibrand now, the
2 entity?

3 A. Three members. Three members. I recall
4 seeing back in '08 there was a list of ownership, and
5 at that time 99.5 percent of that ownership was Harry
6 Hildibrand Sr., and .5 percent of it was Jim Foust.
7 When Harry passed, his 99-and-a-half percent went to
8 his heirs, okay, in this company. What they held and
9 what they had outside of Harry Hildibrand, sir, I
10 don't know. I don't know.

11 Q. You have never owned any interest in Harry
12 Hildibrand?

13 A. No, none. The understanding was that for
14 my role in acquiring real estate, obviously I would be
15 obtaining a commission outside of the scope of
16 manager. But I would also be able to upon the resale
17 of the property receive a commission.

18 And there was a to-be determined
19 percentage of profits based on the profitability and
20 the viability of the transaction. But we never got to
21 that, because nothing was ever done.

22 Q. Are you being paid for the time you're
23 spending in this lawsuit?

24 A. No, I'm not.

25 Q. Why are you doing it then? Why are you

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1 participating?

2 A. Unfortunately I'm still the managing
3 director. If I could, I would resign. Okay. But I'm
4 not going to leave Junior in the lurch. I'm going to
5 get through this. And once this is resolved, I will
6 not be involved in -- it's a waste of my time right
7 now is what it is, sir.

8 But I'm going to help him out. I'm going
9 to get through this. Try to get the coach back, get
10 it -- get some work done on it and get it sold.

11 Q. So you anticipate that you'll be the one
12 to repair the coach or oversee the repairs of the
13 coach?

14 A. Either that or I will designate people to
15 get it done for him, because he doesn't -- he's not
16 here. I'm here. That's the other reason. I'm here.

17 Q. Where does Harry Hildibrand Jr. live?

18 A. Don't know.

19 Q. Doesn't live in Nevada, though?

20 A. Does not live in Nevada.

21 Q. When you say you might designate people,
22 who might you designate?

23 MR. WENT: Objection, speculation.

24 BY MR. BRAGONJE:

25 Q. You can answer.

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1 A. I would find an RV dealer that's competent
2 and have them coordinate and not be the liaison but be
3 able to coordinate directly. See what the price is,
4 maybe do some comparison shopping. Once I have a
5 written estimate, send it off and see what other
6 prices could be ascertained.

7 That would be my role and fulfilling my
8 role in trying to get the best possible prices for the
9 shareholders.

10 Q. Would you involve Jim Foust in that?

11 A. Absolutely not. Absolutely not. In
12 fact -- well, no. No.

13 Q. What do you think the motor coach is
14 worth?

15 MR. WENT: Objection, speculation.

16 MR. STEWART: Speculation.

17 BY MR. BRAGONJE:

18 Q. You can answer.

19 A. I thought at the time that we might be
20 able to get 150, 155 for it.

21 Q. And that's net?

22 A. That would be a gross sale.

23 Q. Okay.

24 A. Yeah.

25 Q. Because there's a lien on it; right?

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1 A. Exactly. Exactly.

2 Q. Why are you so adamant that Jim Foust
3 wouldn't be involved?

4 A. Well, he has nothing to do with any of
5 this, with what I do for the shareholders, so I
6 wouldn't involve him. There's no reason to involve
7 him; there's just not.

8 Q. Would you kindly direct your attention to
9 Page 31.

10 A. Yes.

11 Q. So this is a document titled "Minutes of
12 Special Meeting of Harry Hildibrand, LLC, dated
13 November 12th, 2008."

14 Have you seen this document before?

15 A. Yes, I have.

16 Q. Is that your signature at the bottom?

17 A. Yes, sir, it is.

18 Q. And is this the time that you became
19 involved with Harry Hildibrand?

20 A. This is the time.

21 Q. And by the time, I mean it's dated
22 November 12th, 2008. That's what I mean by the time.

23 So were you involved before the date of
24 this document?

25 A. No, sir.

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1 Q. Okay. Could you direct your attention,
2 please, to Page 33. This is an e-mail dated
3 February 4th, 2018. It's from you to JPF. I
4 understand that to be jpf@jpfent.com. I understand
5 that to be an e-mail associated with Mr. Foust. Do
6 you agree?

7 A. I'm sorry. I was reading.

8 Q. Do you understand that this e-mail here --
9 first of all, is this an e-mail you sent?

10 A. Yes, it is.

11 Q. Okay. And you sent it to Jim Foust;
12 correct?

13 A. Yes, I did.

14 Q. So that e-mail address there
15 jpf@jpfent.com is associated with Jim Foust?

16 A. Yes, it is.

17 Q. It's his e-mail address, in other words?

18 A. That is the e-mail address that I have
19 corresponded with him for since I met him. So it's
20 been an e-mail address that -- it's the only one I
21 have for him.

22 Q. So I'm curious, because a moment ago you
23 said you wouldn't involve Jim Foust because he's got
24 nothing to do with this. Yet he was obviously
25 involved. I mean, you sent him an e-mail when, I

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1 guess, you discovered that the motor coach was
2 missing.

3 So what is Jim Foust's involvement?

4 A. Well, Jim did stay there when he came to
5 town. You know, so I was -- I didn't know if he
6 physically drove the coach. All I was letting him
7 know was the coach wasn't there.

8 Q. You say that -- three lines down there's a
9 sentence that says "It's not funny," exclamation
10 point. Do you see that?

11 A. Yeah.

12 Q. I'm just wondering why did you write that?

13 A. Well, I didn't know if he took the coach
14 without asking or if something had happened to the
15 coach. And obviously something happened to the coach.
16 So I said, "Hey, it's not funny. Where is the coach?"

17 Q. So what were the terms of Jim Foust's
18 access to the coach? You said he stayed in the coach
19 when he was here in town?

20 A. He did.

21 Q. What were the terms of his access to the
22 coach?

23 A. Whenever he wanted.

24 Q. And were you involved in negotiating the
25 sale of the motor coach from Jim Foust to Harry

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1 Hildibrand?

2 A. Yes.

3 Q. How did that come about, please?

4 A. Jim -- I don't know if he called me
5 directly or he called Harry first. But he said,
6 "Hey," he goes, "I'm having some cash flow problems."
7 He said, "Can you guys help me out?"

8 And I said, "Well, let's see what we can
9 do. Let me" -- "give me some time." This was like in
10 November or December.

11 Q. Of what year, sir?

12 A. Oh, '16, '17. What year is it now, '18?
13 Okay.

14 Q. I'll let you ask your counsel that
15 question.

16 A. Okay. And so I ran some -- just ran some
17 numbers and said "Hey, I think we can make" -- you
18 know, "We can get a good quick return on capital."
19 Give him \$5,000, get the work done, sell it. The
20 return, it would be about like -- I believe I worked
21 something out. It would be like a 70 percent
22 cash-on-cash return over 90 days. Take that out over
23 a year. It's a pretty good annualized return.

24 Q. Where do you think you would sell the
25 motor coach or how? What would be the market for it?

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1 A. Well, maybe I didn't give it quite as much
2 thought as I thought, but I figured we would be able
3 to sell it, you know, through a dealer, or -- you
4 know, that motor coach when it was purchased I believe
5 was pretty close to a million-dollar coach. So it's a
6 nice coach. So I thought, hey, we'd be able to sell
7 it for a profit.

8 Q. Okay. So you reported that to Harry
9 Hildibrand Jr. I suppose?

10 A. I did.

11 Q. And what -- how did he react?

12 A. Go get my coach.

13 Q. I guess what -- I'm sorry. I didn't give
14 you a good time reference there. I'm talking about
15 the plan to sell the coach. Back when Harry
16 Hildibrand purchased the coach, you did some research;
17 you looked at it. You thought you could make this
18 profit that you were talking about. And then you, I
19 guess, reported back to Harry Hildibrand Jr.?

20 A. Yes, sir.

21 Q. Okay. And what did he say?

22 A. He said do it.

23 Q. Was the \$5,000 ever paid?

24 A. I believe so. I did not handle the -- I
25 didn't sign a check for it or give Jim a check, so I

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1 don't know.

2 Q. Were you going to say something?

3 A. No.

4 Q. Okay. Can you direct your attention, flip
5 over a few pages to Page 45 in this series.

6 Okay. This is a Certificate of Title from
7 the State of Montana. Do you see there at the top it
8 relates to a 1951 Jaguar XK-120. Do you see that?

9 A. Yes, sir.

10 Q. Okay. Does Harry Hildibrand have this --
11 own this car now?

12 A. No, sir. To my knowledge, no.

13 Q. What happened to it?

14 A. I believe it was sold prior to my being
15 involved with the company.

16 Q. Well, it looks like here that the vehicle
17 sale date is 2011. So you would have been involved
18 with the company at that time; correct?

19 A. Yes.

20 Q. Okay.

21 A. But once again, it was vehicles, and it
22 wasn't -- it's not what I did.

23 Q. Do you know to whom the car was sold?

24 A. No, sir.

25 Q. Okay. Do you know how much was paid to

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1 Harry Hildibrand?

2 A. No, sir.

3 Q. Do you know what Harry Hildibrand does
4 with the cars that it owns?

5 A. No, sir.

6 Q. Does it just own them and try and make
7 money on them by flipping them, so to speak or --

8 MR. STEWART: Objection. Asked and
9 answered.

10 BY MR. BRAGONJE:

11 Q. You can answer.

12 A. I don't know.

13 Q. That's an acceptable answer in this
14 setting and in other settings.

15 Do you know where the car was stored?

16 A. No, sir.

17 Q. Okay. Would you flip over to Page 46.
18 Who would know about the disposition of that car?

19 A. What year was that?

20 Q. The date of this -- it says vehicle sale
21 date May 12th, 2011.

22 A. It couldn't be Harry Sr., so it would have
23 to have been Junior.

24 Q. Okay. So if we were to take the
25 deposition or talk to Harry Hildibrand Jr., he would

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1 be able to tell us what happened to this car?

2 MR. WENT: Objection, speculation.

3 MR. STEWART: Speculation.

4 BY MR. BRAGONJE:

5 Q. You can answer.

6 A. I would imagine so.

7 Q. If it weren't him, who else would it be?

8 A. There would not be anyone else that I'm
9 aware of unless the missionary in Africa knew. I
10 don't know.

11 Q. All right. Would you flip over to Page
12 46, please. This is also a Certificate of Title for a
13 1940 Ford. It seems like it was -- date issued is
14 July 21st, 2008. Do you see that?

15 A. I do.

16 Q. Does Harry Hildibrand own this car?

17 A. I do not know. I would say no. But, no,
18 I don't know.

19 Q. Do you know what happened to this car?

20 A. No, sir.

21 Q. Do you know where this car was stored?

22 A. No, sir.

23 Q. And, again, the person who would know this
24 would be Harry Hildibrand Jr.?

25 MR. WENT: Objection, speculation.

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1 THE WITNESS: I believe so.

2 BY MR. BRAGONJE:

3 Q. Could you flip over to the next page,
4 please. Have you ever seen any of the two cars that
5 we've already discussed?

6 A. No, sir. That would be the Jaguar and the
7 1940 Ford. No, sir.

8 Q. Okay. Kindly direct your attention here
9 to this Certificate of Title from Arizona relating to
10 a 1957 Chevrolet Bel Air. Do you see that?

11 A. Yes, sir.

12 Q. Same questions as before. Does Harry
13 Hildibrand own this vehicle?

14 A. Not to my knowledge.

15 Q. And do you know anything about the
16 disposition of this vehicle?

17 A. No, sir.

18 Q. And would Harry Hildibrand Jr. know about
19 that?

20 A. I would imagine so. I was waiting for the
21 objection. Sorry.

22 Q. Okay. Kindly flip over the page to the
23 next numbered page in the sequence. That's 48.
24 Similar questions as previously.

25 This Certificate of Title from the State

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1 of Montana relates to a 1957 Chrysler Model 300C.
2 Does Harry Hildibrand -- and I note that the sale date
3 on this is indicated to be May 12th, 2011, during your
4 tenure as a manager; correct?

5 A. That was certainly during my tenure as
6 manager, yes.

7 Q. Does Harry Hildibrand own this vehicle?

8 A. Not to my knowledge.

9 Q. Do you know anything about this vehicle?

10 A. No, sir.

11 Q. Would Harry Hildibrand Jr. know about this
12 vehicle?

13 MR. WENT: Objection, speculation.

14 THE WITNESS: I would imagine so.

15 BY MR. BRAGONJE:

16 Q. Okay. Kindly flip over the page to the
17 next numbered page in the sequence. Do you know why
18 all these vehicles were titled in Montana?

19 A. No, sir.

20 Q. The four vehicles that you mentioned that
21 Harry Hildibrand does continue to own, what are those
22 vehicles?

23 A. The motor coach, motor home, and three
24 Mercedes.

25 Q. Where are those -- I know where the motor

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1 coach is. Where are the three Mercedes?

2 A. I believe they are in California, but I
3 don't know that for certain.

4 Q. And they are in the possession of Jim
5 Foust or his family members; is that your
6 understanding?

7 A. My understanding is that those contracts
8 were with Jim's wife and his two daughters, yes, sir.

9 Q. So other than those four vehicles, Harry
10 Hildibrand doesn't own anything else?

11 A. Not that I'm aware of. Not that I have
12 had conversation about or know about.

13 Q. Okay. So directing your attention, again,
14 to Page 49 here. You don't know anything about the
15 1956 Ford Fairlane 500?

16 A. No, sir.

17 Q. Would you assume, as you've testified
18 previously, that Harry Hildibrand Jr. would know about
19 the disposition of this vehicle?

20 A. Yes, sir, I would.

21 Q. How do you know that Harry Hildibrand only
22 has four vehicles?

23 A. That's all that I've been made aware of.
24 That's all that I know that we have left. That's it.

25 Q. Who made you aware of that?

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1 A. Harry Jr.

2 Q. And when did he make you aware of that?

3 A. I don't know exactly when, but...

4 Q. Was it this year?

5 A. Late '17 would be the -- that would be it.
6 That would be the earliest that -- the latest that I
7 would have known that there were only four vehicles
8 left.

9 Q. And how did the subject arise? Did he
10 just call you out of the blue, or did you call him?

11 A. No. He called me. He said, "Hey," he
12 said, you know, "What are we going to do with these
13 vehicles?" I said, "What do you want to do with the
14 vehicles?" And he goes -- well, he goes "I'll sell
15 them." I said "Okay."

16 That's last I heard. And then those were
17 the vehicles that he mentioned were the three
18 Mercedes. And at the time I think we were just
19 talking about getting the motor home, so there might
20 have only been three at that time.

21 Q. You're the manager of Harry Hildibrand,
22 LLC?

23 A. Yes, I am.

24 Q. Do you know why Harry Hildibrand, LLC, was
25 allegedly buying vehicles from Jim Foust? I mean, why

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1 were they doing that?

2 A. I don't know why they were buying them
3 from Jim, but I do know that back in the '90s when I
4 met Jim, he had an affinity for cars and for being
5 able to locate cars. And so I can only assume that
6 because of his accessibility to cars and being able to
7 get unique cars, that Harry Hildibrand -- when
8 opportunities arose, and I would imagine based on
9 Jim's say so, because certainly not mine; I don't know
10 vehicles -- that if something was a good buy, they
11 would buy it and flip it and sell it.

12 Q. To your knowledge, sir, has Harry
13 Hildibrand ever purchased any vehicles from anyone
14 besides Jim Foust or an entity he owns?

15 A. I have no idea. No clue.

16 Q. So Harry Hildibrand Jr. never said
17 anything to you at all about the motivation for
18 purchasing vehicles from Jim Foust?

19 A. No, sir.

20 Q. Did Jim Foust ever say anything about that
21 subject to you?

22 A. No.

23 THE WITNESS: Excuse me. May I get a
24 water?

25 MR. BRAGONJE: Absolutely. Why don't we

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1 take a little break here.

2 (A recess was taken.)

3 BY MR. BRAGONJE:

4 Q. Mr. Detwiler, do you understand that you
5 are still under oath?

6 A. Yes, sir, I do.

7 Q. Okay. Sir, would you please direct your
8 attention -- I think we were talking about Page 49
9 here. I can't recall if I already asked these
10 questions, but essentially similar questions as those
11 asked previously.

12 This is a 19 -- this is a Certificate of
13 Title from the State of Montana related to a 1957 Ford
14 Fairlane 500. Vehicle sale date 5/13/2011. Do you
15 know anything about that vehicle?

16 A. No, sir.

17 Q. And as before, if anyone knew about the
18 disposition of the vehicle, who would that be?

19 MR. STEWART: Objection, speculation.

20 THE WITNESS: I would imagine that would
21 be Harry Jr., the person.

22 BY MR. BRAGONJE:

23 Q. Okay. Next page in the sequence, please,
24 Page 50. A 1957 Oldsmobile 98 Rocket. Do you see
25 that title?

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1 A. Yes, sir, I do.

2 Q. Do you know anything about this vehicle?

3 A. No, sir.

4 Q. Okay. And as before, do you assume that
5 Mr. Hildibrand Jr. would know about the disposition of
6 this vehicle?

7 A. Yes, sir.

8 MR. STEWART: Objection, speculation.

9 BY MR. BRAGONJE:

10 Q. All right. Next page in the sequence.

11 This is also a Certificate of Title from Montana.

12 It relates to a 1971 De Tomaso Pantera.

13 Do you know anything about this vehicle?

14 A. No, sir.

15 Q. Never heard this vehicle mentioned in any
16 conversations?

17 A. Not by make or model, just that there were
18 some really nice cars. But, no, sir.

19 Q. And you had no idea where these really
20 nice cars were kept?

21 A. No, sir, I do not.

22 Q. Do you have any idea about who used them?

23 A. No, sir, do not.

24 Q. Do you know if it was Jim Foust?

25 A. I do not know that.

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1 Q. And you never heard what happened to the
2 really nice cars?

3 A. No, sir.

4 Q. Okay. Page 52, please. Similar car here,
5 but actually a different year, 1973 De Tomaso Pantera.
6 Do you know anything about this vehicle?

7 A. No, sir, I do not.

8 Q. Would you direct your attention to
9 Page 55, please?

10 A. Yes.

11 Q. Do you recognize this document? Take a
12 moment to look at it. It's the next three pages.
13 I'll tell you it's a Declaration that you signed.

14 (Pause.)

15 THE WITNESS: Yes, sir, I do.

16 BY MR. BRAGONJE:

17 Q. Did you sign this document?

18 A. Yes, sir, I did.

19 Q. Okay. I have a question about
20 Paragraph 3. That's on Page 55. Do you see that?

21 It says "On or about November 12th, 2008,
22 Defendant/Judgment Debtor James Patterson Foust Jr.
23 resigned as managing director of HH."

24 A. I see that.

25 Q. Why do you say that?

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1 A. Well, going back to the document, his
2 resigning or his -- my becoming the managing director
3 was in fact the same as his resignation or his
4 removal.

5 So I don't know that that was necessarily
6 the best word to be used. But he was no longer as of
7 November 12th, 2008, the managing director of HH.

8 Q. So it's your position that after that
9 date, you were the managing director?

10 A. Yes. But as we've already realized, I
11 haven't done a whole lot.

12 Q. And were there any other managers or
13 managing directors?

14 A. No.

15 Q. So is it your opinion or position then
16 that after November 12th, 2008, Jim Foust had no
17 authority to act on behalf of Harry Hildibrand?

18 A. To my knowledge Jim didn't not act on
19 behalf of Harry Hildibrand at all. It would have been
20 Harry up until his passing, and then it would have
21 been Harry Jr. from that point forward.

22 Q. I understand what you're saying, but
23 that's not exactly my question, though.

24 My question is, is it your understanding
25 that Mr. Foust had no authority to act on behalf of

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1 Harry Hildibrand after this date November 12th, 2008?

2 A. That would be my understanding, yes, sir.

3 Q. Thank you. All right. Next page or

4 Page 58, a couple pages down, I guess.

5 Take a moment to look at this. This is a
6 document entitled "Harry Hildibrand Dates." Let me
7 know when you've had a chance to familiarize yourself
8 with it.

9 A. Okay. I'm familiar. I have familiarized
10 myself with this document.

11 Q. Have you ever seen this before?

12 A. The first time I saw this document was in
13 my counsel's office.

14 Q. Who drafted this?

15 A. I do not know.

16 Q. When was it drafted?

17 A. I do not know.

18 Q. Why was it drafted?

19 A. Once again, I don't know.

20 Q. Okay. I have a few questions about the
21 contents of this. Do you see there the second line,
22 it says "2006-12-30 Ownership of HH." Do you see
23 that?

24 A. Yes, sir.

25 Q. Do you know what this means?

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1 A. No, sir.

2 Q. And the next line "2007-08-27 Ownership of
3 HH." Do you know what that means?

4 A. No, sir.

5 Q. And the next line "2007-10-09 Aircraft
6 Purchased." Do you know what that means?

7 A. I would -- no, other than that would be
8 the date that an aircraft was purchased.

9 Q. What did Harry Hildibrand do with the
10 airplane?

11 A. I believe it was sold in -- this year.

12 Q. Well, I understand that. But it says here
13 that it was purchased in 2009 so --

14 A. That's nearly a decade --

15 MR. WENT: Objection. Misstates the
16 evidence.

17 BY MR. BRAGONJE:

18 Q. Excuse me. Purchased in 2007 so...

19 A. Yeah. Automobiles, planes, real estate,
20 I'm sorry. Not what I'm -- I don't know.

21 Q. That's fine. And, you know --

22 A. I don't know.

23 Q. I never get tired of hearing that answer
24 from you. I'm going to have to ask you a lot of
25 questions, and you may give me that answer a lot of

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1 times. It's not offensive. It's acceptable. That's
2 fine.

3 Do you have any idea -- are you a pilot?

4 A. No, sir.

5 Q. Is Harry Hildibrand Jr. a pilot?

6 A. No, sir, not to my knowledge. I don't
7 believe he is.

8 Q. To your knowledge did Harry Hildibrand
9 ever hire a pilot to fly this plane?

10 A. I don't know.

11 Q. To your knowledge, did Jim Foust use this
12 plane?

13 A. I do not know.

14 Q. Do you know where the plane was kept?

15 A. No, sir.

16 Q. Okay. Do you know -- just tell me
17 everything you know about the plane.

18 A. I know as much about this plane as is on
19 this page. I don't know if it had propellers. I
20 don't know if it was a jet. I have no idea about the
21 plane, sir.

22 Q. Junior never -- I don't mean to be --

23 A. No, sir. That's understood. We never
24 talked about the plane. And, once again, it was -- no
25 one needs -- no one -- Harry Jr. does not need my okay

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1 to do anything that he wants to do with his assets.

2 So if he didn't feel compelled to call me to tell me
3 that, you know, he was selling the plane or what he
4 was selling the plane for, I wouldn't expect him to.

5 Q. He did call you, though, didn't he, about
6 that subject?

7 A. Well, certainly not to get my permission
8 to do anything with it.

9 Q. What did he tell you in that call?

10 A. We were getting rid of the plane. I said,
11 oh, good for you.

12 Q. And when did that call occur?

13 A. I don't know. Before the sale went
14 through, so I would imagine January or February of
15 this year.

16 Q. So did -- just so I have this clear. Did
17 a period of years pass when you didn't talk with --
18 I'm just going call him Junior?

19 A. Oh, yes. Yes, sir. Yes, sir. There
20 was -- 18 months could go by without any conversation
21 or coordination. There wasn't anything to do. The
22 company wasn't actively pursuing any type of assets
23 and certainly assets that weren't in my purview of
24 area of expertise which would have been real estate,
25 so I -- limited.

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1 Q. I'm going to add another definition. I'm
2 going to say Junior. I don't mean any disrespect to
3 Mr. Harry Hildibrand Jr., but just -- it's
4 Mr. Stewart's birthday. I'm going to try to speed
5 this along. We want to get him out of here to do
6 something fun today.

7 MR. STEWART: I appreciate that.

8 BY MR. BRAGONJE:

9 Q. Okay. Would you please refer down to the
10 line that says "2008-12-12." Just a couple lines
11 below the aircraft line we discussed previously.

12 A. Yes, sir.

13 Q. It says "Open bank account." Do you see
14 that?

15 A. Yes, sir, I do.

16 Q. Do you have any idea why there was --
17 well, the entity was formed, I think if you look at
18 top line, in 2006.

19 A. 12/29/2006.

20 Q. And then the bank account is opened almost
21 two years later. Is that a fair interpretation of
22 those two lines?

23 A. That's what it says, yes, sir.

24 Q. Do you have any idea of the reason for
25 that?

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1 A. No, sir. I didn't open the bank account,
2 so I don't know. I don't know, sir.

3 Q. Do you receive bank account statements?

4 A. No, sir.

5 Q. Do you have the ability to access the bank
6 account?

7 A. I believe so. I've never requested it
8 before, but I don't see why it wouldn't be -- not
9 provided if I needed it.

10 Q. And do you have the authority to sign
11 checks on behalf of Harry Hildibrand?

12 A. I do.

13 Q. Have you ever signed checks on --

14 A. I've signed two checks.

15 Q. And to whom were those checks made,
16 please?

17 A. They were made to Santander.

18 Q. I think there's copies of those in there,
19 so we may discuss those later. But what are the
20 circumstances of making payment to Santander, please?

21 A. That is the note holder of the coach motor
22 home.

23 Q. Why were only two checks made out instead
24 of say '12, '13 or '14? In other words, the entire
25 period of Harry Hildibrand's ownership of the motor

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1 coach.

2 A. Up until my signing those checks,
3 accounting was being handled by Junior, and I don't
4 get involved in that at all, so I don't know.

5 Q. Does Harry Hildibrand have a credit card?

6 A. If it does, I don't have one. I don't
7 know.

8 Q. Other than checks, have you made any other
9 payments, I guess, through wire transfers or something
10 like that, some electronic payment on behalf of Harry
11 Hildibrand?

12 A. I have not, no, sir.

13 Q. Okay. Kindly direct your attention to the
14 next line, "2010-10-01, Harry Hildibrand 99 cent
15 redistribution authorization."

16 MR. WENT: Objection. Misstates the
17 evidence.

18 BY MR. BRAGONJE:

19 Q. You can answer. Do you know what that
20 means?

21 A. I believe what it means was that at that
22 time 10-10, that right around Harry's death, that the
23 99 -- and I thought it was 99-and-a-half percent. But
24 it says here that the 99 percent of Harry Hildibrand
25 Sr.'s interest in HHLLC was redistributed to his

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1 heirs. That's what I understand that to be.

2 Q. And then the line following, do you have
3 any idea what -- how that's any different than the
4 line preceding it where we were just discussing?

5 A. No, sir, I don't.

6 Q. Do you know -- this redistribution to the
7 heirs that you speak of, is that memorialized in any
8 writing?

9 A. I've seen something, but I don't know
10 where or when. But I recall seeing the heirs'
11 interest adding up to 99.5 percent, and that's -- and
12 I don't know where I saw it.

13 Q. And do you remember the nature of the
14 writing? Was it some kind of an operating -- it
15 sounds like you're familiar with corporate
16 documentation in your role --

17 A. Limited, sir, but yes.

18 Q. Do you recall the nature of the writing?

19 A. I do not.

20 Q. Okay. The following line there, the 2011
21 date related to -- it says "HH Bill of Sale, ten
22 cars."

23 A. I see that it says that. I'm unfamiliar
24 with what ten cars that would be.

25 Q. Have you ever seen a Bill of Sale for ten

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1 cars?

2 A. No, sir.

3 Q. Okay. The following line, a 2016 date "HH
4 minutes. Assign HH membership and Stardust agrees to
5 purchase."

6 Who is Stardust, sir, if you know?

7 A. No idea. I just read that, and I'm
8 thinking about the hotel that was razed on the strip.
9 I have never seen Stardust.

10 Q. So presumably whoever prepared this would
11 know what that meant?

12 A. Yes, sir.

13 Q. Okay. The following line, "Schedule B as
14 of 8/2014 and November 16th, 2016." Do you know what
15 that means?

16 A. No, sir.

17 Q. Following line, "Schedule B." Do you have
18 any notion of what Schedule B is?

19 A. No, sir.

20 Q. Okay. The following line 2017 date "HH
21 minutes, purchase coach." Do you see that entry?

22 A. I do.

23 Q. Have you ever seen minutes related to the
24 purchase of the motor home?

25 A. I've seen the contract. I don't know that

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1 they were necessarily -- I don't know if those were
2 placed into the minutes of HH or not.

3 Q. Do you have any documents in your
4 possession related to Harry Hildibrand?

5 A. Yes.

6 Q. What do you have?

7 A. Well, some of this stuff that we have
8 right now because I've gotten copies of it from
9 counsel.

10 Q. Before you became involved in these legal
11 proceedings, did you have anything --

12 A. Oh.

13 Q. -- in your possession related -- sorry.
14 I'm going to try to finish the question for the
15 record.

16 Did you have anything in your possession
17 related -- any documents in your possession related to
18 Harry Hildibrand?

19 A. No, sir.

20 Q. Okay. The following line there a 2017
21 date, it says "HH minutes, purchase 1966 Ford T-bird."
22 I see that -- I note the date there is 2017. What do
23 you know about that?

24 A. I know nothing about that car.

25 Q. Have you ever seen that car?

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1 A. No, sir.

2 Q. Do you have any idea why some of these
3 documents that are apparently mentioned in this
4 timeline have not been produced?

