

Electronically Filed  
Mar 29 2021 10:25 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

OELLA RIDGE TRUST )  
 )  
Appellant, )  
 )  
vs. )  
 )  
SILVER STATE SCHOOLS CREDIT )  
UNION )  
Respondent. )  
 )

From the Eighth Judicial District Court  
The Honorable Susan Johnson, District Court Mark R. Denton  
District Court Case No. A-20-809078-C

Kerry P. Faughnan, Esq., NSB #12204  
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North Las Vegas, NV 89033  
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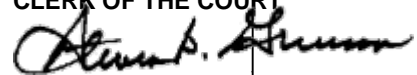
Docket 81584 Document 2021-09047

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6/30/2020	Notice of Entry of Order Granting Motion to Dismiss	2AA267 – 2AA271
7/30/2020	Notice of Appeal	2AA272 – 2AA273



1 **RPLY**

2 MICHAEL R. BROOKS, ESQ.  
3 Nevada Bar No. 007287  
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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

Date: March 9, 2020

Time: 9:00 a.m.

Dept: 13

21 **DEFENDANT SILVER STATE SCHOOLS CREDIT UNION'S REPLY IN**  
22 **SUPPORT OF SUPPLEMENTAL BRIEF REGARDING FEES**

23 Defendant Silver State Schools Credit Union, by and through its counsel of record,  
24 Hutchison & Steffen, PLLC, hereby files its Reply in support of the Supplemental Brief  
25 Regarding Fees.

26 ///

27 ///


28 ///

///

1 This Reply is made and based on the papers and pleadings on file herein, as well as  
2 the attached Memorandum of Points and Authorities, and any of the arguments of counsel.

3 DATED this 22 day of April, 2020.

4 HUTCHISON & STEFFEN, PLLC

5  
6 By:   
7 MICHAEL R. BROOKS, ESQ.  
8 Nevada Bar No. 007287  
9 10080 West Alta Drive, Suite 200  
10 Las Vegas, Nevada 89145

11 *Attorneys for Defendant,*  
12 *Silver State Schools Credit Union*  
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1                                    **MEMORANDUM OF POINTS AND AUTHORITIES**

2            **I.        INTRODUCTION**

3            Plaintiff's ham-fisted response to the filing of billing records by Silver State Schools  
4 Credit Union ("SSSCU") is so frivolous and unprofessional in the midst of the COVID-19  
5 Pandemic that it barely deserves a response. Nevertheless, to ensure that SSSCU's silence is  
6 not deemed consent to the procedurally flawed position, SSSCU submits this response.  
7 Specifically, the purpose of this Response is to point out what Plaintiff fails to recognize.  
8 Moreover, SSSCU points out the shortcomings in professionalism including the lack of  
9 consideration during the COVID-19 Pandemic and no attempt to contact SSSCU's counsel to  
10 seek additional time to respond to the billings. In fact, when properly viewed, Plaintiff is  
11 asking this Court to declare that over \$120,000 in attorneys fees and costs are presumptively  
12 unreasonable because of a **6-day** delay in preparing billings for review. For all of these  
13 reasons, SSSCU requests that this Court either reset the time for reviewing the billings or fully  
14 grant its Motion to Dismiss this suit.

15            **II.        FACTUAL SUMMARY**

16            Plaintiff filed a lawsuit with a single claim for relief requesting Declaratory Relief.  
17 This Court granted SSSCU's Motion for Summary Judgment adjudicating SSSCU's right to  
18 recovery attorneys fees and costs as additional debt without requirement to make a motion in  
19 prior litigation. A true and correct copy of the Order is attached hereto as Exhibit "A."

20            At the hearing on March 9, 2020, the Court set a unique briefing schedule to allow for  
21 the efficient resolution of the litigation and allow the Plaintiff to argue dispute as unreasonable  
22 fees and charges SSSCU added to the debt. The process was simply intended to be a way of  
23 resolving the issues without resorting to extensive litigation. More importantly, there was no  
24 warning given that the failure to timely file the documents would result in a presumption that  
25 all fees were unreasonable and that summary judgment would be granted for Plaintiff.

26            It was shortly thereafter, on March 12, 2020, that Governor Sisolak declared a state of  
27 emergency in response to COVID-19. It was shortly after that, on March 16, 2020, Michael  
28 Brooks settled his practice at a new law firm of Hutchison & Steffen. Thereafter, SSSCU

1 employees were ordered to continue working from home. And counsel wonders why the  
2 filings were late.

3 Many of these issues were addressed in the initial email to opposing counsel requesting  
4 additional time to prepare the billings for review. Counsel agreed that April 10, 2020 was a  
5 reasonable date to provide the billings for review. A true and correct copy of the email  
6 exchange of April 1, 2020 is attached as Exhibit "B."

