

1 **NOA**

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4 **KERN LAW, Ltd.**

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Electronically Filed  
Jun 22 2020 12:54 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

11 **IN THE EIGHTH JUDICIAL DISTRICT COURT**

12 **CLARK COUNTY, NEVADA**

13 DOMINIQUE ARNOULD,

14 Plaintiff/Counter-Defendant,

15 vs.

16 CLEMENT MUNNEY; CHEF EXEC  
17 SUPPLIERS, LLC; and DOES I through X,  
18 inclusive, and ROE CORPORATIONS I  
19 through X, inclusive,

20 Defendants/Counter-Claimants.)

) Case Number: A-19-803488-B

) Dept. Number: 27

21 **NOTICE OF APPEAL**

22 Notice is hereby given that CLEMENT MUNNEY and CHEF EXEC SUPPLIERS,  
23 LLC, Defendant(s) above named, hereby appeal to the Supreme Court of Nevada from the  
24 Order Issuing Sanction, which is a final order, entered and served in this action on the 12<sup>th</sup>  
25 day of June, 2020.

26 DATED this 15<sup>th</sup> day of June, 2020.

27 KERN LAW

28 By: /s/ Robert Kern

Robert Kern Esq.

601 S. 6<sup>th</sup> Street

Las Vegas, NV 89101

(702) 518-4529

Attorney for Defendants

**CASE SUMMARY****CASE NO. A-19-803488-B**

**Dominique Arnould, Plaintiff(s)**  
**vs.**  
**Clement Mune, Defendant(s)**

§  
§  
§  
§  
§

Location: **Department 27**  
 Judicial Officer: **Allf, Nancy**  
 Filed on: **10/11/2019**  
 Cross-Reference Case Number: **A803488**

**CASE INFORMATION**Case Type: **NRS Chapters 78-89**

Case  
Status: **10/11/2019 Open**

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

Case Number A-19-803488-B  
 Court Department 27  
 Date Assigned 10/11/2019  
 Judicial Officer Allf, Nancy

**PARTY INFORMATION**

		<i>Lead Attorneys</i>
<b>Plaintiff</b>	<b>Arnould, Dominique</b>	<b>Aurbach, Phillip S.</b> <i>Retained</i> 7029422155(W)
<b>Defendant</b>	<b>Chef Exec Suppliers, LLC</b>	<b>Kern, Robert J.</b> <i>Retained</i> 702-518-4529(W)
	<b>Mune, Clement</b>	<b>Kern, Robert J.</b> <i>Retained</i> 702-518-4529(W)
<b>Counter Claimant</b>	<b>Chef Exec Suppliers, LLC</b>	<b>Kern, Robert J.</b> <i>Retained</i> 702-518-4529(W)
	<b>Mune, Clement</b>	<b>Kern, Robert J.</b> <i>Retained</i> 702-518-4529(W)
<b>Counter Defendant</b>	<b>Arnould, Dominique</b>	<b>Aurbach, Phillip S.</b> <i>Retained</i> 7029422155(W)

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

10/11/2019



Complaint (Business Court)

Filed By: Counter Defendant Arnould, Dominique  
*Complaint for Appointment of a Receiver or Dissolution of LLC; Declaratory Relief; Breach of Fiduciary Duty; and Damages*

10/11/2019









Initial Appearance Fee Disclosure

Filed By: Counter Defendant Arnould, Dominique  
*Initial Appearance Fee Disclosure*

# CASE SUMMARY

CASE NO. A-19-803488-B

10/11/2019	 Summons Electronically Issued - Service Pending Party: Counter Defendant Arnould, Dominique <i>Summons - Civil</i>
10/11/2019	 Summons Electronically Issued - Service Pending Party: Counter Defendant Arnould, Dominique <i>Summons - Civil</i>
10/14/2019	 Disclosure Statement Party: Counter Defendant Arnould, Dominique <i>NRCP Rule 7.1 Disclosure Statement</i>
10/15/2019	 Acceptance of Service Filed By: Counter Defendant Arnould, Dominique <i>Acceptance of Service</i>
11/07/2019	 Answer and Counterclaim Filed By: Counter Claimant Mune, Clement; Counter Claimant Chef Exec Suppliers, LLC <i>Answer and Counterclaims</i>
11/07/2019	 Initial Appearance Fee Disclosure Filed By: Counter Claimant Mune, Clement; Counter Claimant Chef Exec Suppliers, LLC <i>Initial Appearance Fee Disclosure</i>
12/02/2019	 Answer to Counterclaim Filed By: Counter Defendant Arnould, Dominique <i>Plaintiff Dominique Arnould's Answer to Defendants' Counterclaim</i>
12/06/2019	 Mandatory Rule 16 Conference Order <i>Mandatory Rule 16 Conference</i>
12/09/2019	 Motion for Summary Judgment Filed By: Counter Claimant Mune, Clement; Counter Claimant Chef Exec Suppliers, LLC <i>Defendants' Motion for Partial Summary Judgment</i>
12/09/2019	 Affidavit Filed By: Counter Claimant Mune, Clement; Counter Claimant Chef Exec Suppliers, LLC <i>Affidavit in Support of Defendants Motion for Partial Summary Judgment</i>
12/09/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
12/10/2019	 Motion for Appointment Filed By: Counter Defendant Arnould, Dominique <i>Plaintiff Dominique Arnould's Motion for Appointment of Trustee</i>
12/10/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
12/19/2019	 Opposition to Motion For Summary Judgment Filed By: Counter Defendant Arnould, Dominique <i>Plaintiff Dominique Arnould's Opposition to Defendants Motion for Partial Summary Judgment</i>

# CASE SUMMARY

CASE NO. A-19-803488-B

12/20/2019	 Errata Filed By: Counter Defendant Arnould, Dominique <i>Errata to Plaintiff Dominique Arnould's Opposition to Defendants' Motion for Partial Summary Judgment</i>
12/23/2019	 Opposition to Motion Filed By: Counter Claimant Mune, Clement; Counter Claimant Chef Exec Suppliers, LLC <i>Defendants' Opposition To Motion For Appointment Of Trustee</i>
12/27/2019	 Reply in Support Filed By: Counter Claimant Mune, Clement; Counter Claimant Chef Exec Suppliers, LLC <i>Defendant's Reply in Support of Summary Judgment</i>
12/31/2019	 Supplement to Opposition Filed By: Counter Defendant Arnould, Dominique <i>Supplement to Plaintiff Dominique Arnould's Opposition to Motion for Partial Summary Judgment</i>
01/03/2020	 Notice of Compliance Party: Counter Claimant Mune, Clement; Counter Claimant Chef Exec Suppliers, LLC <i>Defendants' Notice of Compliance</i>
01/03/2020	 Notice of Compliance Party: Counter Defendant Arnould, Dominique <i>Notice of Compliance</i>
01/08/2020	 Reply in Support Filed By: Counter Defendant Arnould, Dominique <i>Plaintiff Dominique Arnould's Reply in Support of Motion for Appointment of Trustee</i>
01/17/2020	 Order Denying Motion Filed By: Counter Defendant Arnould, Dominique <i>Order Denying Defendant's Motion for Summary Judgment</i>
01/17/2020	 Notice of Entry of Order Filed By: Counter Defendant Arnould, Dominique <i>Notice of Entry of Order Denying Defendant's Motion for Summary Judgment</i>
03/09/2020	 Stipulation and Order Filed by: Counter Defendant Arnould, Dominique <i>Stipulation and Order to Continue Hearing</i>
03/13/2020	 Motion for Partial Summary Judgment Filed By: Counter Defendant Arnould, Dominique <i>Plaintiff Dominique Arnould's Motion for Partial Summary Judgment for Judicial Dissolution</i>
03/13/2020	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
03/20/2020	 Opposition and Countermotion Filed By: Counter Claimant Mune, Clement; Counter Claimant Chef Exec Suppliers, LLC <i>Opposition to motion for summary judgment and counter-motion for enforcement of settlement agreement</i>

# CASE SUMMARY

CASE NO. A-19-803488-B

03/23/2020	 Clerk's Notice of Hearing <i>Clerk's Notice of Hearing</i>
04/06/2020	 Opposition and Countermotion Filed By: Counter Defendant Arnould, Dominique <i>Plaintiff's Opposition to Defendants' Counter-Motion for Enforcement of Settlement Agreement and Counter-Motion to Strike Documents Related to Settlement</i>
04/08/2020	 Reply in Support Filed By: Counter Defendant Arnould, Dominique <i>Plaintiff Dominique Arnould's Reply in Support of Motion for Partial Summary Judgment</i>
04/13/2020	 Reply in Support Filed By: Counter Claimant Muney, Clement; Counter Claimant Chef Exec Suppliers, LLC <i>Defendants' Reply in Support of Countermotion for Enforcement Agreement, and Opposition to Motion to Strike</i>
05/13/2020	 Reply in Support Filed By: Counter Defendant Arnould, Dominique <i>Plaintiff Dominique Arnould's Reply In Support of Counter-Motion to Strike Documents Related to Settlement</i>
05/20/2020	 Application Filed By: Counter Claimant Muney, Clement; Counter Claimant Chef Exec Suppliers, LLC <i>Defendants' Application for Temporary Restraining Order and Motion for Preliminary Injunction</i>
05/20/2020	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
05/20/2020	 Amended <i>Amended Application for Temporary Restraining Order and Motion for Preliminary Injunction</i>
05/20/2020	 Temporary Restraining Order Filed by: Counter Claimant Muney, Clement <i>Temporary Restraining Order</i>
05/20/2020	 Application Filed By: Counter Claimant Muney, Clement <i>Amended Application for Temporary Restraining Order and Motion for Preliminary Injunction</i>
05/21/2020	 Certificate of Mailing Filed By: Counter Claimant Muney, Clement; Counter Claimant Chef Exec Suppliers, LLC <i>Certificate of Mailing</i>
05/21/2020	 Notice of Entry of Order <i>Notice of Entry of Order</i>
05/21/2020	 Mandatory Rule 16 Conference Order <i>Business Court Order to Appear for Mandatory 16. Conference</i>
05/22/2020	 Opposition and Countermotion Filed By: Counter Defendant Arnould, Dominique

# CASE SUMMARY

CASE NO. A-19-803488-B

*Plaintiff's Opposition to Application for Temporary Restraining Order and Counter-Motion to Vacate Temporary Restraining Order*

05/22/2020	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
05/22/2020	 Notice of Change of Hearing <i>Notice of Change of Hearing</i>
05/29/2020	 Recorders Transcript of Hearing <i>Transcript of Proceedings, Motions, Heard on May 22, 2020</i>
06/05/2020	 Motion Filed By: Counter Defendant Arnould, Dominique <i>Plaintiff's Motion to Select Receiver</i>
06/08/2020	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
06/08/2020	 Order <i>Order</i>
06/08/2020	 Notice of Entry of Order Filed By: Counter Defendant Arnould, Dominique <i>Notice of Entry of Order</i>
06/10/2020	 Request Filed by: Counter Defendant Arnould, Dominique <i>Plaintiff's Emergency Request for Telephonic Hearing for an Appointment of Receiver to Take Over the Warehouse or for Order Allowing Access</i>
06/10/2020	 Response Filed by: Counter Claimant Mune, Clement; Counter Claimant Chef Exec Suppliers, LLC <i>Defendants Response to Arnould's Request for Emergency Hearing</i>
06/10/2020	 Reply Filed by: Counter Defendant Arnould, Dominique <i>Reply Declaration of Phil Aurbach in Support of Telephone Conference and Access to Warehouse</i>
06/12/2020	 Order
06/12/2020	 Order
06/15/2020	 Notice of Appeal Filed By: Counter Claimant Mune, Clement; Counter Claimant Chef Exec Suppliers, LLC <i>Notice of Appeal</i>
06/15/2020	 Notice of Appeal Filed By: Counter Claimant Mune, Clement; Counter Claimant Chef Exec Suppliers, LLC <i>Notice of Appeal</i>
06/15/2020	 Notice of Appeal




EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY**

**CASE NO. A-19-803488-B**

Filed By: Counter Claimant Mune, Clement; Counter Claimant Chef Exec Suppliers, LLC  
*Notice of Appeal*

**HEARINGS**

01/09/2020	<p><b>Mandatory Rule 16 Conference</b> (10:30 AM) (Judicial Officer: Allf, Nancy)</p> <p>Matter Continued;  case settled</p>
01/09/2020	<p><b>Motion for Partial Summary Judgment</b> (10:30 AM) (Judicial Officer: Allf, Nancy)</p> <p><i>Defendants' Motion for Partial Summary Judgment</i>  Denied;</p>
01/09/2020	<p> <b>All Pending Motions</b> (10:30 AM) (Judicial Officer: Allf, Nancy)</p> <p>Matter Heard;  Journal Entry Details:  <b>MANDATORY RULE 16 CONFERENCE...DEFENDANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT</b> Upon inquiry of Court if there was a Countermotion, Mr. Aurbach stated there was not, however there is a Motion for Appointment of Trustee set on January 15, 2020 that is related. Colloquy regarding whether matters should be heard together and Court's preliminary ruling. Arguments by counsel regarding the merits of and opposition to the motion. Court stated its findings and <b>ORDERED</b>, Defendants' Motion for Partial Summary Judgment <b>DENIED</b>. Colloquy regarding how to proceed in case and if parties would like a settlement conference. <b>CONFERENCE AT THE BENCH</b>. Court stated the Motion for Appointment of Trustee is set for January 15, 2020, that matter may or may not be continued at request of counsel, at the time of the hearing counsel are to give Court direction with how they wish to proceed with a mandatory settlement conference, counsel are to provide Court with their availability as well as their clients by end of the day on January 13, 2020 for a settlement conference to be set. <b>COURT ORDERED</b>, Mandatory Rule 16 Conference <b>CONTINUED</b> to be heard at the time of Plaintiff's Motion for Appointment of Trustee. Mr. Aurbach to prepare the order and submit it to opposing counsel for approval. ;</p>
02/07/2020	<p> <b>Settlement Conference</b> (9:30 AM) (Judicial Officer: Williams, Timothy C.)</p> <p>Matter Settled;  Journal Entry Details:  <i>The above-referenced matter came on for a settlement conference with Judge Williams on February 7, 2020. The Plaintiff, Dominique Arnould, was present and represented by Philip Aurbach, Esq. and Alexander Calaway Esq. The Defendant, Clement Mune, was present and represented by Robert Kern, Esq. The Defendant, Chef Exec Suppliers, was present through Clement Mune and Jeremy Mune, and represented by Robert Kern, Esq. The parties have agreed to a settlement and resolution of all claims. The parties and their attorneys will work together in good faith to prepare and execute all necessary settlement documents, including a Settlement Agreement to include the agreed terms, and a Stipulation and Order of Dismissal of All Claims. It is the intention of the parties that this Settlement will resolve any and all claims among or between the parties to this lawsuit. Each party is to bear its own attorney's fees and costs. The case is now referred back to the originating department for further handling and closure.;</i></p>
02/20/2020	<p><b>CANCELED Motion for Appointment</b> (10:00 AM) (Judicial Officer: Allf, Nancy)</p> <p><i>Vacated</i>  <i>Plaintiff Dominique Arnould's Motion for Appointment of Trustee</i></p>
03/27/2020	<p> <b>Minute Order</b> (3:00 AM) (Judicial Officer: Allf, Nancy)</p> <p><i>Minute Order: Motion for Appointment of Receiver and Mandatory Rule 16 Conference set 4/1/2020 VACATED</i>  Minute Order - No Hearing Held; Minute Order: Motion for Appointment of Receiver and Mandatory Rule 16 Conference set 4/1/2020 VACATED  Journal Entry Details:  <b>COURT FINDS</b> after review the Motion for Appointment of Receiver along with a Mandatory Rule 16 Conference are currently set for hearing for April 1, 2020 at 9:30 a.m. on Motions Calendar. <b>COURT FURTHER FINDS</b> after review the matter settled through a judicial settlement conference conducted on or about February 7, 2020. <b>THEREFORE, COURT ORDERS</b> for good cause appearing and after review pursuant the matters set for April 1, 2020</p>

# CASE SUMMARY

CASE NO. A-19-803488-B

shall be VACATED. A Status Check on settlement documents shall be set for April 21, 2020 on Chambers Calendar. CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File & Serve. /nm 3/27/2020;

03/30/2020



**Minute Order** (3:00 AM) (Judicial Officer: Allf, Nancy)

Minute Order - No Hearing Held;

Journal Entry Details:

*COURT FINDS after review the Motion for Appointment of Receiver along with a Mandatory Rule 16 Conference are currently set for hearing for April 1, 2020 at 9:30 a.m. on Motions Calendar. COURT FURTHER FINDS after review the matter settled through a judicial settlement conference conducted on or about February 7, 2020. THEREFORE, COURT ORDERS for good cause appearing and after review pursuant the matters set for April 1, 2020 shall be VACATED. A Status Check on settlement documents shall be set for April 28, 2020 on Chambers Calendar. CLERK S NOTE: A copy of this minute order was distributed via the E-Service Master List. /lg 3-30-20;*

04/01/2020

**CANCELED Motion for Appointment of Receiver** (9:30 AM) (Judicial Officer: Allf, Nancy)  
*Vacated*

04/01/2020

**CANCELED Mandatory Rule 16 Conference** (9:30 AM) (Judicial Officer: Allf, Nancy)  
*Vacated*

04/14/2020



**Minute Order** (3:00 AM) (Judicial Officer: Allf, Nancy)

Minute Order - No Hearing Held;

Journal Entry Details:

*COURT FINDS after review Plaintiff's Motion for Partial Summary Judgment was filed on March 13, 2020. Defendant's Opposition and Countermotion for Enforcement of Settlement Agreement was filed on March 20, 2020. The matters were set for hearing for April 15, 2020 at 10:30 a.m. but were subsequently inadvertently vacated. COURT FURTHER FINDS after review pursuant to Administrative Order 20-01 in response to COVID-19 concerns, all currently scheduled non-essential District Court hearings are ordered to be conducted by video or telephone means, decided on the papers, or rescheduled unless otherwise directed by a District Court Judge. THEREFORE, COURT ORDERS for good cause appearing and after review Plaintiff's Motion for Partial Summary Judgment, together with Defendant's Countermotion for Enforcement of Settlement Agreement, are hereby CONTINUED to May 20, 2020 at 10:30 a.m. CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File & Serve. /nm;*

04/21/2020

**CANCELED Status Check: Settlement Documents** (3:00 AM) (Judicial Officer: Allf, Nancy)  
*Vacated - On in Error*

04/28/2020



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

Matter Continued;

Journal Entry Details:

*COURT FINDS after review a Status Check on settlement documents is set on Chambers Calendar for April 28, 2020. COURT ORDERS for good cause appearing and after review the Status Check set for April 28, 2020 is hereby CONTINUED to May 20, 2020 at 10:30 a.m. CONTINUED TO 5/20/2020 10:30 AM CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File & Serve. /nm 4/29/2020;*

04/30/2020



**Minute Order** (3:00 AM) (Judicial Officer: Allf, Nancy)

Minute Order: Plaintiff's MOTion for Appointment of Trustee RESET to 5/20/2020

Minute Order - No Hearing Held; Minute Order: Plaintiff's MOTion for Appointment of Trustee RESET to 5/20/2020

Journal Entry Details:

*COURT FINDS after review Plaintiff's Motion for Appointment of Trustee was inadvertently vacated due to the notification of settlement. THEREFORE, COURT ORDERS for good cause appearing and after Plaintiff's Motion for Appointment of Trustee is hereby CONTINUED to May 20, 2020 at 10:30 a.m. CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File & Serve. /nm*



# CASE SUMMARY

CASE NO. A-19-803488-B

4/30/2020;

05/18/2020



**Minute Order** (3:00 AM) (Judicial Officer: Allf, Nancy)

*Minute Order: Matters set 5/20/2020 CONTINUED to 6/24/2020*

Minute Order - No Hearing Held; Minute Order: Matters set 5/20/2020 CONTINUED to 6/24/2020

Journal Entry Details:

*COURT FINDS after review the Plaintiff Dominique Arnould's Motion for Appointment of Trustee filed December 10, 2019, Plaintiff Dominique Arnould's Motion for Partial Summary Judgment for Judicial Dissolution filed March 13, 2020, Defendant's Opposition to Motion for Partial Summary Judgment and Counter-Motion for Enforcement of Settlement Agreement filed March 20, 2020, and Plaintiff's Opposition to Defendants' Counter-Motion for Enforcement of Settlement Agreement and Counter-Motion to Strike Documents Related to Settlement filed April 6, 2020 were set for Motions Calendar on May 20, 2020. COURT FURTHER FINDS after review pursuant to Administrative Order 20-01 in response to COVID-19 concerns, all currently scheduled non-essential District Court hearings are ordered to be conducted by video or telephone means, decided on the papers, or rescheduled unless otherwise directed by a District Court Judge. Moreover, Administrative Order 20-13 provides that AO 20-01 will remain in effect and all deadlines provided therein will be extended unless modified or rescinded by a subsequent order. THEREFORE, COURT ORDERS for good cause appearing and after review pursuant to Administrative Orders 20-01 and 20-13, the matters set for hearing on May 20, 2020 is hereby CONTINUED to June 24, 2020 at 10:30 a.m. CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File & Serve. /nm 5/18/2020 ;*

05/22/2020

**Motion for Temporary Restraining Order** (1:00 PM) (Judicial Officer: Allf, Nancy)

*Defendants' Application for Temporary Restraining Order and Motion for Preliminary Injunction*

05/22/2020

**Opposition and Countermotion** (1:00 PM) (Judicial Officer: Allf, Nancy)

*Plaintiff's Opposition to Application for Temporary Restraining Order and Counter-Motion to Vacate Temporary Restraining Order*

05/22/2020



**All Pending Motions** (1:00 PM) (Judicial Officer: Allf, Nancy)

Matter Heard;

Journal Entry Details:

*Defendants' Application for Temporary Restraining Order and Motion for Preliminary Injunction...Plaintiff's Opposition to Application for Temporary Restraining Order and Counter-Motion to Vacate Temporary Restraining Order All appearances made via BlueJeans teleconferencing software. Court stated it signed the Temporary Restraining Order, not because Court was convinced it was appropriate, but to stabilize the business. Court further stated matter was set on shortened time. Arguments by Mr. Kern and Mr. Aurbach regarding the merits of and opposition to the pending motion and countermotion. Colloquy between Court and Mr. Aurbach regarding his request for appointment of a receiver with limited powers and status of the financials. Mr. Kern requested to file responsive affidavits by Monday for Court's review prior to Court's ruling. Colloquy regarding the viability of the company. COURT ORDERED, Temporary Restraining Order DISSOLVED, motion to enforce the settlement DENIED WITHOUT PREJUDICE, receiver APPOINTED for a limited purpose, and status quo to remain in place. Court directed counsel to work together to craft what the limited powers of the receiver will be. Upon inquiry of Court if there is a possibility of splitting the company, Mr. Aurbach stated not at this time. Mr. Kern requested findings of fact and conclusions of the law as to Court's ruling. Court directed Mr. Aurbach and Mr. Calaway to prepare the order and include findings of fact and conclusions of law consistent with Court's ruling. Colloquy whether there was a standard of care seeking financing. Court stated it would make a legal finding that the Temporary Restraining Order was procedurally improper. Colloquy regarding pending motions on June 24, 2020 for appointment of trustee and enforcing of settlement. Court stated the matters will remain on calendar with the hope of a preliminary report from receiver and parties can request an earlier Court date if needed.;*

06/10/2020

**Hearing** (1:30 PM) (Judicial Officer: Allf, Nancy)


**06/10/2020, 06/12/2020**

*Request for Emergency hearing*

EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY**

**CASE NO. A-19-803488-B**

06/11/2020	 <b>Minute Order</b> (3:00 AM) (Judicial Officer: Allf, Nancy) <i>Minute Order: Requested for Emergency Hearing set 6/10/2020 CONTINUED to 6/12/2020</i> Minute Order - No Hearing Held; Journal Entry Details: <i>COURT FINDS after review on June 5, 2020, Plaintiff's Motion to Select Receiver was filed. The matter was set for July 9, 2020 at 10:00 a.m. COURT FURTHER FINDS after review on June 10, 2020, Plaintiff's Emergency Request for Telephonic Hearing For Appointment of Receiver To Take Over The Warehouse Or For Order Allowing Access (the Emergency Request ) was filed. A preliminary hearing took place on June 10, 2020, where the Court determined a continuance was warranted. THEREFORE, COURT ORDERS for good cause appearing and after review Plaintiff's Motion to Select Receiver will be RESET to June 12, 2020 at 12:30 p.m. Moreover, Plaintiff's Emergency Request is hereby CONTINUED to June 12, 2020 at 12:30 p.m. CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File &amp; Serve. /nm 6/11/2020;</i>
06/12/2020	<b>Motion</b> (12:30 PM) (Judicial Officer: Allf, Nancy) <i>Plaintiff's Motion to Select Receiver</i>
06/24/2020	<b>Motion for Partial Summary Judgment</b> (10:30 AM) (Judicial Officer: Allf, Nancy) <i>Plaintiff Dominique Arnould's Motion for Partial Summary Judgment for Judicial Dissolution</i>
06/24/2020	<b>Opposition and Countermotion</b> (10:30 AM) (Judicial Officer: Allf, Nancy) <i>Defendant's Opposition to Motion for Partial Summary Judgment and Counter-Motion for Enforcement of Settlement Agreement</i>
06/24/2020	<b>Motion for Appointment</b> (10:30 AM) (Judicial Officer: Allf, Nancy) <i>Plaintiff Dominique Arnould's Motion for Appointment of Trustee</i>
06/24/2020	<b>Opposition and Countermotion</b> (10:30 AM) (Judicial Officer: Allf, Nancy) <i>Plaintiff's Opposition to Defendants' Counter-Motion for Enforcement of Settlement Agreement and Counter-Motion to Strike Documents Related to Settlement</i>
06/24/2020	<b>Mandatory Rule 16 Conference</b> (10:30 AM) (Judicial Officer: Allf, Nancy)

DATE	FINANCIAL INFORMATION
	<b>Counter Claimant</b> Muney, Clement Total Charges 1,761.00 Total Payments and Credits 1,761.00 <b>Balance Due as of 6/16/2020 0.00</b>
	<b>Counter Defendant</b> Arnould, Dominique Total Charges 1,834.50 Total Payments and Credits 1,834.50 <b>Balance Due as of 6/16/2020 0.00</b>
	<b>Counter Claimant</b> Chef Exec Suppliers, LLC Temporary Restraining Order Balance as of 6/16/2020 100.00

**BUSINESS COURT CIVIL COVER SHEET** CASE NO: A-19-803488-B  
Clark County, Nevada  
 Case No. \_\_\_\_\_ Department 27

(Assigned by Clerk's Office)

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

Plaintiff(s) (name/address/phone): DOMINIQUE ARNOULD  Attorney (name/address/phone): Phillip S. Aurbach, Esq. (NV Bar No. 1501) Marquis Aurbach Coffing 10001 Park Run Drive Las Vegas, NV 89145 (702) 382-0711	Defendant(s) (name/address/phone): CLEMENT MUNEY; CHEF EXEC SUPPLIERS, LLC; and DOES I through X, inclusive; and ROE CORPORATIONS I through X, inclusive  Attorney (name/address/phone):
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**II. Nature of Controversy** (Please check the applicable boxes for both the civil case type and business court case type)

☐ Arbitration Requested

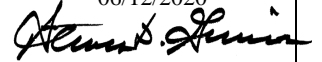
Civil Case Filing Types		Business Court Filing Types
<b>Real Property</b> <b>Landlord/Tenant</b> <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant <b>Title to Property</b> <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property <b>Other Real Property</b> <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	<b>Torts</b> <b>Negligence</b> <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence <b>Malpractice</b> <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice  <b>Other Torts</b> <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort	<b>CLARK COUNTY BUSINESS COURT</b> <input checked="" type="checkbox"/> NRS Chapters 78-89 <input type="checkbox"/> Commodities (NRS 91) <input type="checkbox"/> Securities (NRS 90) <input type="checkbox"/> Mergers (NRS 92A) <input type="checkbox"/> Uniform Commercial Code (NRS 104) <input type="checkbox"/> Purchase/Sale of Stock, Assets, or Real Estate <input type="checkbox"/> Trademark or Trade Name (NRS 600) <input type="checkbox"/> Enhanced Case Management <input type="checkbox"/> Other Business Court Matters
<b>Construction Defect &amp; Contract</b> <b>Construction Defect</b> <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect <b>Contract Case</b> <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	<b>Civil Writs</b> <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ	<b>WASHOE COUNTY BUSINESS COURT</b> <input type="checkbox"/> NRS Chapters 78-88 <input type="checkbox"/> Commodities (NRS 91) <input type="checkbox"/> Securities (NRS 90) <input type="checkbox"/> Investments (NRS 104 Art. 8) <input type="checkbox"/> Deceptive Trade Practices (NRS 598) <input type="checkbox"/> Trademark/Trade Name (NRS 600) <input type="checkbox"/> Trade Secrets (NRS 600A) <input type="checkbox"/> Enhanced Case Management <input type="checkbox"/> Other Business Court Matters
<b>Judicial Review/Appeal/Other Civil Filing</b>		
<b>Judicial Review</b> <input type="checkbox"/> Foreclosure Mediation Case <b>Appeal Other</b> <input type="checkbox"/> Appeal from Lower Court	<b>Other Civil Filing</b> <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters	

10/11/2019

Date

/s/ Phillip S. Aurbach

Signature of initiating party or representative

  
CLERK OF THE COURT

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

\* \* \* \*

DOMINIQUE ARNOULD,

Plaintiff

vs.

CLEMENT MUNNEY; CHEF EXEC  
SUPPLIERS, LLC.,

Defendants

CASE NO.: A-19-803488-B

DEPARTMENT 27

**ORDER ISSUING SANCTION**

**COURT FINDS** after review that on June 10, 2020, a hearing was held following Plaintiff's Emergency Request for Hearing. Phillip Aurbach, Esq. and Alexander Calaway, Esq. appeared for Plaintiff Dominique Arnould. Robert Kern, Esq. failed to appear for Defendants. Rather, Mr. Kern had the time to file a responsive pleading stating that he's unable to attend the hearing as he was preparing for oral argument before the Nevada Supreme Court. Moreover, Mr. Kern emailed the Court and counsel "protesting" any hearing being held without his presence. The Court's staff attempted to contact Mr. Kern prior to the hearing, but was informed that Mr. Kern was unavailable. Nevertheless, the hearing went forward on June 10, 2020 and out of professional courtesy, the Court, *sua sponte*, continued the matter to June 12, 2020.

**COURT FURTHER FINDS** after review that at the June 12, 2020 hearing, Mr. Kern was provided an opportunity to explain his June 10, 2020 actions on the record.

**COURT FURTHER FINDS** after review that Mr. Kern's failure to appear at the June 10, 2020 hearing or respond to the Court's staff was unexcused, inappropriate, and demeaned the Court.

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**COURT FURTHER FINDS** after review that district courts have inherent and broad discretion to impose sanctions for professional misconduct. *See generally Young v. Johnny Ribeiro Building*, 106 Nev. 88, 92, 787 P.2d 777, 779 (1990); *see also Lioce vs. Cohen*, 124 Nev. 1 (2008) (explaining that “sanctions for professional misconduct at trial in civil cases are best considered in the first instance by the district court. Therefore, the district court may, on a party’s motion or *sua sponte*, impose sanctions for professional misconduct at trial ...”).

**COURT FURTHER FINDS** after review that as such, broad discretion permits this Court to issue sanctions for any “litigation abuses not specifically proscribed by statute.” *Young*, 106 Nev. at 92, 787 P.2d at 779.

**THEREFORE, COURT ORDERS** for good cause appearing and after review, pursuant to the Court's inherent authority outlined in *Young*, Robert Kern, Esq. **SHALL** make a mandatory charitable donation in the amount of \$100, made payable to the Legal Aid Center of Southern Nevada, Nevada Legal Services, Clark County Law Library, Nevada Law Foundation, Clark County Law Foundation, Southern Nevada Senior Law Project, or a proper entity specified in Rule 6.1 of the Nevada Rules of Professional Conduct.

**COURT FURTHER ORDERS** for good cause appearing and after review sufficient proof of the donation, such as a receipt, must be provided to the Court to indicate that the charitable donation has been received, within 30 days from the date of this Order.

**DATED** this 12<sup>th</sup> day of June, 2020

Dated this 12th day of June, 2020

NANCY ALLIF  
DISTRICT COURT JUDGE  
CD8 2A5 B7E3 1B02  
Nancy Allif

DISTRICT COURT  
CLARK COUNTY, NEVADA

Dominique Arnould, Plaintiff(s)	CASE NO: A-19-803488-B
vs.	DEPT. NO. Department 27
Clement Muney, Defendant(s)	

**AUTOMATED CERTIFICATE OF SERVICE**

This automated certificate of service was generated by the Eighth Judicial District Court. The foregoing Order was served via the court's electronic eFile system to all recipients registered for e-Service on the above entitled case as listed below:

Envelope ID: 6178752  
Service Date: 6/12/2020

Jennifer Case	jcase@maclaw.com
Robert Kern	Robert@Kernlawoffices.com
Melissa Milroy	Admin@KernLawOffices.com
Phillip Aurbach	PSA@maclaw.com
Javie-Anne Bauer	jbauer@maclaw.com
Alexander Calaway	acalaway@maclaw.com

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**January 09, 2020**

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A-19-803488-B      Dominique Arnould, Plaintiff(s)  
vs.  
Clement Muney, Defendant(s)

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**January 09, 2020      10:30 AM      All Pending Motions**

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

**COURT CLERK:** Nicole McDevitt

**RECORDER:** Brynn White

**REPORTER:**

**PARTIES**

**PRESENT:**      Aurbach, Phillip S.      Attorney  
                 Kern, Robert J.      Attorney

**JOURNAL ENTRIES**

- MANDATORY RULE 16 CONFERENCE...DEFENDANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT

Upon inquiry of Court if there was a Countermotion, Mr. Aurbach stated there was not, however there is a Motion for Appointment of Trustee set on January 15, 2020 that is related. Colloquy regarding whether matters should be heard together and Court's preliminary ruling. Arguments by counsel regarding the merits of and opposition to the motion. Court stated its findings and ORDERED, Defendants' Motion for Partial Summary Judgment DENIED. Colloquy regarding how to proceed in case and if parties would like a settlement conference. CONFERENCE AT THE BENCH. Court stated the Motion for Appointment of Trustee is set for January 15, 2020, that matter may or may not be continued at request of counsel, at the time of the hearing counsel are to give Court direction with how they wish to proceed with a mandatory settlement conference, counsel are to provide Court with their availability as well as their clients by end of the day on January 13, 2020 for a settlement conference to be set. COURT ORDERED, Mandatory Rule 16 Conference CONTINUED to be heard at the time of Plaintiff's Motion for Appointment of Trustee. Mr. Aurbach to prepare the order and submit it to opposing counsel for approval.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**February 07, 2020**

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A-19-803488-B	Dominique Arnould, Plaintiff(s) vs. Clement Muney, Defendant(s)
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<b>February 07, 2020</b>	<b>9:30 AM</b>	<b>Settlement Conference</b>
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<b>HEARD BY:</b> Williams, Timothy C.	<b>COURTROOM:</b> RJC Courtroom 03H
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**COURT CLERK:** Christopher Darling

**RECORDER:**

**REPORTER:** Peggy Isom

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- The above-referenced matter came on for a settlement conference with Judge Williams on February 7, 2020. The Plaintiff, Dominique Arnould, was present and represented by Philip Aurbach, Esq. and Alexander Calaway Esq. The Defendant, Clement Muney, was present and represented by Robert Kern, Esq. The Defendant, Chef Exec Suppliers, was present through Clement Muney and Jeremy Muney, and represented by Robert Kern, Esq. The parties have agreed to a settlement and resolution of all claims.

The parties and their attorneys will work together in good faith to prepare and execute all necessary settlement documents, including a Settlement Agreement to include the agreed terms, and a Stipulation and Order of Dismissal of All Claims. It is the intention of the parties that this Settlement will resolve any and all claims among or between the parties to this lawsuit. Each party is to bear its own attorney s fees and costs. The case is now referred back to the originating department for further handling and closure.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**March 27, 2020**

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A-19-803488-B	Dominique Arnould, Plaintiff(s) vs. Clement Muney, Defendant(s)
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<b>March 27, 2020</b>	<b>3:00 AM</b>	<b>Minute Order</b>	<b>Minute Order: Motion for Appointment of Receiver and Mandatory Rule 16 Conference set 4/1/2020 VACATED</b>
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**HEARD BY:** Allf, Nancy

**COURTROOM:** No Location

**COURT CLERK:** Nicole McDevitt

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- COURT FINDS after review the Motion for Appointment of Receiver along with a Mandatory Rule 16 Conference are currently set for hearing for April 1, 2020 at 9:30 a.m. on Motions Calendar.

COURT FURTHER FINDS after review the matter settled through a judicial settlement conference conducted on or about February 7, 2020.

THEREFORE, COURT ORDERS for good cause appearing and after review pursuant the matters set for April 1, 2020 shall be VACATED. A Status Check on settlement documents shall be set for April 21, 2020 on Chambers Calendar.

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File & Serve. /nm 3/27/2020



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**March 30, 2020**

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A-19-803488-B	Dominique Arnould, Plaintiff(s)
	vs.
	Clement Muney, Defendant(s)

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<b>March 30, 2020</b>	<b>3:00 AM</b>	<b>Minute Order</b>
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<b>HEARD BY:</b> Alf, Nancy	<b>COURTROOM:</b> Chambers
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**COURT CLERK:** Louisa Garcia

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- COURT FINDS after review the Motion for Appointment of Receiver along with a Mandatory Rule 16 Conference are currently set for hearing for April 1, 2020 at 9:30 a.m. on Motions Calendar.

COURT FURTHER FINDS after review the matter settled through a judicial settlement conference conducted on or about February 7, 2020.

THEREFORE, COURT ORDERS for good cause appearing and after review pursuant the matters set for April 1, 2020 shall be VACATED. A Status Check on settlement documents shall be set for April 28, 2020 on Chambers Calendar.

CLERK S NOTE: A copy of this minute order was distributed via the E-Service Master List. /lg 3-30-20

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**April 14, 2020**

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A-19-803488-B	Dominique Arnould, Plaintiff(s) vs. Clement Muney, Defendant(s)
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<b>April 14, 2020</b>	<b>3:00 AM</b>	<b>Minute Order</b>
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<b>HEARD BY:</b> Allf, Nancy	<b>COURTROOM:</b> No Location
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**COURT CLERK:** Nicole McDevitt

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- COURT FINDS after review Plaintiff s Motion for Partial Summary Judgment was filed on March 13, 2020. Defendant s Opposition and Countermotion for Enforcement of Settlement Agreement was filed on March 20, 2020. The matters were set for hearing for April 15, 2020 at 10:30 a.m. but were subsequently inadvertently vacated.

COURT FURTHER FINDS after review pursuant to Administrative Order 20-01 in response to COVID-19 concerns, all currently scheduled non-essential District Court hearings are ordered to be conducted by video or telephone means, decided on the papers, or rescheduled unless otherwise directed by a District Court Judge.

THEREFORE, COURT ORDERS for good cause appearing and after review Plaintiff s Motion for Partial Summary Judgment, together with Defendant s Countermotion for Enforcement of Settlement Agreement, are hereby CONTINUED to May 20, 2020 at 10:30 a.m.

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File & Serve. /nm

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**April 28, 2020**

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A-19-803488-B      Dominique Arnould, Plaintiff(s)  
vs.  
Clement Muney, Defendant(s)

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**April 28, 2020      3:00 AM      Status Check: Settlement  
Documents**

**HEARD BY:** Allf, Nancy

**COURTROOM:** No Location

**COURT CLERK:** Nicole McDevitt

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- COURT FINDS after review a Status Check on settlement documents is set on Chambers Calendar for April 28, 2020.

COURT ORDERS for good cause appearing and after review the Status Check set for April 28, 2020 is hereby CONTINUED to May 20, 2020 at 10:30 a.m.

CONTINUED TO 5/20/2020 10:30 AM

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File & Serve. /nm 4/29/2020

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**April 30, 2020**

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A-19-803488-B	Dominique Arnould, Plaintiff(s) vs. Clement Muney, Defendant(s)
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**April 30, 2020**

**3:00 AM**

**Minute Order**

**Minute Order:  
Plaintiff's MOtion for  
Appointment of  
Trustee RESET to  
5/20/2020**

**HEARD BY:** Allf, Nancy

**COURTROOM:** No Location

**COURT CLERK:** Nicole McDevitt

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- COURT FINDS after review Plaintiff s Motion for Appointment of Trustee was inadvertently vacated due to the notification of settlement.

THEREFORE, COURT ORDERS for good cause appearing and after Plaintiff s Motion for Appointment of Trustee is hereby CONTINUED to May 20, 2020 at 10:30 a.m.

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File & Serve. /nm 4/30/2020

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

NRS Chapters 78-89

COURT MINUTES

May 18, 2020

A-19-803488-B      Dominique Arnould, Plaintiff(s)  
vs.  
Clement Muney, Defendant(s)

May 18, 2020

3:00 AM

Minute Order

**Minute Order:**  
**Matters set 5/20/2020**  
**CONTINUED to**  
**6/24/2020**

**HEARD BY:** Alf, Nancy**COURTROOM:** No Location**COURT CLERK:** Nicole McDevitt**RECORDER:****REPORTER:****PARTIES****PRESENT:**

**JOURNAL ENTRIES**

- COURT FINDS after review the Plaintiff Dominique Arnould's Motion for Appointment of Trustee filed December 10, 2019, Plaintiff Dominique Arnould's Motion for Partial Summary Judgment for Judicial Dissolution filed March 13, 2020, Defendant's Opposition to Motion for Partial Summary Judgment and Counter-Motion for Enforcement of Settlement Agreement filed March 20, 2020, and Plaintiff's Opposition to Defendants' Counter-Motion for Enforcement of Settlement Agreement and Counter-Motion to Strike Documents Related to Settlement filed April 6, 2020 were set for Motions Calendar on May 20, 2020.

COURT FURTHER FINDS after review pursuant to Administrative Order 20-01 in response to COVID-19 concerns, all currently scheduled non-essential District Court hearings are ordered to be conducted by video or telephone means, decided on the papers, or rescheduled unless otherwise directed by a District Court Judge. Moreover, Administrative Order 20-13 provides that AO 20-01 will remain in effect and all deadlines provided therein will be extended unless modified or rescinded by a subsequent order.

THEREFORE, COURT ORDERS for good cause appearing and after review pursuant to Administrative Orders 20-01 and 20-13, the matters set for hearing on May 20, 2020 is hereby CONTINUED to June 24, 2020 at 10:30 a.m.

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File & Serve. /nm 5/18/2020



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

NRS Chapters 78-89

COURT MINUTES

May 22, 2020

A-19-803488-B      Dominique Arnould, Plaintiff(s)  
vs.  
Clement Muney, Defendant(s)

May 22, 2020

1:00 PM

All Pending Motions

HEARD BY: Alf, Nancy

COURTROOM: RJC Courtroom 03A

COURT CLERK: Nicole McDevitt

RECORDER: Brynn White

REPORTER:

**PARTIES**

<b>PRESENT:</b>	Aurbach, Phillip S.	Attorney
	Calaway, Alexander Kip	Attorney
	Kern, Robert J.	Attorney

**JOURNAL ENTRIES**

- Defendants' Application for Temporary Restraining Order and Motion for Preliminary Injunction...Plaintiff's Opposition to Application for Temporary Restraining Order and Counter-Motion to Vacate Temporary Restraining Order

All appearances made via BlueJeans teleconferencing software.

Court stated it signed the Temporary Restraining Order, not because Court was convinced it was appropriate, but to stabilize the business. Court further stated matter was set on shortened time. Arguments by Mr. Kern and Mr. Aurbach regarding the merits of and opposition to the pending motion and countermotion. Colloquy between Court and Mr. Aurbach regarding his request for appointment of a receiver with limited powers and status of the financials. Mr. Kern requested to file responsive affidavits by Monday for Court's review prior to Court's ruling. Colloquy regarding the viability of the company. COURT ORDERED, Temporary Restraining Order DISSOLVED, motion to enforce the settlement DENIED WITHOUT PREJUDICE, receiver APPOINTED for a limited purpose, and status quo to remain in place. Court directed counsel to work together to craft what the limited powers of the receiver will be. Upon inquiry of Court if there is a possibility of splitting the company,

Mr. Aurbach stated not at this time. Mr. Kern requested findings of fact and conclusions of the law as to Court's ruling. Court directed Mr. Aurbach and Mr. Calaway to prepare the order and include findings of fact and conclusions of law consistent with Court's ruling. Colloquy whether there was a standard of care seeking financing. Court stated it would make a legal finding that the Temporary Restraining Order was procedurally improper. Colloquy regarding pending motions on June 24, 2020 for appointment of trustee and enforcing of settlement. Court stated the matters will remain on calendar with the hope of a preliminary report from receiver and parties can request an earlier Court date if needed.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**June 11, 2020**

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A-19-803488-B	Dominique Arnould, Plaintiff(s) vs. Clement Muney, Defendant(s)
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<b>June 11, 2020</b>	<b>3:00 AM</b>	<b>Minute Order</b>
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**HEARD BY:** Allf, Nancy

**COURTROOM:** No Location

**COURT CLERK:** Carolyn Jackson

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- COURT FINDS after review on June 5, 2020, Plaintiff s Motion to Select Receiver was filed. The matter was set for July 9, 2020 at 10:00 a.m.

COURT FURTHER FINDS after review on June 10, 2020, Plaintiff s Emergency Request for Telephonic Hearing For Appointment of Receiver To Take Over The Warehouse Or For Order Allowing Access (the Emergency Request ) was filed. A preliminary hearing took place on June 10, 2020, where the Court determined a continuance was warranted.

THEREFORE, COURT ORDERS for good cause appearing and after review Plaintiff s Motion to Select Receiver will be RESET to June 12, 2020 at 12:30 p.m. Moreover, Plaintiff s Emergency Request is hereby CONTINUED to June 12, 2020 at 12:30 p.m.

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File & Serve. /nm 6/11/2020



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

**ROBERT KERN, ESQ.**  
**601 S. 6<sup>TH</sup> ST.**  
**LAS VEGAS, NV 89101**

**DATE: June 16, 2020**  
**CASE: A-19-803488-B**

**RE CASE:** DOMINIQUE ARNOULD vs. CLEMENT MUNNEY; CHEF EXEC SUPPLIERS, LLC

NOTICE OF APPEAL FILED: June 15, 2020 (4:07 pm)

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

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

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

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

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

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

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

# Certification of Copy

State of Nevada }  
County of Clark } SS:

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

NOTICE OF APPEAL; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER ISSUING SANCTIONS; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

DOMINIQUE ARNOULD,

Plaintiff(s),

vs.

CLEMENT MUNNEY; CHEF EXEC  
SUPPLIERS, LLC,

Defendant(s),

Case No: A-19-803488-B

Dept No: XXVII

now on file and of record in this office.

**IN WITNESS THEREOF**, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 16 day of June 2020.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk