

IN THE SUPREME COURT OF THE STATE OF NEVADA

INDICATE FULL CAPTION:

EDWARD N. DETWILER, an individual,
Appellant,
v.
BAKER BOYER NATIONAL BANK, a
Washington corporation,
Respondent.

No. 81594

DOCKETING STATEMENT
CIVIL APPEALS

Electronically Filed
Sep 15 2020 04:05 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

GENERAL INFORMATION

Appellants must complete this docketing statement in compliance with NRAP 14(a). The purpose of the docketing statement is to assist the Supreme Court in screening jurisdiction, identifying issues on appeal, assessing presumptive assignment to the Court of Appeals under NRAP 17, scheduling cases for oral argument and settlement conferences, classifying cases for expedited treatment and assignment to the Court of Appeals, and compiling statistical information.

WARNING

This statement must be completed fully, accurately and on time. NRAP 14(c). The Supreme Court may impose sanctions on counsel or appellant if it appears that the information provided is incomplete or inaccurate. *Id.* Failure to fill out the statement completely or to file it in a timely manner constitutes grounds for the imposition of sanctions, including a fine and/or dismissal of the appeal.

A complete list of the documents that must be attached appears as Question 27 on this docketing statement. Failure to attach all required documents will result in the delay of your appeal and may result in the imposition of sanctions.

This court has noted that when attorneys do not take seriously their obligations under NRAP 14 to complete the docketing statement properly and conscientiously, they waste the valuable judicial resources of this court, making the imposition of sanctions appropriate. *See KDI Sylvan Pools v. Workman*, 107 Nev. 340, 344, 810 P.2d 1217, 1220 (1991). Please use tab dividers to separate any attached documents.

1. Judicial District Eighth Department II
County Clark Judge Richard Scotti
District Ct. Case No. A-17-760779-F

2. Attorney filing this docketing statement:

Attorney Brenoch Wirthlin, Esq. Telephone 702-385-2500
Firm Hutchison & Steffen, PLLC
Address 10080 W. Alta Dr., Suite 200
Las Vegas, Nevada 89145

Client(s) Appellant Edward N. Detwiler

If this is a joint statement by multiple appellants, add the names and addresses of other counsel and the names of their clients on an additional sheet accompanied by a certification that they concur in the filing of this statement.

3. Attorney(s) representing respondents(s):

Attorney Daniel Polsenberg / John Bragonie Telephone (702) 949-8200
Firm Lewis Roca Rothgerber Christie
Address 3993 Howard Hughes Pkwy., Suite 600
Las Vegas, Nevada 89169

Client(s) Respondent Baker Bover National Bank, a Washington corporation

Attorney _____ Telephone _____

Firm _____

Address _____

Client(s) _____

(List additional counsel on separate sheet if necessary)

4. Nature of disposition below (check all that apply):

- | | |
|--|--|
| <input checked="" type="checkbox"/> Judgment after bench trial | <input type="checkbox"/> Dismissal: |
| <input type="checkbox"/> Judgment after jury verdict | <input type="checkbox"/> Lack of jurisdiction |
| <input type="checkbox"/> Summary judgment | <input type="checkbox"/> Failure to state a claim |
| <input type="checkbox"/> Default judgment | <input type="checkbox"/> Failure to prosecute |
| <input type="checkbox"/> Grant/Denial of NRCP 60(b) relief | <input type="checkbox"/> Other (specify): _____ |
| <input type="checkbox"/> Grant/Denial of injunction | <input type="checkbox"/> Divorce Decree: |
| <input type="checkbox"/> Grant/Denial of declaratory relief | <input type="checkbox"/> Original <input type="checkbox"/> Modification |
| <input type="checkbox"/> Review of agency determination | <input checked="" type="checkbox"/> Other disposition (specify): <u>Charging Order</u> |

5. Does this appeal raise issues concerning any of the following?

- ☐ Child Custody
- ☐ Venue
- ☐ Termination of parental rights

6. Pending and prior proceedings in this court. List the case name and docket number of all appeals or original proceedings presently or previously pending before this court which are related to this appeal:

- Appeal: Detwiler vs. Baker Boyer Nat'l Bank, Docket No. 81017 (dismissed on May 6, 2020).

- Pending original writ proceeding: Detwiler v. Dist. Ct. (Baker Boyer Nat'l Bank), Docket No. 81220 (filed on May 22, 2020).

7. Pending and prior proceedings in other courts. List the case name, number and court of all pending and prior proceedings in other courts which are related to this appeal (e.g., bankruptcy, consolidated or bifurcated proceedings) and their dates of disposition:

N/A.

8. Nature of the action. Briefly describe the nature of the action and the result below:

This matter involves the unlawful, erroneous entry of a Charging Order for payments due from third-parties to a non-party Detwiler. The entry of this Charging Order comes after the Court violated Detwiler's constitutional and due process rights in order to enter a criminal contempt judgment (which is the subject a pending writ proceeding before this Court - Docket No. 81220). Detwiler seeks appeal of the Charging Order due to its entry violating, without limitation, the Trial Court's stays, Governor Sisolak's Directive 017, NRCF 45, A.O. 20-17 and NRS 86.401(2)(a).

9. Issues on appeal. State concisely the principal issue(s) in this appeal (attach separate sheets as necessary):

The appeal of the Charging Order involves issues with the Charging Order violating, without limitation, the following: (1) The stays put in place by the Trial Court, the District Court's COVID-19 stay order and Governor Sisolak's Directive 017: At the time of filing of the Application for Charging Order, the Respondent was in violation of the aforementioned stays; (2) NRCF 45: The Charging Order includes a requirement for third-parties to turn over records related to Detwiler's business interests to the Respondent. Such order violates the requirements of NRCF 45, as no subpoenas were issued to these third-parties and Detwiler was not provided with the requisite notice prior to seeking these records; (3) Clark County District Court's Administrative Order # 20-17: With the COVID-19 pandemic, the District Court Chief Judge and the Chief Justice of the Nevada Supreme Court jointly issued Administrative Order # 20-17, which, among other things, requires "advance approval of the discovery commissioner to issue subpoenas under NRCF 45." The Respondent never sought approval from the discovery commissioner; and (4) NRS 86.401(2)(a): This statute provides that the trial court may provide no other remedy other than a Charging Order - the Charging Order includes additional remedies in direct violation of this statute.

10. Pending proceedings in this court raising the same or similar issues. If you are aware of any proceedings presently pending before this court which raises the same or similar issues raised in this appeal, list the case name and docket numbers and identify the same or similar issue raised:

This appeal raises similar issues that are currently pending before this Court in the writ proceeding of Detwiler v. Dist. Ct. (Baker Boyer Nat'l Bank), Docket No. 81220 (filed on May 22, 2020). Both proceedings deal with the significant errors committed by the Trial Court. That being said the pending writ proceeding requires review due to the Trial Court violating Detwiler's constitutional and due process rights in order to issue an unlawful criminal sanction judgment.

11. Constitutional issues. If this appeal challenges the constitutionality of a statute, and the state, any state agency, or any officer or employee thereof is not a party to this appeal, have you notified the clerk of this court and the attorney general in accordance with NRAP 44 and NRS 30.130?

☒ N/A

☐ Yes

☐ No

If not, explain:

12. Other issues. Does this appeal involve any of the following issues?

☐ Reversal of well-settled Nevada precedent(identify the case(s))

☒ An issue arising under the United States and/or Nevada Constitutions

☐ A substantial issue of first impression

☐ An issue of public policy

☐ An issue where en banc consideration is necessary to maintain uniformity of this court's decisions

☐ A ballot question

If so, explain: This appeal directly relates to the writ proceeding of Detwiler v. Dist. Ct. (Baker Boyer Nat'l Bank), Docket No. 81220 (filed on May 22, 2020), which does relate to issues arising under the US and/or Nevada Constitutions.

13. Assignment to the Court of Appeals or retention in the Supreme Court. Briefly set forth whether the matter is presumptively retained by the Supreme Court or assigned to the Court of Appeals under NRAP 17, and cite the subparagraph(s) of the Rule under which the matter falls. If appellant believes that the Supreme Court should retain the case despite its presumptive assignment to the Court of Appeals, identify the specific issue(s) or circumstance(s) that warrant retaining the case, and include an explanation of their importance or significance:

The Nevada Supreme Court should retain this appeal because it raises as a principal issue questions of statewide public importance. NRAP 17(a)(12). In particular, this matter directly concerns a Charging Order which violates, without limitation, the Trial Court's stays, Governor Sisolak's Directive 017, NRCP 45, A.O. 20-17 and NRS 86.401(2)(a).

14. Trial. If this action proceeded to trial, how many days did the trial last? 3

Was it a bench or jury trial? Bench Trial

15. Judicial Disqualification. Do you intend to file a motion to disqualify or have a justice recuse him/herself from participation in this appeal? If so, which Justice?
No.

TIMELINESS OF NOTICE OF APPEAL

16. Date of entry of written judgment or order appealed from July 6, 2020

If no written judgment or order was filed in the district court, explain the basis for seeking appellate review:

17. Date written notice of entry of judgment or order was served July 6, 2020

Was service by:

☒ Delivery

☐ Mail/electronic/fax

18. If the time for filing the notice of appeal was tolled by a post-judgment motion (NRCP 50(b), 52(b), or 59)

(a) Specify the type of motion, the date and method of service of the motion, and the date of filing.

☐ NRCP 50(b) Date of filing _____

☐ NRCP 52(b) Date of filing _____

☐ NRCP 59 Date of filing _____

NOTE: Motions made pursuant to NRCP 60 or motions for rehearing or reconsideration may toll the time for filing a notice of appeal. See AA Primo Builders v. Washington, 126 Nev. ____, 245 P.3d 1190 (2010).

(b) Date of entry of written order resolving tolling motion _____

(c) Date written notice of entry of order resolving tolling motion was served _____

Was service by:

☐ Delivery

☐ Mail

19. Date notice of appeal filed August 5, 2020

If more than one party has appealed from the judgment or order, list the date each notice of appeal was filed and identify by name the party filing the notice of appeal:

20. Specify statute or rule governing the time limit for filing the notice of appeal, e.g., NRAP 4(a) or other

NRAP 4(a)(1)

SUBSTANTIVE APPEALABILITY

21. Specify the statute or other authority granting this court jurisdiction to review the judgment or order appealed from:

(a)

☒ NRAP 3A(b)(1)

☐ NRS 38.205

☐ NRAP 3A(b)(2)

☐ NRS 233B.150

☐ NRAP 3A(b)(3)

☐ NRS 703.376

☒ Other (specify) NRAP 3A(b)(5), NRAP 3A(b)(8), NRCP 71 and NRS 86.421

(b) Explain how each authority provides a basis for appeal from the judgment or order:

- NRAP 3A(b)(1): The Charging Order is a final judgment entered in an action or proceeding commenced in the court in which the judgment is rendered and the Charging Order is, therefore, appealable.
- NRAP 3A(b)(5): The Charging Order acts as an attachment to payments owed to Detwiler from third-parties. In the Court issuing the Charging Order, the Court refused to dissolve attaching to such payments and the Charging Order is, therefore, appealable.
- NRAP 3A(b)(8): Even if the Charging Order is not a final judgment, it certainly is a special order entered after final judgment and the Charging Order is, therefore, appealable.
- NRCP 71: The Charging Order is enforced against a nonparty (Detwiler) and the procedure for enforcing the order is the same as for a party. As such, Detwiler is an aggrieved party and the Charging Order is, therefore, appealable.
- NRS 86.421: Chapter 86 of the NRS provides for a Charging Order and, under NRS 86.421, the statute contemplates an appeal under NRS 86.

22. List all parties involved in the action or consolidated actions in the district court:

(a) Parties:

- Plaintiff/Respondent Baker Boyer National Bank, a Washington Corporation
- Defendant/Judgment Debtor James Foust, Jr.
- Non-Party Harry Hildebrand, LLC
- Non-Party/Appellant, Edward N. Detwiler

(b) If all parties in the district court are not parties to this appeal, explain in detail why those parties are not involved in this appeal, *e.g.*, formally dismissed, not served, or other:

Other: The Charging Order involves only Detwiler and Respondent.

23. Give a brief description (3 to 5 words) of each party's separate claims, counterclaims, cross-claims, or third-party claims and the date of formal disposition of each claim.

Respondent's claims against Appellant: Alleged violations of a Court Order; and subsequent issuance of a Charging Order.

24. Did the judgment or order appealed from adjudicate ALL the claims alleged below and the rights and liabilities of ALL the parties to the action or consolidated actions below?

☒ Yes

☐ No

25. If you answered "No" to question 24, complete the following:

(a) Specify the claims remaining pending below:

(b) Specify the parties remaining below:

(c) Did the district court certify the judgment or order appealed from as a final judgment pursuant to NRCP 54(b)?

☐ Yes

☐ No

(d) Did the district court make an express determination, pursuant to NRCP 54(b), that there is no just reason for delay and an express direction for the entry of judgment?

☐ Yes

☐ No

26. If you answered "No" to any part of question 25, explain the basis for seeking appellate review (e.g., order is independently appealable under NRAP 3A(b)):

N/A

27. Attach file-stamped copies of the following documents:

- The latest-filed complaint, counterclaims, cross-claims, and third-party claims
- Any tolling motion(s) and order(s) resolving tolling motion(s)
- Orders of NRCP 41(a) dismissals formally resolving each claim, counterclaims, cross-claims and/or third-party claims asserted in the action or consolidated action below, even if not at issue on appeal
- Any other order challenged on appeal
- Notices of entry for each attached order

VERIFICATION

I declare under penalty of perjury that I have read this docketing statement, that the information provided in this docketing statement is true and complete to the best of my knowledge, information and belief, and that I have attached all required documents to this docketing statement.

Edward N. Detwiler
Name of appellant

Brenoch Wirthlin, Esq.
Name of counsel of record

September 15, 2020
Date

/s/ Brenoch Wirthlin, Esq.
Signature of counsel of record

Nevada, Clark County
State and county where signed

CERTIFICATE OF SERVICE

I certify that on the 15th day of September, 2020, I served a copy of this completed docketing statement upon all counsel of record:

☐ By personally serving it upon him/her; or

☒ By mailing it by first class mail with sufficient postage prepaid to the following address(es): (NOTE: If all names and addresses cannot fit below, please list names below and attach a separate sheet with the addresses.)

Daniel F. Polsenberg / John E. Bragonje / Abraham G. Smith
Lewis Roca Rothgerber Christie
3993 Howard Hughes Pkwy., Suite 600
Las Vegas, Nevada 89169
Attorneys for Respondent

Stephen Haberfeld
3800 Howard Hughes Parkway, 11th Floor
Las Vegas, NV 89169
Settlement Judge

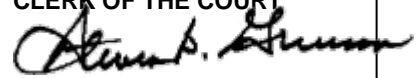
Dated this 15th day of September, 2020

/s/ Danielle Kellev
Signature

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EXHIBIT PAGE ONLY

EXHIBIT 1

HUTCHISON & STEFFEN
A PROFESSIONAL LLC



ORDR

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

Attorneys for Plaintiff Baker Boyer National Bank

DISTRICT COURT

CLARK COUNTY, NEVADA

BAKER BOYER NATIONAL BANK,

Case No.: A-17-760779-F

Plaintiff/Judgment Creditor,

Dept. No.: II

vs.

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

Defendant/Judgment Debtor.

CHARGING ORDER AGAINST ALL NEVADA LIMITED LIABILITY

COMPANY MEMBERSHIP INTERESTS OF EDWARD N. DETWILER

Whereas, on or about March 30, 2020, the Court entered a judgment in favor of plaintiff Baker Boyer National Bank and against Edward N. Detwiler in the amount of \$318,855.52, with post-judgment interest continuing to accrue; and

Whereas the Court has considered Baker Boyer National Bank's application for a charging order pursuant to NRS 86.401;

Now therefore, the Court hereby grants the request for a charging order as follows:

1. **IT IS HEREBY ORDERED** that, pursuant to NRS 86.401, Dallas Management LLC; Nai'a Resorts, LLC; and PSV Development, LLC; and any other Nevada limited liability company in which Edward N. Detwiler has an interest be, and hereby are, ordered, upon penalty of contempt, to immediately direct all membership distributions otherwise due to Edward N. Detwiler to be made directly to Baker Boyer National Bank until the judgment issued by this Court against Edward N. Detwiler has been paid in full, including accrued post-judgment interest

1 and continuing costs of collection, such as reasonable attorney fees. For the avoidance of doubt,
2 distributions shall be understood to include, without limitation, earnings, return of capital, noncash
3 distributions, distributions in kind, profits, cash, assets, monies, and any other type of property or
4 consideration due or that shall become due, whether they be interim or liquidating, and whether or
5 not the distribution be expressly labeled salary or other current compensation for services
6 rendered.

7 2. **IT IS FURTHER ORDERED** that Dallas Management LLC; Nai'a Resorts, LLC;
8 and PSV Development, LLC; and any other Nevada limited liability company in which Edward N.
9 Detwiler has an interest be, and hereby are, ordered, upon penalty of contempt, to refrain from
10 distributing to any other person or entity any membership distributions (described in Item 1 above)
11 due to Edward N. Detwiler, including any payments to third-party creditors of Edward N.
12 Detwiler.

13 3. **IT IS FURTHER ORDERED** that Dallas Management LLC; Nai'a Resorts, LLC;
14 and PSV Development, LLC; and any other Nevada limited liability company in which Edward N.
15 Detwiler has an interest be, and hereby are, ordered, upon penalty of contempt, to disclose (a) any
16 and all agreements controlling the interest of Edward N. Detwiler in said companies, including,
17 without limitation, operating agreements and amendments thereto; contracts; articles of merger,
18 conversion, exchange, or domestication; articles of organization; bylaws; documents showing the
19 proportion of Edward N. Detwiler's and others' contribution to company's capital; and documents
20 indicating classes of members with relative rights, powers, and duties, including voting rights, and
21 (b) any and all records, such as financial statements and profit and loss statements, that concern
22 the amounts that would otherwise be distributed to Edward N. Detwiler by the respective
23 company.

24 **IT IS SO ORDERED.**

25 Dated this 2nd day of July, 2020

26 
27 DISTRICT COURT JUDGE
28 BWT A-17-760779-F

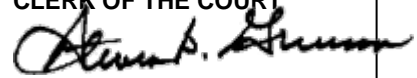
Respectfully submitted,
LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: 
John E. Bragonje
State Bar No. 9519
jbragonje@lrrc.com
3993 Howard Hughes Parkway, Suite 600
Las Vegas, NV 89169

*Attorneys for Plaintiff Baker Boyer National
Bank*

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EXHIBIT PAGE ONLY

EXHIBIT 2



NEO
John E. Bragonje
State Bar No. 9519
Lewis Roca Rothgerber Christie LLP
3993 Howard Hughes Pkwy, Suite 600
Las Vegas, NV 89169-5996
Tel: 702.949.8200
E-mail: jbragonje@lrrc.com

Attorneys for Plaintiff Baker Boyer National Bank

**DISTRICT COURT
CLARK COUNTY, NEVADA**

BAKER BOYER NATIONAL BANK, a
Washington corporation,

Plaintiff/Judgment Creditor,

vs.

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

Defendant/Judgment Debtor.

Case No.: A-17-760779-F
Dept. No.: II

**NOTICE OF ENTRY OF ORDER
GRANTING APPLICATION FOR
CHARGING ORDER AGAINST ALL
NEVADA LIMITED LIABILITY
COMPANY MEMBERSHIP
INTERESTS OF EDWARD N.
DETWILER AND DENYING
COUNTERMOTION**

PLEASE TAKE NOTICE that an Order Granting Application for Charging Order Against
All Nevada Limited Liability Company Membership Interests of Edward N. Detwiler and Denying
CounterMotion was entered on July 6, 2020. A copy of the Order is attached hereto.

Dated this 6th day of July, 2020.

LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/ John E. Bragonje

John E. Bragonje (SBN.: 9519)
3993 Howard Hughes Pkwy, Suite 600
Las Vegas, NV 89169-5996

Attorneys for Plaintiff Baker Boyer National Bank

1 **CERTIFICATE OF SERVICE**

2 Pursuant to Rule 5(b), I hereby certify that on this date, I electronically filed and served the
3 foregoing document entitled “*Notice Of Entry Of Order Granting Application For Charging*
4 *Order Against All Nevada Limited Liability Company Membership Interests Of Edward N.*
5 *Detwiler And Denying Countermotion*” through the Court’s electronic filing system on all
6 parties on the Court’s e-service list.

7
8 Michael D. Mazur, Esq.
9 **MAZUR & BROOKS**
10 **A PROFESSIONAL CORPORATION**
11 2355 Red Rock Street, Suite 100
12 Las Vegas, NV 89146
13 *Attorneys for Defendant James Patterson Foust, Jr.*

14 Brenoch Wirthlin, Esq.
15 **HUTCHISON & STEFFEN, PLLC**
16 Peccole Professional Park
17 10080 W. Alta Drive, Suite 200
18 Las Vegas, NV 89145
19 bwirthlin@hutchlegal.com
20 *Attorneys for Edward Detwiler*

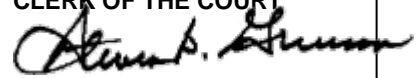
21 **The Following Served via U.S. Mail:**

22 **HARRY HILDIBRAND, LLC**
23 c/o Registered Agent
24 Jared S. Heggen
25 3011 American Way
26 Missoula, MT 59808

27 **HARRY HILDIBRAND, LLC**
28 c/o Registered Agent
Jared S. Heggen
P.O. Box 16270
Missoula, MT 59808

DATED this 6th day of July, 2020.

26 /s/ Rebecca J. Contla
27 An employee of Lewis Roca
28 Rothgerber Christie LLP



ORDR

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

Attorneys for Plaintiff Baker Boyer National Bank

DISTRICT COURT

CLARK COUNTY, NEVADA

BAKER BOYER NATIONAL BANK,

Plaintiff/Judgment Creditor,

vs.

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

Defendant/Judgment Debtor.

Case No.: A-17-760779-F

Dept. No.: II

**ORDER GRANTING APPLICATION
FOR CHARGING ORDER AGAINST
ALL NEVADA LIMITED LIABILITY
COMPANY MEMBERSHIP
INTERESTS OF EDWARD N.
DETWILER**

AND

DENYING COUNTERMOTION

Date: June 22, 2020

Time: Chambers

ORDER

On May 15, 2020, Baker Boyer National Bank filed its Application for Charging Order Against All Nevada Limited Company Membership Interests of Edward N. Detwiler. On May 29, 2020, Edward Detwiler filed his Opposition to Application for Charging Order and Countermotion to Confirm Stay of Execution Based Upon COVID-19 Orders and Directives; the Bank filed its reply in support of and its opposition to these papers on June 15, 2020; and Mr. Detwiler filed his reply in support of his countermotion on June 17, 2020. The matter having been fully heard and submitted, the Court now grants the Bank's application for a charging order and denies Mr. Detwiler's countermotion for the following reasons.

...

...

1 **FINDINGS**

2 1. For the reasons given in the Bank’s papers, the Court finds that the Bank violated
3 neither this Court’s stay of execution imposed by its order of April 13, 2020, nor the pandemic-
4 related emergency orders issued by the Governor and the Chief Judge of this Court.

5 2. This Court’s stay order did not prohibit the filing of motions. The Bank did not
6 procure a charging order before this Court’s May 29, 2020 deadline; it merely filed an application.
7 The charging order will ultimately issue more than one month after the applicable stay deadline.

8 3. Likewise, Declaration 17 prohibits only “executions of all funds . . . pursuant to
9 NRS chapter 21” and “all writs of garnishment aiding in execution pursuant to NRS chapters 21
10 and 31” *See* Nevada Governor Steve Sisolak, Declaration of Emergency Directive 017, at §§
11 1–2.)¹ Likewise, Administrative Order #20-09 applies only to “writs of execution or writs of
12 garnishment.”²

13 4. These directives, by their own explicit terms, do not apply to charging orders. A
14 charging order arises out of NRS Chapter 86. A charging order provides “the exclusive remedy by
15 which a judgment creditor of a member or an assignee of a member may satisfy a judgment out of
16 the member’s interest of the judgment debtor, whether the limited-liability company has one
17 member or more than one member.” NRS 86.401(2)(a). Therefore, the seeking and granting of a
18 charging order violates no emergency order.

19 5. The Court rejects the argument that counsel for the Bank acted unethically by
20 violating Nevada Rule of Professional Conduct 4.3. Mr. Detwiler has presented no persuasive or
21 credible evidence that the Bank’s counsel violated any rule of professional conduct.

22 6. The Court permits the removal of the designation “a Washington corporation” from
23 the name of the Bank, as that reflects the true identity of the creditor, and the undisputed facts.
24 The name of the Bank in the captions in this case are hereby amended to conform to the proof.
25

26
27 ¹ Available at << [<< http://gov.nv.gov/News/Emergency_Orders/2020/2020-04-30_-_COVID-19_Declaration_of_Emergency_Directive_017_\(Attachments\)/](http://gov.nv.gov/News/Emergency_Orders/2020/2020-04-30_-_COVID-19_Declaration_of_Emergency_Directive_017_(Attachments)/) >> (last visited June 3, 2020).

28 ² Eighth Judicial District Court, Clark County, Nevada, Administrative Order: 20-09, available at << https://eighthjdcourt.files.wordpress.com/2020/03/ao20_09.pdf >> (last visited June 3, 2020).

BWT A-17-760779-F

1 Respectfully submitted,
2 LEWIS ROCA ROTHGERBER CHRISTIE LLP

3
4 By: 
5 John E. Bragonje
6 State Bar No. 9519
7 jbragonje@lrrc.com
8 3993 Howard Hughes Parkway, Suite 600
9 Las Vegas, NV 89169

10 *Attorneys for Plaintiff Baker Boyer National Bank*