7 Ultimately, the documents were produced on April 16 – a total of 6 days after the initial  
8 extension was granted. In the spirit of allowing Plaintiff an opportunity to review all of the  
9 billings, SSSCU produced over 180 pages of billings that outlined all of the work from 3  
10 different law firms over 7 years. Moreover, a spreadsheet was prepared to provide a snapshot  
11 for billings for each firm and when. The billing review was very time consuming. However,  
12 anything less would certainly have garnered an objection for being incomplete.

### 13 **III. ARGUMENT**

#### 14 **1. There is Not a Statute of Limitations.**

15 First, Plaintiff makes the argument that the failure to produce records within the time  
16 set by the Court is akin to a statute of limitations that bars a recovery by SSSCU. First, it  
17 should be noted that SSSCU did not have to file a lawsuit to recover attorneys fees and costs.  
18 SSSCU's right to attorneys fees and costs has been adjudicated in its favor by this Court. As  
19 a result, there is no time bar which could prohibit SSSCU's recovery. Secondly, SSSCU did  
20 not make a claim in this case. SSSCU is defending against Plaintiff's claims. The unique  
21 process established by this Court to consider whether the fees sought were unreasonable as  
22 alleged by Plaintiff is not subject to a statute of limitations.

#### 23 **2. Plaintiff has not Satisfied its Burden of Proof in the Case.**

24 Secondly, after SSSCU obtained summary judgment on its right to recover fees as  
25 additional debt under the Deed of Trust, the only claim that remains is Plaintiff's contention  
26 that the billings were unreasonable. Plaintiff seems to have forgotten that this is not a case  
27 where SSSCU has to request the granting of fees in which case SSSCU would have the burden  
28

1 of proof. Rather, this case requires Plaintiff to prove that the fees are unreasonable. Absent  
2 evidence to support its argument, Plaintiff has no case.

3       Procedurally, this case is unique. In an effort to reduce the costs associated with this  
4 litigation, the Court, with agreement of the parties, structured a unique evidentiary process to  
5 review the billings. There is nothing in the record or minutes from the hearing on the Motion  
6 to Dismiss to indicate that the process would be a substitute for actual evidence by Plaintiff  
7 or that the failure to timely file a response would create a presumption that all fees were  
8 unreasonable. In fact, Plaintiff's argument taken to its extreme would allow it to obtain  
9 summary judgment without presenting any actual evidence of unreasonableness. To allow  
10 such an argument to proceed would be very prejudicial to SSSCU. Secondly, the case is  
11 currently at a motion to dismiss phase.

### 12       **3. Procedural Posture of the Case.**

13       Plaintiff's argument completely ignores the procedural posture of this case. The Court  
14 structured the current review of bills in response to SSSCU's Motion to Dismiss. At the  
15 hearing on the Motion to Dismiss, the Court, with the consent of the parties, set a schedule to  
16 review the billings. If counsel objects to the timeliness of the billings presented, the proper  
17 remedy is for the Court to deny the Motion to Dismiss the challenge to the reasonableness of  
18 the fees and allow the litigation to proceed. This will be much more expensive for the parties,  
19 but it is the only proper result if the Court is not satisfied with the timeliness of the response.

### 20       **4. Professionalism Among Counsel Under COVID-19 Orders.**

21       Professionalism is always required among counsel. However, this is particularly so  
22 during this time of the COVID-19 Pandemic. Administrative Order 20-13 specifically  
23 provides:

24               2. Attorney Obligations: Attorneys, as officers of the court, have  
25 ethical obligations for cooperative civility under normal  
26 circumstances. This Court, under the present emergency,  
27 reminds attorneys that they have an obligation to be cooperative  
28 with courts and with each other as we all navigate these  
challenging circumstances. **This is not the time to press for  
unwarranted tactical advantages**, unreasonably deny  
continuances or other accommodations, or otherwise take

1 advantage of challenges presented due to the current pandemic.  
2 Lawyers are expected to be civil, professional and  
3 understanding of their colleagues, parties, and witnesses who  
4 are ill or otherwise unable to meet obligations because of the  
5 current restrictions.


6 In the present case, counsel was kind enough to agree to a single continuance.  
7 However, the circumstances since March 9, 2020 have been remarkable to say the least for  
8 both SSSCU's counsel and for the State of Nevada. Just days after the hearing on this matter,  
9 Governor Sisolak declared a state of emergency. Just days later, Mr. Brooks started with a  
10 new law firm on March 16, 2020 after his former law firm closed down. Hutchison & Steffen  
11 attorneys and staff and SSSCU employees have been forced to work largely from home. As a  
12 result, counsel's conduct and arguments do not come close to complying with the spirit of the  
13 Administrative Order. To make matters worse, Plaintiff could have contacted SSSCU's  
14 counsel and easily obtained additional time to file a response. Instead, Plaintiff chose to use a  
15 deadline that was essentially rendered meaningless by its prior extension as an argument  
16 against SSSCU **all because of a 6-day delay**. In fact, it appears that Plaintiff was setting a  
17 trap for SSSCU by granting an extension in the first place by using that to make this meritless  
18 argument that by sticking to the original deadlines it was prejudiced. A simple phone call or  
19 email could have resolved this issue in its entirety.

20 **5. SSSCU is prepared to Allow Counsel Reasonable Time to Review and Respond**  
21 **to the submitted invoices.**

22 In light of the command for professionalism, SSSCU is, and always has been, prepared  
23 to allow Plaintiff additional time to review the SSSCU billings regarding reasonableness. It is  
24 worth noting that Plaintiff did not reach out to SSSCU's counsel to request additional time to  
25 prepare a response. Plaintiff appears to have tried to set a trap for SSSCU by granting an  
26 extension to SSSCU and then arbitrarily holding itself to the original deadline without  
27 requesting any type of extension from SSSCU. This is a disappointing tactic and not one that  
28 would be expected from Plaintiff's counsel.

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DATED this 22 day of April, 2020.

By:   
MICHAEL R. BROOKS, Esq.  
Nevada Bar No. 007287  
10080 West Alta Drive, Suite 200  
Las Vegas, Nevada 89145

Page 7 of 8

1 **CERTIFICATE OF SERVICE**

2 Pursuant to NRCP 5(b), I certify that I am an employee of HUTCHISON & STEFFEN,  
3 PLLC and that on this \_\_\_\_ day of April, 2020, I caused the above and foregoing documents  
4 entitled **DEFENDANT SILVER STATE SCHOOLS CREDIT UNION'S REPLY IN**  
5 **SUPPORT OF SUPPLEMENTAL BRIEF REGARDING FEES** to be served through the  
6 Court's mandatory electronic service system, per EDCR 8.02, upon the following:

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

10 *Attorneys for Plaintiff*  
11 *Oella Ridge Trust*

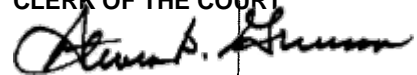
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15 /s/ Jeannette Versoza

16 \_\_\_\_\_  
An employee of HUTCHISON & STEFFEN  
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EXHIBIT PAGE ONLY



**EXHIBIT A**



1 **OGM**

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  
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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

Date: March 9, 2020

Time: 9:00 a.m.

Dept: 13

21 **ORDER ON MOTION TO DISMISS**

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

27 THE COURT FINDS that there are no triable issues of fact regarding the  
28 Defendant's ability to add attorneys fees expended in connection with the defense of its  
security interest as additional debt to the Note pursuant to the Deed of Trust.

THE COURT FURTHER FINDS that Plaintiff had constructive notice of the  
additional debt provision contained in the Deed of Trust based the recording of the Deed of

1 Trust in the Official Records of Clark County, Nevada as of the date that Plaintiff acquired  
2 its interest in the Property.

3 THE COURT FINDS that there is insufficient evidence to confirm the  
4 reasonableness of the additional debt added to the Note pursuant to the Deed of Trust.

5 Based upon the foregoing,

6 IT IS HEREBY ORDERED that this matter is converted to a Motion for Summary  
7 Judgment for the Court to find that Silver State Schools Credit Union has a legal basis to  
8 recover attorneys fees incurred in the defense of its Deed of Trust to the outstanding balance  
9 of the debt pursuant to the express provision of the recorded Deed of Trust.

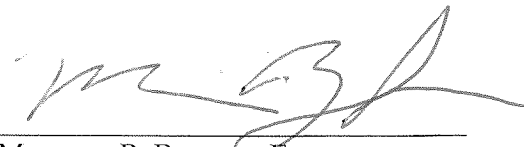
10 IT IS FURTHER ORDERED that Defendant Silver State Schools Credit Union shall  
11 have until March 30, unless otherwise extended by agreement, to produce billing records  
12 necessary for Plaintiff's counsel to review and determine any objectionable charges.

13 DATED this 7 day of April, 2020.

14   
15 \_\_\_\_\_  
16 DISTRICT JUDGE

17 Respectfully submitted by:

18 HUTCHISON & STEFFEN, PLLC

19   
20 By: \_\_\_\_\_  
21 MICHAEL R. BROOKS, ESQ.  
22 Nevada Bar No. 007287  
23 10080 West Alta Drive, Suite 200  
24 Las Vegas, Nevada 89145

25 *Attorneys for defendant,*  
*Silver State Schools Credit Union*

26	<input type="checkbox"/>	Voluntary Dismissal	<input type="checkbox"/>	Summary Judgment
27	<input type="checkbox"/>	Involuntary Dismissal	<input type="checkbox"/>	Stipulated Judgment
28	<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 Approved as to form:

2  
3  
4 By: 

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

7 *Attorneys for Plaintiff,*  
8 *Oella Ridge Trust*  
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**EXHIBIT B**

## Jeannette Versoza

---

**From:** Kerry Faughnan <kerry.faughnan@gmail.com>  
**Sent:** Wednesday, April 1, 2020 12:33 PM  
**To:** Michael R. Brooks  
**Subject:** Re: Oella Ridge  
**Attachments:** Order from March 9 Hearing.pdf

No worries. Here you go. Stay safe. Hope all is well with you and the family!

On Wed, Apr 1, 2020 at 12:15 PM Michael R. Brooks <[mbrooks@hutchlegal.com](mailto:mbrooks@hutchlegal.com)> wrote:

Kerry, I have attached a draft Order on our Motion to Dismiss. If this is acceptable, please execute and scan back to me. Also, I note that we have blown the deadline to provide you the documents to review. I am able to get them to you by next Friday (April 10) if that is no trouble. I appreciate the consideration given the craziness of my employment situation and the coronavirus issues. Thanks. Mike

Michael R. Brooks  
Partner



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

**Notice of Confidentiality:** The information transmitted is intended only for the person or entity to whom it is addressed and may contain confidential and/or privileged material. Any review, retransmission, dissemination or other use of, or taking any action in reliance upon, this information by anyone other than the intended recipient is not authorized.

--  
--

**Kerry P. Faughnan, Esq. | Law Offices of Kerry Faughnan | Las Vegas, NV**

Attorney | P.O. Box 335361, North Las Vegas, NV 89033

| Phone: (702) 301-3096 | Fax: (702) 331-4222 | e-mail: [kerry.faughnan@gmail.com](mailto:kerry.faughnan@gmail.com)

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the sender by telephone or reply e-mail, and permanently delete this e-mail from your computer system. Thank you.

**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)

---

**May 18, 2020**

**11:30 AM**

**Minute Order**

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

**COURTROOM:** Chambers

**COURT CLERK:** Madalyn Kearney

**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**

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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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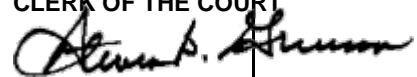
**June 09, 2020****7:15 AM****Minute Order****HEARD BY:** Denton, Mark R.**COURTROOM:** Chambers**COURT CLERK:** Madalyn Kearney

**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



**OGM**

MICHAEL R. BROOKS, ESQ.  
Nevada Bar No. 007287  
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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

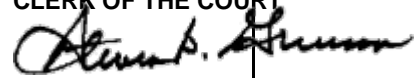
Michael R. Brooks  
Partner



HUTCHISON & STEFFEN, PLLC  
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<Order Granting Motion to Dismiss.docx>



1 **NEO**

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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

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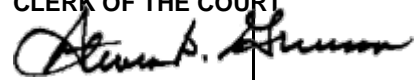
*Attorneys for defendant,*

*Silver State Schools Credit Union*

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Kerry P. Faughnan, Esq.  
LAW OFFICES OF KERRY P. FAUGHNAN  
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/s/ Jeannette Versoza  
An employee of HUTCHISON & STEFFEN



**OGM**

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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*

## 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

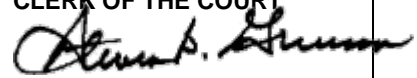
Michael R. Brooks  
Partner



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<Order Granting Motion to Dismiss.docx>



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7 (702) 331-4222- Fax  
8 Kerry.faughnan@gmail.com  
9 Attorney for OELLA RIDGE TRUST

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

12 OELLA RIDGE TRUST

Case No. A-20-809078-C

13 Plaintiff,

Dept. No. 13

14 v.

**NOTICE OF APPEAL**

15 SILVER STATE SCHOOLS CREDIT  
16 UNION, a Nevada Corporation;

17 Defendants

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

21 DATED July 30, 2020.

22 /s/ Kerry P. Faughnan  
23 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.

## **CERTIFICATE OF SERVICE**

I certify that on March 29, 2021, I served a copy of the foregoing upon all counsel of record by allowing the Court's ECF system to serve same upon:

Michael R. Brooks, Esq.  
HUTCHISON & STEFFEN, PLLC  
10080 West Alta Drive, Ste. 200  
Las Vegas NV 89145

Attorney for Respondent

DATED March 29, 2021.

/s/ Kerry P. Faughnan  
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Attorney for Appellant  
Oella Ridge Trust