5 A. No, sir.

6 Q. Have you ever seen the 1966 Ford
7 Thunderbird mentioned here?

8 A. No, sir, I have not.

9 Q. Has Junior ever mentioned it to you?

10 A. No, sir.

11 Q. The following line, "Amended Operating
12 Agreement." Have you ever seen that document?

13 A. Not unless it's in here. And I would say
14 no, I have not seen that.

15 Q. I'll represent to you that my
16 understanding is that it is not included.

17 A. Okay. Then I have not.

18 Q. Okay. The following line "Schedule B,
19 Stardust 100 percent owner." Do you have any idea
20 what that means?

21 A. No, sir.

22 Q. I can't recall if I asked you this before.
23 The next line gives an entry for aircraft sold. Do
24 you know how much it was sold for?

25 A. No, sir.

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1 Q. Do you have a ballpark?

2 A. No, sir. As I had shared earlier, I don't
3 know if it had propellers, jets or -- I have no idea
4 about this aircraft.

5 Q. And the line after that, a 2018 date, "HH
6 minutes to incorporate Amended Operating Agreement."
7 Have you ever seen those minutes?

8 A. No, sir.

9 Q. Okay. Next page, Page 59 here. It's a
10 document entitled "Vehicle Transfer Log." Let me know
11 when you've had a chance to look over this.

12 (Pause.)

13 THE WITNESS: Okay.

14 BY MR. BRAGONJE:

15 Q. Did you prepare this?

16 A. No, sir.

17 Q. Do you know who did?

18 A. No, sir.

19 Q. Have you ever seen this before today?

20 A. Yes, sir.

21 Q. When?

22 A. At my counsel's office.

23 Q. The first entry there relates to the 1966
24 Ford Thunderbird that I believe we discussed
25 previously.

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1 Do you have any idea if Harry Hildibrand
2 received any money for the sale of that vehicle?

3 A. I do not know.

4 Q. You never saw a bank statement or anything
5 like that?

6 A. No, sir.

7 Q. Okay. The next entry in there, 2006 --
8 excuse me -- 2016 motorcycle. Do you know anything
9 about that?

10 A. Not at all.

11 Q. Does Jim Foust ride motorcycles?

12 MR. WENT: Objection, speculation.

13 BY MR. BRAGONJE:

14 Q. You can answer.

15 A. I don't know. I've never seen him on a
16 motorcycle.

17 Q. Does Junior?

18 MR. STEWART: Objection, speculation.

19 THE WITNESS: I don't know.

20 BY MR. BRAGONJE:

21 Q. You've never heard Junior mention anything
22 about a 2016 motorcycle?

23 A. No, sir.

24 Q. Jim Foust has never said anything about
25 that subject to you?

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1 A. No, sir.

2 Q. The next vehicle there is a 2000 GMC
3 Yukon. Do you know anything about that vehicle?

4 A. No. I've never seen this vehicle. I
5 believe HHLIC sold this to Jim. I don't know for how
6 much. I don't know any of the details of the sale.

7 Q. Is it your understanding that Mr. Foust
8 has this vehicle in his possession?

9 A. Don't know.

10 Q. Okay. The next vehicle there.

11 A. Yes.

12 Q. 2004 Volvo. It says "Bought by Garry
13 Detwiler." Is that your son?

14 A. Yes, it is.

15 Q. What can you tell me about this
16 transaction?

17 A. That was a car that -- when my son was --
18 Volvo. That was -- no, that was not my son. My
19 ex-father-in-law, Gary Sides, bought that Volvo.
20 Because in 2004 my son wasn't going to be driving for
21 another two years, so that would not have been my son.

22 Q. Well, I think 2004 is the year of the
23 make.

24 A. Oh...

25 Q. But I think as I understand this --

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1 A. 2014. Okay. I see that. I'm sorry. I
2 was looking at 2004. No, that was not my son. That
3 was Gary Sides. That "bought by" is incorrect. But
4 Gary Sides is my father-in-law or ex-father-in-law.

5 Q. How do you spell his last name?

6 A. S-I-D-E-S.

7 Q. Okay. Well, how did this happen? Were
8 you involved in this?

9 A. Not at all.

10 Q. So Jim Foust just called your former
11 father-in-law and said I've got a Volvo; do you want
12 to buy it?

13 A. I don't know. I really don't. I do know
14 that, you know, up until 2006 we had sold -- I had
15 probably bought and sold a half dozen properties for
16 Jim, and it wasn't uncommon for him to come into the
17 office. And Gary is my full-time partner. His name
18 is on my real estate card. So for Jim to call him
19 directly would not be -- would not be strange or out
20 of reason. So, I mean, Jim knows Gary.

21 Q. Did you ever buy any cars from Jim Foust?

22 A. No, sir.

23 Q. Does Jim Foust still come to your office?

24 A. No, sir.

25 Q. When was the last time he came to your

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1 office?

2 A. Any real estate office? 2008, 2009.

3 Q. Did Jim Foust ever go to Roatan?

4 A. Did he ever go to -- I don't know.

5 Q. You've never seen him at your project in
6 Roatan?

7 A. No, sir.

8 Q. Okay. The next three entries there, I
9 think the Mercedes that you spoke of earlier. My
10 question is, so were these -- did money change hands
11 in these transactions?

12 A. I don't know.

13 Q. But your understanding is that they're in
14 the possession of Mr. Foust or his family members;
15 correct?

16 A. That is correct.

17 Q. Okay. What did Junior say about that
18 subject? I mean, that must have come up.

19 A. What he said to me was he said, look -- he
20 says "I don't mind selling the cars to him." He says,
21 "I just want to make sure we get paid for it." And I
22 said "That's fine."

23 But, once again, cars, I don't deal with
24 the cars. I don't do anything as far as contracts
25 or -- I don't know if they even have contracts. I'm

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1 going to ask for them. I don't know if payments have
2 been made. I don't know if the cars had been paid in
3 full, if they haven't been.

4 I'm probably going to need to now go
5 repossess them because Junior does have the titles and
6 he has the ability to do that. And so if he doesn't
7 have a contract to show a failure of contract, then I
8 don't know how we're going to get the cars back.

9 Q. Is Junior a customer of yours?

10 A. No, sir.

11 Q. Is he an investor in the Roatan project?

12 A. No, sir, he is not.

13 Q. Do you have any other venture with him
14 other than Harry Hildibrand, the entity?

15 A. No, sir.

16 Q. And would you expect to be paid for
17 repossessing these cars? It sounds like an awful lot
18 of work.

19 A. Well, it is. No, I wouldn't expect to get
20 paid. I mean, I'm in the service-providing industry,
21 and you get what you give. And so if you do a -- I am
22 the managing director, therefore I need to fulfill the
23 responsibilities that I said I would do for them. And
24 that's what I'm doing.

25 Q. And you receive no compensation?

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1 A. I receive no compensation. I was going to
2 get paid, hopefully, by doing a couple hundred real
3 estate transactions. So that's what I had my sites
4 set on. To be able to have one client to be able to
5 just do business would have been good. As it turned
6 out, I did; it just wasn't them.

7 Q. Do you have any reason to believe that
8 money has changed hands with respect to these three
9 vehicles?

10 A. I wouldn't know.

11 Q. You said, I think, earlier that Junior
12 said he wanted to make sure he got paid for them. Did
13 he indicate to you that he hadn't been paid for the
14 sale of these vehicles?

15 A. A assumed that to be the case. He didn't
16 say that he hadn't been paid, but he wouldn't say he
17 would like to get paid if he had been paid.

18 Q. Okay. Are you going to be responsible --
19 I mean, has Junior charged you to go and get the
20 payments?

21 A. No, sir, not as yet.

22 Q. So you're sort of waiting to hear for
23 further direction from Junior?

24 A. Yes, I am.

25 Q. Did Junior say anything about -- as I

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1 understand it these cars were -- I mean, we'll go
2 through this, I think, in a little bit more detail
3 because some of the titles are in here.

4 But did Junior ever say anything about how
5 these cars were acquired in the first place? I mean,
6 I think they all came from Jim Foust.

7 A. Yeah, he didn't, not to me. I don't know.

8 Q. Have you ever discussed these three cars
9 with Mr. Foust?

10 A. No, I have not. There was no reason to.

11 Q. What discussions have you had with
12 Mr. Foust since these legal proceedings began?

13 A. Outside of asking him, you know,
14 originally "Where is the coach? What happened? Why
15 is the coach not there?" That's it.

16 So probably since March I've had little to
17 no contact with Jim about anything. I need to -- I
18 just need to get this coach back, and I can be
19 resolved of what I need to do.

20 Because come August, I'm not going to be
21 here anymore, so I need to get this resolved.

22 Q. Before March of -- you said March. Do you
23 mean March of this year, I assume?

24 A. Yes, sir.

25 Q. And before March of this year, what were

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1 your communications with Jim Foust? Had there been,
2 for example, a long time where you hadn't heard from
3 him?

4 A. Yes. Yeah. And a long time -- I mean,
5 three months, six months. He'd call and say "Hey, I'm
6 coming up to the coach." I go "Cool." That type of
7 thing. But no prolonged detailed conversations.

8 He hasn't been buying real estate. And I
9 spent a lot of my time on the phone with people that
10 are wanting to buy and sell real estate, so he wasn't
11 one of them.

12 Q. You must have talked to him about the
13 Harry Hildibrand's purchase of the motor home, though;
14 correct?

15 A. Oh, yeah.

16 Q. Who decided on the 5,000-dollar price?

17 A. Well, we did. Harry Jr. and I because he
18 wanted more, and we didn't give him any more.

19 Q. Did he say why -- what did he want for it?

20 A. Well, he was hoping to get -- you know, he
21 wanted 15 or 20 up front. And the research that I
22 did, I didn't feel that that would be beneficial to
23 Harry and me because I was going to participate in the
24 profits as well, a percentage. But we haven't been
25 able to get this done yet.

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1 Q. And is your agreement to participate in
2 the profits, is that in writing?

3 A. No.

4 Q. And what are the terms of that agreement,
5 sir?

6 A. The terms, it was -- what we had talked
7 about was 20 percent of the profit.

8 Q. You would earn 20 percent?

9 A. I would earn 20 percent of the net profit.

10 Q. Who suggested that; did you or did Junior?

11 A. I did.

12 Q. So that would have been probably around
13 \$10,000 hopefully?

14 A. Yeah.

15 Q. Returning to this Page 59, these three
16 cars. They were all sold on the same date. Well, at
17 least according to this log. And that date being
18 January 12th, 2017. Do you have any idea why that
19 was?

20 A. No, sir, I do not.

21 Q. On Page 60 there, do you see the last
22 writing on the page, there's an asterisks followed by
23 the sentence that says, "Autos have been sold waiting
24 for final confirmation and payment to seller by
25 buyer"?

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1 A. Yes.

2 Q. Do you have any idea what "final
3 confirmation" means?

4 A. No. No. If I had to guess, and it's
5 strictly a guess, payment would probably be a better
6 word to be used there instead of confirmation. But I
7 don't know. I don't know. Oh, never mind. And
8 payment is next. I have no clue.

9 Q. And Junior hasn't said anything to you
10 about when he'll try to collect payment?

11 A. No, sir.

12 Q. Has Foust said anything to you?

13 A. Oh, no, sir.

14 Q. I think I forgot to follow up earlier.
15 But before this year when you had a talk with
16 Mr. Foust about the motor coach being seized and then,
17 I guess, you also spoke with him in January of -- or,
18 I guess, sometime at the end of 2016 or 2017 in
19 connection with the sale of the motor home.

20 Before that time period, how long had it
21 been since you heard from Mr. Foust?

22 A. Gosh, I would say maybe no more timeframe
23 than three months of not hearing from him. But to be
24 able to give you specifics, I have no idea.

25 Q. Well, what did you discuss when he did

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1 call you in this period we're talking about if there
2 was no business for Harry Hildibrand? He wasn't one
3 of your clients. What were you even talking about?

4 A. Baseball. I played -- I played baseball
5 at USC for Coach Dedeaux, and grew up in Redondo Beach
6 and from the South Bay, and we'd talk about the South
7 Bay, talk about baseball, politics. Just random
8 things. He would call me and -- he would call me and
9 ask me, "Hey, can you hit a 106-mile-per-hour fast
10 ball?" And I'd say, "Jim, today I can't. Back in the
11 prime, I might have been able to foul it off."
12 Baseball stuff, just random things.

13 Q. Were you ever reaching out to him, or was
14 it always him calling you?

15 A. I would say it was probably 50/50.

16 Q. What did you call him about?

17 A. Check in, see what he's doing.

18 Q. So you were friends?

19 A. Yeah. I mean, yes. But we weren't -- we
20 were not like, you know, besties. I guess that's a
21 term that's being used today, I've been told, so...

22 Q. Do you have any business ventures with Jim
23 Foust besides Harry Hildibrand?

24 A. Well --

25 MR. WENT: Objection. Misstates

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1 testimony.

2 THE WITNESS: -- Harry Hildibrand isn't
3 involved with -- or Jim Foust isn't involved with
4 Harry Hildibrand, so I can't answer that question.
5 Because it would be -- Jim has nothing to do with
6 Hildibrand, and I have nothing to do with Jim Foust in
7 any enterprises. And Jim has zero to do with any of
8 my projects outside of the United States.

9 BY MR. BRAGONJE:

10 Q. Thank you. I understand what you're
11 position is on Mr. Foust's ownership. What I had in
12 mind is just that, you know, he was your entree to
13 Harry Hildibrand.

14 A. Yes, he was.

15 Q. So you were both involved in the sense
16 that he brought you to the table?

17 A. Yes. And my entree was because I had
18 handled his real estate transactions. He was -- he
19 was impressed.

20 MR. WENT: For the record, make sure my
21 objection is lodged to the previous question.

22 BY MR. BRAGONJE:

23 Q. To your knowledge has Harry Hildibrand
24 ever sold cars or vehicles to anyone not in the Foust
25 family?

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1 A. Would you repeat that, please?

2 Q. So to your knowledge, if you know, has
3 Harry Hildibrand, the entity, ever sold vehicles to
4 anyone other than Jim Foust or his family members?

5 A. I don't know.

6 Q. And to your knowledge, has Harry
7 Hildibrand ever purchased vehicles from anyone besides
8 Jim Foust?

9 A. I don't know. Cars are just not, just not
10 my -- I didn't do anything with the cars, so I just
11 don't know.

12 Q. Okay. The next page over, please,
13 Page 61. Did you draft this document?

14 A. Yes, I did.

15 Q. Okay.

16 A. Simple Excel spreadsheet.

17 Q. Okay. Why did you draft it?

18 A. To show Harry Jr.

19 Q. Okay. What does this show?

20 A. What the cash flow would be from an
21 in-and-out transaction.

22 Q. And this is all related to the motor home?

23 A. Yes, sir.

24 Q. Okay. And nothing else?

25 A. No, sir.

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1 Q. And when did you prepare this?

2 A. December -- November or December of '16 or
3 '17. I can't remember exactly the year, but it was
4 late in the year.

5 Q. Okay. So the title of the document is
6 "Cash Flow." So that indicates, I guess, ultimately
7 the profit that Harry Hildibrand and you expected to
8 make from --

9 A. Yes.

10 Q. And the first line there, so the month
11 there it looks like six columns with the months. So
12 is the idea that it would take six months to do the --

13 A. I think five.

14 Q. And in the first column there, it says,
15 first line, Foust \$5,000. I suppose that represents
16 the down payment to Mr. Foust?

17 A. Uh-huh.

18 Q. The miscellaneous repairs, do you know
19 what those were?

20 A. Uh-uh, no.

21 Q. Did Mr. Foust tell you repairs were
22 needed?

23 A. No.

24 Q. So why did you put \$500 in there?

25 A. Just a pad.

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1 Q. A placeholder?

2 A. Yep.

3 Q. Okay. Can you flip over to Page 66,
4 please. Is that your signature on the bottom of this
5 page?

6 A. Yes, sir, it is.

7 Q. Did you prepare this document?

8 A. I did.

9 Q. You did?

10 A. Uh-huh. Yes, sir.

11 Q. Is that a yes?

12 A. Yes.

13 Q. Thank you. Did both parties sign this
14 document on January 1st, 2017?

15 A. I did. I would imagine Jim did as well.

16 Q. Where was this document signed? I mean,
17 were you in a room together?

18 A. No.

19 Q. So how did you come into possession of the
20 document with both signatures on it?

21 A. I would have to -- probably via e-mail. I
22 would imagine we signed separately and then just...

23 Q. Did anyone besides Jim Foust use the motor
24 coach?

25 A. Not since HH has owned it, that I'm aware

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1 of.

2 Q. How about before that?

3 A. I don't know.

4 Q. Did you ever use it?

5 A. No. I wanted to use it.

6 Q. What were you going to use it for?

7 A. I was going to go down to spring training.

8 I've got players that I've coached in town, and we

9 were going to tailgate, and it didn't happen.

10 Q. Is that in Arizona?

11 A. Yes.

12 Q. Would you direct your attention, please,

13 to kind of the top half of the page there, terms,

14 under the "terms" paragraph.

15 A. Uh-huh.

16 Q. And I'm going to ask you questions about

17 the lien here. Tell me about what was the plan to

18 satisfy the lien?

19 A. Upon the sale of the property, it would be

20 paid -- or upon the sale of the motor coach, it would

21 be paid in full.

22 Q. Does Harry Hildibrand have the ability to

23 pay that lien otherwise?

24 MR. WENT: Objection, speculation.

25 THE WITNESS: I don't know.

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1 BY MR. BRAGONJE:

2 Q. And who made the payments after the
3 alleged sale of the motor home?

4 A. I don't know.

5 Q. Well, you said you signed two checks;
6 correct?

7 A. Yeah, I did. But from right afterwards I
8 did not, so I don't know how those payments were made.
9 As I previously mentioned, I do not -- I don't do the
10 accounting. I don't do things. I sign checks when
11 I'm asked to by Harry, and I do.

12 Q. So anything to do with the payment would
13 be a question for Junior?

14 A. Yes, sir, it would be.

15 Q. So the -- would you please direct your
16 attention there. There's a line that says -- this is
17 in the "terms" paragraph. "In the event buyer fails
18 to make a timely payment, seller at his option can do
19 so."

20 A. Uh-huh.

21 Q. Why did you write that in there?

22 A. Well, it's his credit. That loan is in
23 his name and, you know, if for some reason HH didn't
24 make the payment, he should have the right to be able
25 to maintain his credit.

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1 Q. Did you talk about up front, for example,
2 when you were negotiating this, that Harry Hildibrand
3 wouldn't make the payments?

4 A. No.

5 Q. Was there any discussion about who would
6 make the payments?

7 A. Yes. It was that the buyer would make the
8 payment.

9 Q. Can you flip over to Page -- it's really
10 Page 67 through 70. This is a document we've looked
11 at before, I believe. It seems like a different
12 version of it.

13 And my question really has to do with --
14 this is the action where it looks like Mr. Foust was
15 removed, and this entity named Montana RV Registration
16 was substituted.

17 We talked about this before, but my
18 question is about the handwriting on the top of
19 Page 69. Is that your handwriting?

20 A. No, sir.

21 Q. Is it Jim Foust's?

22 A. I don't know, sir. I don't know whose
23 writing that is.

24 Q. And you don't know the name of the person
25 that ultimately controls Montana RV Registration, LLC;

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1 correct?

2 A. I do not.

3 Q. Do you know anything about that entity?

4 A. I know that in the original formation,
5 it's noted on the original formation. I believe it's
6 in either Section 2 or 3. That's the only other time
7 I have ever seen that name.

8 And this says that -- this has Jared
9 Heggen's name, and he's the resident agent, so I don't
10 know if Jared Heggen owns Montana Registration, LLC,
11 or not. I don't know, sir.

12 Q. Have you personally ever had any
13 communications with Jared Heggen or his law office?

14 A. Yes.

15 Q. I'm not going to ask the substance of
16 those communications. Well, I guess, are they -- I
17 guess I'll ask, and if they are privileged your
18 counsel will instruct you not to object (sic).

19 So what reason did you have to deal with
20 Jared Heggen or his law office?

21 A. Documents that my counsel had asked for.

22 Q. And when you were dealing with the Heggen
23 Law Office, that was, I assume, solely in your
24 capacity as manager of Harry Hildibrand?

25 A. Yes, sir.

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1 Q. Okay. So before -- so you were referring
2 to the subpoena that I sent, I suppose?

3 A. Yes, sir.

4 Q. Okay. So before that subpoena and the
5 response -- so you mean you talked with Jared Heggen
6 or his law office in connection with the response to
7 the subpoena I sent; is that correct?

8 A. Yes, sir.

9 Q. Before that did you ever have any dealings
10 with Jared Heggen or the Heggen Law Office?

11 A. No, sir.

12 Q. Okay. Could you flip over to Page 71,
13 please?

14 A. Yes.

15 Q. Do you know what this is?

16 A. Yes. This is a copy of the checking
17 account for Harry Hildibrand.

18 Q. So this is Harry Hildibrand's account?

19 A. Yes.

20 Q. It's at Chase Bank.

21 A. Yes.

22 Q. I think you said something earlier --

23 A. I think I did. I think I said U.S. And
24 like I said, I stand corrected. This account is with
25 Chase. I apologize.

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1 Q. No apology necessary. This is not a
2 memorization test or something like that. I just want
3 to have a clear record.

4 So as far as you know, there's only one
5 bank account?

6 A. This is the current bank account that I'm
7 aware of.

8 Q. Did you print this off?

9 A. No, sir.

10 Q. Do you know who did?

11 A. I do not.

12 Q. Do you know the -- I don't see any date on
13 here. Do you know when this is dated?

14 A. No, sir.

15 Q. Do you know who accessed this?

16 A. No, sir.

17 Q. Do you have access to this account?

18 A. Yes, sir.

19 Q. So you can go on the computer and log in
20 and look at Harry Hildibrand's account?

21 A. I don't know if I've -- if there is
22 on-line banking, which I'm not -- I don't know if I
23 have that or not -- I would be able to, yes.

24 Q. Okay. Present balance there, do you know
25 what that is today?

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1 A. No, sir.

2 Q. I mean, as of the date of whenever this
3 was printed, it was 5,800 and some-odd dollars?

4 A. And 37 cents.

5 Q. Yeah. You have no idea what that balance
6 is today?

7 A. No, sir, I do not.

8 Q. Okay. Would you direct your attention to
9 the last line there in the ledger.

10 A. Yes.

11 Q. April 19th, 2018. Do you see that?

12 A. Yes.

13 Q. It says it's a \$10,000 transfer. Do you
14 see that?

15 A. Yes, I do.

16 Q. Where did that money come from?

17 A. I do not know.

18 Q. Do you know anything about that
19 transferring account there; it's the account that ends
20 in 6309?

21 A. No, sir. And it's not an account that I
22 have for any personal or business accounts. Unrelated
23 to this so, no, sir, I do not.

24 Q. Did Junior ever tell you that he put money
25 into the Harry Hildibrand account?

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1 A. He didn't.

2 Q. Okay. Do you know why there isn't more of
3 a ledger given? I mean, this is very -- only three
4 transactions.

5 A. No, sir, I do not.

6 Q. Do you know whether Harry Hildibrand has
7 banked with Chase -- we saw when we looked at the
8 timeline, you may remember, when the bank account was
9 opened. It was approximately two years after the
10 entity was formed. Do you remember that?

11 A. Yes, sir, I do.

12 Q. And do you know whether Harry Hildibrand
13 has had the same bank account from that time to the
14 present?

15 A. I don't know.

16 Q. Do you know whose handwriting is on this
17 document?

18 A. No, sir, I do not.

19 Q. Does it look like Jim Foust's?

20 MR. WENT: Objection, speculation.

21 BY MR. BRAGONJE:

22 Q. You can answer.

23 A. I don't know.

24 Q. The handwriting there, it says 1543, and
25 it looks like a date in May of this year, "Lost ACH

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1 Replace." Do you know what that means?

2 A. No, sir, I do not. ACH is -- what an ACH
3 is an --

4 Q. Automatic Clearing House?

5 A. There you go. Through the phone or
6 something. So I did not make an ACH payment on that
7 from this account.

8 Q. Next page, please, Page 72. This is one
9 of the checks you wrote, I assume?

10 A. Yes, sir. No, I didn't write it. I
11 signed it.

12 Q. And this is a payment made to Santander;
13 correct?

14 A. Yes, sir.

15 Q. Okay. Tell me the circumstances of how --
16 how did it come to pass that you had never been asked
17 to sign a check on behalf of Harry Hildibrand, and
18 then all of a sudden after these legal proceedings
19 begin in June, you sign a check? How did that happen?

20 A. Junior asked me to do that because of the
21 Charlie Foxtrot that Foust has caused and wanted to
22 absolutely be put in a position to separate Foust and
23 HH, LLC so...

24 He went ahead and did that and asked if I
25 would do it, and I said, yes, I would.

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1 Q. What did he tell you about what Jim had
2 done?

3 A. He didn't.

4 Q. He phoned you?

5 A. He did, yes, sir.

6 Q. Junior, that is.

7 A. Yes.

8 Q. Okay. And did he tell you you would be
9 doing this every month, or was there some kind of time
10 limit on this or what?

11 A. Until we get the coach back. And once we
12 have the coach back and HH, LLC, is either removed
13 from or the disposition of HH, LLC, with this case, I
14 will be resigning from being the managing director of
15 HH.

16 Q. Or at least renegotiate your terms.

17 A. Well, I'm going to be resigning, but thank
18 you. I've got a lot of things I need to be doing.

19 Q. So this check is drawn upon the Chase
20 account?

21 A. Yes, sir.

22 Q. Looks like it says Chase at the top.

23 A. Yes, sir.

24 Q. So does Junior call you every month and
25 say sign the check? I mean, I think you signed two.

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1 A. Yeah. I think what I've asked him to do
2 is I've signed a stamp so that it can just be stamped.

3 Q. Well, who --

4 A. Junior.

5 Q. Junior just applies your stamp?

6 A. Absolutely.

7 Q. Why?

8 A. He's -- that's what he wanted to do, so I
9 said I don't have a problem with that.

10 Q. I see. So he might not necessarily call
11 you; he would just be using your stamp?

12 A. That's correct.

13 Q. Was your stamp used on the contract for
14 the motor coach?

15 A. No, sir.

16 Q. That was your actual signature?

17 A. Yes, sir.

18 Q. So did Junior tell you anything like this
19 is the first payment we'll be making; Jim's made them
20 to this date?

21 A. No, sir.

22 Q. Have you told me everything that Junior
23 told you in connection with making this payment?

24 A. Yes, sir.

25 Q. Okay. The next page, please. Do you know

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1 anything about that handwriting?

2 A. No, sir.

3 Q. You don't recognize it?

4 A. No, sir.

5 Q. Okay.

6 A. It's not mine.

7 Q. This looks like a check, but it's not
8 signed. Do you know what this is?

9 A. No, sir.

10 Q. It's got Check No. 1543.

11 A. No, I don't.

12 Q. So is the managing -- as the manager of
13 Harry Hildibrand, do you know if Harry Hildibrand owns
14 the RV then why was Foust making the payments 17
15 months later? Do you know why that happened?

16 A. No, sir, I don't.

17 Q. Do you know -- I assume that's a phone
18 number down there. Do you know whose phone number
19 that is?

20 A. (909)823-3481. No, sir.

21 Q. You don't recognize that handwriting
22 either?

23 A. No, sir, I don't.

24 Q. Next page, please. Do you have any idea
25 why this was included?

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1 A. No, sir, I do not.

2 THE WITNESS: Did this come from Heggen?

3 I don't know.

4 BY MR. BRAGONJE:

5 Q. You can take a look at it here. It looks
6 like it's Harry Hildibrand's check. It looks like a
7 blank check to me.

8 Next page here. This is getting into the
9 subpoena response now.

10 Do you understand that there were some
11 documents that were initially withheld from the
12 subpoena response?

13 A. No, sir.

14 Q. All right. Can you -- I see that the
15 numbering is going to change a little bit now. So if
16 you look down at the bottom, the series is commenced
17 again, and there's a new alpha designation at the
18 beginning. So now we're looking at SDT, Page 4,
19 please. It's HLO-SDT Page 4. It's another title
20 document.

21 Do you see down there at the very bottom,
22 there's a line for buyer. The bottom of Page 4,
23 there's a signature. It looks like Lisa maybe.

24 A. Yes.

25 Q. In the field it says "buyer." Do you know

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1 who that is or what that name is?

2 A. No, sir.

3 MR. STEWART: Are you looking at 4?

4 MR. BRAGONJE: Yes. Page 4 right here.

5 MR. STEWART: Okay. Thank you.

6 BY MR. BRAGONJE:

7 Q. Okay. Do you see that this document here
8 if we look in the notary section --

9 A. Uh-huh.

10 Q. -- it's dated January 12th, 2017. Do you
11 see that?

12 A. Yes.

13 Q. And do you see that in the seller field
14 there right above that, it's signed by Jim -- James P.
15 Foust, Manager; do you see that?

16 A. Yes, I do.

17 Q. Do you agree that this means that Foust
18 was signing in his capacity as a manager on
19 January 12th, 2017?

20 MR. STEWART: Objection. Calls for a
21 legal conclusion.

22 THE WITNESS: I don't know.

23 BY MR. BRAGONJE:

24 Q. Have you ever seen this document before?

25 A. No, sir.

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1 Q. So I think you testified earlier that this
2 would mean -- assuming that Mr. Foust did sign as a
3 manager -- I mean, he did; that's what it says -- but
4 in your opinion that means he did that without
5 authority; correct?

6 A. Yes. This is the first time I've seen
7 this.

8 Q. So is the title invalid --

9 MR. WENT: Objection.

10 BY MR. BRAGONJE:

11 Q. -- if he didn't have authority?

12 MR. WENT: Speculation, legal conclusion.

13 BY MR. BRAGONJE:

14 Q. You can answer, if you want.

15 A. I don't know.

16 Q. Okay. Flip over --

17 A. Wow.

18 Q. -- please, to the next page.

19 Do you think Mr. Foust did something
20 wrong?

21 MR. STEWART: Objection, speculation.

22 THE WITNESS: I don't know.

23 BY MR. BRAGONJE:

24 Q. You can answer. Why are you surprised to
25 see this?

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1 A. I have never seen this document before.
2 And if it's what it appears to be, then it would call
3 into question the validity of the contract that he
4 signed with HH.

5 Q. Next page, Page 5. Down there in Section
6 B at the bottom of the page, do you see that?

7 A. Yes.

8 Q. It says "Security Interest
9 Acknowledgment."

10 As I understand it, this is where
11 Santander's interest would have been noted. Do you
12 have any idea why it was not?

13 A. No, sir.

14 Q. Do you know anything about that address,
15 3011 American Way, Missoula, Montana?

16 A. No, sir, I do not.

17 Q. How about Harry Hildibrand, LLC, P.O. Box
18 16270?

19 A. No, sir.

20 Q. Does Harry Hildibrand have a P.O. Box?

21 A. Not that I'm aware of.

22 Q. Okay. Page 7, please. We're going to be
23 getting into a lot of vehicle title stuff, subpoena
24 response.

25 This Page 7, is this something you have

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1 ever seen before?

2 A. No, sir.

3 Q. Okay. Do you see there's a fee associated
4 with the -- well, if you look there in the field of
5 the description, it says "Motor Home 1997 Prevost
6 Bus." Do you see that approximately halfway down the
7 page?

8 A. Right under description?

9 Q. Yes.

10 A. Yes.

11 Q. Okay. So this document relates to the
12 motor home, correct, as far as you know?

13 A. As far as I know, yes, sir.

14 Q. And do you see there on that same area
15 \$262.50 is due? Do you see that total due?

16 A. \$262.50.

17 Q. Yeah. Do you see that?

18 A. Yes.

19 Q. Do you know who paid that?

20 A. No, sir.

21 Q. Did Harry Hildibrand?

22 A. I don't know, sir.

23 Q. Okay. Do you know whoever -- if you know,
24 do you know what passengers the plane that Harry
25 Hildibrand owned carried?

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1 A. No.

2 Q. So I will represent to you that there are
3 many, many pages dealing with the -- and you can take
4 a look at this. So it starts on -- a lot of the pages
5 relate to the airplane starting on Page 9 going
6 through Page 40, looks like. Take a moment to thumb
7 through those.

8 (The reporter requested a break.)

9 MR. BRAGONJE: Yes, a two-minute comfort
10 break.

11 MR. WENT: Is there a question pending?

12 MR. BRAGONJE: No.

13 (Discussion off the record.)

14 (A lunch recess was taken from 11:58
15 a.m. to 12:40 p.m.)

16 BY MR. BRAGONJE:

17 Q. Mr. Detwiler, we're back from our quick
18 lunch break. Do you understand you're still under
19 oath?

20 A. Yes, sir, I do.

21 Q. Okay. I before we broke we were looking
22 at the documents related to the airplane. I think
23 that is about Page 9 to about Page 40.

24 Have you seen any of those documents
25 before?

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1 A. No, sir.

2 Q. Okay. If you flip over to Page 18 there.
3 This is HLO-SDT Page 18. Just wondering if you knew
4 anything about the address listed on this certificate,
5 2675 Palmer Street, Suite F, Missoula, Montana.

6 A. No, sir, I do not.

7 Q. Okay. Page 20, please, could you direct
8 your attention there.

9 There's a series of documents here related
10 to registration of the airplane with the Montana --
11 State of Montana. And, for example, on this page
12 there's a registration fee paid \$20; do you see that?
13 Sort of on the top half of the page.

14 A. It's on Page 20?

15 Q. Yes.

16 A. No.

17 Q. So if you look there --

18 A. That's my page -- okay. Oh, yes, below
19 registration fee.

20 Q. Yeah. You have no idea who would have
21 paid this fee?

22 A. No, sir, I do not.

23 Q. Refer, please, to Page 23. This looks to
24 be a registration sticker for the year 2014 for the
25 airplane issued by the State of Montana.

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1 Just a question there. Jim Foust is
2 written at the top. Do you know who wrote that?

3 A. No, sir, I do not.

4 Q. Next page, please. I appreciate you
5 haven't seen this before. I will represent that there
6 are -- and we'll look at a few of these. There are
7 many similar documents in this batch.

8 It appears to be a form issued by the
9 State of Montana to be completed, I think, annually
10 related to the registration of the airplane.

11 And I wanted to direct your attention
12 there to about halfway down the page. It's signed by
13 James Foust. Do you see that?

14 A. Yes, I do.

15 Q. You recognize that signature?

16 A. Yes, I do.

17 Q. And do you see the date of the signature
18 appears to be February 20th, 2013?

19 A. Yes.

20 Q. Now, this is well after the date in
21 November of 2008 when you believe Mr. Foust severed
22 ties with Harry Hildibrand; correct?

23 A. Yes, sir.

24 Q. So was Mr. Foust beyond his authority in
25 signing this certificate?

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1 MR. WENT: Objection. Calls for a legal
2 conclusion.

3 MR. STEWART: And I would say lack of
4 foundation. He's not aware of Jim Foust's signature,
5 whether he signed it.

6 MR. BRAGONJE: He said he recognized it.

7 MR. STEWART: He's not an expert.

8 MR. BRAGONJE: You don't need to be.

9 BY MR. BRAGONJE:

10 Q. You can answer.

11 A. As it pertains to the aircraft, I don't
12 know. But as it pertains to a manager representing
13 the company, yes. I believe that to be -- to be
14 accurate.

15 Q. So isn't the import of this document that
16 despite Mr. Foust claiming that he ceased involvement
17 in 2008, he clearly continues to be involved with
18 Harry Hildibrand; correct?

19 MR. WENT: Same objections.

20 MR. STEWART: Same objections.

21 BY MR. BRAGONJE:

22 Q. You can answer.

23 A. As it pertains to the aircraft, I believe
24 that Mr. Foust was left in place to avoid having to
25 spend money on recertifying or changing the owner.

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1 That is all I know pertaining to that.

2 Q. How did you form that belief?

3 A. Based on hearing that it would cost
4 somewhere between 18 and \$20,000 to have the aircraft
5 inspected. And I believe that Junior felt it more
6 appropriate just to have Jim sign the paperwork than
7 go through the expense of reissuing. It was easier to
8 have Jim stay on or less expensive to have Jim stay on
9 than to have him removed.

10 Q. And Junior is the one who told you this?

11 A. Yes.

12 Q. So you formed your belief based on
13 conversations with Junior?

14 A. Yes, sir.

15 Q. Okay. Next page, Page 25. A similar form
16 here. I want to direct your attention to the
17 Certified Mail Receipt. It's directed to Jim Foust.
18 Do you see that?

19 A. Yes.

20 Q. And it looks like an address in Las Vegas.
21 Do you see that?

22 A. Yes.

23 Q. As far as you know, was all of the
24 aircraft-related correspondence being sent to Mr.
25 Foust?

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1 MR. STEWART: Objection. Calls for
2 speculation.

3 THE WITNESS: I don't know.

4 BY MR. BRAGONJE:

5 Q. Do you have any idea who would have
6 directed this to Mr. Foust? And by that I mean, was
7 it, I guess, the Heggen Law Office or was it the
8 Montana Department of Transportation?

9 A. I don't know, sir.

10 Q. Page 26, please. This appears to be a
11 registration sticker from 2012 also issued by the
12 Montana -- State of Montana. You don't know who wrote
13 Jim Foust on this page, do you?

14 A. No, sir.

15 Q. And, again, this also indicates that as of
16 2012 Mr. Foust continued to be involved with the
17 airplane; correct?

18 A. Yes, sir.

19 Q. You never received any communication from
20 the State of Montana related to the airplane, did you?

21 A. No, sir.

22 Q. Did you ever receive any communications
23 from the State of Montana registration authorities on
24 any subject?

25 A. No, sir, I did not.

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1 Q. Page 28, please. Similar question there.

2 Do you recognize Mr. Foust's signature on Page 28?

3 MR. STEWART: Objection. No foundation.

4 BY MR. BRAGONJE:

5 Q. You can answer.

6 A. I see that it has been signed, and it
7 looks like James P. Foust.

8 Q. So this, again, indicates as of the date
9 of the signature that Mr. Foust is continuing to be
10 involved with the airplane?

11 MR. STEWART: Objection. Calls for
12 speculation.

13 THE WITNESS: Yes, sir.

14 BY MR. BRAGONJE:

15 Q. Okay. Page 33, please. This, again,
16 appears to be another form required to be completed by
17 the State of Montana to register the aircraft. Do you
18 know who wrote the note down at the bottom of the
19 page?

20 A. No, sir.

21 Q. Page 34, please. I think you can gather,
22 it seems like every year there's a form to be filled
23 out directed to the State of Montana, and then in
24 response they issue a registration certificate
25 including a sticker. We've looked at a few of those.

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1 This appears to be yet another one of those forms.

2 If you look at it, it is dated at the top
3 there December 2nd, 2010. Do you see that?

4 A. Yes, sir.

5 Q. Then do you see down about halfway on the
6 page the certification line? Do you recognize the
7 signature of Jim Foust there?

8 MR. STEWART: Objection, foundation.

9 BY MR. BRAGONJE:

10 Q. You can answer.

11 A. Yes, sir.

12 Q. So, again, this would indicate that as of
13 the date listed here, February 18th, 2011, Mr. Foust
14 continued to be involved in the aircraft owned by
15 Harry Hildibrand?

16 MR. STEWART: Objection, speculation.

17 MR. WENT: Join.

18 THE WITNESS: I believe so, yes.

19 BY MR. BRAGONJE:

20 Q. Okay. Same question for the next page.
21 And that question being, as of -- do you recognize
22 Mr. Foust's signature?

23 A. I do.

24 MR. STEWART: Objection, foundation.

25 ///

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1 BY MR. BRAGONJE:

2 Q. And do you see the date there next to the
3 signature December 17th, 2009?

4 A. Yes, I do.

5 Q. So, again, in your opinion does this
6 indicates that Mr. Foust as of the date of this
7 document continued to be involved with the aircraft
8 owned by Harry Hildibrand?

9 MR. STEWART: Objection, speculation.

10 MR. WENT: Join.

11 BY MR. BRAGONJE:

12 Q. You can answer.

13 A. Yes.

14 Q. Page 38, please. This is yet another
15 document similar to the ones we've looked at, a form
16 to be completed and sent to the State of Montana.

17 I note the date down here December 19th,
18 2008. Do you see that?

19 A. Yes, I do.

20 Q. And does that appear, based on your
21 knowledge, to be the signature of Mr. Foust?

22 MR. STEWART: Objection, foundation.

23 MR. WENT: Join.

24 THE WITNESS: Yes.

25 ///

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1 BY MR. BRAGONJE:

2 Q. Okay. And I note that this is
3 approximately a month after the time that you have
4 testified Mr. Foust disassociated from Harry
5 Hildibrand. I'm just curious -- and about the time
6 that you came on board.

7 You had no conversations with Mr. Foust
8 about the airplane around this time?

9 A. No, sir, I did not.

10 Q. Okay. Page 41, please.

11 This is a 1966 Certificate of Title from
12 the State of Montana. Do you see there the -- it
13 deals with a car described as a 1966 Ford Thunderbird?

14 A. Yes, I do.

15 Q. I think we talked about this earlier. You
16 have no knowledge of this vehicle; correct?

17 A. None whatsoever, sir.

18 Q. Next page, please. This also appears to
19 be a form issued by the Montana -- State of Montana
20 related to vehicle registration. Again in Section B,
21 if you direct your attention there, it relates to the
22 1966 Ford Thunderbird. Do you see that?

23 A. Yes, I do.

24 Q. Okay. Do you see there at the bottom, the
25 very bottom, it's signed by Harry Hildibrand, Lisa A.

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1 Haugen, Agent?

2 A. Yes, I do.

3 Q. Do you know who that is?

4 A. I do not know who Lisa A. Haugen is.

5 Q. You've never spoken with her, obviously?

6 A. I have never spoken with Lisa Haugen.

7 Q. Are you aware that Harry Hildibrand

8 employed some kind of agent to do its paperwork

9 related to registration?

10 MR. WENT: Objection, speculation.

11 THE WITNESS: I am unaware of that.

12 BY MR. BRAGONJE:

13 Q. And I note that the date of this document

14 is 13 January 2017. So this was around the time that

15 the transfer of the motor home was occurring in your

16 view; correct?

17 A. Yes, sir.

18 Q. And you had no discussions with anyone

19 about this Ford Thunderbird?

20 A. I had discussions with no one about this

21 Ford Thunderbird.

22 Q. And, again, I guess if anyone knew about

23 this, it would be Junior?

24 MR. STEWART: Objection, speculation.

25 ///

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1 BY MR. BRAGONJE:

2 Q. Is that correct?

3 A. To the best my knowledge, sir, yes, it
4 would have to have been Harry Jr.

5 Q. Next page, that would be Page 43. Now,
6 this also appears to be a printout from the State of
7 Montana. If you direct your attention down to the
8 very -- you know, probably the bottom fifth of the
9 page. Do you see there that this also appears to
10 pertain to the 1966 Ford Thunderbird?

11 A. Thunderbird, yes. 1966 Ford Thunderbird.

12 Q. And do you see there about halfway through
13 the -- up the page there, there's a fee that's been
14 assessed, total due \$133. Do you see that?

15 A. I do.

16 Q. Do you have any idea who paid that fee?

17 A. No, sir, I do not.

18 Q. Next page. I don't think this is a
19 document -- or excuse me, a car that we've talked
20 about before.

21 This is also a document from the State of
22 Montana. According to the top lines there, it relates
23 to a 1963 Chevrolet Impala SS 409. Do you see that?

24 A. Yes, I do.

25 Q. And do you see the vehicle sale date of

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1 May 13th, 2015, just a few lines beneath that?

2 A. Yes, sir, I do.

3 Q. Does Harry Hildibrand own this vehicle?

4 A. I don't know if Harry Hildibrand owns this
5 vehicle or not.

6 Q. You've never seen it?

7 A. I've never seen it.

8 Q. You know nothing about it?

9 A. I know nothing about it.

10 Q. Okay. Page 46. This is also a document
11 related to the same car we've been discussing, 1963
12 Chevrolet Impala. You can learn that by looking at
13 Section B of this form.

14 A. Uh-huh.

15 Q. The vehicle section.

16 And I doubt you know the answer to this,
17 but I'll ask anyway. Do you see there manufacturer's
18 suggested retail price?

19 A. Is that in B also, sir?

20 Q. Yes. That's in B, right there next to the
21 make and model to the left.

22 A. Manufacturer's suggested retail price,
23 yes.

24 Q. Yeah. You don't know anything about that
25 figure, do you?

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1 A. No, sir.

2 Q. The next page is also a certificate from
3 the State of Montana according to the very top of the
4 document. It relates to the 2000 GMC Yukon. Now, I
5 think we have had a few discussions about this vehicle
6 previously today. But your understanding is that
7 Mr. Foust has possession of this vehicle; correct?

8 MR. STEWART: Objection. Calls for
9 speculation.

10 THE WITNESS: I believe so.

11 BY MR. BRAGONJE:

12 Q. And what do you base that knowledge on,
13 sir?

14 A. I've actually seen him in a Yukon.
15 Whether it's the same one, you know -- but I have seen
16 him in a Yukon in Las Vegas.

17 Q. Okay. And I note that the sale date here,
18 if you see that vehicle sale date towards the top, you
19 know, the top fifth of the page, it is indicated to be
20 December 5th, 2014. Do you see that?

21 A. Yes, sir, I do.

22 Q. So this was within your tenure as manager
23 of Harry Hildibrand, but you had no discussions with
24 anyone regarding this vehicle?

25 A. No, sir. No, not about vehicles.

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1 Q. Thank you. Do you have any understanding
2 that -- well, when I deposed Mr. Foust he -- I will
3 represent to you that he testified that he -- that
4 Harry Hildibrand owns this vehicle and allows him use
5 of it as he is doing IT-related work for Harry
6 Hildibrand. Do you know anything about that?

7 A. I know nothing about that.

8 Q. Okay. Would Junior know about that?

9 A. If anyone would, sir, it would be him.

10 Q. Okay. Direct your attention to Page 58,
11 please. Let me know when you've had a chance to
12 peruse that.

13 (Pause.)

14 THE WITNESS: Okay. I reviewed this
15 document.

16 BY MR. BRAGONJE:

17 Q. So it appears to me to be some kind of a
18 form related to the motorcycle. I think we discussed
19 earlier a 2016 Kawasaki. Do you see that?

20 A. Yes, sir, I do.

21 Q. And then there's -- I just have a question
22 about the statement in the field below that, which
23 says Harry Hildibrand, LLC, and Harry Hildibrand, LLC,
24 are one in the same. No fraud intended.

25 MR. STEWART: Objection.

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1 BY MR. BRAGONJE:

2 Q. Does that mean anything to you?

3 MR. STEWART: Objection. Misstates the
4 evidence.

5 BY MR. BRAGONJE:

6 Q. Hardy Hildibrand.

7 A. I was going to say, Hardy Hildibrand. It
8 looks to be a correction, but I don't know that that
9 was the intent. Because I'm unfamiliar with this
10 vehicle, or this is the first time I've seen this
11 document.

12 Q. Do you know anything about Hardy
13 Hildibrand, LLC?

14 A. No, sir, nothing about Hardy Hildibrand.

15 Q. Thank you. Okay. The next page, Page 59.
16 Let me know when you've had chance to glance that
17 over, sir.

18 A. Okay.

19 (Pause.)

20 THE WITNESS: Okay. I've reviewed this
21 document.

22 BY MR. BRAGONJE:

23 Q. So this appears to me to be a form
24 generated by the State of California related to the
25 2016 Kawasaki motorcycle. And it appears -- and I'm

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1 looking at the Bill of Sale section kind of in the top
2 quarter of the page. It appears this vehicle was sold
3 by Del Amo Motorsports to Harry Hildibrand, LLC, for
4 \$11,000. \$11,616.50. Do you see that?

5 A. Yes, I do.

6 Q. Okay. It appears that the sale occurred
7 on July 26th, 2016. Do you see that?

8 A. Yes, I do.

9 Q. Okay. I note here now at the bottom of
10 the page, there's some information about the seller
11 kind of in the bottom quarter of the page.

12 A. Yes.

13 Q. And it appears that the -- it appears to
14 give the seller's address, 2500 Marine Avenue, Redondo
15 Beach, California. Do you see that?

16 A. I see that.

17 Q. That's -- Redondo Beach is in L.A. County;
18 isn't that right? Is that your understanding?

19 A. Yes, it is.

20 Q. Mr. Foust has a home in L.A. County; does
21 he not?

22 MR. WENT: Objection, speculation.

23 THE WITNESS: I believe he does, yes.

24 BY MR. BRAGONJE:

25 Q. Do you have any idea why Harry Hildibrand,

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1 which seems to be headquartered in Montana, would be
2 buying a motorcycle close to Mr. Foust's home in 2016?

3 MR. STEWART: Objection, speculation.

4 THE WITNESS: I have no earthly clue as to
5 why that would happen.

6 BY MR. BRAGONJE:

7 Q. The bottom of the page, there's a Power of
8 Attorney section there, Section 5. Do you see that?

9 A. Yes, sir.

10 Q. It appears to be unsigned. Do you see
11 that?

12 A. Yes, I see that.

13 Q. Who would have the permission to sign on
14 behalf of Harry Hildibrand in 2016 for a motorcycle
15 purchase like this?

16 A. I have never had a Power of Attorney on
17 behalf of HH, LLC, so I wouldn't know.

18 Q. Well, you as the manager would have the
19 authority; wouldn't you?

20 MR. WENT: Objection, legal conclusion,
21 speculation.

22 BY MR. BRAGONJE:

23 Q. You can answer.

24 A. I was referencing the Power of Attorney.
25 I've never had a Power of Attorney.

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1 Q. Who can sign on behalf of Harry
2 Hildibrand, LLC, sign documents?

3 MR. WENT: Objection, speculation, legal
4 conclusion.

5 BY MR. BRAGONJE:

6 Q. You can answer.

7 A. Harry Jr. can. I can when instructed to
8 do so. And I would only if I were instructed to do
9 so.

10 Q. Is that it?

11 A. Yes, sir.

12 Q. Okay. Refer to Page 61, please. Let me
13 know when you've had a chance to read that.

14 A. Okay.

15 (Pause.)

16 THE WITNESS: I have read it.

17 BY MR. BRAGONJE:

18 Q. Do you know who prepared that?

19 A. No, sir, I do not.

20 Q. Do you know which attorney -- do you see
21 there that there is a -- in the last column it says
22 "Category of Privilege." Do you see that?

23 A. Yes, I do.

24 Q. And then in each row it says
25 "Attorney-Client."

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1 A. Yes.

2 Q. Do you know who made the determination
3 that the documents withheld were withheld on the basis
4 of attorney/client privilege?

5 A. No, sir, I do not.

6 Q. Okay. Now we're going to start the number
7 sequence over again. It's now -- it's the next page.
8 I'm looking at just the next page, but it's HLO-SDT-S.
9 Do you see that, beginning with number 1?

10 A. Yes, I do.

11 Q. All right. Okay. I read these two, next
12 two pages numbered 1 and 2 sort of together. I
13 assume -- you've never seen these documents before?

14 A. No, sir. This is the first time I've seen
15 this document. And let me peek at the second one.

16 Q. Yeah, please. Take a moment to
17 familiarize yourself.

18 (Pause.)

19 THE WITNESS: This is the first time I
20 have seen either of these documents.

21 BY MR. BRAGONJE:

22 Q. Okay. So it's a Bill of Sale. And as I
23 read it, Harry Hildibrand is buying the 1966 Ford
24 Thunderbird. I'm just basing that based on the top
25 sort of quarter of the page. Do you see that?

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1 A. No, not yet. That has to do with the
2 notary.

3 Q. Well, the document is entitled the "Bill
4 of Sale." Do you understand that?

5 A. Oh, I was on the wrong page. I'm sorry.
6 I was on Page 1.

7 Q. Page 2. I apologize. Page 2.

8 A. Okay.

9 (Pause.)

10 THE WITNESS: Yes. This is a Bill of
11 Sale.

12 BY MR. BRAGONJE:

13 Q. And it looks like Harry Hildibrand is the
14 purchaser, correct, based on --

15 A. Yes.

16 Q. Okay. Yeah. And the subject matter is
17 this 1966 Ford Thunderbird. Do you see that?

18 A. Yes, I do.

19 Q. Okay. And then if you look down at sort
20 of the bottom quarter of the page, seller's signature.
21 Do you see that field?

22 A. Yes.

23 Q. And do you recognize that signature to be
24 that of James Foust based on your experience?

25 MR. STEWART: Objection, foundation,

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1 speculation.

2 BY MR. BRAGONJE:

3 Q. You can answer.

4 A. Yes.

5 Q. Okay. Do you see the seller's printed
6 name is the field right below that, Old Reliable
7 Tractor, Inc.?

8 A. Yes.

9 Q. Do you know anything about that entity?

10 A. Nothing.

11 Q. And you have no idea why Old Reliable
12 Tractor, Inc. would be selling a '66 Ford Thunderbird
13 to Harry Hildibrand?

14 A. I do not.

15 Q. And at the top of the page, it says "I
16 received" -- at the very top there, "I received the
17 sum of value received." Do you see that?

18 A. Yes.

19 Q. And then dollars N/A?

20 A. Yes.

21 Q. Does that indicate that no money changed
22 hands?

23 MR. WENT: Objection.

24 MR. STEWART: Objection.

25 MR. WENT: Speculation.

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1 MR. STEWART: Speculation.

2 THE WITNESS: I wouldn't know, sir.

3 BY MR. BRAGONJE:

4 Q. Okay. The next page, Page 3. Also a
5 document generated by the State of California related
6 to registration of the 2016 Kawasaki motorcycle. I'm
7 basing that on Section 1. Do you see that, sir?

8 A. Yes, I do.

9 Q. And based on Bill -- Section 2 is entitled
10 "Bill of Sale." Do you see that?

11 A. Is that the next page?

12 Q. No, the same page.

13 A. Oh, the same page.

14 Q. Just Section 2 right below -- I'm looking
15 at Page 3.

16 A. Yes, I see that.

17 Q. So I gather from this that Del Amo
18 Motorsports sold this motorcycle to Harry Hildibrand.
19 Do you agree that that is what is indicated?

20 A. That is indicated in Section 4, yes.

21 Q. And do you see there in Section 4, that's
22 the section signed by the buyer. Do you see that?

23 A. Yes, I do.

24 Q. And do you see the buyer listed as Harry
25 Hildibrand, LLC?

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1 A. Yes, I do.

2 Q. And then signing on behalf of Harry
3 Hildibrand, LLC, is Jim Foust; correct?

4 A. Yes. That's what it says.

5 MR. STEWART: Objection. Misstates the
6 evidence.

7 BY MR. BRAGONJE:

8 Q. Okay. So does this not indicate that as
9 of the date of this signature, that Mr. Foust
10 continued to be involved with Harry Hildibrand, LLC?

11 MR. WENT: Objection, speculation, legal
12 conclusion.

13 MR. STEWART: Same.

14 BY MR. BRAGONJE:

15 Q. You can answer.

16 A. I don't know.

17 Q. Do you recognize Mr. Foust's signature?

18 MR. STEWART: Objection, foundation.

19 BY MR. BRAGONJE:

20 Q. You may answer.

21 A. It looks like it. And once again, for the
22 record, sir, this is the first time I've ever seen
23 this document.

24 Q. Are you surprised to see Jim Foust's
25 signature on so many pages after 2008 when he

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1 resigned?

2 MR. WENT: Objection, ambiguous,
3 uncertain.

4 THE WITNESS: As pertaining to the
5 aircraft, none whatsoever. As pertaining to this
6 particular motorcycle, I am surprised, yes.

7 BY MR. BRAGONJE:

8 Q. Did Junior ever tell you anything about
9 Foust's continued involvement in Harry Hildibrand?

10 A. No, sir.

11 Q. Did Mr. Foust ever mention anything like
12 that to you?

13 A. No, sir.

14 Q. Next page, please, Page 4.

15 A. Yes, sir.

16 Q. This is a document -- let me know when
17 you've had a chance to peruse.

18 A. I am finished perusing.

19 Q. So this is a Bill of Sale generated by the
20 State of Montana, again, relating to the 2000 GMC
21 Yukon. Do you see that?

22 A. Yes, sir.

23 Q. Do you have knowledge of anyone using this
24 vehicle, this 2000 GMC Yukon, other than Mr. Foust?

25 A. I do not.

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1 Q. And you do not know how much was paid by
2 Harry Hildibrand to buy this vehicle from Mr. Foust,
3 do you?

4 A. No, sir, I do not.

5 Q. And the first line there, it says "Dollars
6 N/A." Do you see that?

7 A. Yes.

8 Q. Wouldn't that typically mean not
9 applicable?

10 MR. STEWART: Objection, speculation.

11 MR. WENT: Join.

12 THE WITNESS: Yes.

13 BY MR. BRAGONJE:

14 Q. So does this document strike you as
15 indicating that no money was paid for this vehicle?

16 MR. STEWART: Objection, speculation.

17 MR. WENT: Join. Objection, ambiguous,
18 uncertain.

19 THE WITNESS: I don't know, sir.

20 BY MR. BRAGONJE:

21 Q. Have you ever used this car?

22 A. No, sir.

23 Q. Have you ever seen it?

24 A. Yes. I have seen Jim Foust in a Yukon.

25 If it were a 2000 or a 2004, I wouldn't know. But I

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1 have seen him in a Yukon in Las Vegas.

2 Q. Page 6, please. Let me know when you've
3 had a chance to review this, sir.

4 A. Okay.

5 (Pause.)

6 THE WITNESS: I have reviewed this page.

7 BY MR. BRAGONJE:

8 Q. Okay. This is for the -- do you see there
9 that this document relates to a 2007 Mercedes S550?

10 A. Yes, I do.

11 Q. And this is one of the vehicles we
12 discussed earlier that continues to be owned by Harry
13 Hildibrand; correct?

14 A. To my understanding, yes.

15 Q. All right. And in the possession of
16 Mr. Foust or his family members; correct?

17 A. A family member, I believe. And I don't
18 know if it would be his wife or one of his daughters.
19 But, yes, one of his family members.

20 Q. And it is also your understanding that no
21 money has been paid for this; correct?

22 MR. STEWART: Objection.

23 BY MR. BRAGONJE:

24 Q. Excuse me. Strike the question.

25 I believe, if I remember your testimony

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1 earlier, you testified that you understood from Junior
2 that either Mr. Foust -- neither Mr. Foust nor any of
3 his family members had actually paid money in
4 connection with this alleged purchase. Is that your
5 understanding?

6 MR. WENT: Objection. Misstates
7 testimony.

8 MR. STEWART: And speculation.

9 BY MR. BRAGONJE:

10 Q. You can answer.

11 A. Okay. My recollection is that final
12 payments have not been made, and I don't know if any
13 payments have been made to date. But I do know
14 there's a balance that is due, but I don't know what
15 that balance is, and I've asked to get the contracts
16 so that I can answer that.

17 Q. And those contracts exist?

18 A. I don't know. I don't know. I will be
19 asking Junior for these contracts if they exist. I
20 don't know if they did a word of mouth, a handshake or
21 what they did. I have no idea.

22 Q. So directing your attention there to the
23 value -- the first line there talks about the price
24 paid. And, again, it's the same language we've seen
25 before "Value Received N/A."

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1 That would be -- well, do you agree that
2 one way to interpret those words "Value Received and
3 Not Applicable" is that no money exchanged hands?

4 MR. STEWART: Objection as to form and as
5 it calls for speculation.

6 MR. WENT: Join.

7 BY MR. BRAGONJE:

8 Q. You can answer.

9 A. I don't know.

10 Q. All right. Next page, Page 7. This
11 relates to the -- take a moment to look at that. It
12 relates to the Volvo we talked about earlier, I'll
13 tell you that.

14 A. This is the first time I've seen this one
15 too.

16 (Pause.)

17 THE WITNESS: Okay. I have reviewed this.

18 BY MR. BRAGONJE:

19 Q. I guess my question is, why is this even
20 in here? What does this have to do with Harry
21 Hildibrand?

22 A. I have no idea, sir. It's like I have no
23 idea.

24 THE WITNESS: Joe, did this come from
25 Heggen's Law Office?

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1 MR. WENT: You have to answer his
2 questions.

3 BY MR. BRAGONJE:

4 Q. If you don't know, that's fine.

5 A. No, I don't know, sir.

6 Q. Do you know who uses this car? Does your
7 former father-in-law still use it?

8 A. No, sir. No, sir.

9 Q. Why do you say that?

10 A. Well, I see them all the time, and I don't
11 think he's driven this vehicle since, wow, 2016, '15.

12 Q. What did he do with it?

13 A. Actually he drove it for his everyday car.

14 Q. And then at some point, I guess, he got
15 rid of it?

16 A. He traded it in for a Rave or a Rav4, or I
17 don't know what they bought. They've had a couple of
18 cars since then.

19 Q. Could you direct your attention now --
20 we're going to look here at the last -- it's about 26
21 pages, it looks like 25 pages, new alphanumeric
22 designation at the bottom, pretty long.

23 HHLLC-Santander, and it's documents 1 through 26. Do
24 you see those?

25 A. Yes.

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1 Q. Okay. Just a general question about
2 Santander. Have you personally ever had any
3 communication with Santander?

4 A. No, sir.

5 Q. Has Junior?

6 A. I'm unaware of that.

7 MR. STEWART: Objection. Calls for
8 speculation.

9 BY MR. BRAGONJE:

10 Q. Thank you. Would you direct your
11 attention to Page 8, please. Has Junior ever said
12 anything to you like -- along the lines that Santander
13 deals with Foust or Santander believes that Foust is
14 its customer, any communications like that with
15 Junior?

16 A. No, sir.

17 Q. Page 8, please, is a -- looks like a
18 series of checks. They are very small. I didn't
19 elect the size, so don't hold me accountable for that.
20 They are pretty hard to read.

21 It looks like there are six checks on this
22 page. Does that look like -- I know it's pretty
23 small. But the first three, does that look like Jim
24 Foust's signature?

25 MR. STEWART: Objection, foundation.

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1 THE WITNESS: It's definitely his name,
2 yes.

3 BY MR. BRAGONJE:

4 Q. Okay. So to your knowledge, other than
5 the two checks that we talked about earlier that you
6 signed on behalf of HH payable to Santander, that's
7 the universe of your knowledge of payments made to
8 Santander by Harry Hildibrand; correct?

9 A. That's correct, sir.

10 Q. So I will represent to you these are
11 documents that were received from Santander, is what I
12 gather. And directing your attention to Pages 11
13 through 25.

14 A. Okay.

15 Q. It appears to be a payment ledger. Would
16 you agree?

17 A. Yes, I would.

18 Q. And you really have no knowledge about who
19 made these payments; is that correct?

20 A. Oh, that's correct, sir.

21 Q. Do you agree with the positions
22 Mr. Foust -- well, do you know there was a trial or an
23 evidentiary hearing back the day after Valentine's
24 Day?

25 A. No.

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Deposition of Edward Detwiler
Baker Boyer National Bank v. Foust, Jr.

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1 Q. February 15th?

2 A. No.

3 Q. Did Mr. Foust contact you at all about a
4 court proceeding, Mr. Foust or anyone else in
5 February?

6 A. No, sir. I was not made aware of that.

7 Q. Are you aware of it now?

8 A. Oh, yes. Yeah, I'm sitting here. Yes,
9 sir, I'm aware.

10 Q. So you don't understand that at some point
11 Mr. Foust was in court, and he was sworn and went on
12 the stand and gave testimony? That's not something
13 you're familiar with?

14 A. Well, I am now, yes, sir.

15 Q. How did you --

16 A. But at the time, no, I wasn't.

17 Q. How did you become aware of this
18 situation?

19 MR. WENT: Objection to the extent it
20 calls for attorney/client communication and instruct
21 the witness not to answer.

22 BY MR. BRAGONJE:

23 Q. Did you learn about it from Mr. Foust
24 directly? I'm not talking about what your attorney
25 told you, but did Mr. Foust call you?

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Deposition of Edward Detwiler
Baker Boyer National Bank v. Foust, Jr.

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1 A. No.

2 Q. Well, I'll represent to you that Mr. Foust
3 testified at the trial -- no shock here -- that Harry
4 Hildibrand owned the motor coach, not him. Do you
5 agree with that statement?

6 A. Yes, sir, I do.

7 Q. And I will represent to you that Mr. Foust
8 also testified on February 15th of this year that he
9 had no ownership interest in Harry Hildibrand. Do you
10 agree with that?

11 A. No.

12 Q. You don't?

13 A. No.

14 Q. You think Mr. Foust has an ownership
15 interest in Harry Hildibrand?

16 A. I believe he has a .5 percent ownership
17 interest in Harry Hildibrand. That's what I think,
18 and that's based on documents that I have actually
19 seen. So I would say no.

20 Q. What documents are those?

21 A. There was a document that after Harry Sr.
22 died that showed the heirs and what their percentage
23 of ownership was, and it was 99.5 percent, and there
24 was a .5 percent that was shown owned by James Foust.

25 I don't know if that document has been

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1 amended or has been changed, and I haven't seen any
2 document that superseded that one. So to the best of
3 my knowledge, Jim Foust owns .5 percent of the -- of
4 any distributions that would be made through Harry
5 Hildibrand. That's my understanding.

6 Q. Is that a document you have in your
7 possession, sir?

8 A. No, sir.

9 Q. And I think -- if I'm recalling correctly,
10 I think you testified earlier that you don't really
11 remember what form this document took or where you saw
12 it; is that right?

13 A. That is correct.

14 MR. WENT: Objection. Misstates
15 testimony.

16 BY MR. BRAGONJE:

17 Q. You can answer.

18 A. Would you repeat the question, please, so
19 I know what I'm answering to?

20 Q. I'm just trying to confirm -- I'm just
21 trying to make sure I understand what you said
22 earlier.

23 And I think that your testimony was along
24 the lines -- I'm not going to quote; it's obviously
25 not verbatim. But I think that you said you didn't

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Deposition of Edward Detwiler
Baker Boyer National Bank v. Foust, Jr.

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1 remember where you had seen this document or exactly
2 the title of the document; is that a fair summary?

3 A. Yes, it is.

4 MR. WENT: Same objection.

5 BY MR. BRAGONJE:

6 Q. Again, this trial that happened on
7 February 15, 2018, Mr. Foust testified -- I'll
8 represent to you that he testified, just like we've
9 talked about today and according to the documents that
10 we've read, that he ceased being a manager on
11 November 12th, 2018. Do you agree with that?

12 MR. STEWART: Objection. I think you
13 misstated evidence. What date did you give? I think
14 you said '18.

15 MR. BRAGONJE: Oh, yeah. November 12th,
16 2008. Yeah.

17 THE WITNESS: That is correct.

18 BY MR. BRAGONJE:

19 Q. And at the evidentiary hearing on
20 February 15th of this year, Mr. Foust also testified
21 that he sold the motor coach to Harry Hildibrand for
22 \$5,000. Do you agree with that statement?

23 MR. STEWART: Objection. That misstates
24 prior testimony.

25 ///

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Deposition of Edward Detwiler
Baker Boyer National Bank v. Foust, Jr.

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1 BY MR. BRAGONJE:

2 Q. Let's assume -- I'm just going to ask you
3 a hypothetical question. Assume that if Mr. Foust had
4 testified on February 15th that he sold the motor
5 coach to Harry Hildibrand for \$5,000, do you agree
6 with that statement?

7 MR. WENT: Objection.

8 MR. STEWART: Speculation. It's a
9 hypothetical question. He can answer that.

10 MR. WENT: Assumes facts not in evidence.

11 BY MR. BRAGONJE:

12 Q. You can answer.

13 A. Okay. That would be technically
14 incorrect. Because we assumed the responsibility of
15 \$130,000 underlying financing on it, so those two
16 numbers together are significantly greater than the
17 \$5,000 that you mentioned.

18 The amount of cash that was extended from
19 HH to Jim Foust would have been \$5,000. So I think
20 that sums that up more accurately.

21 Q. And I will represent that Mr. Foust --
22 again, these are not verbatim quotes, but giving you a
23 flavor of what I believe he said -- I was there -- he
24 said that -- and I think you talked about this
25 earlier.

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Deposition of Edward Detwiler
Baker Boyer National Bank v. Foust, Jr.

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1 He said that he had to arrange use of the
2 motor home through you; is that accurate?

3 A. Yes, sir. And he did call me several
4 times to say, "Hey, I'm coming to town." I said,
5 "Okay. Thank you."

6 MR. BRAGONJE: I'm just going to check my
7 notes, take a little break. I think I'm done. I'm
8 going to double check.

9 MR. WENT: Is there a question pending?

10 MR. BRAGONJE: No.

11 (A recess was taken.)

12 BY MR. BRAGONJE:

13 Q. Do you understand you're still under oath,
14 Mr. Detwiler.

15 A. Yes, sir, I do.

16 Q. I just want to explore a little bit,
17 without invading the attorney/client privilege, how
18 you became aware of these proceedings. So we can look
19 at it again, but we looked at it earlier.

20 The e-mail you sent to Mr. Foust, was
21 there a response to that e-mail?

22 A. Yes.

23 Q. What was the response?

24 A. The response was "You're kidding." And I
25 said, "No, it's gone. Do you have it?" And there was

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Deposition of Edward Detwiler
Baker Boyer National Bank v. Foust, Jr.

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1 a phone call after that, and then I was made aware
2 that -- so what I did was I went and filed a police
3 report on behalf of HH.

4 And then I found out that it was -- it had
5 been taken by the bank. I don't even know who the
6 bank is. And honestly I don't even know what his
7 Charlie Foxtrot that he's done up there, what it
8 pertains to or anything. I don't know what happened
9 there.

10 Q. Up there, you're talking about the debt he
11 has --

12 A. Yeah, the debt. When I say up there, I
13 know the bank is in Washington, but that's all I know
14 as far as, you know, what happened or...

15 Why he owes them money, I don't know.

16 Q. So I see the police report in here. It's
17 part of these documents. We didn't discuss it. Let's
18 see here. It looks like Page -- back in the front of
19 the binder, it looks like it starts on Page 34, HLLC
20 34.

21 A. Okay.

22 Q. It looks like it goes through about 40.
23 Did you give a copy of this police report to Jim
24 Foust?

25 A. No, sir, I did not.

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Baker Boyer National Bank v. Foust, Jr.

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1 Q. Okay. So what happened next? So you had
2 this telephone call -- you said you had a phone call,
3 and I assume that was between you and Mr. Foust?

4 A. Yes, it was.

5 Q. Okay. What happened after that?

6 A. I came to find out that the motor coach
7 had been taken by the bank that he owed money to. And
8 that's when I became aware of all of the proceedings
9 that are going on right now.

10 Q. Did anyone ask you to come to the trial on
11 February 15th?

12 A. No, sir.

13 Q. My understanding is that it was mentioned
14 at that time that you were out of the country. Is
15 that true?

16 A. I was in Roatan, yes.

17 Q. You weren't -- were you talking to Mr.
18 Foust around this time, around the time you were out
19 of the country?

20 A. Just -- no. When I was out of the
21 country, no.

22 MR. BRAGONJE: I have no further
23 questions.

24 MR. WENT: No questions.

25 MR. STEWART: I have no questions.

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Deposition of Edward Detwiler
Baker Boyer National Bank v. Foust, Jr.

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1 THE REPORTER: Does anyone want a copy of
2 this transcript?

3 MR. BRAGONJE: Definitely.

4 MR. STEWART: I do.

5 MR. WENT: I want one as well.

6 (Thereupon, the deposition concluded at
7 1:43 p.m.)

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CERTIFICATE OF DEPONENT

I, EDWARD DETWILER, deponent herein, do hereby certify and declare the within and foregoing transcription to be my deposition in said action, subject to any corrections I have heretofore submitted; and that I have read, corrected and do hereby affix my signature to said deposition.

EDWARD DETWILER, Deponent

Subscribed and sworn to before me this _____
day of _____, _____.

STATE OF NEVADA)
 ss:
COUNTY OF CLARK)

Notary Public

CERTIFICATE OF REPORTER


I, Gayle Szelinski, a Certified Court Reporter
licensed by the State of Nevada, do hereby certify:

That I reported the deposition of the witness,
Edward Detwiler, commencing on Friday, July 6, 2018, at
9:32 a.m.;

That prior to being examined, the witness was by
me first duly sworn to testify to the truth, the whole
truth, and nothing but the truth; that I thereafter
transcribed my related shorthand notes into typewriting
and that the typewritten transcript of said deposition
is a complete, true and accurate record of testimony
provided by the witness at said time.

I further certify that (1) I am not a relative or
employee of an attorney or counsel of any of the
parties, nor a relative or employee of any attorney or
counsel involved in said action, nor a person
financially interested in the action, and (2) that
pursuant to Rule 30(e), transcript review by the
witness was requested.

IN WITNESS WHEREOF, I have hereunto set my hand in
my office in the County of Clark, State of Nevada,
this 16th day of July, 2018.



GAYLE SZELENSKI, CCR NO. 585

EVID

Joseph G. Went, Esq.
Nevada Bar No. 9220
Sydney R. Gambee, Esq.
Nevada Bar No. 14201
Rachel L. Wise
Nevada Bar No. 12303
HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, NV 89134
Phone: (702) 222-2572
Fax: (702) 666-8219

Attorneys for Harry Hildibrand, LLC

DISTRICT COURT**CLARK COUNTY, NEVADA**

BAKER BOYER NATIONAL BANK, a
Washington corporation,

Plaintiff/Judgement Creditor,

v.

JAMES PATTERSON FOUST, JR., also
known as James P. Foust, Jr., individually,
and his marital community, if any,

Defendant/Judgment Debtor.

Case No. A-17-760779-F

Dept. No. II

**THIRD-PARTY CLAIMANT, HARRY
HILDIBRAND, LLC'S EVIDENTIARY
HEARING DISCLOSURE**

DATE: June 29, 2018

TIME: 9:00 a.m.

I.**LIST OF WITNESSES**

The following are witnesses the Third-Party Claimant, Harry Hildibrand, LLC
("Hildibrand"), expects to present or who may be called at the Evidentiary Hearing:

1. Edward Detwiler
2. James Foust
3. Person Most Knowledgeable of Baker Boyer National Bank

The following are witnesses Hildibrand expects to subpoena:

1. None

The following are witnesses Hildibrand may call if the need arises:

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EXHIBIT 1
WITNESS DETWILER
DATE: 7-6-18

GAYLE SZELINSKI, OCR #585

HOLLAND & HART LLP
9555 HILLWOOD DRIVE, 2ND FLOOR
LAS VEGAS, NV 89134

1. James Foust
2. Edward Detwiler
3. Person Most Knowledgeable of Baker Boyer National Bank

The following are witnesses Hildibrand expects or may need to present as deposition testimony:

1. None

Hildibrand reserves the right to amend and supplement the foregoing list of witnesses. Furthermore, Hildibrand reserves the right to call any witnesses disclosed by any other party to this action.

II.

LIST OF DOCUMENTS / EXHIBITS

The following are all documents and/or exhibits, which Hildibrand expects to offer at the Evidentiary Hearing if the need arises:

1. November 16, 2006 Montana SOS Certificate of Filing Articles of Incorporation- Harry Hildibrand, LLC (Bates Nos. **HHLLC 000001 – HHLLC 000003**).
2. March 13, 2007 Montana SOS LLC Annual Report- Harry Hildibrand, LLC (Bates No. **HHLLC 000004**).
3. August 27, 2007 Montana SOS Certificate of Filing Articles of Amendment- Harry Hildibrand, LLC (Bates Nos. **HHLLC 000005 – HHLLC 000006**).
4. October 9, 2007 Montana SOS Certificate of Filing Articles of Amendment- Harry Hildibrand, LLC (Bates Nos. **HHLLC 000007 – HHLLC 000008**).
5. February 25, 2008 Montana SOS LLC Annual Report- Harry Hildibrand, LLC (Bates No. **HHLLC 000009**).
6. January 19, 2009 Montana SOS LLC Annual Report- Harry Hildibrand, LLC (Bates No. **HHLLC 000010**).
7. January 26, 2010 Montana SOS LLC Annual Report- Harry Hildibrand, LLC (Bates No. **HHLLC 000011**).

- 1 8. March 9, 2011 Montana SOS LLC Annual Report- Harry Hildibrand, LLC (Bates
2 No. **HHLLC 000012**).
- 3 9. January 19, 2012 Montana SOS LLC Annual Report- Harry Hildibrand, LLC
4 (Bates No. **HHLLC 000013**).
- 5 10. March 7, 2013 Montana SOS LLC Annual Report- Harry Hildibrand, LLC (Bates
6 No. **HHLLC 000014**).
- 7 11. March 7, 2014 Montana SOS LLC Annual Report- Harry Hildibrand, LLC (Bates
8 No. **HHLLC 000015**).
- 9 12. March 16, 2015 Montana SOS LLC Annual Report- Harry Hildibrand, LLC
10 (Bates No. **HHLLC 000016**).
- 11 13. August 18, 2015 Montana SOS Statement of Change- Harry Hildibrand, LLC
12 (Bates No. **HHLLC 000017**).
- 13 14. August 11, 2016 Montana SOS LLC Annual Report- Harry Hildibrand, LLC
14 (Bates No. **HHLLC 000018**).
- 15 15. September 27, 2017 Montana SOS LLC Annual Report- Harry Hildibrand, LLC
16 (Bates Nos. **HHLLC 000019 – HHLLC 000020**).
- 17 16. September 27, 2017 Montana SOS Certification Letter- Harry Hildibrand, LLC
18 (Bates No. **HHLLC 000021**).
- 19 17. November 30, 2017 Montana SOS Involuntary Dissolution Intent Notice- Harry
20 Hildibrand, LLC (Bates Nos. **HHLLC 000022 – HHLLC 000023**).
- 21 18. February 12, 2018 Montana SOS LLC Annual Report- Harry Hildibrand, LLC
22 (Bates Nos. **HHLLC 000024 – HHLLC 000025**).
- 23 19. February 12, 2018 Montana SOS Certification Letter- Harry Hildibrand, LLC
24 (Bates No. **HHLLC 000026**).
- 25 20. March 20, 2018 Montana SOS Articles of Amendment- Harry Hildibrand, LLC
26 (Bates Nos. **HHLLC 000027 – HHLLC 000029**).
- 27
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21. March 20, 2018 Montana SOS Certification Letter- Harry Hildibrand, LLC (Bates No. **HHLLC 000030**).
22. November 12, 2008 Minutes of Special Meeting of Harry Hildibrand, LLC (Bates Nos. **HHLLC 000031**).
23. February 9, 2017 Montana Boat Title Certificate (Bates No. **HHLLC 000032**).
24. February 4, 2018 Email from Ed Detwiler to Jim re: My coach (Bates No. **HHLLC 000033**).
25. February 4, 2018 Las Vegas Metropolitan Police Department Case Report (Bates Nos. **HHLLC 000034 – HHLLC 000036**).
26. February 4, 2018 Las Vegas Metropolitan Police Department Case Report (with exhibit attachment) (Bates Nos. **HHLLC 000037 – HHLLC 000040**).
27. Title Certificates and supporting documents (Bates Nos. **HHLLC 000041 – HHLLC 000052**).
28. February 27, 2018 Verified Third-Party Claim of Harry Hildibrand LLC in Response to Writ of Execution (Bates Nos. **HHLLC 000053 – HHLLC 000054**).
29. March 01, 2018 Declaration of Edward N. Detwiler in Support of Application for Hearing Within 10 Days on Third Party's claim of Interest in Property Levied Upon (Bates Nos. **HHLLC 000055 – HHLLC 000057**).
30. Undated Harry Hildibrand Dates (Bates No. **HHLLC 000058**).
31. Undated Vehicle Transfer Log (Bates Nos. **HHLLC 000059 – HHLLC 000060**).
32. Undated Cash Flow (Bates Nos. **HHLLC 000061**).
33. December 29, 2006 Operating Agreement of Harry Hildibrand, LLC (Bates Nos. **HHLLC 000062 – HHLLC 000065**).
34. January 1, 2017 1997 Prevost Coach Sales Agreement between James Patterson Foust and Harry Hildibrand, LLC (Bates Nos. **HHLLC 000066**).
35. March 20, 2018 Montana SOS Certification Letter with Articles of Amendment- Harry Hildibrand, LLC (Bates Nos. **HHLLC 000067 – HHLLC 000070**).

36. Chase Bank Payment Activity Log for Business Account -3988 (Bates Nos. **HHLLC 000071 – HHLLC 000074. Please note, redactions made for account numbers).**

37. Documents produced by Heggen Law Office pursuant to Plaintiff Baker Boyer National Bank's March 22, 2018 Subpoena Duces Tecum¹ (Bates Nos. **HLO-SDT 000001 – HLO-SDT 000060).**

38. Privilege Log produced by Heggen Law Office pursuant to Plaintiff Baker Boyer National Bank's March 22, 2018 Subpoena Duces Tecum, noting responsive documents withheld for Attorney-Client privilege (Bates No. **HLO-SDT 000061).**

39. Previously withheld, privilege documents,² responsive to Plaintiff Baker Boyer National Bank's March 22, 2018 Subpoena Duces Tecum (Bates Nos. **HLO-SDT-S 000001 – HLO-SDT-S 000009).**

40. June 22, 2018 Certificate of Custodian of Record for Heggen Law Office in response to Subpoena Duces Tecum (Bates No. **HLO-SDT-S 000010).**

41. Documents produced by Santander Consumer USA Inc. pursuant to Subpoena Duces Tecum (Bates Nos. **HHLLC-SANTANDER 000001 – HHLLC-SANTANDER 000026. Please note, redactions made for SSN and account numbers).**

Hildibrand reserve the right to amend and supplement the foregoing list of documents as necessary. Furthermore, Hildibrand reserves the right to refer to, utilize and/or rely upon any documents disclosed by any other party to this action.

III.

¹ Initially, Heggen Law Office, who was directly subpoenaed by Plaintiff, responded to Plaintiff's Subpoena Duces Tecum, directly to Plaintiff. Plaintiff then provided the document set to all parties, without bates stamp. Counsel for Hildibrand designated the HLO-SDT bates designation and provided sets to all parties.

² Upon further review, documents previously withheld for Attorney-Client privilege, as noted on the privilege log, bated as HLO-SDT 000061 in the initial response to Plaintiff's Subpoena Duces Tecum, were found to contain no privileged information and, therefore, released in a supplemental response to all parties in this action, via June 22, 2018 letter from Hildibrand's counsel.

OBJECTIONS

Hildibrand reserves the right to object to any and all exhibits offered by any party to this action. Hildibrand reserves the right to amend this Evidentiary Hearing Disclosure. Hildibrand reserves the right to use additional documents that are designated by any of the parties to this action, or otherwise become necessary for impeachment or rebuttal purposes. Hildibrand reserves the right to utilize certain of the foregoing exhibits for a limited purpose.

Hildibrand objects to any Exhibit offered, or proposed to be offered, by any parties to this action that have not been properly disclosed pursuant to the Rules of Civil Procedure.

DATED this 25th day of June, 2018.

HOLLAND & HART LLP

/s/ Joseph G. Went

Joseph G. Went, Esq.
Nevada Bar No. 9220
Sydney R. Gambee, Esq.
Nevada Bar No. 14201
Rachel L. Wise, Esq.
Nevada Bar No. 12303
9555 Hillwood Drive, 2nd Floor
Las Vegas, NV 89134
Attorneys for Harry Hildibrand, LLC

CERTIFICATE OF SERVICE

Pursuant to Nev. R. Civ. P. 5(b), I hereby certify that on the 25th day of June, 2018, I served a true and correct copy of the foregoing **THIRD-PARTY CLAIMANT, HARRY HILDIBRAND, LLC'S EVIDENTIARY HEARING DISCLOSURE** by the following method(s):

- ☒ Electronic: by submitting electronically for filing and/or service with the Eighth Judicial District Court's e-filing system and served on counsel electronically in accordance with the E-service list to the following email addresses:

John E. Bragonje
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Foust, Jr.*

/s/ Valerie Larsen
An Employee of Holland & Hart LLP

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C162787



716137

PRIORITY ★

Montana State Capitol
PO Box 202801
Helena, MT 59620-2801
(406) 444-3665
<http://www.sos.mt.gov>

HEGGEN LAW OFFICE PC
ATTORNEY AT LAW
818 W CENTRAL AVE STE 3
MISSOULA MT 59801

RE: HARRY HILLDIBRAND, LLC
ARTICLES OF ORGANIZATION
Filing Date: November 15, 2006
Filing Number: C-162787 - 716137

November 16, 2006

Dear Mr. Heggen:

I've approved the filing of the documents for the above named entity. The document number and filing date have been recorded on the original document. This letter serves as your certificate of filing and should be maintained in your files for future reference.

Also attached is the certified copy you requested.

Thank you for giving this office the opportunity to serve you. If you have any questions in this regard, or need additional assistance, please do not hesitate to contact the Business Services Bureau professionals at (406) 444-3665.

Sincerely,

BRAD JOHNSON
Secretary of State

11/15/2006

14:42

HEGGEN LAW → 17004443976

406 543 8190

C-162782 NO. 930 002
STATE OF MONTANA

FILED

NOV 15 2006

SECRETARY OF STATE
116137

PRIORITY

ARTICLES OF ORGANIZATION
FOR
HARRY HILDIBRAND, LLC

The undersigned natural person, of legal age, acting as organizer of a domestic limited liability company under the provisions of the Montana Limited Liability Company Act, hereby adopts the following Articles of Organization for such limited liability company.

ARTICLE I.

Name

The name of this limited liability company shall be:

HARRY HILDIBRAND, LLC

ARTICLE II.

Registered Office and Registered Agent

The initial registered office of limited liability company within the State of Montana shall be at **818 W. Central Ave, Suite 3, Missoula, Montana, 59801**, and the registered agent of the limited liability company residing at such address shall be **Jared S. Heggen**.

ARTICLE III.

Address of Principal Place of Business in Montana

The address shall be at **818 W. Central Ave, Suite 3, Missoula, Montana, 59801**.

ARTICLE IV.

Latest Date of Dissolution

The latest date on which the LLC is to dissolve is **11/30/2036**.

ARTICLE V.

Management

The LLC will be managed by a manager.

ARTICLE VI.

Manager's Name and Address

The initial manager of the LLC shall be **MONTANA RV REGISTRATION, LLC, 818 W. Central Ave., Ste 3, Missoula, MT 59801**. C-116759

ARTICLE VII.

Organizer

The name and address of the Organizer of the LLC is as follows:

Jared S. Heggen
818 W. Central Ave, Suite 3
Missoula, Montana 59801

IN WITNESS WHEREOF, I have hereunto set my hand this Wednesday, November 15, 2006.

11/15/2006


14:42

HEGGEN LAW → 17004443976

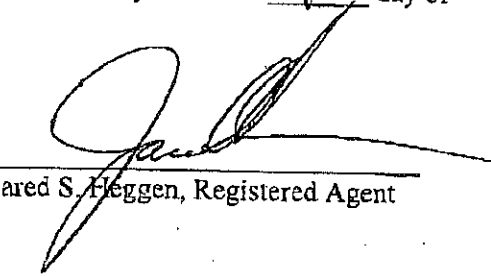
NO. 930

D03

406 543 8190


Jared S. Heggen, Organizer

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of
November, 2006.


Jared S. Heggen, Registered Agent

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RECEIVED TIME NOV. 15. 1:39PM

HHLLC 000003

MONTANA LIMITED LIABILITY COMPANY ANNUAL REPORT - 2007

FILED ELECTRONICALLY IN ORDER FOR YOUR LIMITED LIABILITY COMPANY TO REMAIN ACTIVE AND IN GOOD STANDING AND PREVENT INVOLUNTARY DISSOLUTION/REVOCATION PER 35-8-208, MCA.

Filed Date 03/13/2007
Document No. 759298
Filing Time 11:39AM

HARRY HILLDIBRAND, LLC

JARED S HEGGEN
818 WEST CENTRAL AVENUE STE 3
P. O. BOX 16270 MISSOULA MONTA
MISSOULA MT 59801

FOLDER ID NUMBER: C162787
STATE/COUNTRY OF JURISDICTION: MT

1. Address of principal office: 818 W CENTRAL AVE STE 3 MISSOULA MT 59801
2. The limited liability company is managed by: LLC MANAGED BY MANAGERS
3. Names and Addresses of individual Managers or Members:
4. Names and Addresses of registered business Managers or Members: Businesses listed in this section would be registered with the Secretary of State's Office.

#C116759 NAME MONTANA RV REGISTRATION, LLC
ADDRESS 818 W CENTRAL AVE STE 3 MISSOULA MT 59801

By submitting this filing electronically to the Montana Secretary of State's Office, I state that I, as a member of the above limited liability company am authorized to execute documents on its behalf. Any and all statements herein are true and are based upon actions taken by the LLC in accordance with its Articles of Organization or Operating Agreement, and with the laws of the State Montana.

I further state that the LLC remains in existence and has taken the necessary actions during the past year to preserve this status. I make all of the statements herein under penalty of false swearing in accordance with 45-7-202, MCA.

Electronically Submitted by: JARED HEGGEN
AVE. STE. 3 MISSOULA MT 59801

Submitter Address: 818 WEST CENTRAL

ALL INFORMATION PROVIDED, INCLUDING NAMES AND ADDRESSES OF MEMBERS OR MANAGERS, WILL BE MADE AVAILABLE ON THE SECRETARY OF STATE'S WEBSITE <http://www.sos.mt.gov> OR UPON REQUEST.

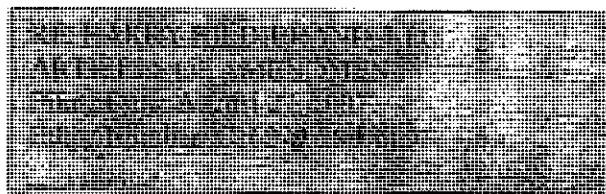
SECRETARY OF STATE



Montana State Capitol
PO Box 202801
Helena, MT 59620-2801
(406)444-3665
<http://www.sos.mt.gov>

HEGGEN LAW OFFICE PC
PO BOX 16270
MISSOULA MT 59808

PRIORITY



August 27, 2007

Dear Sir or Madam:

I've approved the filing of the documents for the above named entity. The document number and filing date have been recorded on the original document. This letter serves as your certificate of filing and should be maintained in your files for future reference.

Pursuant to your request, I have deducted \$45.00 from your prepaid account to cover the costs of this transaction.

Also attached is the certified copy you requested.

Thank you for giving this office the opportunity to serve you. If you have any questions in this regard, or need additional assistance, please do not hesitate to contact the Business Services Bureau professionals at (406) 444-3665.

Sincerely,

BRAD JOHNSON
Secretary of State

AUG. 27. 2007 10:04AM

HEGGEN LAW OFFICE
HEGGEN LAW OFFICE

NO. 713 P. 2/3

STATE OF MONTANA

ARTICLES of AMENDMENT for DOMESTIC LIMITED
LIABILITY COMPANY

MAIL: BRAD JOHNSON
Secretary of State
P.O. Box 202801
Helena, MT 59620-2801

PHONE: (406)444-3665

FAX: (406)444-3976

WEB SITE: sos.mt.gov



Prepare, sign, submit with an original signature and filing fee.
This is the minimum information required.
(This space for use by the Secretary of State only)

800669
STATE OF MONTANA
FILED
AUG 27 2007

SECRETARY OF STATE

Filing Fee \$15.00

☒ 24 Hour Priority Filing Add \$20.00☐ 1 Hour Expedite Filing Add \$100.00

C 162787

PLEASE CHECK ONE BOX:

☒ Limited Liability Company ☐ Professional Limited Liability Company

1. The current name of this Limited Liability Company is: HARRY HILDBRAND, LLC
2. The following amendment was adopted in the manner provided for by the Montana Limited Liability Company Act:
NEW MANAGER: JAMES P. FOWST, 10821 WOODSTREAM CT., LAS VEGAS, NV 89135
3. The date the articles of organization were filed is: 11/15/2006
(Mo/day/year)

[Signature]
Signature of Member or Manager

INITIAL MANAGER
Title

8/27/07
Date

- ❖ All information provided, including names and addresses of officers and directors, will be made available on the Secretary of State's web site or upon request.
- ❖ There are important legal and accounting implications with respect to this corporation action. Suitable legal and accounting advice should be secured before submission. The Secretary of State's office encourages that such advice be sought prior to filling out forms to be sure that you understand the terms and procedures.
- ❖ Please be advised that the Business Services Bureau of the Montana Secretary of State will process your business documents within 10 working days of initial receipt. During this period if it's determined that your document doesn't meet statutory requirements, a letter outlining the deficiencies will be returned to the original submitter. If the document is complete and correct, the document will be filed and an acknowledgment copy showing completion returned to the original submitter.

OCT. 9. 2007 10:40AM

HEGGEN LAW OFFICE
HEGGEN LAW OFFICE

NO. 228 P. 2

STATE OF MONTANA

ARTICLES of AMENDMENT for DOMESTIC LIMITED
LIABILITY COMPANY

MAIL: BRAD JOHNSON
Secretary of State
P.O. Box 202801
Helena, MT 59620-2801
(406)444-3665
FAX: (406)444-3976
WEB SITE: sos.mt.gov

PRIORITY



Prepare, sign, submit with an original signature and filing fee.
This is the minimum information required.
(This space for use by the Secretary of State only)

806821
STATE OF MONTANA

FILED

OCT 09 2007

SECRETARY OF STATE

Filing Fee: \$15.00

24 Hour Priority Filing Add \$20.00

1 Hour Expedite Filing Add \$100.00

PLEASE CHECK ONE BOX:

☒ Limited Liability Company ☐ Professional Limited Liability Company

1. The current name of this Limited Liability Company is: HARRY HILDBRAND, LLC
2. The following amendment was adopted in the manner provided for by the Montana Limited Liability Company Act:

MANAGED BY MEMBER JAMES P. FOUST, 10821 WOODSTREAM CT., LAS VEGAS NV 89135

3. The date the articles of organization were filed is: 11/15/2006 (Mo/day/year)

[Signature]
Signature of Member or Manager

INITIAL MANAGER
Title

10/9/07
Date

- ❖ All information provided, including names and addresses of officers and directors, will be made available on the Secretary of State's web site or upon request.
- ❖ There are important legal and accounting implications with respect to this corporation action. Suitable legal and accounting advice should be secured before submission. The Secretary of State's office encourages that such advice be sought prior to filling out forms to be sure that you understand the terms and procedures.
- ❖ Please be advised that the Business Services Bureau of the Montana Secretary of State will process your business documents within 10 working days of initial receipt. During this period if it's determined that your document doesn't meet statutory requirements, a letter outlining the deficiencies will be returned to the original submitter. If the document is complete and correct, the document will be filed and an acknowledgment copy showing completion returned to the original submitter.

MONTANA LIMITED LIABILITY COMPANY ANNUAL REPORT - 2008

FILED ELECTRONICALLY IN ORDER FOR YOUR LIMITED LIABILITY COMPANY TO REMAIN ACTIVE AND IN GOOD STANDING AND PREVENT INVOLUNTARY DISSOLUTION/REVOCATION PER 35-8-208, MCA.

Filed Date 02/25/2008
Document No. 853968
Filing Time 10:50AM

HARRY HILDIBRAND, LLC

JARED S HEGGEN
2675 PALMER, SUITE F
PO BOX 16270
MISSOULA MT 59808

FOLDER ID NUMBER: C162787
STATE/COUNTRY OF JURISDICTION: MT

1. Address of principal office: 2675 PALMER, SUITE F MISSOULA MT 59808
2. The limited liability company is managed by: LLC MANAGED BY MEMBERS
3. Names and Addresses of individual Managers or Members:

NAME JARED P HEGGEN
ADDRESS 2675 PALMER, SUITE F
CITY MISSOULA MT 59808

4. Names and Addresses of registered business Managers or Members: Businesses listed in this section would be registered with the Secretary of State's Office.

By submitting this filing electronically to the Montana Secretary of State's Office, I state that I, as a member of the above limited liability company am authorized to execute documents on its behalf. Any and all statements herein are true and are based upon actions taken by the LLC in accordance with its Articles of Organization or Operating Agreement, and with the laws of the State Montana.

I further state that the LLC remains in existence and has taken the necessary actions during the past year to preserve this status. I make all of the statements herein under penalty of false swearing in accordance with 45-7-202, MCA.

Electronically Submitted by: JARED HEGGEN
MISSOULA MT 59808

Submitter Address: 2675 PALMER, SUITE F

ALL INFORMATION PROVIDED, INCLUDING NAMES AND ADDRESSES OF MEMBERS OR MANAGERS, WILL BE MADE AVAILABLE ON THE SECRETARY OF STATE'S WEBSITE <http://www.sos.mt.gov> OR UPON REQUEST.

MONTANA LIMITED LIABILITY COMPANY ANNUAL REPORT - 2009

FILED ELECTRONICALLY IN ORDER FOR YOUR LIMITED LIABILITY COMPANY TO REMAIN ACTIVE AND IN GOOD STANDING AND PREVENT INVOLUNTARY DISSOLUTION/REVOCATION PER 35-8-208, MCA.

Filed Date 01/19/2009
Document No. 917903
Filing Time 11:51AM

HARRY HILDIBRAND, LLC

JARED HEGGEN
2675 PALMER, SUITE F
PO BOX 16270
MISSOULA MT 59808

FOLDER ID NUMBER: C162787
STATE/COUNTRY OF JURISDICTION: MT

1. Address of principal office: 2675 PALMER, SUITE F MISSOULA MT 59808
2. The limited liability company is managed by: LLC MANAGED BY MEMBERS
3. Names and Addresses of individual Managers or Members:

NAME JAMES P FOUST
ADDRESS 2675 PALMER, SUITE F
CITY MISSOULA MT 59808

4. Names and Addresses of registered business Managers or Members: Businesses listed in this section would be registered with the Secretary of State's Office.

By submitting this filing electronically to the Montana Secretary of State's Office, I state that I, an authorized agent of the above limited liability company am authorized to execute documents on its behalf. Any and all statements herein are true and are based upon actions taken by the LLC in accordance with its Articles of Organization or Operating Agreement, and with the laws of the State Montana.

I further state that the LLC remains in existence and has taken the necessary actions during the past year to preserve this status. I make all of the statements herein under penalty of false swearing in accordance with 45-7-202, MCA.

Electronically Submitted by: JARED HEGGEN
MISSOULA MT 59808

Submitter Address: 2675 PALMER, SUITE F

ALL INFORMATION PROVIDED, INCLUDING NAMES AND ADDRESSES OF MEMBERS OR MANAGERS, WILL BE MADE AVAILABLE ON THE SECRETARY OF STATE'S WEBSITE <http://www.sos.mt.gov> OR UPON REQUEST.

MONTANA LIMITED LIABILITY COMPANY ANNUAL REPORT - 2010

FILED ELECTRONICALLY IN ORDER FOR YOUR LIMITED LIABILITY COMPANY TO REMAIN ACTIVE AND IN GOOD STANDING AND PREVENT INVOLUNTARY DISSOLUTION/REVOCATION PER 35-8-208, MCA.

Filed Date 01/26/2010
Document No. 1029721
Filing Time 03:01PM

HARRY HILDIBRAND, LLC

JARED HEGGEN
2675 PALMER, SUITE F
PO BOX 16270
MISSOULA MT 59808

FOLDER ID NUMBER: C162787
STATE/COUNTRY OF JURISDICTION: MT

1. Address of principal office: 2675 PALMER, SUITE F MISSOULA MT 59808
2. The limited liability company is managed by: LLC MANAGED BY MEMBERS
3. Names and Addresses of individual Managers or Members:

NAME JAMES P FOUST
ADDRESS 2675 PALMER, SUITE F
CITY MISSOULA MT 59808

4. Names and Addresses of registered business Managers or Members: Businesses listed in this section would be registered with the Secretary of State's Office.

By submitting this filing electronically to the Montana Secretary of State's Office, I state that I, an authorized agent of the above limited liability company am authorized to execute documents on its behalf. Any and all statements herein are true and are based upon actions taken by the LLC in accordance with its Articles of Organization or Operating Agreement, and with the laws of the State Montana.

I further state that the LLC remains in existence and has taken the necessary actions during the past year to preserve this status. I make all of the statements herein under penalty of false swearing in accordance with 45-7-202, MCA.

Electronically Submitted by: JARED HEGGEN
MISSOULA MT 59808

Submitter Address: 2675 PALMER, SUITE F

ALL INFORMATION PROVIDED, INCLUDING NAMES AND ADDRESSES OF MEMBERS OR MANAGERS, WILL BE MADE AVAILABLE ON THE SECRETARY OF STATE'S WEBSITE <http://www.sos.mt.gov> OR UPON REQUEST.

MONTANA LIMITED LIABILITY COMPANY ANNUAL REPORT - 2011

FILED ELECTRONICALLY IN ORDER FOR YOUR LIMITED LIABILITY COMPANY TO REMAIN ACTIVE AND IN GOOD STANDING AND PREVENT INVOLUNTARY DISSOLUTION/REVOCATION PER 35-8-208, MCA.

Filed Date 03/09/2011
Document No. 1162408
Filing Time 12:56PM

HARRY HILDIBRAND, LLC

JARED HEGGEN
2675 PALMER, SUITE F
PO BOX 16270
MISSOULA MT 59808

FOLDER ID NUMBER: C162787
STATE/COUNTRY OF JURISDICTION: MT

1. Address of principal office: 2675 PALMER, SUITE F MISSOULA MT 59808
2. The limited liability company is managed by: LLC MANAGED BY MEMBERS
3. Names and Addresses of individual Managers or Members:

NAME JAMES P FOUST
ADDRESS 10821 WOODSTREAM COURT
CITY LAS VEGAS NV 89135

4. Names and Addresses of registered business Managers or Members: Businesses listed in this section would be registered with the Secretary of State's Office.

By submitting this filing electronically to the Montana Secretary of State's Office, I state that I, an authorized agent of the above limited liability company am authorized to execute documents on its behalf. Any and all statements herein are true and are based upon actions taken by the LLC in accordance with its Articles of Organization or Operating Agreement, and with the laws of the State Montana.

I further state that the LLC remains in existence and has taken the necessary actions during the past year to preserve this status. I make all of the statements herein under penalty of false swearing in accordance with 45-7-202, MCA.

Electronically Submitted by: JARED HEGGEN
MISSOULA MT 59808

Submitter Address: 2675 PALMER, SUITE F

ALL INFORMATION PROVIDED, INCLUDING NAMES AND ADDRESSES OF MEMBERS OR MANAGERS, WILL BE MADE AVAILABLE ON THE SECRETARY OF STATE'S WEBSITE <http://www.sos.mt.gov> OR UPON REQUEST.

MONTANA LIMITED LIABILITY COMPANY ANNUAL REPORT - 2012

FILED ELECTRONICALLY IN ORDER FOR YOUR LIMITED LIABILITY COMPANY TO REMAIN ACTIVE AND IN GOOD STANDING AND PREVENT INVOLUNTARY DISSOLUTION/REVOCATION PER 35-8-208, MCA.

Filed Date 01/19/2012
Document No. 1235781
Filing Time 04:21PM

HARRY HILDIBRAND, LLC

JARED HEGGEN
2675 PALMER, SUITE F
PO BOX 16270
MISSOULA MT 59808

FOLDER ID NUMBER: C162787
STATE/COUNTRY OF JURISDICTION: MT

1. Address of principal office: 2675 PALMER, SUITE F MISSOULA MT 59808
2. The limited liability company is managed by: LLC MANAGED BY MEMBERS
3. Names and Addresses of individual Managers or Members:

NAME JAMES P FOUST
ADDRESS 10821 WOODSTREAM COURT
CITY LAS VEGAS NV 89135

4. Names and Addresses of registered business Managers or Members: Businesses listed in this section would be registered with the Secretary of State's Office.

By submitting this filing electronically to the Montana Secretary of State's Office, I state that I, an authorized agent of the above limited liability company am authorized to execute documents on its behalf. Any and all statements herein are true and are based upon actions taken by the LLC in accordance with its Articles of Organization or Operating Agreement, and with the laws of the State Montana.

I further state that the LLC remains in existence and has taken the necessary actions during the past year to preserve this status. I make all of the statements herein under penalty of false swearing in accordance with 45-7-202, MCA.

Electronically Submitted by: JARED HEGGEN
SUITE F MISSOULA MT 59808

Submitter Address: 2675 PALMER STREET

ALL INFORMATION PROVIDED, INCLUDING NAMES AND ADDRESSES OF MEMBERS OR MANAGERS, WILL BE MADE AVAILABLE ON THE SECRETARY OF STATE'S WEBSITE
<http://www.sos.mt.gov> OR UPON REQUEST.

MONTANA LIMITED LIABILITY COMPANY ANNUAL REPORT - 2013

FILED ELECTRONICALLY IN ORDER FOR YOUR LIMITED LIABILITY COMPANY TO REMAIN ACTIVE AND IN GOOD STANDING AND PREVENT INVOLUNTARY DISSOLUTION/REVOCATION PER 35-8-208, MCA.

Filed Date 03/07/2013
Document No. 1372868
Filing Time 12:10PM

HARRY HILDIBRAND, LLC

JARED HEGGEN
2675 PALMER, SUITE F
PO BOX 16270
MISSOULA MT 59808

FOLDER ID NUMBER: C162787
STATE/COUNTRY OF JURISDICTION: MT

1. Address of principal office: 2675 PALMER, SUITE F MISSOULA MT 59808
2. The limited liability company is managed by: LLC MANAGED BY MEMBERS
3. Names and Addresses of individual Managers or Members:

NAME JAMES P FOUST
ADDRESS 10821 WOODSTREAM COURT
CITY LAS VEGAS NV 89135

4. Names and Addresses of registered business Managers or Members: Businesses listed in this section would be registered with the Secretary of State's Office.

By submitting this filing electronically to the Montana Secretary of State's Office, I state that I, an authorized agent of the above limited liability company am authorized to execute documents on its behalf. Any and all statements herein are true and are based upon actions taken by the LLC in accordance with its Articles of Organization or Operating Agreement, and with the laws of the State Montana.

I further state that the LLC remains in existence and has taken the necessary actions during the past year to preserve this status. I make all of the statements herein under penalty of false swearing in accordance with 45-7-202, MCA.

Electronically Submitted by: JED HEGGEN
MISSOULA MT 59808

Submitter Address: 2675 PALMER ST STE F

ALL INFORMATION PROVIDED, INCLUDING NAMES AND ADDRESSES OF MEMBERS OR MANAGERS, WILL BE MADE AVAILABLE ON THE SECRETARY OF STATE'S WEBSITE <http://www.sos.mt.gov> OR UPON REQUEST.

MONTANA LIMITED LIABILITY COMPANY ANNUAL REPORT - 2014

FILED ELECTRONICALLY IN ORDER FOR YOUR LIMITED LIABILITY COMPANY TO REMAIN ACTIVE AND IN GOOD STANDING AND PREVENT INVOLUNTARY DISSOLUTION/REVOCATION PER 35-8-208, MCA.

Filed Date 03/07/2014
Document No. 1494806
Filing Time 09:52AM

HARRY HILDIBRAND, LLC

JARED HEGGEN
2675 PALMER, SUITE F
PO BOX 16270
MISSOULA MT 59808

FOLDER ID NUMBER: C162787
STATE/COUNTRY OF JURISDICTION: MT

1. Address of principal office: 2675 PALMER, SUITE F MISSOULA MT 59808
2. The limited liability company is managed by: LLC MANAGED BY MEMBERS
3. Names and Addresses of individual Managers or Members:

NAME JAMES P FOUST
ADDRESS 10821 WOODSTREAM COURT
CITY LAS VEGAS NV 89135

4. Names and Addresses of registered business Managers or Members: Businesses listed in this section would be registered with the Secretary of State's Office.

By submitting this filing electronically to the Montana Secretary of State's Office, I state that I, an authorized agent of the above limited liability company am authorized to execute documents on its behalf. Any and all statements herein are true and are based upon actions taken by the LLC in accordance with its Articles of Organization or Operating Agreement, and with the laws of the State Montana.

I further state that the LLC remains in existence and has taken the necessary actions during the past year to preserve this status. I make all of the statements herein under penalty of false swearing in accordance with 45-7-202, MCA.

Electronically Submitted by: JED HEGGEN
MISSOULA MT 59808

Submitter Address: 2675 PALMER ST STE F

ALL INFORMATION PROVIDED, INCLUDING NAMES AND ADDRESSES OF MEMBERS OR MANAGERS, WILL BE MADE AVAILABLE ON THE SECRETARY OF STATE'S WEBSITE <http://www.sos.mt.gov> OR UPON REQUEST.

MONTANA LIMITED LIABILITY COMPANY ANNUAL REPORT - 2015

FILED ELECTRONICALLY IN ORDER FOR YOUR LIMITED LIABILITY COMPANY TO REMAIN ACTIVE AND IN GOOD STANDING AND PREVENT INVOLUNTARY DISSOLUTION/REVOCATION PER 35-8-208, MCA.

Filed Date 03/16/2015
Document No. 1620551
Filing Time 08:44AM

HARRY HILDIBRAND, LLC

JARED HEGGEN
2675 PALMER, SUITE F
PO BOX 16270
MISSOULA MT 59808

FOLDER ID NUMBER: C162787
STATE/COUNTRY OF JURISDICTION: MT

1. Address of principal office: 2675 PALMER, SUITE F MISSOULA MT 59808
2. The limited liability company is managed by: LLC MANAGED BY MEMBERS
3. Names and Addresses of individual Managers or Members:

NAME JAMES P FOUST
ADDRESS 10821 WOODSTREAM COURT
CITY LAS VEGAS NV 89135

4. Names and Addresses of registered business Managers or Members: Businesses listed in this section would be registered with the Secretary of State's Office.

By submitting this filing electronically to the Montana Secretary of State's Office, I state that I, an authorized agent, managing manager, or member of the above Limited Liability Company (LLC), and am authorized to execute documents on its behalf. Any and all statements herein are true and are based upon actions taken by the LLC in accordance with its Articles of Organization or Operating Agreement, and with the laws of the State Montana.

I further state that the LLC remains in existence and has taken the necessary actions during the past year to preserve this status. I make all of the statements herein under penalty of false swearing in accordance with Mont. Code Ann. § 45-7-202.

Electronically Submitted by: JARED HEGGEN
SUITE F MISSOULA MT 59808

Submitter Address: 2675 PALMER STREET

ALL INFORMATION PROVIDED, INCLUDING NAMES AND ADDRESSES OF MEMBERS OR MANAGERS, WILL BE MADE AVAILABLE ON THE SECRETARY OF STATE'S WEBSITE <http://www.sos.mt.gov> OR UPON REQUEST.



C162787



1682068

STATE OF MONTANA

STATEMENT of CHANGE of COMMERCIAL REGISTERED AGENT and/or REGISTERED OFFICE

MAIL: LINDA McCULLOCH

Secretary of State

P.O. Box 202801

Helena, MT 59620-2801

PHONE: (406)444-3665

FAX: (406)444-3976

WEB SITE: sos.mt.gov



This is the minimum information required
(This space for use by the Secretary of State only)

1682068
State of Montana
Secretary of State
Filed
AUG 18 2015
C-162787

No Fee

For the purpose of modifying their commercial registered agent information on file with the **Montana Secretary of State**, the undersigned submits the following statements in accordance with 35-7-110,MCA:

1. The exact name of the entity:

HARRY HILDBRAND, LLC

Registered Agent Information

2. The name of current registered agent: JARED S HEGGEN
3. The new name of the registered agent: JARED S HEGGEN
4. The street and mailing address of the new registered office (must be in Montana):
3011 AMERICAN WAY PO BOX 16270
MISSOULA MT 59808

(Include street name and number or physical location in addition to box number with the city and zip)

5. A commercial registered agent shall promptly furnish each entity represented by it with notice of record of the filing of a statement of change relating to the name or address of the agent and the changes made by the filing.
6. The signature of the commercial registered agent authorizing this document is on file in the Secretary of State's office with the commercial agent's records. Please notify the Secretary of State's office if you would like to obtain a copy of the authorizing document containing their signature.

08/18/2015
Dated (Mo/Day/Yr)

MONTANA LIMITED LIABILITY COMPANY ANNUAL REPORT - 2016

FILED ELECTRONICALLY IN ORDER FOR YOUR LIMITED LIABILITY COMPANY TO REMAIN ACTIVE AND IN GOOD STANDING AND PREVENT INVOLUNTARY DISSOLUTION/REVOCATION PER 35-8-208, MCA.

Filed Date 08/11/2016
Document No. 1812228
Filing Time 11:12AM

HARRY HILDIBRAND, LLC

JARED S HEGGEN
3011 AMERICAN WAY
PO BOX 16270
MISSOULA MT 59808

FOLDER ID NUMBER: C162787

1. Jurisdiction under whose law Limited Liability Company is organized: MT
2. Business Mailing Address of Principal Office: 3011 AMERICAN WAY
City: MISSOULA State: MT Zip Code: 59808
3. The limited liability company is managed by: LLC MANAGED BY MEMBERS
4. Names and business mailing addresses of Individual Managers or Members:
JAMES P FOUST 10821 WOODSTREAM COURT, LAS VEGAS, NV 89135
5. Names and Business Mailing Addresses of registered business Managers or Members: Businesses listed in this section would be registered with the Secretary of State's Office.
6. ☐ Check if applicable, The management of a series of members is vested in the members associated with the series of members.
7. ☐ Check if applicable, The Limited Liability Company is a Professional Limited Liability Company and all of its members and not less than one-half of its managers are qualified persons with respect to the Limited Liability Company.
8. I have been authorized by the business entity to file this document online.
9. I, HEREBY SWEAR AND/OR AFFIRM, under penalty of law, including criminal prosecution, that the facts contained in this document are true. (Must be signed by a Managing Member, Managing Manager, or authorized agent).

Electronically Submitted by: JARED HEGGEN
MISSOULA MT 59808

Submitter Address: 3011 AMERICAN WAY

ALL INFORMATION PROVIDED, INCLUDING NAMES AND ADDRESSES OF MEMBERS OR MANAGERS, WILL BE MADE AVAILABLE ON THE SECRETARY OF STATE'S WEBSITE
<http://www.sos.mt.gov> OR UPON REQUEST.



STATE OF MONTANA

11183623

Montana Secretary of State

Filed: September 27, 2017 11:09 AM

BID: C162787

Annual Report 2017

HARRY HILDIBRAND, LLC (C162787)

Annual Report Year 2017

Changed

Handling Option

Standard Processing

Type of Limited Liability Company

Limited Liability Company

State of Organization

Montana

Registered Agent in Montana

Entity Name

JARED S HEGGEN

Street Address

3011 AMERICAN WAY, MISSOULA, Montana,
59808, United States

Mailing Address

PO BOX 16270, MISSOULA, Montana, 59808,
United States

Registered Agent Type

Commercial

Business Mailing Address of Principal Office

Current Address

Postal Address

3011 AMERICAN WAY, MISSOULA, Montana,
59808, United States

Purpose

NONE STATED

Managers/Members

LLC Managed By

Members

161

Individual**Name**

JAMES P FOUST

Status

Active

Business Mailing Address10821 WOODSTREAM COURT, LAS VEGAS,
Nevada, 89135, United States

Signature

I have been authorized by the business entity to file this document online.

Yes

I, HEREBY SWEAR AND/OR AFFIRM, under penalty of law, including criminal prosecution, that the facts contained in this document are true. I certify that I am signing this document as the person(s) whose signature is required, or as an agent of the person(s) whose signature is required, who has authorized me to place his/her signature on this document.

Yes

Name

Jared S Heggen

Position

Member/Manager

Date

09/27/2017

Daytime Contact

Phone

406-5438190

Email

laurie@heggenlawoffice.com



MONTANA SECRETARY OF STATE

Return Method: Email

September 27, 2017

JARED S. HEGGEN
PO BOX 16270
MISSOULA MT 59808

CERTIFICATION LETTER

I, COREY STAPLETON, Secretary of State for the State of Montana, do hereby certify that

HARRY HILDIBRAND, LLC

filed its Annual Report 2017 with this office and has fulfilled the applicable requirements set forth in law. By virtue of the authority vested in this office, I hereby issue this certificate evidencing the filing is effective on the date shown below.

Certified File Number: C162787 - 11183623

Effective Date: September 27, 2017

Next year's annual report will be due by April 15th.

Thank you for being a valued member of the Montana business community. I wish you continued success in your future endeavors.

A handwritten signature in black ink, appearing to read "Corey Stapleton".

Corey Stapleton
Montana Secretary of State



MONTANA SECRETARY OF STATE

2017 INVOLUNTARY DISSOLUTION INTENT NOTICE

Involuntary dissolution proceedings have been initiated for:

HARRY HILDIBRAND, LLC

Our records indicate we have not received a 2017 Annual Report for the Corporation or Limited Liability Company referenced above. Montana law requires every Corporation and LLC to file an Annual Report with accompanying fees each year by April 15.

To avoid dissolution and return the Corporation or LLC to good standing, you must submit a current Annual Report and pay the \$35.00 filing fee by November 30, 2017, 5:00 PM (MST). No postmarks accepted.

Filing a pre-filled Annual Report can be conveniently done online at <http://www.mtsosfilings.gov>. Upon request, a paper Annual Report can be mailed to you within five business days.

Montana law requires the Secretary of State to dissolve Corporations and LLCs that do not comply with the Annual Report requirements provided in Mont. Code Ann. §§ 35-6-104 and 35-8-209.

An involuntarily dissolved Corporation or LLC is no longer authorized to transact business in the state, and is liable for the amount of any tax, penalty, or costs to the state of Montana.

YOUR FOLDER IDENTIFICATION NUMBER IS: C162787

Annual Reports must be updated, signed and returned with the \$35 filing fee by

November 30, 2017, 5:00 p.m. (MST). No postmarks accepted.

Access a pre-filled Annual Report online at <http://www.mtsosfilings.gov>

If you have questions concerning this action, please contact our office.

AnnualReports@mt.gov

(406) 444-5522

164

HHLLC 000022



ADDRESS SERVICE REQUESTED

Montana Secretary of State
 P.O. Box 202801
 Helena, MT 59620
 Phone: 406.444.5522
 sos.mt.gov

IMPORTANT INFORMATION

DO NOT DISCARD

FIRST CLASS
 PRESORT
 U.S. POSTAGE
 PAID
 HELENA, MT
 PERMIT NO. 89

JARED S HEGGEN
 PO BOX 16270
 MISSOULA MT 59808



IMPORTANT INFORMATION

DO NOT DISCARD

INVOLUNTARY DISSOLUTION INTENT NOTICE

DO NOT DISCARD



STATE OF MONTANA

11366936

Montana Secretary of State

Filed: February 12, 2018 12:28 PM

BID: C162787

Annual Report 2018

HARRY HILDIBRAND, LLC (C162787)

Annual Report Year 2018

Changed

Handling Option

Standard Processing

Type of Limited Liability Company

Limited Liability Company

State of Organization

Montana

Registered Agent in Montana

Entity Name

JARED S HEGGEN

Street Address

3011 AMERICAN WAY, MISSOULA, Montana,
59808, United States

Mailing Address

PO BOX 16270, MISSOULA, Montana, 59808,
United States

Registered Agent Type

Commercial

Business Mailing Address of Principal Office

Current Address

Changed

Postal Address

3011 AMERICAN WAY, MISSOULA, Montana,
59808, United States

Purpose

NONE STATED

Managers/Members

LLC Managed By

Members

166

11366936

Individual**Name**

JAMES P FOUST

Status

Active

Business Mailing Address10821 WOODSTREAM COURT, LAS VEGAS,
Nevada, 89135, United States

Signature

I have been authorized by the business entity to file this document online.

Yes

I, HEREBY SWEAR AND/OR AFFIRM, under penalty of law, including criminal prosecution, that the facts contained in this document are true. I certify that I am signing this document as the person(s) whose signature is required, or as an agent of the person(s) whose signature is required, who has authorized me to place his/her signature on this document.

Yes

Name

Jared S Heggen

Position

Member/Manager

Date

02/12/2018

Daytime Contact

Phone

406-5438190

Email

laurie@heggenlawoffice.com



MONTANA SECRETARY OF STATE

Return Method: Email

February 12, 2018

JARED S. HEGGEN
PO BOX 16270
MISSOULA MT 59808

CERTIFICATION LETTER

I, COREY STAPLETON, Secretary of State for the State of Montana, do hereby certify that

HARRY HILDIBRAND, LLC

filed its Annual Report 2018 with this office and has fulfilled the applicable requirements set forth in law. By virtue of the authority vested in this office, I hereby issue this certificate evidencing the filing is effective on the date shown below.

Certified File Number: C162787 - 11366936

Effective Date: February 12, 2018

Next year's annual report will be due by April 15th.

Thank you for being a valued member of the Montana business community. I wish you continued success in your future endeavors.

A handwritten signature in cursive script, appearing to read "Corey Stapleton".

Corey Stapleton
Montana Secretary of State



STATE OF MONTANA

11443045

Montana Secretary of State
Filed: March 20, 2018 03:24 PM
BID: C162787

Articles of Amendment

HARRY HILDIBRAND, LLC (C162787)

General Details

Handling Option	1 Hour Expedite Handling
Delayed Effective Date	
Entity Status	Active Good Standing
Date the initial Articles of Organization were filed	11/15/2006
Type of Limited Liability Company	Limited Liability Company
Amend entity name?	No

Registered Agent in Montana

Entity Name	JARED S HEGGEN
Street Address	3011 AMERICAN WAY, MISSOULA, Montana, 59808, United States
Mailing Address	PO BOX 16270, MISSOULA, Montana, 59808, United States
Registered Agent Type	Commercial

Business Mailing Address of Principal Office

Current Address	
Postal Address	3011 AMERICAN WAY, MISSOULA, Montana, 59808, United States
Term	Future Date
Term Expiration Date	11/30/2036
Purpose	NONE STATED
Other Amendments	

169

11443045

Managers/Members

LLC Managed By
Previous Value

Managers
~~Members~~

Individual

Changed

Name

JAMES P FOUST

Status

Removed

Previous Value

~~Active~~

Business Mailing Address

10821 WOODSTREAM COURT, LAS VEGAS,
Nevada, 89135, United States

Registered Business Entity

Created

Entity Name

MONTANA RV REGISTRATION, LLC

Business Identifier

C116759

Status

Active

Business Mailing Address

3011 AMERICAN WAY, MISSOULA, Montana,
59808, United States

Signature

I have been authorized by the business entity to file this document online.

Yes

I, HEREBY SWEAR AND/OR AFFIRM, under penalty of law, including criminal prosecution, that the facts contained in this document are true. I certify that I am signing this document as the person(s) whose signature is required, or as an agent of the person(s) whose signature is required, who has authorized me to place his/her signature on this document.

Yes

Name

JARED S HEGGEN

Position

Attorney in Fact

Date

03/15/2018

On Behalf Of

JAMES P FOUST

170

11443045

Daytime Contact

Phone

406-5438190

Email

taylor@heggenlawoffice.com

000706

000706



MONTANA SECRETARY OF STATE

Return Method: Email

March 20, 2018

JARED S. HEGGEN
PO BOX 16270
MISSOULA MT 59808

CERTIFICATION LETTER

I, COREY STAPLETON, Secretary of State for the State of Montana, do hereby certify that

HARRY HILDIBRAND, LLC

filed its Articles of Amendment with this office and has fulfilled the applicable requirements set forth in law. By virtue of the authority vested in this office, I hereby issue this certificate evidencing the filing is effective on the date shown below.

Certified File Number: C162787 - 11443045

Effective Date: March 20, 2018

Thank you for being a valued member of the Montana business community. I wish you continued success in your endeavors.

A handwritten signature in cursive script, appearing to read "Corey Stapleton".

Corey Stapleton
Montana Secretary of State

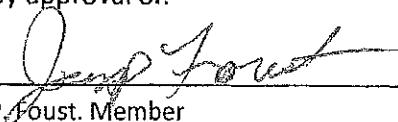
**MINUTES OF SPECIAL MEETING
OF HARRY HILDBRAND, LLC
Dated November 12, 2008**

The undersigned, the managing initial director of the LLC, hereby certify:

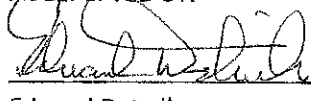
1. At the special meeting of the LLC, duly called and held by teleconference this day, there Being present the following, constituting all of the members of the LLC, James P. Foust, the initial managing director took the following action, adopting the following resolutions which Have not been modified or rescinded:

RESOLVED that James P. foust, as managing director, is authorized, to appoint Edward Detwiler as also a managing director

IN WITNESS WHEREOF, the undersigned has hereto affixed his hand this 12th day of November 2008, by approval of:


James P. Foust, Member
State of Montana

ACCEPTED BY:


Edward Detwiler,
Managing Director

DEPARTMENT OF JUSTICE - MOTOR VEHICLE DIVISION

CERTIFICATE OF TITLE

pj5753

Title Nbr AA3350572	Year 1997	Make Prevost	Model Bus	Extended Model	Style BU	NCIC Vehicle Type CH	Unladen Weight/Material
VIN/HIN 2PCM3349XV1026183	MT Boat Nbr	Ton./Code/Propulsion Type	Odometer	Vehicle Nbr 2950151			
Brand	Title Issue Date 02/09/2017	Vehicle Sale Date 01/13/2017	Transfer Reason Cancel - Voluntary	Attribute	Owner Tracking Nbr	Fleet Nbr	

Owner Name and Address

Harry Hildibrand LLC
3011 American Way
Missoula MT 59808-1921
Customer Number: 1727321

This vehicle/vessel is subject to the following security interest(s):

Mail To:

Harry Hildibrand LLC
PO Box 16270
Missoula MT 59808

The vehicle/vessel may be subject to other security interests.

SELLER COMPLETES IN INK	As the Registered Owner of the above vehicle, I transfer all right, title and interest to the vehicle to the following person, as of the date below:			
	Print name of buyer, whether individual or business		Date of Transfer (delivery of vehicle)	
	Buyer's Street Address		City	State Zip
	Federal and state law require that the owner state the mileage of a vehicle upon transfer of ownership. If you fail to complete this disclosure or provide a false statement, you may be subject to fines and/or imprisonment. I state that this (check one) <input type="checkbox"/> 5 or <input type="checkbox"/> 6 digit odometer now reads (no tenths) _____ miles, date read _____ and to the best of my knowledge it reflects the actual mileage unless one of the following statements is checked: DO NOT CHECK UNLESS APPLICABLE: <input type="checkbox"/> The odometer reading reflects the amount of mileage in excess of its mechanical limits. <input type="checkbox"/> The odometer reading is not the actual mileage. Warning - odometer discrepancy.			
NOTARY	ALL OWNERS MUST SIGN - Additional owners are listed to the right of the first owner above.			
	Under penalty of law, I certify the above odometer disclosure and transfer of ownership information is correct to the best of my knowledge; that I am the same person named above; and if signing for a business entity or trust, I have full authority to act upon behalf of the owner, whose name appears on the upper left side of this Title.			
	ALL OWNERS MUST SIGN	Signature of First Owner or Agent of Owner (Transferor)	Printed name - must be the same as signature (do not type)	
		Signature of Additional Owner or Agent of Owner (if more than one)	Printed name - must be the same as signature (do not type)	
NOTARY	State of	County of	Signed before me on (date)	Notary Stamp/Seal
	by (clearly print name of person signing Title)			
	Notary signature			
BUYER	ACKNOWLEDGEMENT OF MILEAGE DISCLOSURE: I am aware of the above odometer certification made by the seller.			
	Signature of Buyer - only one signature is required		Printed name - must be the same as signature (do not type)	



TITLE AND REGISTRATION BUREAU
1003 BUCKSKIN DRIVE
DEER LODGE MT 59722-2375

CONTROL NO. 14544545
(This is not a title number)



174

HHLLC 000032 (REV. 04/2019)

VOID IF PLACED ANY ALTERATION USE OF CORRECTION FLUID, ERASER - VOIDS THIS CERTIFICATE.

From: Edward Detwiler [<mailto:Edward.Detwiler@cbvegas.com>]
Sent: Sunday, February 04, 2018 7:08 PM
To: jpf@jpfent.com
Subject: My coach

Jim,

I swung by my coach late this afternoon, and LO and Behold, it is not there!! I did not plan on taking it to Florida until later in the month, but I needed to retrieve some personal items that are in my safe!! Do you have an earthly idea where my fucking coach is? It's not funny! I need items in my safe. I am going to go down to the Police Department to file a grand larceny report. Please, let me know if you know anything??

Edward Detwiler
Executive Vice-President
Naiá Resorts, LLC
702-493-7801

175

Las Vegas Metropolitan Police Department
400 S. Martin Luther King Blvd.
Las Vegas, NV 89106



Case Report No.: LLV180207002470

Administrative

Location 8175 ARVILLE ST LAS VEGAS, NV 89144
Occurred On (Date / Time) Sunday 1/28/2018 4:45:00 PM
Reporting Officer 13179 - Reese, E
Entered By 13179 - Reese, E
Related Cases

Or Between (Date / Time) Sunday 2/4/2018 3:30:00 PM
Reported On 2/7/2018
Entered On 2/12/2018 9:18:45 AM
Jurisdiction Clark County

Traffic Report No

Place Type

Accident Involved

Offenses:

Grand Larceny Of Auto \$3500+(F)-NRS 205.228.3

Completed Yes Domestic Violence No

Entry Premises Entered

Weapons

Criminal Activities

Hate/Bias Unknown (Offenders Motivation Not Known)

Type Security Tools

Location Type Other/Unknown

Victims:

Name: HARRY HILDIBAND LLC

Victim Type Business Written Statement
Victim of 56014 - Grand Larceny Of Auto \$3500+(F)-NRS 205.228.3

Can ID Suspect

DOB Age Sex Race Ethnicity
Height Weight Hair Color Eye Color
Employer/School
Occupation/Grade
Injury Work Schedule
Injury Weapons

Addresses

Business 2675 Palmer St Suite F MISSOULA, MT 59808-1741

Phones

Cellular (702) 493-7801

Offender Relationships

Notes:

UNLAWFUL DISSEMINATION of this
Restricted information is PROHIBITED
Violation will subject the offender to
Criminal and Civil Liability

Release To: Edward Detwiler
Date: 2/12/18 By: [Signature]
Las Vegas Metropolitan Police Department

Witnesses:

Name: DETWILER, EDWARD NEWLIN

Written Statement Yes Can ID Suspect No
DOB 3/3/1961 Age 56 Sex Male Race White Ethnicity Not Hispanic or Latino
Height 6' 0" Weight 205 Hair Color Gray Eye Color Blue

Addresses

Residence 817 Windhook St LAS VEGAS, NV 89144

Phones

Cellular (702) 493-7801

Notes:

Properties: ()

Type: Vehicle-Other / Motorcycles / Scooters (Locally Stolen)

Status Stolen Quantity 1 Value 500,000.00 Color White
Description MOTOR HOME
Manufacturer PREVOST Model BUS Serial No./VIN 2PCM3349XV1026183
Vehicle Year 1997 Body Type
Lic Plate # 471237B Lic Plate State Montana Lic Plate Exp
Insurance Company
Owner V - HARRY HILDIBAND LLC
Notes: ALSO GRAY/MAROON

Type: Misc. (Cell Phones, Ammo, Bicycles, Worthless Doc, items not listed)

Status Stolen Quantity 1 Value 1,500.00 Color Multi-colored
Description SAFE
Manufacturer Model Serial No./VIN
Vehicle Year Body Type
2/12/2018 9:54 AM LLV180207002470 HLLC 000034
Page 1 of 2

Lic Plate # Lic Plate State Lic Plate Exp
 Insurance Company
 Owner W - DETWILER, EDWARD NEWLIN
 Notes:

Type: Misc. (Cell Phones, Ammo, Bicycles, Worthless Doc, items not listed)

Status Stolen Quantity 35 Value 00.00 Color
 Description PERSONAL DOCUMENTS
 Manufacturer Model Serial No./VIN
 Vehicle Year Body Type
 Lic Plate # Lic Plate State Lic Plate Exp
 Insurance Company
 Owner W - DETWILER, EDWARD NEWLIN
 Notes:

Type: Currency, Coins, Securities, Cash

Status Stolen Quantity 1 Value 1,000.00 Color
 Description CASH
 Manufacturer Model Serial No./VIN
 Vehicle Year Body Type
 Lic Plate # Lic Plate State Lic Plate Exp
 Insurance Company
 Owner W - DETWILER, EDWARD NEWLIN
 Notes:

Narrative

On 02122018 at 0940 hours Edward Detwiler came into NWAC to file a report for a STOLEN MOTOR HOME and stated the following:

On 02042018 at 1530 hours he went to 8175 Arville to retrieve some personal belongings from his company's Coach Motor Home and realized it was gone. Edward said the last time he saw the motor home was on 01282018 at 1645 hours. Edward said the listed property inside the motor home belonged to him and was inside the motor home when it was stolen.

Edward said he is the Managing Partner of Harry Hildibrand, LLC which is the Entity that owns the Coach.

Negative Weapons, Keys and Title
 Motor Home entered into NCIC.

Page 1 of 1

S VEGAS METROPOLITAN POLICE DEPART .NT

VOLUNTARY STATEMENT

Event #

180207-2470

THIS PORTION TO BE COMPLETED BY OFFICER

Specific Crime <u>Stolen Motorhome</u>	Date Occurred <u>2/4/18</u>	Time Occurred <u>1530</u>
Location of Occurrence <u>8175 Arville St. LV, NV</u>	Sector/Beat <u>01</u>	<input type="checkbox"/> City <input checked="" type="checkbox"/> County

Your Name (Last / First / Middle) <u>DETWILER EDWARD NEWLIN</u>						Date of Birth <u>3-3-61</u>		Social Security # <u>546-41-6326</u>	
Race <u>Cauc.</u>	Sex <u>M</u>	Height <u>6'</u>	Weight <u>205</u>	Hair <u>Gray</u>	Eyes <u>Blue/Gray</u>	Work Sched. (Hours) <u>SELF-EMPLOYED</u>	(Days Off) <u>NONE</u>	Business / School <u>Coldwell Banker</u>	
Residence Address: (Number & Street) <u>817 Windhook St.</u>			Bldg./Apt.# <u></u>	City <u>Las Vegas</u>	State <u>NV</u>	Zip Code <u>89144</u>	Res. Phone: <u>702-493-7801</u>		
Bus. (Local) Address: (Number & Street) <u>10120 S. EASTERN AVE</u>			Bldg./Apt.# <u>300</u>	City <u>HENDERSON</u>	State <u>NV</u>	Zip Code <u>89052</u>	Bus. Phone: <u>702-493-7801</u>		
Best place to contact you during the day <u>ON THE PHONE</u>			Best time to contact you during the day <u>8:00-8:00</u>			Occupation <u>REACTOR</u>			
Can You Identify the Suspect?						<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			

*DETAILS I went to 8175 Arville to retrieve personal belongings from the coach (motorhome) ^{2018 Ford A11} on Feb 4th, 2018. To my shock, it was gone. The last time I saw the coach at the park was Jan 28, 2018.

I am the Managing Partner of Harry Hildibrand, LLC, the entity that owns the coach. No weapons, no keys to the coach, a safe that contains personal documents and a bit of cash.

UNLAWFUL DISSEMINATION of this
Restricted information is PROHIBITED
Violation will subject the offender to
Criminal and Civil Liability

Release To: Edward Detwiler
Date: 2/12/18 By: CSARK
Las Vegas Metropolitan Police Department

I HAVE READ THIS STATEMENT AND I AFFIRM TO THE TRUTH AND ACCURACY OF THE FACTS CONTAINED HEREIN. THIS STATEMENT WAS COMPLETED AT (LOCATION) NEWARK

ON THE 12th DAY OF Feb AT 0940 AM/PM, 2018.

Witness/Officer:

(SIGNATURE)

Witness/Officer:

(PRINTED)

P# 13579

LVMPD 85 (REV. 6-08)

SIGNATURE OF PERSON GIVING STATEMENT

178

HHLLC 000036

Las Vegas Metropolitan Police Department
400 S. Martin Luther King Blvd.
Las Vegas, NV 89106



Case Report No.: LLV180207002470

Administrative

Location 8175 ARVILLE ST LAS VEGAS, NV 89144
Occurred On (Date / Time) Sunday 1/28/2018 4:45:00 PM
Reporting Officer 13179 - Reese, E
Entered By 13179 - Reese, E
Related Cases
Or Between (Date / Time) Sunday 2/4/2018 3:30:00 PM
Reported On 2/7/2018
Entered On 2/12/2018 9:18:45 AM
Jurisdiction Clark County
Sector /Beat 01
Traffic Report No Place Type Accident Involved

Offenses:

Grand Larceny Of Auto \$3500+(F)-NRS 205.228.3
Completed Yes Domestic Violence No
Entry Premises Entered
Weapons
Criminal Activities
Hate/Bias Unknown (Offenders Motivation Not Known)
Type Security Tools
Location Type Other/Unknown

Victims:

Name: HARRY HILDIBAND LLC

Victim Type Business Written Statement Can ID Suspect
Victim of 56014 - Grand Larceny Of Auto \$3500+(F)-NRS 205.228.3

DOB Age Sex Race Ethnicity
Height Weight Hair Color Eye Color
Employer/School
Occupation/Grade Work Schedule
Injury Injury Weapons

Addresses

Business 2675 Palmer St Suite F MISSOULA, MT 59808-1741

Phones

Cellular (702) 493-7801

Offender Relationships

Notes:

UNLAWFUL DISSEMINATION of this
Restricted information is PROHIBITED
Violation will subject the offender to
Criminal and Civil Liability
Release To: Edward Newlin
Date: 2/12/18 By: Edward Newlin
Las Vegas Metropolitan Police Department

Witnesses:

Name: DETWILER, EDWARD NEWLIN

Written Statement Yes Can ID Suspect No
DOB 3/3/1961 Age 56 Sex Male Race White Ethnicity Not Hispanic or Latino
Height 6' 0" Weight 205 Hair Color Gray Eye Color Blue

Addresses

Residence 817 Windhook St LAS VEGAS, NV 89144

Phones

Cellular (702) 493-7801

Notes:

Properties: ()

Type: Vehicle-Other / Motorcycles / Scooters (Locally Stolen)

Status Stolen Quantity 1 Value 500,000.00 Color White
Description MOTOR HOME
Manufacturer PREVOST Model BUS Serial No./VIN 2PCM3349XV1026183
Vehicle Year 1997 Body Type
Lic Plate # 471237B Lic Plate State Montana Lic Plate Exp
Insurance Company
Owner V - HARRY HILDIBAND LLC
Notes: ALSO GRAY/MAROON

Type: Misc. (Cell Phones, Ammo, Bicycles, Worthless Doc, items not listed)

Status Stolen Quantity 1 Value 1,500.00 Color Multi-colored
Description SAFE
Manufacturer Model Serial No./VIN
Vehicle Year Body Type
2/12/2018 9:54 AM LLV180207002470

Page 1 of 2

179

FOUST 00127
HHLLC 000037

Lic Plate # Lic Plate State Lic Plate Exp
 Insurance Company
 Owner W - DETWILER, EDWARD NEWLIN
 Notes:

Type: Misc. (Cell Phones, Ammo, Bicycles, Worthless Doc, items not listed)

Status Stolen Quantity 35 Value 00.00 Color
 Description PERSONAL DOCUMENTS
 Manufacturer Model
 Vehicle Year Body Type
 Lic Plate # Lic Plate State Lic Plate Exp
 Insurance Company
 Owner W - DETWILER, EDWARD NEWLIN
 Notes:

Type: Currency, Coins, Securities, Cash

Status Stolen Quantity 1 Value 1,000.00 Color
 Description CASH
 Manufacturer Model
 Vehicle Year Body Type
 Lic Plate # Lic Plate State Lic Plate Exp
 Insurance Company
 Owner W - DETWILER, EDWARD NEWLIN
 Notes:

Narrative

On 02122018 at 0940 hours Edward Detwiler came into NWAC to file a report for a STOLEN MOTOR HOME and stated the following:

On 02042018 at 1530 hours he went to 8175 Arville to retrieve some personal belongings from his company's Coach Motor Home and realized it was gone. Edward said the last time he saw the motor home was on 01282018 at 1645 hours. Edward said the listed property inside the motor home belonged to him and was inside the motor home when it was stolen.

Edward said he is the Managing Partner of Harry Hildibrand, LLC which is the Entity that owns the Coach.

Negative Weapons, Keys and Title
 Motor Home entered into NCIC.

Page 1 of 1LAS VEGAS METROPOLITAN POLICE DEPARTMENT
VOLUNTARY STATEMENT

Event #

180207-2470

THIS PORTION TO BE COMPLETED BY OFFICER

Specific Crime <u>Stolen Motorhome</u>	Date Occurred <u>2/4/18</u>	Time Occurred <u>1530</u>
Location of Occurrence <u>8175 Arville St. LV, NV</u>	Sector/Beat <u>01</u>	<input type="checkbox"/> City <input checked="" type="checkbox"/> County

Your Name (Last / First / Middle) <u>DETWILER EDWARD NEWLIN</u>						Date of Birth <u>3-3-61</u>	Social Security # <u>546-41-6326</u>
Race <u>CAUC</u>	Sex <u>M</u>	Height <u>6'</u>	Weight <u>205</u>	Hair <u>Gray</u>	Eyes <u>Blue</u>	Work Sched. (Hours) <u>SELF-EMPLOYED</u>	(Days Off) <u>NONE</u>
Residence Address: (Number & Street) <u>817 Windbrook ST.</u>		Bldg./Apt.# <u></u>	City <u>Las Vegas</u>	State <u>NV</u>	Zip Code <u>89144</u>	Business / School <u>Coldwell Banker</u>	
Bus. (Local) Address: (Number & Street) <u>10120 S. EASTERN AVE</u>		Bldg./Apt.# <u>300</u>	City <u>HENDERSON</u>	State <u>NV</u>	Zip Code <u>89052</u>	Res. Phone: <u>702-493-7801</u> Bus. Phone: <u>702-493-7801</u>	
Best place to contact you during the day <u>ON THE PHONE</u>		Best time to contact you during the day <u>8:00 - 8:00</u>				Occupation <u>REACTOR</u>	
						Depart Date (if visitor) <u></u>	
						Can You Identify <input type="checkbox"/> Yes the Suspect? <input checked="" type="checkbox"/> No	

***DETAILS** I went to 8175 Arville to retrieve personal belongings from the coach (motorhome) ^{201 Ford F150} to my shack, it was given. The last time I saw the coach at the park was Jan 28, 2018. I am the Managing Partner of Harry Hildibrand, LLC, the entity that owns the coach. No weapons, no keys to the coach, a safe that contains personal documents and a bit of cash.

UNLAWFUL DISSEMINATION of this
Restricted information is PROHIBITED
Violation will subject the offender to
Criminal and Civil Liability
Release To: Edward Detwiler
Date: 2/13/18 By: [Signature]
Las Vegas Metropolitan Police Department

I HAVE READ THIS STATEMENT AND I AFFIRM TO THE TRUTH AND ACCURACY OF THE FACTS CONTAINED HEREIN. THIS STATEMENT WAS COMPLETED AT LOCATION NEWLIN

ON THE 12th DAY OF Feb. AT 0940 (AM/PM), 2018

Witness/Officer:

(SIGNATURE)

Witness/Officer:

LVMPD 85 (REV. 6-08)

(PRINTED)

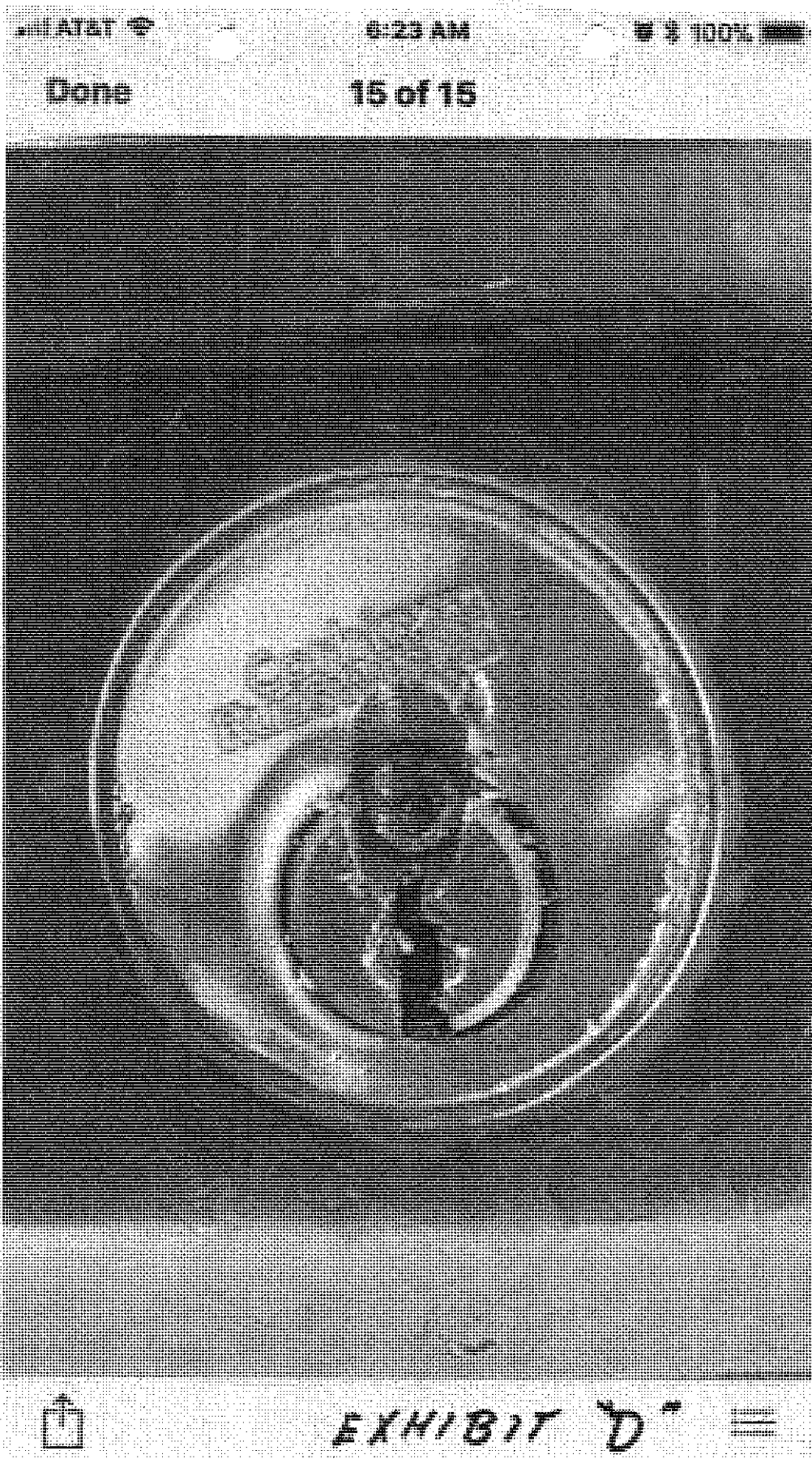
P# 13719

SIGNATURE OF PERSON GIVING STATEMENT

181

FOUST 00129

HHLLC 000039



<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>Status</u>	<u>Year</u>	<u>Name</u>
1956	CHEV	CORVETTE	Sold	1982	Gift Robert Hilton
1957	PACKARD	CLIPPER	Sold	1982	sold kevin hilton 11/5/82
1977	Mercedes	380 4 DR SEDAN	Sold	1985	gave to Charles Hilton
1986	LAND DEED	TRAILER COLORADO RIV	Re-Title	1986	
1978	CARRIER	BOAT TRAILER	Sold	1990	JPF Jr.- Gift
1966	CHEV	TURBO CORVAIR	Hilton	1990	Edgar Hilton
1978	HORIZON	BOAT	Sold	1990	Gift JPF Jr.
1996	CHEV	S-10 PICKUP	Sold	1996	Gift Ashley
1996	SATURN	COUPE	Sold	1996	Gift Melody 1/14/1996
1984	VOLSWAGEN	RABBIT	Sold	1996	Gift Melody 1/14/1996
1987	FORD	TRUCK	Sold	1999	Trade for 1999 Truck
1991	FORD	#9 COORS LITE NASCAR	Sold	2001	Crash Phoenix - Sold ASIS
1989	CHAPARRAL	TRAILER	Sold	2004	sold Armstrong
1991	INTERNATIONAL	4000 SERIES	Sold	2004	sold Armstrong
1999	FORD	CREW CAB PICKUP	Sold	2005	sold Mid 2000's
1987	HONDA	SCOOTER	1996	2005	scrap
1992	HONDA	SCOOTER	1996	2005	scrap
1958	PORSCHE	CABROLET	Sold	2005	Gift Tiffney 1/26/2005
2002	Crysler	PT Cruiser - Blue	Sold	2006	Trade - 2005 Crusier
1955	FORD	T-BIRD (96 MILES)	Sold	2006	sold Russo Steele 8/16/2006
1963	FORD	427 GALAXY (R-CAR)	Sold	2006	sold Russo Steele
1964	FORD	THUNDERBIRD	TRADE	2006	Trade for 280 MBZ
1970	FORD	BOSS 429	Sold	2006	HH - sold 6/16/2006
1988	FORD	#11 Budweiser NASCAR	Sold	2006	sold steve thomas 2006
1964	JAGUAR	XKE	Sold	2006	sold C Hilton 12/19/2006
1967	LAMBORGHINI	MUIRA (3571)	Sold	2006	sold Russo Steele 8/16/2006
1956	Mercedes	300 SL	Sold	2006	sold Russo Steele 8/16/2006
1968	Mercedes	280 SL	Sold	2006	sold Russo Steele 8/16/2006
1969	PONTIAC	JUDGE	Sold	2006	sold Russo Steele 8/16/2006
1980	ROLLS ROYCE	SILVER CLOUD II	Sold	2006	Charles Hilton
1968	SHELBY	GT500	Sold	2006	Charles Hilton
1966	SHELBY	427 COBRA - Replica	Sold	2006	sold Russo Steele 8/16/2006
1937	FORD	Coupe	Sold	2007	Sold San Diego winfred 5/15/2006
1987	Mercedes	450SL	Sold	2007	sold Russo Steele/tony ritz
				2007	sold Russo Steele 5/1/2007

Page 1

61Z000

2000	PLYMOUTH	PROWLER	2007	Sold	2007	sold Russo Steele 8/16/2007
1940	FORD	Coupe	2008	Sold	2008	HH - sold 6/16/2008
2008	Harley-Davidson	Motor Cycle	2008	Sold	2008	Trade for VROD Harley
1985	KAWASAKA	NINJA 900	2008	Sold	2008	sold 7/15/2008 Parts ASIS
2005	Crysler	PT Cruiser convertible	2009	Sold	2009	Trade in 2009 PT cruz
1935	CADILLAC	V-12 COUPE	2010	Sold	2010	Robert McMath feb 2010
1957	CHEV	CORVETTE	2010	Sold	2010	Robert McMath
1965	DODGE	SAVOY Acid dip car	2010	Sold	2010	Sold Kuck
1957	FORD	T-BIRD (MATTOX)	2010	Sold	2010	sold Thommy
1966	FORD	THUNDERBIRD	2010	Sold	2010	Thommy - sold 2/9/2010
1967	FORD	MUSTANG	2010	Sold	2010	Robert McMath
1968	FORD	COBRA JET MUSTANG	2010	Sold	2010	Robert McMath
1962	PLYMOUTH	Savoy w/413	2010	Sold	2010	Sold Kuck 11/29/2010
1964	PLYMOUTH	HEMI (ALUMINUM BODY)	2010	Sold	2010	Sold Kuck 11/29/2010
1966	PLYMOUTH	HEMI BELVADIRE	2010	Sold	2010	Sold Kuck 11/29/2010
1957	CHEV	BEL AIR CONV. (FI)	2011	Sold	2011	HH - sold 6/16/2011
1957	CHRYSLER	300 C CONV.	2011	Sold	2011	HH - sold 6/16/2011
2009	Crysler	PT Cruiser - Red	2011	Sold	2011	Sold HT
1955	FORD	T-BIRD (CHEV)	2011	Sold	2011	sold 6/22/2011
1957	FORD	FAIRLANE 500	2011	Sold	2011	HH - sold 6/16/2011
1971	FORD	PANTERIA	2011	Sold	2011	HH - sold 6/16/2011
1973	FORD	PANTERIA -GT4	2011	Sold	2011	HH - sold 6/16/2011
2009	Harley-Davidson	Motor Cycle VROD	2011	Sold	2011	sold South Bay Kawidaki
1951	JAGUAR	XK 120 RACE CAR	2011	Sold	2011	HH - sold 6/16/2011
1957	OLDSMOBILE	98 ROCKET	2011	Sold	2011	HH - sold 6/16/2011
1965	SHELBY	427 Cobra	2011	Sold	2011	Sold Natalino Bertin 2011
1963	CHEV	425/409 S/S	2012	Sold	2012	sold Russo Steele jan 2012
2007	CHEV	Corvette Z06	2012	Sold	2012	sold 1/18/2012 by hh
2004	Volvo	C60	2012	Sold	2012	Sold Detwiler
1983	PORSCHE	CARREA	2013	Sold	2013	Sold jan 2013 Lou paupos
2000	GMC	Yukon	2014	Sold	2014	sold 1/18/2014 by hh
1990	FERRARI	TESTAROSSA	2016	Sold	2016	Sold Ferrari BH 3/10/16
1988	LAMBORGHINI	COUNTACH	2016	Sold	2016	sold Bonham's 1/25/2016
1998	MARATHON	COACH	2016	Sold	2016	sold 12/9/2016
2007	Mercedes	S550	2016	Bought	2016	Vanessa Bought From HH

Page 2

000719

000720

2006	Mercedes	S500	Sold	2016	sold Beberly Hills MBZ
2007	Mercedes	CLK 550	Bought	2016	Jocelyn Bought From HH
2007	Mercedes	M50 SUV	Bought	2016	Naomi Bought From HH

000720

DEPARTMENT OF JUSTICE - MOTOR VEHICLE DIVISION CERTIFICATE OF TITLE

pj5753

Title Nbr AA3350572	Year 1997	Make Prevost	Model Bus	Extended Model	Style BU	NOIC Vehicle Type CH	Unladen Weight/Material
VIN/HIN 2PCM3348XV1026183	MT Boat Nbr	Ton Code/Propulsion Type		Odometer		Vehicle Nbr 2950151	
Brand	Title Issue Date 02/09/2017	Vehicle Sale Date 01/13/2017	Transfer Reason Cancel - Voluntary	Attribute	Owner Tracking Nbr	Fleet Nbr	

Owner Name and Address
 Harry Hildibrand LLC
 3011 American Way
 Missoula MT 59803-1921
 Customer Number: 1727321

This vehicle/vessel is subject to the following security interest(s):

Mail To:
 Harry Hildibrand LLC
 PO Box 16270
 Missoula MT 59808

The vehicle/vessel may be subject to other security interests.

SELLER COMPLETES IN INK	As the Registered Owner of the above vehicle, I transfer all right, title and interest to the vehicle to the following person, as of the date below:			
	Print name of buyer, whether individual or business		Date of Transfer (delivery of vehicle)	
	Buyer's Street Address		City	State Zip
	Federal and state law require that the owner state the mileage of a vehicle upon transfer of ownership. If you fail to complete this disclosure or provide a false statement, you may be subject to fines and/or imprisonment. I state that this (check one) <input type="checkbox"/> 5 or 6 digit odometer now reads (no tenths) _____ miles, date read _____ and to the best of my knowledge it reflects the actual mileage unless one of the following statements is checked: <input type="checkbox"/> DO NOT CHECK UNLESS APPLICABLE: <input type="checkbox"/> The odometer reading reflects the amount of mileage in excess of its mechanical limits. <input type="checkbox"/> The odometer reading is not the actual mileage. Warning - odometer discrepancy. ALL OWNERS MUST SIGN - Additional owners are listed to the right of the first owner above. Under penalty of law, I certify the above odometer disclosure and transfer of ownership information is correct to the best of my knowledge; that I am the same person named above; and if signing for a business entity or trust, I have full authority to act upon behalf of the owner, whose name appears on the upper left side of this Title. ALL OWNERS MUST SIGN: <input checked="" type="checkbox"/> Signature of First Owner or Agent of Owner (Transferor) Printed name - must be the same as signature (do not type) <input checked="" type="checkbox"/> Signature of Additional Owner or Agent of Owner (if more than one) Printed name - must be the same as signature (do not type) MUST SIGN: <input checked="" type="checkbox"/>			
NOTARY	State of	County of	Signed before me on (date)	Notary Stamp/Seal
	by (clearly print name of person signing title)			
Notary signature				
BUYER	ACKNOWLEDGEMENT OF MILEAGE DISCLOSURE - I am aware of the above odometer certification made by the seller			
	Signature of Buyer - only one signature is required		Printed name - must be the same as signature (do not type)	



TITLE AND REGISTRATION BUREAU
 1003 BUCKSKIN DRIVE
 DEER LODGE MT 59722-2375



CONTROL NO. 14544545
 (This is not a title number)

(REV. 04/2016)

BY UNIT E HLLC 000044 186

STATE OF MONTANA

DEPARTMENT OF JUSTICE - MOTOR VEHICLE DIVISION
CERTIFICATE OF TITLE

pJ5732

Title Nbr AA0839101	Year 1951	Make Jaguar	Model xk120	Extended Model	Style CV	NCIC Vehicle Type PC	Unladen Weight/Material 2900
VIN/HIN S671966	MT Boat Nbr	Ton Code/Propulsion Type	Odometer as of //				Vehicle Nbr 2886487
Brand	Title Issue Date 06/16/2011	Vehicle Sale Date 05/12/2011	Transfer Reason OOS Title Transfer	Attribute	Owner Tracking Nbr	Fleet Nbr	

Owner Name and Address

Harry Hildibrand LLC
2675 Palmer St Ste f
Missoula, MT 59808
Customer Number: 1727321

This vehicle/vessel is subject to the following security interest:

Mail To:

Harry Hildibrand LLC
PO Box 16270
Missoula, MT 59808



The vehicle/vessel may be subject to other security interests.

SELLER COMPLETES IN INK	Print name of buyer, whether individual or business		Date of Transfer (delivery of vehicle)	
	Buyer's Street Address		City	State
				Zip
	Federal and state law require that the owner state the mileage of a vehicle upon transfer of ownership. If you fail to complete this disclosure or provide a false statement, you may be subject to fines and/or imprisonment. I state that this (check one) <input type="checkbox"/> 5 or <input type="checkbox"/> 6 digit odometer now reads (no tenths) _____ miles, date read _____ and to the best of my knowledge it reflects the actual mileage unless one of the following statements is checked: <div style="border: 1px solid black; padding: 2px;"> DO NOT CHECK UNLESS APPLICABLE: <input type="checkbox"/> The odometer reading reflects the amount of mileage in excess of its mechanical limits. <input type="checkbox"/> The odometer reading is not the actual mileage. Warning - odometer discrepancy. </div>			
NOTARY	Under penalty of law, I certify the above odometer disclosure and transfer of ownership information is correct to the best of my knowledge; that I am the same person named above; and if signing for a business, I have full authority to act upon behalf of the owner, whose name appears on the upper left side of this Title. ALL OWNERS MUST SIGN.			
	Signature of Owner or Agent of Owner (Transferor)		Printed name - must be the same as signature (do not type)	
	Signature of Owner or Agent of Owner (if more than one)		Printed name - must be the same as signature (do not type)	
	State of _____ County of _____		Signed before me on (date) _____	
BUYER	by (clearly print name of person signing Title)		Notary Stamp/Seal	
	Notary signature _____		Printed name _____	
	Title or rank _____		Residing at _____	
	My commission expires _____			
ACKNOWLEDGEMENT OF MILEAGE DISCLOSURE: I am aware of the above odometer certification made by the seller.				
Signature of Buyer - only one signature is required		Printed name - must be the same as signature (do not type)		

Rev. 09/10



TITLE AND REGISTRATION BUREAU
1003 BUCKSKIN DRIVE
DEER LODGE MT 59722-2375

CONTROL NO. 12019338

Rev. 08/09

(This is not a title number)



KEEP IN SAFE PLACE-ANY ALTERATION-USE OF CORRECTION FLUID-ERASURE-VOIDS THIS TITLE

HHLLC 000045

187

STATE OF MONTANA

DEPARTMENT OF JUSTICE - MOTOR VEHICLE DIVISION 0000000000 4

57

CERTIFICATE OF TITLE

TITLE NUMBER	YEAR	MAKE/MANUFACT.	MODEL	BODY STYLE/LENGTH
H062361	1940	FORD	DEL	2D
VEHICLE/VESSEL IDENTIFICATION NUMBER	UNLADEN WEIGHT/MATERIAL		VESSEL NUMBER	
AZ152801	2,831			
ODOMETER READING	0		DATE ISSUED	
				07/21/2008
OTHER PERTINENT DATA				

OWNER(S) NAME AND ADDRESS

HARRY HILDBRAND LLC
PO BOX 16270
MISSOULA MT 59808

THIS VEHICLE/VESSEL IS SUBJECT TO THE FOLLOWING SECURITY INTEREST(S)

This entire section must be completed when selling, trading or transferring your vehicle/vessel.

STEP 1: OWNERS' ASSIGNED CURRENT PURCHASER

Owner(s) should assign their rights in the vehicle/vessel to the purchaser(s). Do not leave these lines blank - doing so constitutes an "open title" and is a violation of state law.

Print Name of Purchaser(s) (whether individual or business)

A. Facts

STEP 2: OWNERS' MILEAGE DISCLOSURE AND RELEASE OF INTEREST

Warning: Federal and state law requires that you state the mileage of the vehicle - failure to do so or providing a false statement may result in fines and/or imprisonment.

I/we state that this (check one) ☐ or ☐ digit odometer now reads (no tenths)

_____ miles, date read _____ and to the best of my/our knowledge it reflects the actual mileage unless one of the following statements is checked:

☐ DO NOT CHECK UNLESS APPLICABLE ☐ The odometer reading reflects the amount of mileage as required by the manufacturer's records ☐ The odometer reading is not the actual mileage - odometer discrepancy.

Notarize under penalty of law (Section 65-7-202, Montana Code Annotated) that the odometer reading on this certificate is true and correct to the best of my/our knowledge, information and belief, that I/we state the true mileage of the vehicle/vessel, and I/we are not a commercial entity, even if we are not to be so.

All owners must sign in ink. If notarized, sign in the presence of a notary.

X Signature of Seller(s) (Signatures)

Printed Name - must be same as signature (do not type)

X Signature of Buyer(s) (if more than one) - or - Business Name

Printed Name - must be same as signature (do not type)

DO NOT NOTARIZE OR VERIFY UNLESS SIGNED IN YOUR PRESENCE AND PURCHASER NAME(S) IS LISTED.

State of _____ County of _____

Subscribed and affirmed to before me on (date) _____ by (identify/print name of person appearing before you) _____

Notary signature _____

Printed name _____

Title or rank _____

For the State of _____ County of _____

Residing at _____

My commission expires _____

Asst.

Notary

Govt.

Honor.

By commission expires _____

STEP 3: NOTARIZATION FOR PURCHASER'S MILEAGE DISCLOSURE

Notarize this section at the same location and time as the seller(s).

Signature of Notary _____ Date of Sign _____

Signature of Buyer(s) _____ Date of Sign _____

Signature of Seller(s) _____ Date of Sign _____

Signature of Buyer(s) _____ Date of Sign _____

Signature of Seller(s) _____ Date of Sign _____

Signature of Buyer(s) _____ Date of Sign _____

Signature of Seller(s) _____ Date of Sign _____

Signature of Buyer(s) _____ Date of Sign _____

Signature of Seller(s) _____ Date of Sign _____

Signature of Buyer(s) _____ Date of Sign _____

Signature of Seller(s) _____ Date of Sign _____

Signature of Buyer(s) _____ Date of Sign _____

Signature of Seller(s) _____ Date of Sign _____

Signature of Buyer(s) _____ Date of Sign _____

The Montana Department of Justice, Motor Vehicle Division, hereby certifies that the person(s) named above is/are the owner(s) of the vehicle/vessel described, which is subject to the security interest(s) shown.

TITLE AND REGISTRATION BUREAU
1000 BUCKSKIN DRIVE
DEER LODGE MT 59723-2975

001092860

CONTROL NO. 11078915

This is not a fee receipt

Rev. 01/07

PLATE

PEAR

HLLC 000046

ARIZONA CERTIFICATE OF TITLE



**Motor
Vehicle
Division**

40-7200 R10/08 www.azdot.gov

Inventory Control

18583444

Vehicle Identification Number

VC570141640

Year

1957

Make

CHEV

Model

BELAI

Body Style

CV

First Registered

00/0000

List Price

000000

Mobile Home Manufacturer

Unit Number

HARRY HILDBRAND LLC
2675 PALMER ST #F
MISSOULA MT 59808

Title Number

BE27011159004

Previous Title Number

872750340065

State

KY

Issue Date

06082011

Issue Date

10161987

Film Number

L159BE2702

Previous Film Number

ORIGINAL

Odometer Miles (no tenths)

0103225 A

A - Actual Mileage

B - Mileage in excess of the odometer mechanical limits

C - NOT Actual Mileage, WARNING ODOMETER DISCREPANCY

Arizona Brands

Previous Brand

State Previous Brand

State Previous Brand

State Other States With Brands

Owners/Lessees

HARRY HILDBRAND LLC

Lienholders

LIEN RELEASE

Lienholder Name		Acknowledged before me this date		Notary Public Signature	
Lien Amount	Lienholder Signature	Date	County	State	Commission Expires

HILLEC 000047

STATE OF MONTANA

DEPARTMENT OF JUSTICE - MOTOR VEHICLE DIVISION
CERTIFICATE OF TITLE

pj5732

Title Nbr	Year	Make	Model	Extended Model	Style	NCIC Vehicle Type	Unladen Weight/Material
AA0839159	1957	Chrysler	300c		CV	PC	2900
VIN/HIN	MT Boat Nbr	Ton Code/Propulsion Type	Odometer	Vehicle Nbr			
3NS71810			as of //	2886512			
Brand	Title Issue Date	Vehicle Sale Date	Transfer Reason	Attribute	Owner Tracking Nbr	Fleet Nbr	
	06/16/2011	05/12/2011	Cancel - Voluntary Transfer				

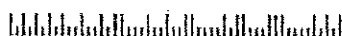
Owner Name and Address

Harry Hildibrand LLC
2675 Palmer St Ste F
Missoula, MT 598081741
Customer Number: 1527132

This vehicle/vessel is subject to the following security interest:

Mail To:

Harry Hildibrand LLC
PO Box 16270
Missoula, MT 598086270



The vehicle/vessel may be subject to other security interests.

SELLER COMPLETES IN INK	As the Registered Owner of the above vehicle, I transfer all right, title and interest to the vehicle to the following person, as of the date below:			
	Print name of buyer, whether individual or business		Date of Transfer (delivery of vehicle)	
	Buyer's Street Address		City	State
			Zip	
	Federal and state law require that the owner state the mileage of a vehicle upon transfer of ownership. If you fail to complete this disclosure or provide a false statement, you may be subject to fines and/or imprisonment.			
	I state that this (check one) <input type="checkbox"/> S or <input type="checkbox"/> G digit odometer now reads (no tenths) _____ miles, date read _____ and to the best of my knowledge it reflects the actual mileage unless one of the following statements is checked:			
	DO NOT CHECK UNLESS APPLICABLE: <input type="checkbox"/> The odometer reading reflects the amount of mileage in excess of its mechanical limits.			
	<input type="checkbox"/> The odometer reading is not the actual mileage. Warning - odometer discrepancy.			
	Under penalty of law, I certify the above odometer disclosure and transfer of ownership information is correct to the best of my knowledge, that I am the same person named above, and if signing for a business, I have full authority to act upon behalf of the owner, whose name appears on the upper left side of this Title. ALL OWNERS MUST SIGN.			
	Signature of Owner or Agent of Owner (Transferor)		Printed name - must be the same as signature (do not type)	
X				
Signature of Owner or Agent of Owner (if more than one)		Printed name - must be the same as signature (do not type)		
X				
NOTARY	State of	County of	Signed before me on (date)	Notary Stamp/Seal
	by (clearly print name of person signing Title)			
	Notary signature		Printed name	
	Title or rank	Residing at	My commission expires	
BUYER	ACKNOWLEDGEMENT OF MILEAGE DISCLOSURE: I am aware of the above odometer certification made by the seller.			
	Signature of Buyer - only one signature is required		Printed name - must be the same as signature (do not type)	
X				

Rev. 09/10



TITLE AND REGISTRATION BUREAU
1003 BUCKSKIN DRIVE
DEER LODGE MT 59722-2375

CONTROL NO. 12019306

Rev. 08/09

(This is not a title number)



KEEP IN SAFE PLACE ANY ALTERATION USE OF CORRECTION FLUID/ERASURE VOID THIS TITLE

HLLC 000048

STATE OF MONTANA

DEPARTMENT OF JUSTICE - MOTOR VEHICLE DIVISION
CERTIFICATE OF TITLE

PJ5718

Title Nbr AA0840975	Year 1957	Make Ford	Model Fairlane 500	Extended Model	Style SD	NCIC Vehicle Type PC	Unladen Weight/Material 2900
VIN/HIN D7LV162233	MT Boat Nbr	Ton Code/Propulsion Type	Odometer as of //	Vehicle Nbr 2887309			
Brand	Title Issue Date 06/16/2011	Vehicle Sale Date 05/13/2011	Transfer Reason OOS Title Transfer	Attribute	Owner Tracking Nbr	Fleet N	

Owner Name and Address

Harry Hildibrand LLC
2675 Palmer St Ste F
Missoula, MT 598081741
Customer Number: 1527132

This vehicle/vessel is subject to the following security interest:

Mail To:

Harry Hildibrand LLC
PO Box 16270
Missoula, MT 598086270



The vehicle/vessel may be subject to other security interests.

SELLER COMPLETES IN INK	As the Registered Owner of the above vehicle, I transfer all right, title and interest to the vehicle to the following person, as of the date below:			
	Print name of buyer, whether individual or business		Date of Transfer (delivery of vehicle)	
	Buyer's Street Address		City	State
			Zip	
NOTARY	Federal and state law require that the owner state the mileage of a vehicle upon transfer of ownership. If you fail to complete this disclosure or provide a false statement, you may be subject to fines and/or imprisonment.			
	I state that this (check one) <input type="checkbox"/> 5 or <input type="checkbox"/> 6 digit odometer now reads (no tenths) _____ miles, date read _____ and to the best of my knowledge it reflects the actual mileage unless one of the following statements is checked:			
	DO NOT CHECK UNLESS APPLICABLE: <input type="checkbox"/> The odometer reading reflects the amount of mileage in excess of its mechanical limits.			
	<input type="checkbox"/> The odometer reading is not the actual mileage. Warning - odometer discrepancy.			
	Under penalty of law, I certify the above odometer disclosure and transfer of ownership information is correct to the best of my knowledge; that I am the same person named above; and if signing for a business, I have full authority to act upon behalf of the owner, whose name appears on the upper left side of this Title. ALL OWNERS MUST SIGN.			
	Signature of Owner or Agent of Owner (Transferor)		Printed name - must be the same as signature (do not type)	
	Signature of Owner or Agent of Owner (if more than one)		Printed name - must be the same as signature (do not type)	
	State of _____ County of _____		Signed before me on (date) _____	
	by (clearly print name of person signing Title)		Notary Stamp/Seal	
	Notary signature _____ Printed name _____			
Title or rank _____ Residing at _____		My commission expires _____		
BUYER	ACKNOWLEDGEMENT OF MILEAGE DISCLOSURE: I am aware of the above odometer certification made by the seller.			
	Signature of Buyer - only one signature is required		Printed name - must be the same as signature (do not type)	

Rev. 09/10



TITLE AND REGISTRATION BUREAU
1003 BUCKSKIN DRIVE
DEER LODGE MT 59722-2375

CONTROL NO. 12019301

Rev. 08/09

(This is not a title number)



KEEP IN SAFE PLACE ANY ALTERATION USE OF CORRECTION FLUID ERASURE - VOIDS THIS TITLE

HILLCC 000049

STATE OF MONTANA

DEPARTMENT OF JUSTICE - MOTOR VEHICLE DIVISION
CERTIFICATE OF TITLE

pj5732

Title Nbr AA0839179	Year 1957	Make Oldsmobile	Model 98 Rocket	Extended Model	Style CV	NCIC Vehicle Type PC	Unladen Weight/Material 2900
VIN/HIN 579M27665	MT Boat Nbr	Ton Code/Propulsion Type	Odometer as of //				Vehicle Nbr 2886520
Brand	Title Issue Date 06/16/2011	Vehicle Sale Date 05/12/2011	Transfer Reason OOS Title Transfer	Attribute	Owner Tracking Nbr	Fleet N	

Owner Name and Address

Harry Hildibrand LLC
2675 Palmer St Ste F
Missoula, MT 598081741
Customer Number: 1527132

This vehicle/vessel is subject to the following security interest:

Mail To:

Harry Hildibrand LLC
PO Box 16270
Missoula, MT 598086270



The vehicle/vessel may be subject to other security interests.

SELLER COMPLETES IN INK	As the Registered Owner of the above vehicle, I transfer all right, title and interest to the vehicle to the following person, as of the date below:			
	Print name of buyer, whether individual or business			Date of Transfer (delivery of vehicle)
	Buyer's Street Address		City	State
			Zip	
NOTARY	Federal and state law require that the owner state the mileage of a vehicle upon transfer of ownership. If you fail to complete this disclosure or provide a false statement, you may be subject to fines and/or imprisonment.			
	I state that this (check one) <input type="checkbox"/> 5 or <input type="checkbox"/> 6 digit odometer now reads (no tenths) _____ miles, date read _____ and to the best of my knowledge it reflects the actual mileage unless one of the following statements is checked:			
	DO NOT CHECK UNLESS APPLICABLE: <input type="checkbox"/> The odometer reading reflects the amount of mileage in excess of its mechanical limits.			
	<input type="checkbox"/> The odometer reading is not the actual mileage. Warning - odometer discrepancy.			
BUYER	Under penalty of law, I certify the above odometer disclosure and transfer of ownership information is correct to the best of my knowledge; that I am the same person named above; and if signing for a business, I have full authority to act upon behalf of the owner, whose name appears on the upper left side of this Title. ALL OWNERS MUST SIGN.			
	Signature of Owner or Agent of Owner (Transferor)		Printed name - must be the same as signature (do not type)	
	Signature of Owner or Agent of Owner (if more than one)		Printed name - must be the same as signature (do not type)	
BUYER	State of		County of	Signed before me on (date)
	by (clearly print name of person signing Title)		Notary Stamp/Seal	
	Notary signature		Printed name	
	Title or rank		Residing at	My commission expires
ACKNOWLEDGEMENT OF MILEAGE DISCLOSURE: I am aware of the above odometer certification made by the seller.				
Signature of Buyer - only one signature is required			Printed name - must be the same as signature (do not type)	

Rev. 09/10



TITLE AND REGISTRATION BUREAU
1003 BUCKSKIN DRIVE
DEER LODGE MT 59722-2375

CONTROL NO. 12019307

Rev. 06/08

(This is not a title number)



KEEP IN SAFE PLACE ANY ALTERATION USE OF CORRECTION FLUID ERASER VOID THIS TITLE

HLLC 000050

DEPARTMENT OF JUSTICE - MOTOR VEHICLE DIVISION

CERTIFICATE OF TITLE

pj5732

Title Nbr AA0839202	Year 1971	Make DE TOMASO	Model Pantera	Extended Model	Style 2D	NCIC Vehicle Type PC	Unladen Weight/Material 2900
VIN/HIN THPNLY01620	MT Boat Nbr	Ton Code/Propulsion Type	Odometer as of //	Vehicle Nbr 2886535			
Brand	Title Issue Date 06/16/2011	Vehicle Sale Date 05/12/2011	Transfer Reason Cancel - Voluntary Transfer	Attribute	Owner Tracking Nbr	Fleet N	

Owner Name and Address

Harry Hildibrand LLC
2675 Palmer St Ste F
Missoula, MT 598081741
Customer Number: 1527132

This vehicle/vessel is subject to the following security interest:

Mail To:

Harry Hildibrand LLC
PO Box 16270
Missoula, MT 598086270

|||||

The vehicle/vessel may be subject to other security interests.

SELLER COMPLETES IN INK	As the Registered Owner of the above vehicle, I transfer all right, title and interest to the vehicle to the following person, as of the date below:			
	Print name of buyer, whether individual or business		Date of Transfer (delivery of vehicle)	
	Buyer's Street Address		City	State Zip
	Federal and state law require that the owner state the mileage of a vehicle upon transfer of ownership. If you fail to complete this disclosure or provide a false statement, you may be subject to fines and/or imprisonment. I state that this (check one) <input type="checkbox"/> 5 or <input type="checkbox"/> 6 digit odometer now reads (no tenths) _____ miles, date read _____ and to the best of my knowledge it reflects the actual mileage unless one of the following statements is checked: <div style="border: 1px solid black; padding: 2px;"> DO NOT CHECK UNLESS APPLICABLE: <input type="checkbox"/> The odometer reading reflects the amount of mileage in excess of its mechanical limits. <input type="checkbox"/> The odometer reading is not the actual mileage. Warning - odometer discrepancy. </div>			
NOTARY	Under penalty of law, I certify the above odometer disclosure and transfer of ownership information is correct to the best of my knowledge; that I am the same person named above; and if signing for a business, I have full authority to act upon behalf of the owner, whose name appears on the upper left side of this Title. ALL OWNERS MUST SIGN.			
	Signature of Owner or Agent of Owner (Transferor)		Printed name - must be the same as signature (do not type)	
	Signature of Owner or Agent of Owner (if more than one)		Printed name - must be the same as signature (do not type)	
	State of _____ County of _____		Signed before me on (date) _____	
BUYER	Notary signature		Printed name	
	Title or rank		Residing at	
	My commission expires			
	ACKNOWLEDGEMENT OF MILEAGE DISCLOSURE: I am aware of the above odometer certification made by the seller.			
Signature of Buyer - only one signature is required		Printed name - must be the same as signature (do not type)		

Rev. 09/10



TITLE AND REGISTRATION BUREAU
1003 BUCKSKIN DRIVE
DEER LODGE MT 59722-2375

CONTROL NO. 12019304

Rev. 09/09

(This is not a title number)



KEEP IN SAFE PLACE ANY ALTERATION USE OF CORRECTION FLUID ERASURE VOIDS THIS TITLE

STATE OF MONTANA

DEPARTMENT OF JUSTICE - MOTOR VEHICLE DIVISION
CERTIFICATE OF TITLE

p/5722

Title Nbr AA0839216	Year 1973	Make DE TOMASO	Model Pantera	Extended Model	Style 2D	NCIC Vehicle Type PC	Unladen Weight/Materials 2900
VIN/HIN THPNNU05291	MT Boat Nbr	Ton Code/Propulsion Type	Odometer as of //	Vehicle Nbr 2886540			
Brand	Title Issue Date 06/16/2011	Vehicle Sale Date 05/12/2011	Transfer Reason OOS Title Transfer	Attribute	Owner Tracking Nbr	Fleet	

Owner Name and Address
 Harry Hildibrand LLC
 2675 Palmer St Ste F
 Missoula, MT 598081741
 Customer Number: 1527132

This vehicle/vessel is subject to the following security interest:

Mail To:

Harry Hildibrand LLC
 PO Box 16270
 Missoula, MT 598086270



The vehicle/vessel may be subject to other security interests.

SELLER COMPLETES IN INK	As the Registered Owner of the above vehicle, I transfer all right, title and interest to the vehicle to the following person, as of the date below:			
	Print name of buyer, whether individual or business		Date of Transfer (delivery of vehicle)	
	Buyer's Street Address		City	State Zip
	Federal and state law require that the owner state the mileage of a vehicle upon transfer of ownership. If you fail to complete this disclosure or provide a false statement, you may be subject to fines and/or imprisonment. I state that this (check one) <input type="checkbox"/> 5 or <input type="checkbox"/> 6 digit odometer now reads (in words) _____ and to the best of my knowledge it reflects the actual mileage unless one of the following statements is checked: <input type="checkbox"/> DO NOT CHECK UNLESS APPLICABLE: <input type="checkbox"/> The odometer reading reflects the amount of mileage in excess of its mechanical limits. <input type="checkbox"/> The odometer reading is not the actual mileage. Warning - odometer discrepancy.			
NOTARY	Under penalty of law, I certify the above odometer disclosure and transfer of ownership information is correct to the best of my knowledge, that I am the same person named above, and if selling a business, I have full authority to act upon behalf of the owner, whose name appears on the upper left side of this Title. ALL OWNERS MUST SIGN.			
	Signature of Owner or Agent of Owner (Transferor)		Printed name - must be the same as signature (do not type)	
	X Signature of Owner or Agent of Owner (if more than one)		Printed name - must be the same as signature (do not type)	
	State of _____ County of _____		Signed before me on (date) _____ Notary Stamp/Seal	
BUYER	by (clearly print name of person signing Title)			
	Notary Signature		Printed name	
	Title or rank	Residing at	My commission expires	
	ACKNOWLEDGEMENT OF MILEAGE DISCLOSURE: I am aware of the above odometer certification made by the seller.			
Signature of Buyer - only one signature is required		Printed name - must be the same as signature (do not type)		

Rev. 09/10



TITLE AND REGISTRATION BUREAU
 1003 BUCKSKIN DRIVE
 DEER LODGE MT 59722-2375

CONTROL NO. 12019305

Rev. 08/09

(This is not a title number)



KEEP IN SAFE PLACE ANY ALTERATION USE OF CORRECTION FLUID - ERASURE - VOID THIS TITLE

HHLLC 000052

194

HOLLAND & HART LLP
 9555 Hillwood Drive, 2nd Floor
 Las Vegas, NV 89134
 Phone: (702) 669-4600 ♦ Fax: (702) 669-4650

1 TPC
 Joseph G. Went, Esq.
 2 Nevada Bar No. 9220
 Sydney R. Gambee, Esq.
 3 Nevada Bar No. 14201
 HOLLAND & HART LLP
 4 9555 Hillwood Drive, 2nd Floor
 Las Vegas, Nevada 89134
 5 (702) 669-4600
 jgwent@hollandhart.com
 6 srgambee@hollandhart.com
 7 *Attorneys for Harry Hildibrand, LLC*

8 **DISTRICT COURT**

9 **CLARK COUNTY, NEVADA**

10 BAKER BOYER NATIONAL BANK, a
 Washington corporation,
 11 Plaintiff/Judgment Creditor,
 12
 13 v.
 14 JAMES PATTERSON FOUST, JR., also
 known a James P. Foust, Jr., individually,
 and his marital community, if any,
 15 Defendant/Judgment Debtor.
 16

CASE NO.: A-17-760779-F

DEPT. NO.: II

**VERIFIED THIRD-PARTY CLAIM OF
 HARRY HILDIBRAND LLC IN
 RESPONSE TO WRIT OF EXECUTION**

17 TO: THE CONSTABLE – LAUGHLIN TOWNSHIP OF CLARK COUNTY

18 I, Edward N. Detwiler, hereby declare as follows:

19 1. I am a managing director of Harry Hildibrand, LLC, a Montana limited liability
 20 company ("HH"). I am authorized to make this verified third-party claim on behalf of HH
 21 pursuant to NRS 31.070(1), and I make this declaration based on my personal knowledge.

22 2. On or about January 13, 2017, HH became the owner of certain personal property
 23 described as a 1997 Prevost Bus Motorcoach, Vehicle Identification Number
 24 2PCM3349XV1026183, registered with the State of Montana, Department of Justice – Motor
 25 Vehicle Division, Title Number AA3350572 (the "Motorcoach").

26 3. On or about February 4, 2018, I discovered that the Motorcoach was levied on by
 27 Plaintiff/Judgment Creditor Baker Boyer National Bank, a Washington corporation ("Baker
 28 Boyer" or Plaintiff").

HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, NV 89134
Phone: (702) 669-4600 • Fax: (702) 669-4650

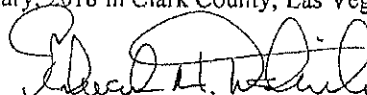
1 4. The Motorcoach belongs to HH, not Defendant James Patterson Foust, Jr. ("Foust"
2 or "Defendant"), as HH's interest as legal owner is documented on the title to the Motorcoach, and
3 HH is entitled to possession of the Motorcoach.

4 5. As a result of HH's ownership, the Motorcoach should not be subject to a levy by
5 Baker Boyer and should be released to HH absent a timely and sufficient undertaking being made
6 by Baker Boyer in favor of HH as required under NRS 31.070.

7 6. In the event that the Motorcoach is not immediately released to HH, and Baker
8 Boyer challenges this third-party claim, under NRS 31.070, Baker Boyer must post an undertaking
9 executed by at least two good and sufficient sureties in a sum equal to double the value of the
10 property levied on. If such undertaking is not posted within seven days, by law the Constable's
11 Office must release the property levied on.

12 I declare under penalty of perjury under the law of the State of Nevada that the foregoing is
13 true and correct.

14 EXECUTED this 27th day of February, 2018 in Clark County, Las Vegas, Nevada.

15 

16 EDWARD N. DETWILER
17 Managing Director
18 Harry Hildibrand LLC
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HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, NV 89134
Phone: (702) 669-4600 • Fax: (702) 669-4650

1 **DECL**
2 Joseph G. Went, Esq.
3 Nevada Bar No. 9220
4 Sydney R. Gambee, Esq.
5 Nevada Bar No. 14201
6 HOLLAND & HART LLP
7 9555 Hillwood Drive, 2nd Floor
8 Las Vegas, Nevada 89134
9 (702) 669-4600
10 jgwent@hollandhart.com
11 srgambee@hollandhart.com
12 *Attorneys for Harry Hildibrand, LLC*

8 **DISTRICT COURT**

9 **CLARK COUNTY, NEVADA**

10 BAKER BOYER NATIONAL BANK, a
11 Washington corporation,

12 Plaintiff/Judgment Creditor,

13 v.

14 JAMES PATTERSON FOUST, JR., also
15 known a James P. Foust, Jr., individually,
16 and his marital community, if any,

17 Defendant/Judgment Debtor.

CASE NO.: A-17-760779-F

DEPT. NO.: II

**DECLARATION OF EDWARD N.
DETWILER IN SUPPORT OF
APPLICATION FOR HEARING
WITHIN 10 DAYS ON THIRD PARTY'S
CLAIM OF INTEREST IN PROPERTY
LEVIED UPON**

17 I, Edward N. Detwiler, hereby declare as follows:

18 1. I am a managing director of Harry Hildibrand, LLC, a Montana limited liability
19 company ("HH"). I am authorized to make this verified third-party claim on behalf of HH
20 pursuant to NRS 31.070(1), and I make this declaration based on my personal knowledge.

21 2. On or about November 12, 2008, I became a managing director of HH. A true and
22 correct copy of the Minutes of Special Meeting of Harry Hildibrand, LLC dated November 12,
23 2008 are attached to the Application **Exhibit 2** and incorporated herein by reference.

24 3. On or about November 12, 2008, Defendant/Judgment Debtor James Patterson
25 Foust, Jr. ("Foust" or "Judgment Debtor") resigned as a managing director of HH.

26 4. On or about January 13, 2017, HH became the owner of certain personal property
27 described as a 1997 Prevost Bus Motorcoach, Vehicle Identification Number
28 2PCM3349XV1026183, registered with the State of Montana, Department of Justice -- Motor

HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, NV 89134

Phone: (702) 669-4600 ♦ Fax: (702) 669-4650

1 Vehicle Division, Title Number AA3350572 (the "Motorcoach"). A true and correct copy of the
2 Certificate of Title for the Motorcoach issued by the State of Montana, Department of Justice –
3 Motor Vehicle Division identifying HH's ownership interest is attached to the Application as
4 **Exhibit 3** and incorporated herein by reference.

5 5. The consideration for HH's purchase of the Motorcoach was approximately
6 \$135,000.00, comprised of a lump sum cash payment of \$5,000.00 and the assumption of the
7 remaining payments owed to the lender, Santander Consumer USA ("Santander"), that financed
8 the original acquisition of the Motorcoach.

9 6. After completing the purchase of the Motorcoach, including paying \$5,000.00 to
10 Foust, HH commenced making the monthly payments owed to Santander.

11 7. HH has made all monthly payments to Santander since January 2017.

12 8. HH parked the Motorcoach at a lot that it rents at the LVM Resort, a Class A
13 motorcoach facility, located at 8175 Arville Street, Unit 172, Las Vegas, Nevada, 89139.

14 9. On February 4, 2018, I attempted to use the Motorcoach, but discovered that it was
15 missing from the lot at the LVM Resort.

16 10. On February 12, 2018, I provided a voluntary statement to the Las Vegas
17 Metropolitan Police Department regarding the removal of the Motorcoach from the lot at the LVM
18 Resort. A true and correct copy of the February 12, 2018 police report is attached to the
19 Application as **Exhibit 4** and incorporated herein by reference.

20 11. My personal items, including a safe, were in the Motorcoach at the time it was
21 taken.

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HOLLAND & HART LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, NV 89134
Phone: (702) 669-4600 ♦ Fax: (702) 669-4650

1 12. On or about February 28, 2018, HH caused the Verified Claim to be served upon
2 the Office of the Ex-Officio Constable (the "Constable"), Laughlin Constable's Office, Laughlin,
3 Nevada, and upon Baker Boyer. A true and correct copy of the Verified Claim is attached to the
4 Application as Exhibit 5 and incorporated herein by reference.

5 I declare under penalty of perjury under the law of the State of Nevada that the foregoing is
6 true and correct, and that I am physically located outside the geographic boundaries of the United
7 States, Puerto Rico, the United States Virgin Islands and any territory or insular possession subject
8 to the jurisdiction of the United States.

9 EXECUTED on the 1st day of March 2018 in Roatan, Honduras.

10 */s/ Edward N. Detwiler*

11 _____
12 EDWARD N. DETWILER
13 Managing Director
14 Harry Hildibrand LLC
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Harry Hildibrand Dates

2006-12-29 Operating Agreement, Harry Hildibrand incorporated
2006-12-30 Ownership of HH
2007-08-27 Ownership of HH
2007-10-09 Aircraft Purchased
2008-11-12 Foust resigns as managing director
2008-11-12 Foust appoints Edward Detwiler as managing director
2008-12-12 open bank account
2010-10-01 Harry Hildibrand 99% re-distribution suthotization
2010-12-02 re-distribution new memebbers
2011-04-14 HH Bill of sale - 10 cars
2016-11-16 HH Minutes - assign HH membership & stardust agrees to purchase
2016-11-16 Schedule "B" as of 8/2014 & Nov. 16 2016
2016-12-22 Schedule "B"
2017-01-02 HH Minutes - Purchase Coach
2017-01-02 HH Minutes - Purchase 1966 Ford t-bird
2017-01-12 Amended Operatin agreement
2017-01-13 Schedule "B" - Stardust 100% owner
2018-02-21 Aircraft Sold
2018-03-15 HH Minutes to incororate amended Operating agreement
2018-03-20 Certification Letter

Vehicle Transfer Log

1966 Ford Thunderbird

Bought By: Old Reliable tractor 3/9/1990 Rick Cole auction
 Bought By: Broker Investment - James Foust
 Resold By: James Foust
 TO: Tommy?? 2/9/2010 Default – No payment
 Resold BY: James Foust
 TO: Harry Hildibrand 11/15/2016
 Resold BY: Harry Hildibrand 12/22/2016
 TO: Buyer

2016 Motorcycle

Bought By: Hardy Hildibrand (Harry) 7/26/2016
 By: James P. Foust, executed for Harry Hildibrand
 Resold BY: Harry Hildibrand 12/22/2016
 TO: Buyer

2000 GMC Yukon

Bought By: Harry Hildibrand 10/20/2014
 From: By JPF Enterprises
 On Behalf: By James P. Foust

2004 Volvo

Bought By: Garry Detwiler 02/16/2014
 From: James P. Foust

2007 Mercedes S550

Bought By: Harry Hildibrand 03/14/2014
 From: James P. Foust
 Resold To: Vanessa Foust 1/12/2017 (*)

2007 Mercedes M50SUV

Bought By: Harry Hildibrand 03/14/2014
 From: James P. Foust
 Resold To: Naomi Foust 1/12/2017 (*)

2007 Mercedes CLK550

Bought By: Harry Hildibrand 07/26/2012

From: James P. Foust

Resold To: Jocelyn Foust 1/12/2017 (*)

(*) Autos have been sold, waiting for final confirmation & payment
To Seller by Buyer

Cash Flow

<u>Month</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>
Foust	\$ (5,000)					
Repairs						\$ (12,000)
Insurance	\$ (1,200)					
Misc Repairs	\$ (500)					\$ (1,000)
Note Due Pmt		\$ (2,500)	\$ (2,500)	\$ (2,500)	\$ (2,500)	\$ -
Note Bal Due						\$ (100,000)
Sale						\$ 150,000
Total Cash IN	\$ (6,700)	\$ (9,200)	\$ (11,700)	\$ (14,200)	\$ (16,700)	\$ 20,300
Cash Value						
Opportunity	\$ (83.75)	\$ (115.00)	\$ (146.25)	\$ (177.50)	\$ (208.75)	\$ (731)
Venture expectations						\$ 19,569
Maximum Cash In At		5 Months			\$ (16,700)	
Cash Return (after cash out)					\$ 19,569	

12/29/2006

**OPERATING AGREEMENT
OF
HARRY HILDBRAND, LLC
A Montana Limited Liability Company**

SECTION 1

Name, Place of Business, Term, Initial Manager

1.1 Name. The name of the Limited Liability Company (Company) is HARRY HILDBRAND, LLC.

1.2 Principle Place of Business. The principle place of business of the Company is 818 W. Central Ave., Suite 3, Missoula, MT 59801.

1.3 Term. The Company begins on the date of filing its Articles of Organization with the Secretary of State and continues until dissolved by an act specified in this Agreement or specified by the Company's Articles of Organization.

1.4 Managers. The initial Manager of the Company is Montana RV Registration, LLC, a Montana Limited Liability Company residing at 818 W. Central Ave., Suite 3, Missoula, MT 59801.

1.5 Member. The Member (Owner) of the limited liability company is James P. Foust, 10821 Woodstream Ct., Las Vegas, NV 89135.

SECTION 2

Purposes of the Business

2.1 General Purpose of the Business. The Company is primarily involved in the business of investing in real and personal property in Montana and in any other lawful business upon which the Member owning a majority of the company percentages may agree.

SECTION 3

Contributions to Capital and Assumption of Liabilities

3.1 Capital and Liabilities. The initial Member has contributed the property described in Exhibit "A" attached hereto.

3.2 Limitation on Withdrawal. Except by unanimous vote of the Members, Members may not withdraw from the Capital Accounts or add to the Capital Accounts.

3.3 Additional Contributions. No Member shall be obligated to make any

additional contributions to the Company without the Members' written consent.

3.4 Capital Accounts. An individual capital account shall be maintained for each Member in accordance with the requirements of Treasury Regulation § 1.704-1(b)(2)(iv) or any successor regulatory or statutory provision. Furthermore, in maintaining such capital accounts there shall be increases or decreases in each Member's capital account as necessary to reflect a revaluation of Company's assets in accordance with the requirements of Treasury Regulations §§ 1.704-1(b)(2)(ii)(f) and 1.704(b)(2)(iv)(g), or any successor regulatory or statutory provision.

Profits and Losses

4.1 Allocation of Net Profits and Losses. In accordance with generally accepted cash basis accounting principles, the Company's accountant or bookkeeper shall determine net profits or losses of the Company as of the close of each fiscal year and shall allocate the net profits and losses to each Member's capital account in accordance with their company percentages as of the close of each fiscal year.

4.2 Withdrawal of Income. Income shall be distributed at least semi-annually; providing, however, the Members may agree to accumulate income for expenses and/or repairs. Any accumulated income shall be treated as an additional capital contribution.

SECTION 5

Management

5.1 Management. The management of the limited liability company shall be by one or more Managers selected by majority vote of the Members.

5.2 Vote Required. Except as specifically provided otherwise, decisions of the Company may be made by either Manager or Member.

5.3 Selling Assets. The Manager shall not sell, transfer, or have control of any assets of the LLC without authorization from the Member.

SECTION 6

Dissociation

6.1 Events of Dissociation. A Member ceases to be a Member of the Company upon the happening of one of the events of dissociation set forth in 35-8-803 MCA.

6.2 Buy Out Provision. In the event of dissociation of a Member, the remaining Members may buy out the dissociating Member's interest at a value equal to the Member's percent interest in appraised value of the property in the Company, plus any cash or other investments held by the Company. Appraised value shall be set at fair market value based

on comparable sales, less 10%. If more than one Member exercises the right to buy out, the buy out will be apportioned among the Member's seeking the buy out. Notice of the election to buy out must be sent by certified mail to the dissociating Member or his or her legal representative, as well as all other Members, and the appraiser shall be selected by unanimous vote of the Members. If they cannot agree, the dissociating Member or his or her representative shall select an appraiser and the purchasing Member shall select an appraiser. The two appraisers shall select a third, independent appraiser. All the appraisers shall be certified and the appraisers shall jointly set the fair market value.

SECTION 7

Assignment

7.1 General Rules Regarding Assignment. A Membership interest is not assignable or transferable in whole or in part, voluntarily or involuntarily, except to a spouse or lineal descendant of the Trustors of the Member, subject to the right of the remaining Members to buy out as set forth in paragraph 6.2.

SECTION 8

Dissolution

8.1 Events of Dissolution. The Company is dissolved upon the happening of one of the following events:

- (a) At the time or upon the occasion of events specified in the Company's Articles of Organization;
- (b) A dissociation pursuant to paragraph 6.1.;
- (c) All of the Members consent to a dissolution; or
- (d) The entry of a decree of judicial dissolution

8.2 Articles of Dissolution. Upon the dissolution and the commencement of winding up of the Company, the Company shall file articles of dissolution with the Secretary of State.

8.3 Procedure. After payment of debts and liabilities, the Company's assets shall be sold in a reasonable commercial manner, unless the Members agree otherwise.

8.4 Procedure Upon Death of Member. Upon death of Member, this LLC and all assets contained herein, shall immediately proceed to the beneficiary, JPFENT Trust, as the new and sole owner of this LLC unless otherwise instructed.

SECTION 9

Dec-29 06-02:45p

James F.

966G

p.2

Members' Powers and Limitations

9.1 **Bank Accounts.** The Company may maintain a bank account in such bank as it selects with such signatures required as the Members unanimously agree.

SECTION 10**Miscellaneous**

10.1 **Books and Records.** The Company shall keep at its principal place of business:

- (a) A current list in alphabetical order of the full name and last known business street address of each Member;
- (b) A copy of the Articles of Organization and all certificates of amendment to them, together with executed copies of any powers of attorney pursuant to which any certificate of amendment has been executed;
- (c) Copies of any financial statements of the Company, if any, for the three most recent years; and
- (d) A copy of this Operating Agreement and any amendments thereto.

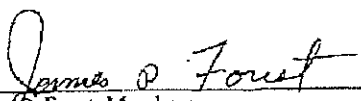
10.2 **Meetings.** The members shall meet at least annually at such times and places as agreed.

10.3 **Amendment.** The Members may amend this Agreement and Exhibit "A" upon execution of a written amendment signed by all of the Members.

10.4 **Fiscal Year.** The Company's fiscal year shall be a calendar year.

10.5 **Governing Law.** This agreement is governed by the laws of the State of Montana.

This Operating Agreement is signed on the 29 day of DEC., 2006.


James P. Foust, Member

Sales Agreement

1997 Prevost Coach
2PCM3349XV1026183

Seller: James Patterson Foust
720 ½ Prince St
Missoula MT 59801

Lien Holder: SANTANDER CONSUMER USA
PO BOX 660633
Dallas TX 75266-0633
Replaces Ganis Credit Corporation

Buyer: Harry Hildibrand LLC
PO BOX 16270
Missoula MT 59808

Terms: Buyer shall pay to seller the sum of \$5,000 and agrees to settle the outstanding Lien amount due Santander either by a full amount due at payoff or make the monthly payments due Santander of \$2,060.78. The total amount due Santander is \$130,000. In the event that Buyer fails to make a timely payment, Seller at his option can do so. Both Buyer and seller are aware that since the Lien is against seller, late payments would possibly affect his credit rating. Any late payments made by seller


would be repaid to seller by Buyer.

Seller is aware that it is Buyers intention to place this vehicle on the market as soon as possible. Seller is also aware buyer expects an investment from this sale. Seller has made buyer aware of some items that may have to be corrected prior to sale. Items known include Tires, batteries, repair of high pressure lines internally. There may be other items not known by the seller at this time.

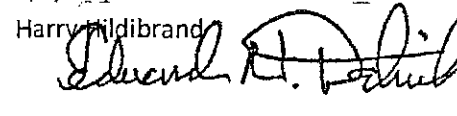
Buyer agrees that from time to time when seller is in Las Vegas NV working on a Harry Hildibrand project, buyer may request temporary lodging, if available.

The following has been authorized to fully execute this document.

Name: James Patterson Foust
Position: Owner
Date: 1/1/2017
On behalf of



Edward Detwiler
Manager
1/1/2017
Harry Hildibrand



3/10/18

**MONTANA SECRETARY OF STATE**

Return Method: Email

March 20, 2018

JARED S. HEGGEN
PO BOX 16270
MISSOULA MT 59808

CERTIFICATION LETTER

I, COREY STAPLETON, Secretary of State for the State of Montana, do hereby certify that

HARRY HILDIBRAND, LLC

filed its Articles of Amendment with this office and has fulfilled the applicable requirements set forth in law. By virtue of the authority vested in this office, I hereby issue this certificate evidencing the filing is effective on the date shown below.

Certified File Number: C162787 - 11443045**Effective Date:** March 20, 2018

Thank you for being a valued member of the Montana business community. I wish you continued success in your endeavors.

A handwritten signature in cursive script, appearing to read "Corey Stapleton".

Corey Stapleton
Montana Secretary of State



STATE OF MONTANA

11443045
 Montana Secretary of State
 Filed: March 20, 2018 03:24 PM
 BID: C162787

Articles of Amendment

HARRY HILDIBRAND, LLC (C162787)

General Details

Handling Option	1 Hour Expedite Handling
Delayed Effective Date	
Entity Status	Active Good Standing
Date the Initial Articles of Organization were filed	11/15/2006
Type of Limited Liability Company	Limited Liability Company
Amend entity name?	No

Registered Agent in Montana

Entity Name	JARED S HEGGEN
Street Address	3011 AMERICAN WAY, MISSOULA, Montana, 59808, United States
Mailing Address	PO BOX 16270, MISSOULA, Montana, 59808, United States
Registered Agent Type	Commercial

Business Mailing Address of Principal Office

Current Address	
Postal Address	3011 AMERICAN WAY, MISSOULA, Montana, 59808, United States
Term	Future Date
Term Expiration Date	11/30/2036
Purpose	NONE STATED
Other Amendments	

210

HHLLC 000068

Managers/Members

LLC Managed By
Previous Value

Managers
Members

FORMED 6/18/2002
OWNED BY JARED HEGGEN 11443045

Individual

Name

JAMES P FOUST

Changed

Status

Removed

Previous Value

Active

Business Mailing Address

10821 WOODSTREAM COURT, LAS VEGAS,
Nevada, 89135, United States

Registered Business Entity

Entity Name

MONTANA RV REGISTRATION, LLC

Created

Business Identifier

C116759

Status

Active

Business Mailing Address

3011 AMERICAN WAY, MISSOULA, Montana,
59808, United States

Signature

I have been authorized by the business entity to file this document online.
Yes

I, HEREBY SWEAR AND/OR AFFIRM, under penalty of law, including criminal prosecution, that the facts contained in this document are true. I certify that I am signing this document as the person(s) whose signature is required, or as an agent of the person(s) whose signature is required, who has authorized me to place his/her signature on this document.
Yes

Name

JARED S HEGGEN

Position

Attorney in Fact

Date

03/15/2018

On Behalf Of

JAMES P FOUST

211

HHLLC 000069

11443045



Daytime Contact

Phone

406-5438190

Email

taylor@heggenlawoffice.com

000747



000747

212

HHLLC 000070

CHASE for BUSINESS

Printed from Chase for Business

TOTAL BUS CHK (...3988)

Available balance	Present balance
\$5,889.37	\$5,889.37
Available credit	Available plus credit
\$0.00	\$5,889.37

SHOWING All transactions


Date	Description	Type	Amount	Balance
Jun 19, 2018	WU SANTANDER CSM 8882224227 6201266 TEL ID: 9125484204 ACH debit	ACH debit	-\$2,060.79	\$5,889.37
Jun 18, 2018	CHECK # 1546 Check	Check	-\$2,049.84	\$7,950.16
Apr 19, 2018	Transfer from CHK XXXXX6309 Account transfer	Account transfer	\$10,000.00	\$10,000.00

You've reached the end of your account activity.

Check Hide Image

Check Details

10011

Harry Hildibrand, LLC 3011 American Way Missoula, MT 59808-1921		Chase 80-7629222	Check 1546	1546
Two Thousand Forty-Nine and 84/100 Dollars*****		DATE Jun 10, 2018	AMOUNT \$ ***\$2,049.84	
PAY TO THE ORDER OF: Santander Consumer PO BOX 660633 DALLAS, TX 75266-0633		Account # XXXXXXXXXX		
MICR: ⑈001546⑈ ⑆32217⑆627⑆		Details on Back. Photo Safe Deposit®		

Back

https

://re07c.chase.com/web/auth/dashboaard#/dashboard/deposit/account/servicing/deposit/IDetail.s...&id=detail&s;params=withdrawalDetailsData

Santander Consumer

Check Number: 1543

Check Date: May 1, 2018

Duplicate

Check Amount: \$2,049.84

Discount Taken Amount Paid

Account #

Item to be Paid - Description

2018SAN6005 2060.79

2,049.84

Check 1543

James P. Foust
8175 Arville St. #172
Las Vegas NV 89139

May 1, 2018

***\$2,049.84

Two Thousand Forty-Nine and 84/100 Dollars*****

Account #

Santander Consumer
PO BOX 660633
DALLAS, TX 75266-0633

Lost
ACH

Santander Consumer

SAN60

Check Number: 1543

Check Date: May 1, 2018

Duplicate

Check Amount: \$2,049.84

Discount Taken Amount Paid

Account #

Item to be Paid - Description

2018SAN6005

2,049.84

CITRUS
CENTER

909
823
3481

215

HLLC 000073