

1 **NOAS**  
2 Kerry Faughnan, Esq.  
3 Nevada Bar No.12204  
4 P.O. Box 335361  
5 North Las Vegas, NV 89033  
6 (702) 301-3096  
7 (702) 331-4222- Fax  
8 Kerry.faughnan@gmail.com  
9 Attorney for OELLA RIDGE TRUST

Electronically Filed  
Aug 05 2020 02:06 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

6 **EIGHTH JUDICIAL DISTRICT COURT FOR**  
7 **CLARK COUNTY, NEVADA**

8 OELLA RIDGE TRUST

Case No. A-20-809078-C

9 Plaintiff,

Dept. No. 13

10 v.

**NOTICE OF APPEAL**

11 SILVER STATE SCHOOLS CREDIT  
12 UNION, a Nevada Corporation;

Defendants

13 Comes now Plaintiff, LN Management, LLC, by and through its counsel of record, Kerry  
14 P. Faughnan, Esq., who hereby appeals the June 29, 2020 Order Granting Motion to Dismiss;  
15 Notice of Entry filed June 30, 2020.

16 DATED July 30, 2020.

17 /s/ Kerry P. Faughnan  
18 Kerry P. Faughnan, Esq.

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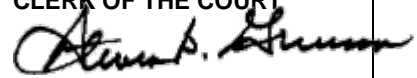
**CERTIFICATE OF SERVICE**

I hereby certify that on July 30, 2020 I allowed the Court’s ECF system to serve the following interest persons who have appeared in this matter:

**~ All Parties on E-Service List ~**

DATED July 30, 2020.

/s/ Kerry P. Faughnan  
Kerry P. Faughnan, Esq.



ASTA  
Kerry Faughnan, Esq.  
Nevada Bar No.12204  
P.O. Box 335361  
North Las Vegas, NV 89033  
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(702) 331-4222- Fax  
Kerry.faughnan@gmail.com  
Attorney for OELLA RIDGE TRUST

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

OELLA RIDGE TRUST

Case No. A-20-809078-C

Plaintiff,

Dept. No. 13

v.

SILVER STATE SCHOOLS CREDIT  
UNION, a Nevada Corporation;

**CASE APPEAL STATEMENT**

Defendants.

1. Appellants filing this case appeal statement: Oella Ridge Trust

2. Judge Issuing Decision: Honorable Mark R. Denton

3. Parties in the proceeding:

Plaintiff: Oella Ridge Trust

Defendant: Silver State Schools Credit Union.

4. Parties involved in this appeal:

Plaintiff: Oella Ridge Trust

Defendant: Silver State Schools Credit Union.;

5. Counsel for parties on appeal:

Plaintiff: Oella Ridge Trust.

Kerry P. Faughnan, Esq.  
Nevada Bar No. 12204  
P.O. Box 335361  
North Las Vegas, Nevada 89033  
(702) 301-3096  
(702) 331-4222 - Fax  
Kerry.faughnan@gmail.com

1 Defendant: Silver State Schools Credit Union;

2 Michael R. Brooks, Esq.  
3 Nevada Bar No. 7287  
4 HUTCHISON & STEFFEN, PLLC  
5 Peccole Professional Park  
6 10080 West Alta Drive, Suite 200  
7 Las Vegas, Nevada 89145  
8 Telephone: (702) 385.2500  
9 Facsimile: (702) 385.2086  
10 mbrooks@hutchlegal.com

11 6. Appellant was represented by retained counsel in the district court.

12 7. Appellant is represented by retained counsel on appeal.

13 8. No request has been made to proceed in forma pauperis.

14 9. The Complaint in this matter was originally filed January 23, 2020.

15 10. The state court proceeding was an action to quiet title after a HOA foreclosure.

16 The order appealed from is the June 29, 2020 Order Granting Motion to Dismiss; Notice  
17 of Entry filed June 30, 2020.

18 11. The case has not been subject of an appeal to or original writ proceeding in the  
19 Supreme Court.

20 12. This appeal does not involve child custody or visitation.

21 13. This appeal does involve the possibility of settlement.

22 DATED July 30, 2020.

23 /s/ Kerry P. Faughnan  
24 Kerry P. Faughnan, Esq.  
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**~ All Parties on E-Service List ~**

DATED July 30, 2020.

/s/ Kerry P. Faughnan  
Kerry P. Faughnan, Esq.

DISTRICT COURT  
**CASE SUMMARY**  
**CASE NO. A-20-809078-C**

**Oella Ridge Trust, Plaintiff(s)**  
**vs.**  
**Silver State Schools Credit Union, Defendant(s)**

Location: **Department 13**  
Judicial Officer: **Denton, Mark R.**  
Filed on: **01/23/2020**  
Cross-Reference Case Number: **A809078**

CASE INFORMATION

**Statistical Closures**

04/07/2020 Motion to Dismiss by the Defendant(s)

Case Type: **Other Real Property**

Case Flags: **Appealed to Supreme Court**

DATE

CASE ASSIGNMENT

**Current Case Assignment**

Case Number A-20-809078-C  
Court Department 13  
Date Assigned 01/23/2020  
Judicial Officer Denton, Mark R.

PARTY INFORMATION

**Plaintiff**

**Oella Ridge Trust**

*Lead Attorneys*  
**Faughnan, Kerry P, ESQ**  
*Retained*  
702-301-3096(W)

**Defendant**

**Silver State Schools Credit Union**

**Brooks, Michael R.**  
*Retained*  
702-385-2500(W)

DATE

EVENTS & ORDERS OF THE COURT

INDEX

01/23/2020



Complaint

Filed By: Plaintiff Oella Ridge Trust  
*Complaint*

01/23/2020



Amended Complaint

Filed By: Plaintiff Oella Ridge Trust  
*Amended Complaint*

02/04/2020



Summons

Filed by: Plaintiff Oella Ridge Trust; Defendant Silver State Schools Credit Union  
*Summons-Civil*

02/06/2020



Motion to Dismiss

Filed By: Defendant Silver State Schools Credit Union  
*Defendant, Silver State Schools Credit Unions's Motion to Dismiss Plaintiff's Complaint*

02/07/2020



Clerk's Notice of Hearing

*Notice of Hearing*

02/24/2020



Notice of Non Opposition

*Notice Pursuant to EDCR 2.20(e) of Non-Opposition to Defendant, Silver State Schools Credit Union's Motion to Dismiss Plaintiff's Complaint*













02/25/2020







Opposition to Motion

DISTRICT COURT  
**CASE SUMMARY**  
**CASE NO. A-20-809078-C**

*Opposition to Motion to Dismiss*

03/09/2020	 <b>Motion to Dismiss</b> (9:00 AM) (Judicial Officer: Denton, Mark R.) <i>Defendant, Silver State Schools Credit Unions's Motion to Dismiss Plaintiff's Complaint</i> Granted in Part; <i>Granted in Part</i>
04/07/2020	 Order Granting Motion <i>Order on Motion to Dismiss</i>
04/07/2020	 Order Filed By: Defendant Silver State Schools Credit Union <i>Order on Motion to Dismiss</i>
04/08/2020	 Notice of Entry of Order Filed By: Defendant Silver State Schools Credit Union <i>Notice of Entry of Order on Motion Dismiss</i>
04/16/2020	 Brief Filed By: Defendant Silver State Schools Credit Union <i>2020-4-16 Supp Brief re Fees</i>
04/20/2020	 Opposition to Motion <i>Opposition to Supplemental Brief</i>
04/21/2020	 Amended Filed By: Plaintiff Oella Ridge Trust <i>Amended Opposition to Supplemental Brief</i>
04/21/2020	 Amended Filed By: Plaintiff Oella Ridge Trust <i>Second Amended Opposition to Supplemental Brief</i>
04/22/2020	 Reply in Support Filed By: Defendant Silver State Schools Credit Union <i>Defendant Silver State Schools Credit Union's Reply in Support of Supplemental Brief Regarding Fees</i>
05/18/2020	 <b>Minute Order</b> (11:30 AM) (Judicial Officer: Denton, Mark R.) <i>Re: Defendant, Silver State Schools Credit Unions's Motion to Dismiss Plaintiff's Complaint</i> Minute Order - No Hearing Held; <i>Minute Order - No Hearing Held</i>
06/09/2020	 <b>Minute Order</b> (7:15 AM) (Judicial Officer: Denton, Mark R.) <i>Re: Defendant, Silver State Schools Credit Unions's Motion to Dismiss Plaintiff's Complaint</i> Minute Order - No Hearing Held; <i>Minute Order - No Hearing Held</i>
06/29/2020	 Order Granting Motion <i>Order Granting Motion to Dismiss</i>
06/29/2020	<b>Order of Dismissal With Prejudice</b> (Judicial Officer: Denton, Mark R.) Debtors: Oella Ridge Trust (Plaintiff) Creditors: Silver State Schools Credit Union (Defendant) Judgment: 06/29/2020, Docketed: 06/30/2020

DISTRICT COURT  
**CASE SUMMARY**  
**CASE NO. A-20-809078-C**

06/30/2020	 Notice of Entry of Order Filed By: Defendant Silver State Schools Credit Union <i>Notice of Entry of Order Granting Motion to Dismiss</i>
07/30/2020	 Filing Fee Remittance Filed By: Defendant Silver State Schools Credit Union <i>Filing Fee Remittance</i>
07/30/2020	 Case Appeal Statement Filed By: Plaintiff Oella Ridge Trust <i>Case Appeal Statement</i>
07/30/2020	 Notice of Appeal Filed By: Plaintiff Oella Ridge Trust <i>Notice of Appeal</i>

DATE	FINANCIAL INFORMATION	
	<b>Defendant</b> Silver State Schools Credit Union	
	Total Charges	223.00
	Total Payments and Credits	223.00
	<b>Balance Due as of 8/3/2020</b>	<b>0.00</b>
	<b>Plaintiff</b> Oella Ridge Trust	
	Total Charges	294.00
	Total Payments and Credits	294.00
	<b>Balance Due as of 8/3/2020</b>	<b>0.00</b>



# DISTRICT COURT CIVIL COVER SHEET

County, Nevada  
Case No. \_\_\_\_\_  
(Assigned by Clerk's Office)

**CASE NO: A-20-809078-C**  
**Department 13**

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

Plaintiff(s) (name/address/phone): <div style="text-align: center;">Oella Ridge Trust P.O. Box 36208 Las Vegas, Nevada 89133</div>	Defendant(s) (name/address/phone): <div style="text-align: center;">Silver State Schools Credit Union c/o Kolesar &amp; Leatham, Chtd. 400 S. Rampart Blvd, Suite 400 Las Vegas, Nevada 89145</div>
Attorney (name/address/phone): <div style="text-align: center;">Kerry P. Faughnan, Esq. P.O. Box 335361 North Las Vegas, Nevada 89033 (702) 301-3096</div>	Attorney (name/address/phone): 

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

### **Civil Case Filing Types**

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

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

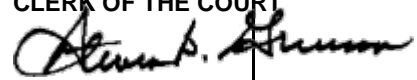
**January 23, 2020**

Date

*Kerry P. Faughnan*

Signature of initiating party or representative

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



**OGM**

MICHAEL R. BROOKS, ESQ.  
Nevada Bar No. 007287  
HUTCHISON & STEFFEN, PLLC  
Peccole Professional Park  
10080 West Alta Drive, Suite 200  
Las Vegas, Nevada 89145  
Telephone: (702) 385.2500  
Facsimile: (702) 385.2086  
Email: mbrooks@hutchlegal.com

*Attorneys for Defendant,  
Silver State Schools Credit Union*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

OELLA RIDGE TRUST,

Plaintiff,

vs.

SILVER STATE SCHOOLS CREDIT UNION,  
a Nevada Corporation,

Defendant.

Case No. A-20-809078-C

Dept. No. 13

**ORDER GRANTING MOTION TO DISMISS**

This matter came on regularly for hearing before this Court on March 9, 2020 at 9:00 a.m. on the Defendant SILVER STATE SCHOOLS CREDIT UNION's Motion to Dismiss ("Motion"). The Court, having considered the Motion, and the Opposition filed thereto, and being fully advised in the premises and good cause appearing therefor, hereby finds and orders as follows:

///

<input type="checkbox"/>	Voluntary Dismissal	<input type="checkbox"/>	Summary Judgment
<input type="checkbox"/>	Involuntary Dismissal	<input type="checkbox"/>	Stipulated Judgment
<input type="checkbox"/>	Stipulated Dismissal	<input type="checkbox"/>	Default Judgment
<input checked="" type="checkbox"/>	Motion to Dismiss by Deft(s)	<input type="checkbox"/>	Judgment of Arbitration

///

1 Silver State Schools Credit Union's Motion to Dismiss is hereby GRANTED with  
2 prejudice.

3 DATED this 29 day of June, 2020.

4  
5 

6 DISTRICT JUDGE

7 Respectfully submitted by:

8 HUTCHISON & STEFFEN, PLLC

9  
10 By: /s/ Michael R. Brooks

11 MICHAEL R. BROOKS, ESQ.  
12 Nevada Bar No. 007287  
13 10080 West Alta Drive, Suite 200  
14 Las Vegas, Nevada 89145

15 *Attorneys for defendant,*  
16 *Silver State Schools Credit Union*

17 Approved as to form:

18  
19 By: /s/ Kerry P. Faughnan

20 KERRY P. FAUGHNAN, ESQ.  
21 Nevada Bar No. 12204  
22 P.O. Box 335361  
23 North Las Vegas, Nevada 89033

24 *Attorneys for Plaintiff,*  
25 *Oella Ridge Trust*  
26  
27  
28

## Jeannette Versoza

---

**From:** Michael R. Brooks  
**Sent:** Friday, June 26, 2020 10:33 AM  
**To:** Jeannette Versoza  
**Subject:** FW: Oella Ridge

---

**From:** Kerry Faughnan <kerry.faughnan@gmail.com>  
**Sent:** Thursday, June 25, 2020 6:26 PM  
**To:** Michael R. Brooks <mbrooks@hutchlegal.com>  
**Subject:** Re: Oella Ridge

Mike,

Just saw this. You may add my electronic signature.

Kerry

On Jun 15, 2020, at 4:31 PM, Michael R. Brooks <mbrooks@hutchlegal.com> wrote:

Kerry, pLease see my draft of the proposed order on the Motion to Dismiss. Mike

Michael R. Brooks  
Partner



HUTCHISON & STEFFEN, PLLC  
(702) 385-2500  
[hutchlegal.com](http://hutchlegal.com)

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<Order Granting Motion to Dismiss.docx>



1 **NEO**

2 MICHAEL R. BROOKS, ESQ.

3 Nevada Bar No. 007287

4 HUTCHISON & STEFFEN, PLLC

5 Peccole Professional Park

6 10080 West Alta Drive, Suite 200

7 Las Vegas, Nevada 89145

8 Telephone: (702) 385.2500

9 Facsimile: (702) 385.2086

10 Email: mbrooks@hutchlegal.com

11 *Attorneys for Defendant,*

12 *Silver State Schools Credit Union*

13 **DISTRICT COURT**

14 **CLARK COUNTY, NEVADA**

15 OELLA RIDGE TRUST,

16 Plaintiff,

17 vs.

18 SILVER STATE SCHOOLS CREDIT UNION,  
19 a Nevada Corporation,

20 Defendant.

Case No. A-20-809078-C

Dept. No. 13

**NOTICE OF ENTRY OF ORDER  
GRANTING MOTION TO DISMISS**

21 **NOTICE IS HEREBY GIVEN** that an ORDER GRANTING MOTION TO  
22 DISMISS was signed by the Honorable Mark Denton on June 29, 2020, and entered by the  
23 Clerk of the Court on June 29, 2020. A copy of said Order is attached hereto.

24 DATED this 30th day of June, 2020.

25 HUTCHISON & STEFFEN, PLLC

26 By: /s/ Michael R. Brooks

27 MICHAEL R. BROOKS, ESQ.

28 Nevada Bar No. 007287

10080 West Alta Drive, Suite 200

Las Vegas, Nevada 89145

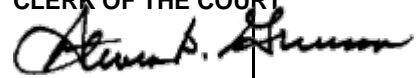
*Attorneys for defendant,*

*Silver State Schools Credit Union*

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Kerry P. Faughnan, Esq.  
LAW OFFICES OF KERRY P. FAUGHNAN  
P.O. Box 335361  
North Las Vegas, Nevada 89033

/s/ Jeannette Versoza  
An employee of HUTCHISON & STEFFEN



**OGM**

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*Attorneys for Defendant,  
Silver State Schools Credit Union*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

OELLA RIDGE TRUST,

Plaintiff,

vs.

SILVER STATE SCHOOLS CREDIT UNION,  
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Case No. A-20-809078-C

Dept. No. 13

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<input type="checkbox"/>	Voluntary Dismissal	<input type="checkbox"/>	Summary Judgment
<input type="checkbox"/>	Involuntary Dismissal	<input type="checkbox"/>	Stipulated Judgment
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///

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2 prejudice.

3 DATED this 29 day of June, 2020.

4  
5 

6 DISTRICT JUDGE

7 Respectfully submitted by:

8 HUTCHISON & STEFFEN, PLLC

9  
10 By: /s/ Michael R. Brooks

11 MICHAEL R. BROOKS, ESQ.  
12 Nevada Bar No. 007287  
13 10080 West Alta Drive, Suite 200  
14 Las Vegas, Nevada 89145

15 *Attorneys for defendant,*  
16 *Silver State Schools Credit Union*

17 Approved as to form:

18  
19 By: /s/ Kerry P. Faughnan

20 KERRY P. FAUGHNAN, ESQ.  
21 Nevada Bar No. 12204  
22 P.O. Box 335361  
23 North Las Vegas, Nevada 89033

24 *Attorneys for Plaintiff,*  
25 *Oella Ridge Trust*  
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Michael R. Brooks  
Partner



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<Order Granting Motion to Dismiss.docx>

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Real Property**

**COURT MINUTES**

**March 09, 2020**

---

A-20-809078-C      Oella Ridge Trust, Plaintiff(s)  
vs.  
Silver State Schools Credit Union, Defendant(s)

---

**March 09, 2020      9:00 AM      Motion to Dismiss**

**HEARD BY:** Denton, Mark R.      **COURTROOM:** RJC Courtroom 03D

**COURT CLERK:** Madalyn Kearney

**RECORDER:** Jennifer Gerold

**REPORTER:**

**PARTIES**

**PRESENT:** Faughnan, Kerry P, ESQ      Attorney

**JOURNAL ENTRIES**

- Michael Brooks, Esq. present for Defendant.

Mr. Brooks advised he did receive the opposition; however, he did not file a written reply. Upon Court's inquiry, Mr. Brooks stated he could give a verbal reply, or if the Court would find it helpful, he could file a written reply. Court stated it will hear argument and advise if it needs anything else. Arguments by Mr. Faughnan and Mr. Brooks regarding the Motion. Court advised it will treat the Motion as a motion for summary judgment with the issue being whether or not fees can be added to the obligation of the original obligor. COURT ORDERED, Defendant Silver State Schools Credit Union's Motion to Dismiss Plaintiff's Complaint GRANTED IN PART as to the addition of the fees and costs to the underlying obligation and as to the rest of the Motion, the following supplemental briefing schedule SET:

Defendant's Supplemental Brief DUE by close of business March 30, 2020

Plaintiff's Supplemental Opposition DUE by close of business April 20, 2020

Defendant's Supplemental Reply DUE by close of business May 4, 2020

COURT FURTHER ORDERED, balance of the Motion UNDER ADVISEMENT as of May 4, 2020.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Real Property**

**COURT MINUTES**

**May 18, 2020**

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A-20-809078-C	Oella Ridge Trust, Plaintiff(s) vs. Silver State Schools Credit Union, Defendant(s)
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**May 18, 2020**

**11:30 AM**

**Minute Order**

**HEARD BY:** Denton, Mark R.

**COURTROOM:** Chambers

**COURT CLERK:** Madalyn Kearney

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- IN LIGHT of the present coronavirus situation which has understandably led to occasional difficulties in timely filings, and in light of Defendant's willingness, expressed in its supplemental filing of April 22, 2020, to accord to Plaintiff additional time to review and respond to the invoices submitted by Defendant, Plaintiff shall have up to and including Wednesday, May 27, 2020 within which to further supplement its opposition to Defendant's Supplemental Brief Regarding Fees filed April 16, 2020, and Defendant shall then have up to and including Wednesday, June 3, 2020 within which to reply to any such supplement filed by Plaintiff, after which the matter will stand submitted and be under advisement.

IT IS SO ORDERED.

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Madalyn Kearney, to all registered parties for Odyssey File & Serve. /mk 5/18/20

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Real Property**

**COURT MINUTES**

**June 09, 2020**

---

A-20-809078-C      Oella Ridge Trust, Plaintiff(s)  
vs.  
Silver State Schools Credit Union, Defendant(s)

---

**June 09, 2020**

**7:15 AM**

**Minute Order**

**HEARD BY:** Denton, Mark R.

**COURTROOM:** Chambers

**COURT CLERK:** Madalyn Kearney

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- HAVING further reviewed and considered the original filings and supplemental filings pertaining to Defendant's Motion to Dismiss originally coming before the Court on March 9, 2020 and then having determined to treat such Motion as one for summary judgment relative to the questions remaining after such hearing and having set a supplemental briefing schedule, and having deemed the matter submitted as of June 3, 2020 by Minute Order of May 18, 2020, and being fully advised in the premises, the Court GRANTS Defendant's Motion in its entirety. Counsel for Defendant is directed to submit a proposed order consistent herewith and with the Court's prior ruling and with briefing and argument supportive of the same. Such proposed order is to be submitted to opposing counsel for review and signification of approval/disapproval. Instead of seeking to clarify or litigate meaning of any disapproval through correspondence directed to the Court or to counsel with copies to the Court, any such clarification or disapproval should be the subject of appropriate motion practice.

IT IS SO ORDERED.

CLERK'S NOTE: Pursuant to Administrative Order 20-10, all proposed orders must be submitted by e-mail to DC13inbox@ClarkCountyCourts.us in both a Microsoft Word document and a .pdf document. This Minute Order was electronically served by Courtroom Clerk, Madalyn Kearney, to

all registered parties for Odyssey File & Serve. /mk 6/9/20



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

**KERRY FAUGHNAN, ESQ.**  
**P.O. BOX 335361**  
**NORTH LAS VEGAS, NV 89033**

**DATE: August 3, 2020**  
**CASE: A-20-809078-C**

**RE CASE:** OELLA RIDGE TRUST vs. SILVER STATE SCHOOLS CREDIT UNION

NOTICE OF APPEAL FILED: July 30, 2020

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

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

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

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

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

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

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

# Certification of Copy

State of Nevada }  
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER GRANTING MOTION TO DISMISS; NOTICE OF ENTRY OF ORDER GRANTING MOTION TO DISMISS; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

OELLA RIDGE TRUST,

Plaintiff(s),

vs.

SILVER STATE SCHOOLS CREDIT UNION,

Defendant(s),

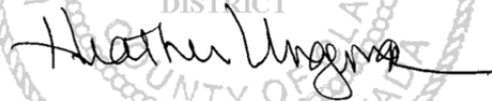
Case No: A-20-809078-C

Dept No: XIII

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 3 day of August 2020.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk