

Electronically Filed  
Sep 09 2020 03:07 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**ANOA (CIV)**  
PAUL D.S. EDWARDS,  
713 Wheat Ridge Lane, Unit 203,  
Las Vegas, Nevada 89145  
Landline Telephone: 702.341.1776  
Cellular Telephone: 702.893.1776  
Email: pauldse@pauldsedwards.com  
Plaintiff, *pro se*

**DISTRICT COURT,  
CLARK COUNTY, NEVADA**

PAUL D.S. EDWARDS,

**Plaintiff,**

**vs.**

TIMESHARE LIQUIDATORS, LLC,  
a/d/b/a TLC RESORT LIQUIDATORS,  
a/d/b/a TLC RESORTS VACATION CLUB, LLC,  
a/d/b/a TLC RESORTS VACATION CLUB,  
a/d/b/a TLC RESORTS, a/k/a TLCRESORTS.COM,  
a/d/b/a TLC TRAVEL, a/k/a TLC, a/d/b/a VIP TRAVEL,  
a/d/b/a VIP VACATIONS, a/d/b/a VIP INTERNATIONAL,  
and CASH4ASKING, LLC, a/d/b/a CASH4ASKING.COM,  
and STANLEY C. MULLIS, a/k/a STANLEY MULLIS,  
a/k/a STAN MULLIS,  
and ANGEL C. MULLIS, a/k/a ANGEL MULLIS,  
a/k/a ANGEL SANTILLI,  
and EDUARDO ROMAY HERNANDEZ,  
a/k/a EDUARDO L ROMAYHERNANDEZ,  
a/k/a EDUARDO ROMAY,  
a/k/a EDUARDO L. ROMAY HERNANDEZ,  
a/k/a HERNANDEZ EDUARDO ROMAY,  
a/k/a HERNANDEZ EDUARDO L ROMAY,  
a/k/a EDUARDO ROMAY,  
a/k/a MR EDUARDO L. ROMAY,  
and GLADYS C. RIONDA, a/k/a SUITO GLADYS RIONDA,  
a/k/a GLADYS C. RIONDA-SUITO, a/k/a GLADYS SUITO,  
a/k/a GLADYS RIONDA SUITO,  
and DOES I-X, and ROE CORPORATIONS XI-XX, et al.

**Defendants.**

**CASE NO.:** A-18-776375-C  
and  
A-19-799140-C

**DEPT. NO.:** XXVII

**AMENDED NOTICE OF APPEAL TO THE SUPREME COURT FOR NEVADA  
FROM A JUDGMENT OR ORDER OF A DISTRICT COURT**

1 Notice is hereby given that Appellant PAUL D.S. EDWARDS, *pro se* (“Appellant”), in the  
2 above-entitled action, does now hereby file his “Amended Notice of Appeal to the Supreme Court  
3 for Nevada from a Judgment or Order of a District Court” (“Amended Appeal”) from the [entire]  
4 Order and Notice of Entry of Order Granting Defendants’<sup>1</sup> Motion for Summary Judgment on  
5 Plaintiff’s Claims in Case No. A-18-776375-C, and Case No. A-19-799140-C, entered on July 13,  
6 2020. A copy of the July 13, 2020 Order and Entry of Order is attached hereto and incorporated  
7 herein as **Exhibit 1**.

8 Plaintiff further appeals the judgment and Order entered on the 18th day of August 2020,  
9 granting Defendants<sup>2</sup> [their] attorney fees and costs. A copy of the August 13, 2020 Order and Entry  
10 of Order is attached hereto and incorporated herein as **Exhibit 2**.

11 Plaintiff also appeals every Order and Entry of Order associated with Case No. A-18-776375-  
12 C and Case No. A-19-799140-C, that was issued subsequent to the District Court’s approval and the  
13 filing of Plaintiff’s “Notice of Voluntary Dismissal, Pursuant to Nevada Rules of Civil Procedures,  
14 Rule 41(a)” on July 16, 2019. A copy of Plaintiff’s “Notice of Voluntary Dismissal, Pursuant to  
15 Nevada Rules of Civil Procedures, Rule 41(a),” is attached hereto and incorporated herein as **Exhibit**  
16 **3**.

17 DATED this 18th day of August 2020.

18 PAUL D.S. EDWARDS,

19  
20 /s/ Paul D.S. Edwards  
Paul D.S. Edwards  
713 Wheat Ridge Lane, Unit 203,  
21 Las Vegas, Nevada 89145  
Landline Telephone: 702.341.1776  
22 Cellular Telephone: 702.893.1776  
Email: pauldse@pauldsedwards.com  
23 Plaintiff, *pro se*  
24

---

25 <sup>1</sup>TIMESHARE LIQUIDATORS, LLC, a/d/b/a TLC RESORT LIQUIDATORS, a/d/b/a TLC  
26 RESORTS VACATION CLUB, LLC, a/d/b/a TLC RESORTS VACATION CLUB, a/d/b/a TLC  
27 RESORTS, a/k/a TLCRESORTS.COM, a/d/b/a TLC TRAVEL, a/k/a TLC, a/d/b/a VIP TRAVEL,  
a/d/b/a VIP VACATIONS, a/d/b/a VIP INTERNATIONAL.

28 <sup>2</sup>See *n. l, supra*.

1 **CERTIFICATE OF SERVICE BY MAIL**

2 I HEREBY CERTIFY that on the 31st day of August 2020, after being placed in a envelope,  
3 and thereon placing sufficient postage, I deposited in a United States Postal Service receptacle, a  
4 copy[ies] of the following document[s]:

- 5 1. Amended Notice of Appeal to the Supreme Court for Nevada From a Judgment or  
6 Order of a District Court

7 to the following:

8 Supreme Court Clerk's Office  
9 201 South Carson Street  
10 Carson City, Nevada 89701-4702

11 Brian P. Clark  
12 CLARK MCCOURT  
13 7371 Prairie Falcon Road, Suite 120  
14 Las Vegas, NV 89128

15 Chad F. Clement  
16 MARQUIS AURBACH COFFING  
17 10001 Park Run Drive  
18 Las Vegas, Nevada 89145

19  
20  
21  
22  
23  
24  
25  
26  
27  
28



---

Designee for Plaintiff

# **EXHIBIT 1**



1 **NOTC**  
2 BRIAN P. CLARK  
3 Nevada Bar No. 4236  
4 LUKAS B. McCOURT  
5 Nevada Bar No. 11839  
6 CLARK MCCOURT  
7 7371 Prairie Falcon Road, Suite 120  
8 Las Vegas, Nevada 89128  
9 Telephone: (702) 474-0065  
10 Facsimile: (702) 474-0068  
11 bpc@clarkmccourt.com  
12 lmccourt@clarkmccourt.com  
13 Attorneys for Defendants

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

10 PAUL D. S. EDWARDS,

11 Plaintiff,

12 v.

13 TIMESHARE LIQUIDATORS, LLC, a/d/b/a TCL  
14 RESORT LIQUIDATORS, a/d/b/a TLC RESORTS  
15 VACATION CLUB, LLC, a/d/b/a TLC RESORTS  
16 VACATION CLUB, a/d/b/a TLC RESORTS, a/k/a  
17 TLCRESORTS.COM, a/d/b/a TLC TRAVEL, a/d/b/a  
18 VIP TRAVEL, a/d/b/a VIP VACATIONS, and  
19 PLAZA HOTEL & CASINO, LLC, a/d/b/a PLAZA  
20 HOTEL & CASINO, and STANLEY C. MULLIS,  
21 a/k/a STANLEY MULLIS, a/k/a STAN MULLIS,  
22 and ANGEL C. MULLIS, a/k/a ANGEL MULLIS,  
23 a/k/a ANGEL SANTILLI, and JONATHAN  
24 ROBERT JOSSEL, a/k/a JONATHAN JOSSEL, and  
25 MICHAEL ANTHONY PERGOLINI, a/k/a  
26 MICHAEL A. PERGOLINI, a/k/a MICHAEL  
27 PERGOLINI, a/k/a MICHAEL A. PERCOLINI, and  
28 DOES I-X, and ROE CORPORATIONS XI-XX, et  
al.,

Defendants.

AND CONSOLIDATED MATTERS

Case No.: A-18-776375-C  
Dept. No.: XXVII

Consolidated with

Case No.: A-19-799140-C

**NOTICE OF ENTRY OF ORDER  
GRANTING DEFENDANTS'  
MOTION FOR SUMMARY  
JUDGMENT ON PLAINTIFF'S  
CLAIMS IN CASE NO. A-18-776375-  
C, AND CASE NO. A-19-799140-C**

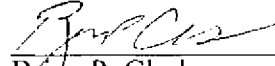
PLEASE TAKE NOTICE that an ORDER GRANTING DEFENDANTS' MOTION FOR  
SUMMARY JUDGMENT ON PLAINTIFF'S CLAIMS IN CASE NO. A-18-776375-C, AND  
CASE NO. A-19-799140-C was filed on July 13, 2020.

///

1 A copy of said Order is attached hereto.

2 DATED this 13<sup>th</sup> day of July, 2020.

3 CLARK MCCOURT


4 

5 Brian P. Clark  
6 Lukas B. McCourt  
7 7371 Prairie Falcon Road, Suite 120  
8 Las Vegas, NV 89128  
9 Attorneys for Defendants

10 **CERTIFICATE OF SERVICE**

11  
12 I certify that on the 13<sup>th</sup> day of July, 2020, I served a true and correct copy of the NOTICE  
13 OF ENTRY OF ORDER GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT  
14 ON PLAINTIFF'S CLAIMS IN CASE NO. A-18-776375-C, AND CASE NO. A-19-799140-C on  
15 the following parties/ individuals via the court's mandatory electronic service provider, Odyssey.

16 Paul D.S. Edwards  
17 713 Wheat Ridge Lane, Unit 203  
18 Las Vegas, NV 89145  
19 Plaintiff in proper person

20   
21 An employee of CLARK MCCOURT  
22  
23  
24  
25  
26  
27  
28

1 **OGM**  
2 BRIAN P. CLARK  
3 Nevada Bar No. 4236  
4 LUKAS B. McCOURT  
5 Nevada Bar No. 11839  
6 CLARK MCCOURT  
7 7371 Prairie Falcon Road, Suite 120  
8 Las Vegas, Nevada 89128  
9 Telephone: (702) 474-0065  
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11 bpc@clarkmccourt.com  
12 lmccourt@clarkmccourt.com  
13 Attorneys for Defendants

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

10 PAUL D. S. EDWARDS,

11 Plaintiff.

12 v.

13 TIMESHARE LIQUIDATORS, LLC, a/d/b/a TCL  
14 RESORT LIQUIDATORS, a/d/b/a TLC RESORTS  
15 VACATION CLUB, LLC, a/d/b/a TLC RESORTS  
16 VACATION CLUB, a/d/b/a TLC RESORTS, a/k/a  
17 TLCRESORTS.COM, a/d/b/a TLC TRAVEL, a/d/b/a  
18 VIP TRAVEL, a/d/b/a VIP VACATIONS, and  
19 PLAZA HOTEL & CASINO, LLC, a/d/b/a PLAZA  
20 HOTEL & CASINO, and STANLEY C. MULLIS,  
21 a/k/a STANLEY MULLIS, a/k/a STAN MULLIS, and  
22 ANGEL C. MULLIS, a/k/a ANGEL MULLIS, a/k/a  
23 ANGEL SANTILLI, and JONATHAN ROBERT  
24 JOSSEL, a/k/a JONATHAN JOSSEL, and  
25 MICHAEL ANTHONY PERGOLINI, a/k/a  
26 MICHAEL A. PERGOLINI, a/k/a MICHAEL  
27 PERGOLINI, a/k/a MICHAEL A. PERCOLINI, and  
28 DOES I-X, and ROE CORPORATIONS XI-XX, et  
al.,

Defendants.

AND CONSOLIDATED MATTERS

Case No.: A-18-776375-C  
Dept. No.: XXVII

Consolidated with

Case No.: A-19-799140-C

**ORDER GRANTING DEFENDANTS'  
MOTION FOR SUMMARY  
JUDGMENT ON PLAINTIFF'S  
CLAIMS IN CASE NO. A-18-776375,  
AND CASE NO. A-19-799140-C**

Defendants' motion for summary judgment came before the court on June 25, 2020.

Appearing for Defendants, via Bluejeans audio, was Brian P. Clark of the law firm Clark McCourt.

Plaintiff did not appear at the hearing in person or attend by remote means.

1 Having reviewed the papers on file, the court makes the following Findings of Fact and  
2 Conclusions of Law.

3 **I. FINDINGS OF FACT.**

4 **THE COURT FINDS** that the motion for summary judgment was presented to summarily  
5 adjudicate Plaintiff's claims in Case No. A-18-776375-C and Case No. A-19-799140-C<sup>1</sup>.

6 **THE COURT FURTHER FINDS** that Plaintiff was served with Defendants' motion for  
7 summary judgment and that Plaintiff did not file an opposition to the motion and did not attend the  
8 June 25, 2020 hearing on the motion for summary judgment.

9 **THE COURT FURTHER FINDS**, pursuant to EDCR 2.20(e), that Plaintiff's failure to file  
10 a written opposition to the motion for summary judgment "may be construed as an admission that  
11 the motion and/or joinder is meritorious and a consent to granting the same."

12 **THE COURT FURTHER FINDS**, and adopts as supporting facts each of the "Undisputed  
13 Facts" set forth in the motion for summary judgment (numbered items 1-42) as none of these facts  
14 were contested by Plaintiff.

15 **THE COURT FURTHER FINDS**, regarding Case No. A-18-776375-C, that most of  
16 Plaintiff's claims in the First Amended Complaint were dismissed by court orders dated January 14,  
17 2019, and August 27, 2019. Additionally, many of Plaintiff's allegations were stricken from the  
18 First Amended Complaint by court orders dated August 27, 2019 (May 1, 2019 motion to strike)  
19 December 17, 2019 (motion to strike for failure to amend) and February 6, 2020 (motion to strike  
20 for failure to amend). Plaintiff's remaining claims in Case No. A-18-776375-C are for invasion of  
21 Plaintiff privacy, intrusion into seclusion, and for injunctive relief.

22 **THE COURT FURTHER FINDS**, regarding Case No. A-19-799140-C, that the Complaint  
23 was struck, pursuant to NRCP 12(e), for Plaintiff's failure to file an Amended Complaint after  
24 failing to oppose Defendants' Motion To Strike Complaint For Plaintiff's Refusal To Comply With  
25 The Court's Orders Granting Defendants' Motions For More Definite Statement. (See Order entered  
26 May 4, 2020.)

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27 <sup>1</sup> Defendants Cash4Asking, Eduardo Romay Hernandez, and Gladys Rionda Suito were  
28 dismissed from Case No. A-19-799140-C by court order filed May 4, 2020.



1           **THE COURT FURTHER FINDS** that Plaintiff did not present any facts to show that  
2 Timeshare Liquidators, LLC or its employees made any intrusion, intentional or otherwise, on the  
3 solitude of Plaintiff.

4           **THE COURT FURTHER FINDS** that although Mr. Edwards claims that several telephone  
5 calls were received by him on his landline and mobile telephone numbers, Mr. Edwards cannot show  
6 that any of the alleged calls were made by Timeshare or its employees.

7           **THE COURT FURTHER FINDS** that the First Amended Complaint sought an order for  
8 injunctive relief and that Plaintiff did not seek a preliminary injunction by motion since the filing of  
9 his original complaint on June 19, 2018.

10          **THE COURT FURTHER FINDS** that Plaintiff has not presented any evidence that  
11 Defendant Timeshare made any of the alleged calls to Plaintiff and has not alleged irreparable injury.

12          **THE COURT FURTHER FINDS**, regarding Case No. A-19-799140-C, that Plaintiff had  
13 an ulterior purpose, other than resolving a legal dispute, when he filed the action and that Plaintiff's  
14 actions were not in the regular conduct of proceedings.

15          **THE COURT FURTHER FINDS** that Plaintiff's filing of a second action, Case No. A-19-  
16 799140-C, constitutes an abuse of process.

17       **II. CONCLUSIONS OF LAW.**

18           A.       "Summary judgment is appropriate and 'shall be rendered forthwith' when the  
19 pleadings and other evidence on file demonstrate that no 'genuine issue as to any material fact  
20 [remains] and that the moving party is entitled to a judgment as a matter of law.' This court has  
21 noted that when reviewing a motion for summary judgment, the evidence, and any reasonable  
22 inferences drawn from it, must be viewed in a light most favorable to the nonmoving party." *Wood*  
23 *v. Safeway, Inc.*, 121 Nev. 724, 729, 121 P.3d 1026, 1029 (2005).

24           B.       "This court has often stated that the nonmoving party may not defeat a motion for  
25 summary judgment by relying 'on the gossamer threads of whimsy, speculation and conjecture.' As  
26 this court has made abundantly clear, '[w]hen a motion for summary judgment is made and

27       ///

28       ///

1 supported as required by Rule 56, the nonmoving party may not rest upon general allegations and  
2 conclusions, but must, by affidavit or other wise, set forth specific facts demonstrating the existence  
3 of a genuine factual issue.” *Id.* at p. 730-7310, 1030-31.

4 C. “While we construe the facts in the light most favorable to the nonmoving party, we  
5 also place the burden on the nonmoving party to ‘set forth facts demonstrating the existence of a  
6 genuine issue in order to withstand a disfavorable summary judgment.’ Where the nonmoving party  
7 would bear the burden of persuasion at trial, ‘the party moving for summary judgment may satisfy  
8 the burden of production by either (1) submitting evidence that negates an essential element of the  
9 nonmoving party’s claims, or (2) ‘pointing out . . . that there is an absence of evidence to support the  
10 nonmoving party’s case.’” *Torrealba v. Kesmetis*, 124 Nev. 95, 100, 178 P.3d 716, 720 (Nev. 2008).

11 D. “In our view, the plain language of Rule 56(c) mandates the entry of summary  
12 judgment, after adequate time for discovery and upon motion, against a party who fails to make a  
13 showing sufficient to establish the existence of an element essential to that party’s case, and on  
14 which that party will bear the burden of proof at trial. In such a situation, there can be ‘no genuine  
15 issue as to any material fact,’ since a complete failure of proof concerning an essential element of  
16 the nonmoving party’s case necessarily renders all other facts immaterial.”)

17 E. “To recover for the tort of intrusion, a plaintiff must prove the following elements: 1)  
18 an intentional intrusion (physical or otherwise); 2) on the solitude or seclusion of another; 3) that  
19 would be highly offensive to a reasonable person.” *PETA v. Berosini*, 111 Nev. 615, 630, 895 P.2d  
20 1269, 1270 (1995).

21 F. Plaintiff’s claim for injunctive relief under NRS 33.010(2) fails as Plaintiff has not  
22 presented any evidence that Defendant Timeshare made any of the alleged calls to Plaintiff, has not  
23 shown any conduct by Defendant Timeshare during the litigation that would support injunctive  
24 relief, and Plaintiff has not alleged any irreparable injury.

### 25 **III. ORDER.**

26 Based on the case activity, history and prior orders, including Plaintiff’s failure to amend the  
27 First Amended Complaint in Case No. A-18-776375-C and failure to amend the Complaint in Case  
28 No. A-19-799140-C, and Plaintiff’s failure to oppose case ending motions,

**IT IS HEREBY ORDERED** that Defendants' Motion For Summary Judgment is granted in its entirety, resolving Plaintiff's claims for invasion of Plaintiff privacy, intrusion into seclusion, and for injunctive relief in favor of Defendants.

**IT IS FURTHER ORDERED** that the Motion For Summary Judgment is granted in favor of the Counter-claimants, on their claim of abuse of process in Case No. A-19-799140-C.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Dated this 13th day of July, 2020

Nancy L. Alf  
DISTRICT COURT JUDGE JD

Submitted by:

CLARK MCCOURT

*Brian P. Clark*  
 Brian P. Clark  
 Nevada Bar No. 4236  
 Lukas B. McCourt  
 Nevada Bar No. 11839  
 7371 Prairie Falcon Road, Suite 120  
 Las Vegas, NV 89128  
 Attorneys for Defendants

1 CSERV

2 DISTRICT COURT  
3 CLARK COUNTY, NEVADA  
4

5  
6 Paul Edwards, Plaintiff(s)

CASE NO: A-18-776375-C

7 vs.

DEPT. NO. Department 27

8 Timeshare Liquidators LLC,  
9 Defendant(s)

10  
11 **AUTOMATED CERTIFICATE OF SERVICE**

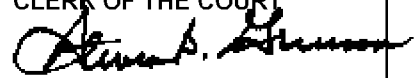
12 This automated certificate of service was generated by the Eighth Judicial District  
13 Court. The foregoing Order Granting Motion was served via the court's electronic eFile  
14 system to all recipients registered for e-Service on the above entitled case as listed below:

Service Date: 7/13/2020

15 Maria Garcia	mgarcia@clarkmccourt.com
16 Lukas McCourt	lmccourt@clarkmccourt.com
17 Brian Clark	bpc@clarkmccourt.com
18 Rody Scott	rscott@clarkmccourt.com
19 Paul EDwards	pauldse@pauldsedwards.com

20  
21  
22  
23  
24  
25  
26  
27  
28

# **EXHIBIT 2**



NEO  
BRIAN P. CLARK  
Nevada Bar No. 4236  
LUKAS B. McCOURT  
Nevada Bar No. 11839  
CLARK MCCOURT  
7371 Prairie Falcon Road, Suite 120  
Las Vegas, Nevada 89128  
Telephone: (702) 474-0065  
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bpc@clarkmccourt.com  
lmccourt@clarkmccourt.com  
Attorneys for Defendants

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

PAUL D. S. EDWARDS,

Plaintiff,

v.

TIMESHARE LIQUIDATORS, LLC, a/d/b/a TCL  
RESORT LIQUIDATORS, a/d/b/a TLC RESORTS  
VACATION CLUB, LLC, a/d/b/a TLC RESORTS  
VACATION CLUB, a/d/b/a TLC RESORTS, a/k/a  
TLCRESORTS.COM, a/d/b/a TLC TRAVEL, a/d/b/a  
TLC, a/d/b/a/ VIP TRAVEL, a/d/b/a VIP  
VACATIONS, a/d/b/a VIP INTERNATIONAL, and  
DOES I-X, and ROE CORPORATIONS XI-XX, et  
al.,

Defendants.

Case No.: A-18-776375-C  
Dept. No.: XXVII

Consolidated with

Case No.: A-19-799140-C

**NOTICE OF ENTRY OF ORDER GRANTING DEFENDANTS' MOTION FOR  
ATTORNEY'S FEES PURSUANT TO NRS 18.010 AND FOR COSTS OF SUIT PURSUANT  
TO NRS 18.020 AND JUDGMENT**

PLEASE TAKE NOTICE that an **ORDER GRANTING DEFENDANTS' MOTION  
FOR ATTORNEY'S FEES PURSUANT TO NRS 18.010 AND FOR COSTS OF SUIT  
PURSUANT TO NRS 18.020 AND JUDGMENT** was filed on August 18, 2020.

///

1 A copy of said Order is attached hereto.

2 DATED this 18<sup>th</sup> day of August, 2020

3 CLARK MCCOURT

4 

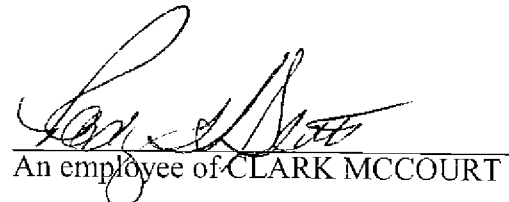
5 Brian P. Clark  
6 Lukas B. McCourt  
7 7371 Prairie Falcon Road, Suite 120  
8 Las Vegas, NV 89128  
9 Attorneys for Defendants

10  
11 **CERTIFICATE OF SERVICE**

12 I certify that on the 18<sup>th</sup> day of August, 2020, I served a true and correct copy of **NOTICE**  
13 **OF ENTRY OF ORDER GRANTING DEFENDANTS' MOTION FOR ATTORNEY'S**  
14 **FEES PURSUANT TO NRS 18.010 AND FOR COSTS OF SUIT PURSUANT TO NRS 18.020**  
15 **AND JUDGMENT** on the following parties/individuals via the court's mandatory electronic service  
16 provider, Odyssey.

17 Paul D.S. Edwards  
18 713 Wheat ridge Lane, Unit 203  
19 Las Vegas, NV 89145  
20 Plaintiff in proper person.

21 Chad F. Clement  
22 MARQUIS AURBACH COFFING  
23 10001 Park Run Drive  
24 Las Vegas, NV 89145  
25 Attorneys for Cash4Asking, LLC;  
26 Eduardo Romay Hernandez; and Gladys Rionda Suito

27   
28 An employee of CLARK MCCOURT

**JUDG**  
BRIAN P. CLARK  
Nevada Bar No. 4236  
LUKAS B. McCOURT  
Nevada Bar No. 11839  
CLARK MCCOURT  
7371 Prairie Falcon Road, Suite 120  
Las Vegas, Nevada 89128  
Telephone: (702) 474-0065  
Facsimile: (702) 474-0068  
bpc@clarkmccourt.com  
lmccourt@clarkmccourt.com  
Attorneys for Defendant

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

PAUL D. S. EDWARDS,

Plaintiff,

v.

TIMESHARE LIQUIDATORS, LLC, a/d/b/a TCL  
RESORT LIQUIDATORS, a/d/b/a TLC RESORTS  
VACATION CLUB, LLC, a/d/b/a TLC RESORTS  
VACATION CLUB, a/d/b/a TLC RESORTS, a/k/a  
TLCRESORTS.COM, a/d/b/a TLC TRAVEL, a/d/b/a  
VIP TRAVEL, a/d/b/a VIP VACATIONS, and DOES  
I-X, and ROE CORPORATIONS XI-XX, et al.,

Defendants.

AND CONSOLIDATED MATTER

Case No.: A-18-776375-C  
Dept. No.: XXVII

Consolidated with

Case No.: A-19-799140-C

**ORDER GRANTING DEFENDANTS' MOTION FOR ATTORNEY'S FEES PURSUANT  
TO NRS 18.010 AND FOR COSTS OF SUIT PURSUANT TO NRS 18.020**

**AND**

**JUDGMENT**

Defendants' motion for attorney's fees pursuant to NRS 18.010 and for costs of suit pursuant to NRS 18.020 came on for hearing on August 12, 2020 before the Honorable Nancy Allf of the Eighth Judicial District Court. Appearing for the moving Defendants was Brian P. Clark of the law firm Clark McCourt. No appearance was made by dismissed Defendants Cash4Asking, Eduardo Romay Hernandez, and Gladys Rionda Suito. No appearance was made by Plaintiff, in proper person, Paul D.S. Edwards.



1 Having reviewed the papers on file, including the supplement to the moving papers, and  
2 having considered the arguments presented at the time of the hearing.

3 **THE COURT FINDS** that Plaintiff's claims in Case No. A-18-776375-C were adjudicated  
4 by prior motions to dismiss, motions to strike, and motion for summary judgment.

5 **THE COURT FURTHER FINDS** that Plaintiff's claims in Case No. A-19-799140-C were  
6 adjudicated by prior motions to dismiss, motion to strike, and motion for summary judgment.

7 **THE COURT FURTHER FINDS** that the standard for attorney's fees under NRS  
8 18.010(2)(b) has been satisfied by the order entered March 4, 2020, on Defendants' motion for  
9 sanctions, wherein, the court established as facts in the case:

- 10 a. that "Plaintiff has improper motives for bringing suit, other than to resolve a  
11 dispute";  
12 b. that "Plaintiff is a professional litigant and manufactured this law suit to  
13 maintain his standard of living"; and  
14 c. that "Plaintiff's claims are intentionally false and misleading, and are brought  
15 by Plaintiff for the sole purpose to harass and extort a settlement".

16 **THE COURT FURTHER FINDS** that Plaintiff did not file a written opposition to  
17 Defendants' motion for attorney's fees and costs.

18 **THE COURT FURTHER FINDS** that Defendants' costs, as set forth in the Memorandum  
19 Of Fees And Costs, and in the Supplemental Memorandum Of Fees And Costs are each allowed by  
20 NRS.18.005, et. seq.

21 **THE COURT FURTHER FINDS** that Plaintiff did not move to relax and settle the costs  
22 claimed by Defendants, pursuant to NRS 18.110(4), after Defendants filed a verified memorandum  
23 of cost on July 10, 2020.

24 **THE COURT FURTHER FINDS** that Plaintiff did not attend the August 12, 2020 hearing  
25 on Defendants' motion for attorney's fees and costs.

26 **THE COURT FURTHER FINDS** that attorney's fees are also warranted by Plaintiff's  
27 repeated violations of court rules and failures to comply with court orders as set forth in the motion.

28 ///

1       **THE COURT FURTHER FINDS** that Defendants Timeshare Liquidators, LLC, Stanley  
2 Mullis and Angel Mullis are the prevailing parties in Case No.: A-18-776375-C and Case No.: A-  
3 19-799140-C, that Plaintiff sought to recover more than \$2,500 in each of the suits, and that these  
4 Defendants are entitled to be awarded their costs pursuant to NRS 10.020.

5       **THE COURT FURTHER FINDS** that the qualities, skills, training, education and  
6 experience of Defendants' attorney are, at minimum, equal to the competence expected by this court  
7 in an advocate. (See *Brunzell v. Golden Gate Nat'l Bank*, 85 Nev. 345, 349, 455 P.2d 31 (1969).)

8       **THE COURT FURTHER FINDS** that Plaintiff's pleadings created difficulty in  
9 understanding the scope of claims made, and Plaintiff's lumping defendants together prevented the  
10 defendants from understanding what actual claims were made against a specific defendant, and  
11 when compounded by Plaintiff's conduct during the litigation, required significant time and skill by  
12 Defendants' attorney to decipher and respond to Plaintiff's pleadings and papers. (See *Brunzell v.*  
13 *Golden Gate Nat'l Bank*, 85 Nev. 345, 349, 455 P.2d 31 (1969).)

14       **THE COURT FURTHER FINDS** that the actual work performed by Defendants' attorney  
15 was reasonable, and necessary, in responding to Plaintiff's claims. (See *Brunzell v. Golden Gate*  
16 *Nat'l Bank*, 85 Nev. 345, 349, 455 P.2d 31 (1969).)

17       **THE COURT FURTHER FINDS** the Defendants' attorney was successful in Defendants'  
18 motion practice before the court over the course of the litigation as outlined in the Motion For  
19 Attorney's Fees, which motion practice included two (2) successful motions to dismiss, two (2)  
20 successful motions for more definite statement, a motion to strike portions of Plaintiff's pleadings, a  
21 motion for sanctions and a motion for summary judgment. (See *Brunzell v. Golden Gate Nat'l*  
22 *Bank*, 85 Nev. 345, 349, 455 P.2d 31 (1969).)

23       **THE COURT FURTHER FINDS**, based on the experience level of Defendants' attorney,  
24 that Defendants' attorney's hourly rate of \$450.00 is reasonable for the type of work performed, and  
25 that the fees presented in Defendants' attorney's billing invoices are reasonable.

26       **THEREFORE,**

27       **IT IS HEREBY ORDERED** that Defendants' motion for attorney's fees pursuant to NRS  
28 18.010 and for costs of suit pursuant to NRS 18.020 is GRANTED.

**IT IS FURTHER ORDERED** that Defendants Timeshare Liquidators, LLC, Stanley Mullis and Angel Mullis are awarded their costs of suit against Plaintiff Paul D.S. Edwards in the amount of \$4,770.00.

**IT IS FURTHER ORDERED** that Defendants Timeshare Liquidators, LLC, Stanley Mullis and Angel Mullis are awarded their attorney's fees against Plaintiff Paul D.S. Edwards in the amount of \$97,921.50.

**IT IS FURTHER ORDERED** that this order shall be entered on the court's records as a JUDGMENT against Plaintiff Paul D.S. Edwards for the total sum of \$102,691.50.


**IT IS FURTHER ORDERED** that statutory interest on this JUDGEMENT shall begin to accrue from the date of Notice Of Entry Of Judgment until the judgment is paid in full.

Dated this 18th day of August, 2020

Nancy L Alf  
DISTRICT COURT JUDGE

Submitted by:  
CLARK MCCOURT

998 720 2417 0557  
Nancy Alf  
District Court Judge

  
\_\_\_\_\_  
Brian P. Clark  
Lukas B. McCourt  
7371 Prairie Falcon Road, Suite 120  
Las Vegas, Nevada 89128  
Attorneys for Defendants

1 CSERV

2 DISTRICT COURT  
3 CLARK COUNTY, NEVADA  
4

5		
6	Paul Edwards, Plaintiff(s)	CASE NO: A-18-776375-C
7	vs.	DEPT. NO. Department 27
8	Timeshare Liquidators LLC,	
9	Defendant(s)	

10  
11 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 8/18/2020

15	Maria Garcia	mgarcia@clarkmccourt.com
16	Lukas McCourt	lmccourt@clarkmccourt.com
17	Brian Clark	bpc@clarkmccourt.com
18	Rody Scott	rscott@clarkmccourt.com
19	Paul EDwards	pauldse@pauldsedwards.com
20	Chad Clement	cclement@maclaw.com
21		
22		
23		
24		
25		
26		
27		
28		

# **EXHIBIT 3**

ORIGINAL

*Steven D. Grierson*

**VDSM (CIV)**  
PAUL D.S. EDWARDS,  
713 Wheat Ridge Lane, Unit 203,  
Las Vegas, Nevada 89145  
Landline Telephone: 702.341.1776  
Cellular Telephone: 702.893.1776  
Email: pauldse@pauldsedwards.com  
Plaintiff *pro se*

**DISTRICT COURT,  
CLARK COUNTY, NEVADA**

PAUL D.S. EDWARDS,

**Plaintiff,**

**vs.**

TIMESHARE LIQUIDATORS, LLC,  
a/d/b/a TLC RESORT LIQUIDATORS,  
a/d/b/a TLC RESORTS VACATION CLUB, LLC,  
a/d/b/a TLC RESORTS VACATION CLUB,  
a/d/b/a TLC RESORTS, a/k/a TLCRESORTS.COM,  
a/d/b/a TLC TRAVEL, a/d/b/a VIP TRAVEL,  
a/d/b/a VIP VACATIONS, a/d/b/a VIP INTERNATIONAL,  
and DOES I-X, and ROE CORPORATIONS XI-XX, et al.,

**Defendants.**

**CASE NO.:** A-18-776375-C

**DEPT. NO.:** XXVII

**NOTICE OF VOLUNTARY DISMISSAL, PURSUANT TO  
NEVADA RULES OF CIVIL PROCEDURES, RULE 41(a)**

**TO:** The Honorable Nancy L. Allf,  
District Court Judge, Eighth Judicial District Court, Clark County, Nevada

Pursuant to Nevada Rules of Civil Procedures ("**NRCP**"), Rule 41(a), Plaintiff PAUL D.S. EDWARDS, *in proper person* ("**Plaintiff**"), hereby voluntarily dismisses the above-entitled lawsuit, without prejudice.

NRCP, Rule 41(a) states, in pertinent part—

Rule 41. Dismissal of Actions

(a) Voluntary Dismissal: Effect Thereof.

(1) By the Plaintiff.

(A) Without a Court Order. Subject to Rules 23(f), 23.1, 23.2, 66, and any applicable statute, the plaintiff may dismiss an action without a court order by filing:

(i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment;

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

1 The right of a voluntary dismissal is absolute— as long as it is filed before service of an  
2 answer or motion for summary judgment. NRCP, Rule 41(a)(1)(A)(i). A voluntary dismissal can  
3 occur even after significant activity has already taken place in the action, such as a motion to compel  
4 arbitration, a Rule 12 motion to dismiss (even with the court announcing its intended ruling), or a  
5 full evidentiary hearing and ruling on a motion for preliminary injunction. See *Miller v. Reddin*, 422  
6 F.2d 1264, 1266 (9th Cir. 1970) (Rule 12 motion); *Hamilton v. Shearson Lehman American Express,*  
7 *Inc.*, 813 F.2d 1532, 1534–35 (9th Cir. 1987) (motion to compel arbitration); *American Soccer Co.,*  
8 *Inc. v. Score First Enters.*, 187 F.3d 1108, 1110–12 (9th Cir. 1999).

9 In the instant matter, Plaintiff, by order of this Court, filed his First Amended Complaint For  
10 Damages, Injunctive Relief, and, Demand for Trial by Jury on April 17, 2019 (**“First Amended**  
11 **Complaint”**). Defendants responded with a Motion to Strike for Plaintiff’s Refusal to Comply with  
12 the Court’s Order Granting Defendant’s Motion for More Definite Statement (**“Motion”**). A decision  
13 by the Court is pending on Defendants Motion.

14 Nevertheless, as of the filing and service of Plaintiff’s Notice of Voluntary Dismissal (July  
15 12, 2019), Defendants have not Answered to Plaintiff’s First Amended Complaint. Nor have  
16 Defendants filed a motion for summary judgment, and no Counterclaim, Crossclaim, or Third-Party  
17 Claim has been filed in this action.

18 Pursuant to NRCP, Rule 41(a)(1)(C), Plaintiff will reimburse Defendants’ filing fees—  
19 Defendants counsel advised Plaintiff that the filing fees amount to \$373.00.<sup>1</sup>

20 DATED this 12th day of July 2019.

21 Respectfully Submitted,

22 PAUL D.S. EDWARDS

23 /s/ Paul D.S. Edwards

24 Paul D.S. Edwards, Plaintiff, *pro se*  
25 713 Wheat Ridge Lane, Unit 203,  
26 Las Vegas, Nevada 89145  
Cellular Telephone: (702) 893-1776  
Landline/Facsimile: (702) 341-1776  
Email: pauldse@pauldsedwards.com

---

27 <sup>1</sup>Rule 41(a)(1)(i) references only payment of the defendant’s filing fees when filing a notice of  
28 dismissal; it says nothing about payment of other costs or attorney’s fees.

1 **CERTIFICATE OF E-SERVICE**

2 I HEREBY CERTIFY that, on the 16th day of July 2019, pursuant to the Nevada Electronic  
3 Filing and Conversion Rules (NEFCR) & N.R.C.P., Rule 5(b)(4), I e-filed and e-served a true and  
4 correct copy of the following document, Plaintiff's:

- 5 1. Notice of Voluntary Dismissal, Pursuant to Nevada Rules of Civil Procedures, Rule  
6 41(a)

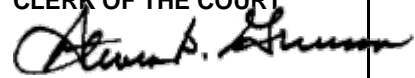
7 to the following:

8 Brian P. Clark at bpc@clarkmccourt.com

9  
10 

11 \_\_\_\_\_  
Designee for Plaintiff





1 **ACAS (CIV)**  
2 PAUL D.S. EDWARDS,  
3 Plaintiff, pro se  
4 713 Wheat Ridge Lane, Unit 203,  
5 Las Vegas, Nevada 89145  
6 Landline Telephone: 702.341.1776  
7 Cellular Telephone: 702.893.1776  
8 Email: pauldse@pauldsedwards.com

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

9 PAUL D.S. EDWARDS,  
10 **Plaintiff,**

11 **vs.**

12 TIMESHARE LIQUIDATORS, LLC,  
13 a/d/b/a TLC RESORT LIQUIDATORS,  
14 a/d/b/a TLC RESORTS VACATION CLUB, LLC,  
15 a/d/b/a TLC RESORTS VACATION CLUB,  
16 a/d/b/a TLC RESORTS, a/k/a TLCRESORTS.COM,  
17 a/d/b/a TLC TRAVEL, a/k/a TLC, a/d/b/a VIP TRAVEL,  
18 a/d/b/a VIP VACATIONS, a/d/b/a VIP INTERNATIONAL,  
19 and CASH4ASKING, LLC, a/d/b/a CASH4ASKING.COM,  
20 and STANLEY C. MULLIS, a/k/a STANLEY MULLIS,  
21 a/k/a STAN MULLIS,  
22 and ANGEL C. MULLIS, a/k/a ANGEL MULLIS,  
23 a/k/a ANGEL SANTILLI,  
24 and EDUARDO ROMAY HERNANDEZ,  
25 a/k/a EDUARDO L ROMAYHERNANDEZ,  
26 a/k/a EDUARDO ROMAY,  
27 a/k/a EDUARDO L. ROMAY HERNANDEZ,  
28 a/k/a HERNANDEZ EDUARDO ROMAY,  
a/k/a HERNANDEZ EDUARDO L ROMAY,  
a/k/a EDUARDO ROMAY,  
a/k/a MR EDUARDO L. ROMAY,  
and GLADYS C. RIONDA, a/k/a SUITO GLADYS RIONDA,  
a/k/a GLADYS C. RIONDA-SUITO, a/k/a GLADYS SUITO,  
a/k/a GLADYS RIONDA SUITO,  
and DOES I-X, and ROE CORPORATIONS XI-XX, et al.

25 **Defendants.**

**CASE NO.:** A-18-776375-C  
and  
A-19-799140-C

**DEPT. NO.:** XXVII

26 **AMENDED CASE APPEAL STATEMENT**

27  
28 **1.** Name of appellant filing this case appeal statement:

Paul D.S. Edwards, *pro se*

1           2.       Identify the judge issuing the decision, judgment, or order appealed from:

2                       The Honorable, Nancy L. Allf,  
3                       Judge, Eighth Judicial District Court, Department XXVII

4           3.       Identify all parties to the proceedings in the district court  
5                       (the use of et al. to denote parties is prohibited):

6                       PAUL D.S. EDWARDS, *pro se*  
7                       **Plaintiff,**

8                       TIMESHARE LIQUIDATORS, LLC,  
9                       a/d/b/a TLC RESORT LIQUIDATORS,  
10                      a/d/b/a TLC RESORTS VACATION CLUB, LLC,  
11                      a/d/b/a TLC RESORTS VACATION CLUB,  
12                      a/d/b/a TLC RESORTS, a/k/a TLCRESORTS.COM,  
13                      a/d/b/a TLC TRAVEL, a/k/a TLC, a/d/b/a VIP TRAVEL,  
14                      a/d/b/a VIP VACATIONS, a/d/b/a VIP INTERNATIONAL,  
15                      and PLAZA HOTEL & CASINO, LLC, a/d/b/a PLAZA HOTEL & CASINO,  
16                      and CASH4ASKING, LLC, a/d/b/a CASH4ASKING.COM,  
17                      and STANLEY C. MULLIS, a/k/a STANLEY MULLIS,  
18                      a/k/a STAN MULLIS,  
19                      and ANGEL C. MULLIS, a/k/a ANGEL MULLIS, a/k/a ANGEL SANTILLI,  
20                      and JONATHAN ROBERT JOSSEL, a/k/a JONATHAN JOSSEL,  
21                      and EDUARDO ROMAY HERNANDEZ,  
22                      a/k/a EDUARDO L ROMAYHERNANDEZ, a/k/a EDUARDO ROMAY,  
23                      a/k/a EDUARDO L. ROMAY HERNANDEZ,  
24                      a/k/a HERNANDEZ EDUARDO ROMAY,  
25                      a/k/a HERNANDEZ EDUARDO L ROMAY, a/k/a EDUARDO ROMAY,  
26                      a/k/a MR EDUARDO L. ROMAY,  
27                      and GLADYS C. RIONDA, a/k/a SUITO GLADYS RIONDA,  
28                      a/k/a GLADYS C. RIONDA-SUITO, a/k/a GLADYS SUITO,  
                      a/k/a GLADYS RIONDA SUITO,  
                      **Defendants,**

          4.       Identify all parties involved in this appeal  
                     (the use of et al. to denote parties is prohibited):

                     PAUL D.S. EDWARDS, *pro se*  
                     **Plaintiff,**

                     TIMESHARE LIQUIDATORS, LLC,  
                     a/d/b/a TLC RESORT LIQUIDATORS,  
                     a/d/b/a TLC RESORTS VACATION CLUB, LLC,  
                     a/d/b/a TLC RESORTS VACATION CLUB,  
                     a/d/b/a TLC RESORTS, a/k/a TLCRESORTS.COM,  
                     a/d/b/a TLC TRAVEL, a/k/a TLC, a/d/b/a VIP TRAVEL,  
                     a/d/b/a VIP VACATIONS, a/d/b/a VIP INTERNATIONAL,  
                     and PLAZA HOTEL & CASINO, LLC, a/d/b/a PLAZA HOTEL & CASINO,

1 and CASH4ASKING, LLC, a/d/b/a CASH4ASKING.COM,  
2 and STANLEY C. MULLIS, a/k/a STANLEY MULLIS,  
3 a/k/a STAN MULLIS,  
4 and ANGEL C. MULLIS, a/k/a ANGEL MULLIS, a/k/a ANGEL SANTILLI,  
5 and JONATHAN ROBERT JOSSEL, a/k/a JONATHAN JOSSEL,  
6 and EDUARDO ROMAY HERNANDEZ,  
7 a/k/a EDUARDO L ROMAYHERNANDEZ, a/k/a EDUARDO ROMAY,  
8 a/k/a EDUARDO L. ROMAY HERNANDEZ,  
9 a/k/a HERNANDEZ EDUARDO ROMAY,  
10 a/k/a HERNANDEZ EDUARDO L ROMAY, a/k/a EDUARDO ROMAY,  
11 a/k/a MR EDUARDO L. ROMAY,  
12 and GLADYS C. RIONDA, a/k/a SUITO GLADYS RIONDA,  
13 a/k/a GLADYS C. RIONDA-SUITO, a/k/a GLADYS SUITO,  
14 a/k/a GLADYS RIONDA SUITO,  
15 **Defendants,**

- 16 **5.** Set forth the name, law firm, address, and telephone number of all counsel on  
17 appeal and identify the party or parties whom they represent:

18 **PAUL D.S. EDWARDS**  
19 713 Wheat Ridge Lane, Unit 203,  
20 Las Vegas, Nevada 89145  
21 Landline Telephone: 702.341.1776  
22 Cellular Telephone: 702.893.1776  
23 Email: pauldse@pauldsedwards.com  
24 **Plaintiff-Appellant, *pro se***

25 **Brian P. Clark**  
26 **Lukas B. McCourt**  
27 **CLARK MCCOURT**  
28 7371 Prairie Falcon Road, Suite 120  
Las Vegas, Nevada 89128  
Telephone: (702) 474-0065  
Facsimile: (702) 474-0068

**Attorneys for Defendants-Respondents:**

TIMESHARE LIQUIDATORS, LLC,  
a/d/b/a TLC RESORT LIQUIDATORS,  
a/d/b/a TLC RESORTS VACATION CLUB, LLC,  
a/d/b/a TLC RESORTS VACATION CLUB,  
a/d/b/a TLC RESORTS, a/k/a TLCRESORTS.COM,  
a/d/b/a TLC TRAVEL, a/d/b/a VIP TRAVEL,  
a/d/b/a VIP VACATIONS, a/d/b/a VIP INTERNATIONAL  
and PLAZA HOTEL & CASINO, LLC, a/d/b/a PLAZA HOTEL & CASINO,  
and STANLEY C. MULLIS, a/k/a STANLEY MULLIS,  
a/k/a STAN MULLIS,  
and ANGEL C. MULLIS, a/k/a ANGEL MULLIS, a/k/a ANGEL SANTILLI,  
and JONATHAN ROBERT JOSSEL, a/k/a JONATHAN JOSSEL

Chad F. Clement  
MARQUIS AURBACH COFFING  
10001 Park Run Drive  
Las Vegas, Nevada 89145  
Telephone: (702) 382-0711  
Facsimile: (702) 382-5816

**Attorneys for Defendants-Respondents:**

CASH4ASKING, LLC, a/d/b/a CASH4ASKING.COM,  
and EDUARDO ROMAY HERNANDEZ,  
a/k/a EDUARDO L ROMAYHERNANDEZ, a/k/a EDUARDO ROMAY,  
a/k/a EDUARDO L. ROMAY HERNANDEZ,  
a/k/a HERNANDEZ EDUARDO ROMAY,  
a/k/a HERNANDEZ EDUARDO L ROMAY,  
a/k/a EDUARDO ROMAY, a/k/a MR EDUARDO L. ROMAY,  
and GLADYS C. RIONDA, a/k/a SUITO GLADYS RIONDA,  
a/k/a GLADYS C. RIONDA-SUITO, a/k/a GLADYS SUITO,  
a/k/a GLADYS RIONDA SUITO,

6. Indicate whether appellant was represented by appointed or retained counsel in the district court:

Plaintiff was *pro se*

7. Indicate whether appellant is represented by appointed or retained counsel on appeal:

Appellant is *pro se*

8. Indicate whether appellant was granted leave to proceed in forma pauperis, and the date of entry of the district court order granting such leave:

N/A

9. Indicate the date the proceedings commenced in the district court (e.g., date complaint, indictment, information, or petition was filed):

Date of [initial] Complaint was June 19, 2018

10. Provide a brief description of the nature of the action and result in the district court, including the type of judgment or order being appealed and the relief granted by the district court:

Plaintiff initiated this action as a consequence of Defendants' numerous (30+) illegal, unsolicited, and deceptive telemarketing and solicitation telephone calls to Plaintiff's residential and wireless telephones (after Plaintiff told Defendants' telemarketers not to call him; and absent any type of consent to place such calls to Plaintiff). The numerous (30+) illegal, unsolicited, and deceptive telemarketing and solicitation telephone calls to Plaintiff's residential and wireless telephones, continued [both] prior to, and subsequent to (i) the filing of the Complaint; (ii) after several motions had been filed; and

1 (iii) after three (3) hearings were held before the District Court. Defendants'  
2 were the causation of an excess of thirty (30+) illegal, unsolicited, and  
3 deceptive telemarketing and solicitation telephone calls to Plaintiff's  
4 residential and wireless telephones.

5 Subsequent to Plaintiff filing a (Court Ordered) First Amended Complaint,  
6 and as a consequence of Defendant's failure to Answer, on July 16,  
7 2019— after the Voluntary Dismissal was approved and "Blue Stamped"  
8 by Judge Allf— Plaintiff filed his Voluntary Dismissal.

9 On July 31, 2019, following the filing of Plaintiff's Voluntary Dismissal,  
10 Defendants **filed an untimely** "Motion to Set Aside Plaintiff's Notice of  
11 Voluntary Dismissal, or in the Alternative, for Relief Pursuant to NRC  
12 41(a)(2)."

13 No hearing was scheduled or held on Defendants **filed an untimely** "Motion  
14 to Set Aside Plaintiff's Notice of Voluntary Dismissal, or in the Alternative,  
15 for Relief Pursuant to NRC 41(a)(2)." Nevertheless, on August 6, 2019  
16 (twenty (20) days after the Court approving, and the filing of Plaintiff's  
17 "Voluntary Dismissal")— the Court filed an Order granting the following—

- 18 (i) Defendant's Motion to Dismiss in all respects. And that Defendant's  
19 may submit to the Court Findings of Fact and Conclusions of Law in  
20 accordance with the relief requested in the Motion;
- 21 (ii) Setting aside and striking from the Record Plaintiff's Voluntary  
22 Dismissal;
- 23 (iii) Granting Defendant's Countermotion to Continue Decision on  
24 Plaintiff's Motion until after the Court issues its Order on Defendant's  
25 May 1, 2019; and,
- 26 (iv) Denying as Moot, Plaintiff's Motion for Leave to File Second  
27 Amended Complaint.

28 Subsequently, on August 27, 2019, the following [individual] Orders were [then] entered:

1. The Entry of Order Granting Defendant's Motion to Set Aside  
Plaintiff's Notice of Voluntary Dismissal, or in the Alternative, for  
Relief Pursuant to NRC 41(a)(2).
2. The Entry of Order Granting Defendant's Motion to Dismiss, Motion  
for More Definite Statement and Motion to Strike.
3. The Entry of Order Granting Defendant's Counter-Motion to Continue  
Decision on Plaintiff's Motion until after the Court Issues its Order  
on Defendant's (May 1, 2019) Motion to Dismiss.
4. The Entry of Order Denying Plaintiff's Motion for Leave to File  
Second Amended Complaint.

1 On August 30, 2019, Plaintiff filed his Notice of Appeal (Supreme Court No.: 79545). After  
2 several briefings, on September 30, 2019, the Court issued its Order finding that Plaintiff's Appeal  
3 was untimely.

4 "...it appears that the district court has not entered a final written judgment  
5 adjudicating all the rights and liabilities of all the parties, and the district court's  
6 orders are not amenable to certification as final pursuant to NRCP 54(b)."

7 Eventually, on January 7, 2020, the Court [also] denied Plaintiff's Petition for En Banc  
8 Reconsideration. Remittitur was entered by the District Court on February 6, 2020.

9 On July 13, 2020 the Order and Notice of Entry of Order Granting Defendants' Motion for  
10 Summary Judgment on Plaintiff's Claims in Case No. A-18-776375-C, and Case No. A-19-799140-  
11 C was entered. The District Court granted Defendants' Motion For Summary Judgment in its  
12 entirety, resolving Plaintiffs claims for invasion of Plaintiff privacy, intrusion into seclusion, and for  
13 injunctive relief in favor of Defendants, and that, the Motion For Summary Judgment is granted in  
14 favor of the Counter-claimants, on their claim of abuse of process in Case No. A-1 9-799140-C.

15 On August 18, 2020, the Order and Entry of Order was filed granting Defendants Motion for  
16 Attorneys Fees and for Costs.

17 **11.** Indicate whether the case has previously been the subject of an appeal to or original  
18 writ proceeding in the Supreme Court and, if so, the caption and Supreme Court  
19 docket number of the prior proceeding:

20 PAUL D.S. EDWARDS

21 v.

22 TIMESHARE LIQUIDATORS, LLC,  
23 a/d/b/a TLC RESORT LIQUIDATORS,  
24 a/d/b/a TLC RESORTS VACATION CLUB, LLC,  
a/d/b/a TLC RESORTS VACATION CLUB,  
a/d/b/a TLC RESORTS, a/k/a TLCRESORTS.COM,  
a/d/b/a TLC TRAVEL, a/d/b/a VIP TRAVEL,  
a/d/b/a VIP VACATIONS, a/d/b/a VIP INTERNATIONAL

Supreme Court No.: 79545

25 **12.** Indicate whether this appeal involves child custody or visitation:  
26

27 No  
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**13.** If this is a civil case, indicate whether this appeal involves the possibility of settlement:

Plaintiff believes there is no possibility of a settlement.

DATED this 18th day of August 2020.

PAUL D.S. EDWARDS,

/s/ Paul D.S. Edwards  
Paul D.S. Edwards,  
713 Wheat Ridge Lane, Unit 203,  
Las Vegas, Nevada 89145  
Landline Telephone: 702.341.1776  
Cellular Telephone: 702.893.1776  
Email: pauldse@pauldsedwards.com  
Plaintiff, *pro se*

...  
...  
...

1 **CERTIFICATE OF MAILING**

2 I HEREBY CERTIFY that on the 31st day of August 2020, after being placed in a envelope,  
3 and thereon placing sufficient postage, I deposited in a United States Postal Service receptacle, a  
4 copy[ies] of the following document[s]:

5 1. Amended Case Appeal Statement

6 to the following:

7 Supreme Court Clerk's Office  
8 201 South Carson Street  
9 Carson City, Nevada 89701-4702

10 Brian P. Clark  
11 CLARK MCCOURT  
12 7371 Prairie Falcon Road, Suite 120  
13 Las Vegas, NV 89128

14 Chad F. Clement  
15 MARQUIS AURBACH COFFING  
16 10001 Park Run Drive  
17 Las Vegas, Nevada 89145

18 

19 Designee for Plaintiff  
20  
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## EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY****CASE NO. A-18-776375-C**

**Paul Edwards, Plaintiff(s)**  
**vs.**  
**Timeshare Liquidators LLC, Defendant(s)**

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§

Location: **Department 27**  
 Judicial Officer: **Allf, Nancy**  
 Filed on: **06/19/2018**  
 Case Number History:  
 Cross-Reference Case Number: **A776375**  
 Supreme Court No.: **79545**  
**81595**

**CASE INFORMATION****Related Cases**

A-19-799140-C (Consolidated)

Case Type: **Other Civil Matters****Statistical Closures**

08/18/2020 Summary Judgment  
 07/13/2020 Summary Judgment  
 07/17/2019 Voluntary Dismissal

Case Status: **08/18/2020 Closed**

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

Case Number A-18-776375-C  
 Court Department 27  
 Date Assigned 10/31/2018  
 Judicial Officer Allf, Nancy

**PARTY INFORMATION**

<b>Plaintiff</b>	<b>Edwards, Paul D S</b>	<i>Lead Attorneys</i> <b>Pro Se</b> 702-341-1776(H)
<b>Defendant</b>	<b>Cash4Asking LLC</b> Removed: 08/06/2019 Dismissed	
	<b>Cash4Asking, LLC</b>	<b>Clement, Chad F</b> <i>Retained</i> 702-382-0711(W)
	<b>Hernandez, Eduardo Romay</b> Removed: 08/06/2019 Dismissed	
	<b>Jossel, Jonathan Robert</b> Removed: 01/14/2019 Dismissed	
	<b>Jossel, Jonathan Robert</b> Removed: 08/06/2019 Dismissed	
	<b>Mullis, Angel C</b> Removed: 01/14/2019 Dismissed	
	<b>Mullis, Angel C.</b> Removed: 08/06/2019 Dismissed	
	<b>Mullis, Stanley C</b> Removed: 06/19/2018 Data Entry Error	<b>Clark, Brian P</b> <i>Retained</i> 702-474-0065(W)

# CASE SUMMARY

CASE NO. A-18-776375-C

**Mullis, Stanley C.**

Removed: 08/06/2019  
Dismissed

**Pergolini, Michael Anthony**

Removed: 01/14/2019  
Dismissed

**Plaza Hotel & Casino LLC**

Removed: 01/14/2019  
Dismissed

**Rionda Suito, Gladys**

**Clement, Chad F**  
*Retained*

702-382-0711(W)

**Rionda, Gladys C.**

Removed: 08/06/2019  
Dismissed

**Romay Hernandez, Eduardo**

**Clement, Chad F**  
*Retained*

702-382-0711(W)

**Timeshare Liquidators LLC**

**Clark, Brian P**  
*Retained*

702-474-0065(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
	<b><u>EVENTS</u></b>	
06/19/2018	 Complaint Filed By: Plaintiff Edwards, Paul D S <i>Complaint for Damages, Statutory Injunctive Relief, and, Demand for Trial by Jury</i>	
08/23/2018	 Initial Appearance Fee Disclosure <i>Initial Appearance Fee Disclosure</i>	
08/23/2018	 Notice of Appearance Party: Defendant Timeshare Liquidators LLC; Defendant Plaza Hotel & Casino LLC; Defendant Mullis, Stanley C; Defendant Mullis, Angel C; Defendant Jossel, Jonathan Robert; Defendant Pergolini, Michael Anthony <i>Notice of Appearance</i>	
09/12/2018	 Notice of Removal Filed By: Defendant Timeshare Liquidators LLC; Defendant Plaza Hotel & Casino LLC; Defendant Mullis, Stanley C; Defendant Mullis, Angel C; Defendant Jossel, Jonathan Robert; Defendant Pergolini, Michael Anthony <i>Notice of Removal of Action To Federal Court</i>	
10/09/2018	 Order of Remand from Federal Court <i>Stipulation Re: Remand of Action to the Eighth Judicial District Court, State of Nevada, Clark County</i>	
10/27/2018	 Notice of Intent to Take Default Party: Plaintiff Edwards, Paul D S <i>Three (3) Day Notice of Intent to Take Default Against Defendant</i>	
10/29/2018	 Peremptory Challenge Filed by: Defendant Timeshare Liquidators LLC; Defendant Plaza Hotel & Casino LLC; Defendant Mullis, Stanley C; Defendant Mullis, Angel C	

# CASE SUMMARY

CASE NO. A-18-776375-C

## Defendants' Peremptory Challenge

10/30/2018



### Summons

Filed by: Plaintiff Edwards, Paul D S  
*Summons*

10/30/2018



### Initial Appearance Fee Disclosure

Filed By: Defendant Timeshare Liquidators LLC; Defendant Plaza Hotel & Casino LLC; Defendant Mullis, Stanley C; Defendant Mullis, Angel C; Defendant Jossel, Jonathan Robert; Defendant Pergolini, Michael Anthony  
*Initial Appearance Fee Disclosure*

10/31/2018



### Notice of Department Reassignment

*Notice of Department Reassignment*

10/31/2018



### Motion to Dismiss

Filed By: Defendant Timeshare Liquidators LLC; Defendant Plaza Hotel & Casino LLC; Defendant Mullis, Stanley C; Defendant Mullis, Angel C; Defendant Jossel, Jonathan Robert; Defendant Pergolini, Michael Anthony  
*Defendants' Motion to Dismiss, Motion for More Definite Statement and Motion for Evidentiary Hearing*

11/01/2018



### Exhibits

Filed By: Defendant Timeshare Liquidators LLC; Defendant Plaza Hotel & Casino LLC; Defendant Mullis, Stanley C; Defendant Mullis, Angel C; Defendant Jossel, Jonathan Robert; Defendant Pergolini, Michael Anthony  
*Exhibits to Defendants' Motion to Dismiss, Motion for More Definite Statement and Motion for Evidentiary Hearing*

11/20/2018



### Opposition to Motion to Dismiss

Filed By: Plaintiff Edwards, Paul D S  
*Opposition to Defendants Motion to Dismiss, Motion for More Definite Statement, and Motion for Evidentiary Hearing*

11/20/2018



### Exhibits

Filed By: Plaintiff Edwards, Paul D S  
*Opposition to Defendants' Motion to Dismiss, Motion for More Definite Statement, and Motion for Eventiary Hearing*

11/21/2018



### Certificate of Mailing

Filed By: Plaintiff Edwards, Paul D S  
*Certificate of Mailing*

11/30/2018



### Reply in Support

Filed By: Defendant Timeshare Liquidators LLC; Defendant Plaza Hotel & Casino LLC; Defendant Mullis, Stanley C; Defendant Mullis, Angel C; Defendant Jossel, Jonathan Robert; Defendant Pergolini, Michael Anthony  
*Reply in Support of Defendants' Motion to Dismiss, Motion for More Definite Statement and Motion for Evidentiary Hearing*

01/11/2019



### Recorders Transcript of Hearing

*Transcript of Proceedings, Defendants' Motion to Dismiss for More Definite Statement and Motion for Evidentiary Hearing, Heard on December 5, 2018*

01/14/2019



### Order Granting Motion

*Order Granting in Part and Denying in Part Defendants' Motion to Dismiss, Motion for More*

# CASE SUMMARY

CASE NO. A-18-776375-C

*Definite Statement and Motion for Evidentiary Hearing*

01/23/2019	 Notice of Entry of Order <i>Notice of Entry of Order Granting in Part and Denying in Part Defendants' Motion to Dismiss, Motion for More Definite Statement, and Motion for Evidentiary Hearing</i>
02/06/2019	 Answer Filed By: Defendant Timeshare Liquidators LLC <i>Defendant's Answer to Complaint</i>
02/08/2019	 Notice of Early Case Conference Filed By: Plaintiff Edwards, Paul D S <i>Notice of Early Case Conference Pursuant to NRCP, Rule 16.1(b)(1)</i>
02/19/2019	 Motion to Strike Filed By: Defendant Timeshare Liquidators LLC <i>Defendant's Motion to Strike for Plaintiff's Refusal to Comply with the Court's Order Granting Defendant's Motion for More Definite Statement</i>
03/04/2019	 Opposition to Motion Filed By: Plaintiff Edwards, Paul D S <i>Plaintiff's Opposition to Defendant's Motion to Strike for Plaintiff's Refusal to Comply with the Court's Order Granting Defendant's Motion for More Definite Statement</i>
03/18/2019	 Defendants Case Conference Report Filed By: Defendant Timeshare Liquidators LLC <i>Defendant Timeshare Liquidators, LLC's Case Conference Report</i>
03/19/2019	 Plaintiffs Case Conference Report Party: Plaintiff Edwards, Paul D S <i>Plaintiff's Case Conference Report (CIV)</i>
03/19/2019	 Reply Filed by: Defendant Timeshare Liquidators LLC <i>Reply in Support of Defendant's Motion to Strike for Plaintiff's Refusal to Comply with the Court's Order Granting Defendant's Motion for More Definite Statement</i>
04/02/2019	 Order <i>Order to Appear for Mandatory Discovery Conference</i>
04/17/2019	 Order Denying Motion Filed By: Defendant Timeshare Liquidators LLC <i>Order Denying Defendant's Motion to Strike for Plaintiff's Refusal to Comply with the Court's Order Granting Defendant's Motion for More Definite Statement</i>
04/17/2019	 Notice Filed By: Defendant Timeshare Liquidators LLC <i>Notice of Entry of Order Denying Defendant's Motion to Strike for Plaintiff's Refusal to Comply with the Court's Order Granting Defendant's Motion for More Definite Statement</i>
04/17/2019	 Amended Complaint Filed By: Plaintiff Edwards, Paul D S <i>First Amended Complaint for Damages, Injunctive Relief, and, Demand for Trial by Jury - Arbitration Exemption Claimed</i>

# CASE SUMMARY

CASE NO. A-18-776375-C

04/19/2019	 Notice Filed By: Defendant Timeshare Liquidators LLC <i>Notice of Compliance With Order to Appear for Mandatory Discovery Conference</i>
05/01/2019	 Demand for Jury Trial Filed By: Defendant Timeshare Liquidators LLC <i>Defendant's Demand for Jury Trial</i>
05/01/2019	 Motion to Dismiss Filed By: Defendant Timeshare Liquidators LLC <i>Defendant's Motion to Dismiss, Motion for More Definite Statement and Motion to Strike</i>
05/02/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
05/02/2019	 Recorders Transcript of Hearing <i>Transcript of Proceedings, Defendants' Motion to Strike for Plaintiff's Refusal to Comply with the Court's Order Granting Defendant's Motion for More Definite Statement, Heard on April 3, 2019</i>
05/20/2019	 Opposition to Motion to Dismiss Filed By: Plaintiff Edwards, Paul D S <i>Plaintiff's Opposition to Defendant's Motion to Dismiss, Motion for More Definite Statement, and Motion to Strike</i>
05/21/2019	 Stipulation and Order Filed by: Defendant Timeshare Liquidators LLC <i>Stipulation and Order to Continue Hearing &amp; Extend Time to File Opposition on Defendant's Mot. to Dismiss, Mot. for More Definite Statement and Mot. to Strike</i>
06/05/2019	 Amended Complaint Filed By: Plaintiff Edwards, Paul D S <i>(6/20/19 Withdrawn) Second Amended Complaint for Damages, Statutory Injunctive Relief, and, Demand for Trial by Jury</i>
06/05/2019	 Reply Filed by: Defendant Timeshare Liquidators LLC <i>Reply In Support of Defendant's Motion To Dismiss, Motion For More Definite Statement and Motion To Strike</i>
06/20/2019	 Notice of Withdrawal Filed By: Plaintiff Edwards, Paul D S <i>Notice of Withdrawal of Plaintiff's Second Amended Complaint for Damages, Statutory Injunctive Relief, and, Demand for Trial by Jury</i>
06/20/2019	 Motion to Compel Filed By: Defendant Timeshare Liquidators LLC <i>Defendant's Motion to Compel Discovery Responses</i>
06/20/2019	 Motion for Leave to File Party: Plaintiff Edwards, Paul D S <i>Motion for Leave to File Second Amended Complaint for Damages, Injunctive Relief, and Demand for Trial by Jury (First Request)</i>
06/20/2019	 Clerk's Notice of Hearing

# CASE SUMMARY

CASE NO. A-18-776375-C

## Notice of Hearing

06/28/2019	 <b>Recorders Transcript of Hearing</b> <i>Transcript of Proceedings, Mandatory Rule 16 Conference, Heard on April 24, 2019</i>
07/05/2019	 <b>Opposition to Motion to Compel</b> Filed By: Plaintiff Edwards, Paul D S <i>Opposition to Defendants Motion to Compel Discovery Responses from Plaintiff, and Pursuant to N.R.C.P., Rule 12(f) &amp; (g), Motion to Strike Defendants Counsel s Declaration</i>
07/15/2019	 <b>Receipt</b> Party: Plaintiff Edwards, Paul D S <i>RECEIPT FOR FILING FEES</i>
07/15/2019	 <b>Opposition and Countermotion</b> Filed By: Defendant Timeshare Liquidators LLC <i>Defendant's Opposition To Plaintiff's Motion For Leave To File Second Amended Complaint For Damages, Injunctive Relief, And Demand For Jury Trial, And Countermotion To Continue Decision On Plaintiff's Motion Until After The Court Issues Its Order On Defendant's (May 1, 2019) Motion To Dismiss</i>
07/31/2019	 <b>Motion to Set Aside</b> Filed By: Defendant Timeshare Liquidators LLC <i>Defendant's Motion to Set Aside Plaintiff's Notice of Voluntary Dismissal, or in the Alternative, for Relief Pursuant to NRCP 41(a)(2)</i>
07/31/2019	 <b>Clerk's Notice of Hearing</b> <i>Notice of Hearing</i>
08/06/2019	 <b>Order</b> <i>Order</i>
08/13/2019	 <b>Recorders Transcript of Hearing</b> <i>Transcript of Proceedings, Defendants' Motion to Dismiss, Motion for More Definite Statement, and Motion to Strike, Heard on June 19, 2019</i>
08/27/2019	 <b>Order Granting</b> <i>Order Granting Defendant's Motion to Set Aside Plaintiff's Notice of Voluntary Dismissal, or in the Alternative, for Relief Pursuant to NRCP 41(a)(2)</i>
08/27/2019	 <b>Order Denying Motion</b> Filed By: Defendant Timeshare Liquidators LLC <i>Order Denying Plaintiff's Motion for Leave to File Second Amended Complaint</i>
08/27/2019	 <b>Order Granting</b> Filed By: Defendant Timeshare Liquidators LLC <i>Order Granting Defendant's Counter-Motion to Continue Decision on Plaintiff's Motion Until After the Court Issues Its Order on Defendant's (May 1, 2019) Motion to Dismiss</i>
08/27/2019	 <b>Order Granting</b> Filed By: Defendant Timeshare Liquidators LLC <i>Order Granting Defendant's Motion to Dismiss, Motion for More Definite Statement and Motion to Strike.</i>
08/27/2019	 <b>Notice of Entry</b>

**CASE SUMMARY**

**CASE NO. A-18-776375-C**

	<p>Filed By: Defendant Timeshare Liquidators LLC <i>Notice of Entry of Order Granting Defendant's Motion to Set Aside Plaintiff's Notice of Voluntary Dismissal, or in the Alternative, For Relief Pursuant to NRCP 41 (a)(2)</i></p>
08/27/2019	<p> Notice of Entry Filed By: Defendant Timeshare Liquidators LLC <i>Notice of Entry of Order Denying Plaintiff's Motion for Leave to File Second Amended Complaint</i></p>
08/27/2019	<p> Notice of Entry Filed By: Defendant Timeshare Liquidators LLC <i>Notice of Entry of Order Granting Defendant's Counter-Motion to Continue Decision on Plaintiff's Motion Until After the Court Issues its Order on Defendant's (May 1, 2019) Motion to Dismiss</i></p>
08/27/2019	<p> Notice of Entry Filed By: Defendant Timeshare Liquidators LLC <i>Notice of Entry of Order Granting Defendant's Motion to Dismiss, Motion for More Definite Statement and Motion to Strike</i></p>
08/29/2019	<p> Motion to Compel Filed By: Defendant Timeshare Liquidators LLC <i>Defendant's Motion to Compel Discovery Responses from Plaintiff</i></p>
08/29/2019	<p> Clerk's Notice of Hearing <i>Notice Of Hearing</i></p>
08/30/2019	<p> Notice of Hearing Filed By: Defendant Timeshare Liquidators LLC <i>Re-Notice of Defendant's Motion to Compel Discovery Responses from Plaintiff</i></p>
08/30/2019	<p> Notice of Appeal Filed By: Plaintiff Edwards, Paul D S <i>Notice of Appeal to the Supreme Court for Nevada from a Judgment or Order of a District Court</i></p>
08/30/2019	<p> Case Appeal Statement Filed By: Plaintiff Edwards, Paul D S <i>Case Appeal Statement</i></p>
09/03/2019	<p> Clerk's Notice of Hearing <i>Notice of Hearing</i></p>
09/04/2019	<p> Case Appeal Statement Filed By: Plaintiff Edwards, Paul D S <i>Case Appeal Statement</i></p>
09/04/2019	<p> Scheduling and Trial Order <i>Scheduling Order and Order Setting Civil Jury Trial and Calendar Call</i></p>
09/17/2019	<p> Motion to Consolidate Filed By: Defendant Timeshare Liquidators LLC <i>Defendants' Motion to Consolidate Cases</i></p>
09/18/2019	

# CASE SUMMARY

CASE NO. A-18-776375-C

	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
09/26/2019	 Motion to Strike Filed By: Defendant Timeshare Liquidators LLC <i>Defendant's Motion to Strike for Plaintiff's Failure to Timely Amend Following the Granting of Defendant's Motion for More Definite Statement</i>
09/27/2019	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
10/03/2019	 Motion to Consolidate Filed By: Defendant Timeshare Liquidators LLC <i>Ex Parte Application for Order Shortening Time to Hear Defendant's Motion to Consolidate Cases</i>
10/29/2019	 Reply in Support Filed By: Defendant Timeshare Liquidators LLC <i>Defendant Cash4Asking, LLC's Reply in Support of Motion for a More Definite Statement</i>
10/29/2019	 Reply in Support <i>Defendants Eduardo Romy Hernandez and Gladys Rionda Suito's Reply in Support of Motion to Dismiss for Lack of Personal Jurisdiction, Motion for Dismiss for Failure to State a Claim upon which Relief can be Granted, and Motion for a More Definite Statement</i>
10/29/2019	 Declaration <i>Declaration of the Honorable Nancy L. Alf in Response to Plaintiff's Declaration in Support of The Recusal/Disqualification of Judge Nancy L. Alf</i>
10/29/2019	 Opposition to Motion Filed By: Defendant Timeshare Liquidators LLC <i>Opposition to Motion for this Court to Take Judicial Notice That District Court Judge Nancy L. Alf is Without Jurisdiction to Consolidate the Closed Case No. A-18-776375-C with the Case Before this Court Case No. A-19-799140-C</i>
10/31/2019	 Discovery Commissioners Report and Recommendations <i>Discovery Commissioner s Report and Recommendations -Originals</i>
11/01/2019	 Opposition to Motion Filed By: Defendant Timeshare Liquidators LLC <i>Defendants' Opposition to Plaintiff's Motion for This Court to Take Judicial Notice that District Court Judge Nancy L. Alf is Without Jurisdiction to Consolidate the Closed Case, Case No. A-18-776375-C before this Court Case No. A-19-799140-C</i>
11/05/2019	 Order Setting Hearing <i>Order Continuing Hearing</i>
11/07/2019	 Joinder to Opposition to Motion Filed by: Defendant Timeshare Liquidators LLC <i>Defendants' Cash4Asking, LLC Eduardo Romy Hernandez and Gladys Rionda Suito Joinder to Defendants' Opposition to Plaintiff's Motion for this Court to Take Judicial Notice that District Court Judge Nancy L. Alf is Without Jurisdiction to Consolidate the Closed Case, Case No. A-18-776375-C Before this Court Case No. A-19-799140-C</i>
11/18/2019	 Decision and Order



# CASE SUMMARY

CASE NO. A-18-776375-C

## Decision and Order

12/05/2019	 Response Filed by: Defendant Timeshare Liquidators LLC <i>Defendant's Response to Plaintiff's Objection to Decision and Order</i>
12/05/2019	 Joinder <i>Defendants' Cash4Asking, LLC, Eduardo Romay Hernandez and Gladys Rionda Suito Joinder to Defendants' Response to Plaintiff's Objection to Decision and Order</i>
12/09/2019	 Order Filed By: Defendant Timeshare Liquidators LLC <i>Order RE: Discovery Commissioner's Report and Recommendation</i>
12/09/2019	 Notice of Entry of Order Filed By: Defendant Timeshare Liquidators LLC <i>Notice of Entry of Order Re: Discovery Commissioner's Report and Recommendation</i>
12/17/2019	 Order Filed By: Defendant Timeshare Liquidators LLC <i>Order on Defendant's Motion to Strike for Plaintiff's Failure to Timely Amend Following the Granting of Defendant's Motion For More Definite Statement</i>
12/17/2019	 Notice of Entry Filed By: Defendant Timeshare Liquidators LLC <i>Notice of Entry of Order on Defendant's Motion to Strike for Plaintiff's Failure to Timely Amend Following the Granting of Defendant's Motion for More Definite Statement</i>
01/16/2020	 Motion for Sanctions Filed By: Defendant Timeshare Liquidators LLC <i>Defendant's Motion for Sanctions for Failure to Comply with Court Order Compelling Supplemental Discovery Responses</i>
01/17/2020	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
01/29/2020	 Order Granting Motion Filed By: Defendant Romay Hernandez, Eduardo; Defendant Cash4Asking, LLC; Defendant Rionda Suito, Gladys <i>Order Granting Cash4Asking, LLC's Motion for More Definite Statement</i>
01/29/2020	 Notice of Entry of Order Filed By: Defendant Romay Hernandez, Eduardo; Defendant Cash4Asking, LLC; Defendant Rionda Suito, Gladys <i>Notice of Entry of Order</i>
02/03/2020	 Order Filed By: Defendant Cash4Asking, LLC <i>Order Denying in Part and Granting in Part Defendants Eduardo Romay Hernandez' and Gladys Rionda Suito's Motion to Dismiss for Lack of Personal Jurisdiction, Motion to Dismiss for Failure to State a Claim upon which Relief can be Granted, and Motion for a More Definite Statement</i>
02/03/2020	 Notice of Entry of Order Filed By: Defendant Romay Hernandez, Eduardo; Defendant Cash4Asking,

# CASE SUMMARY

CASE NO. A-18-776375-C

	<p>LLC; Defendant Rionda Suito, Gladys</p> <p><i>Notice of Entry of Order</i></p>
02/06/2020	<p> Order</p> <p>Filed By: Defendant Timeshare Liquidators LLC</p> <p><i>Order Granting Defendant's Motion to Strike for Plaintiff's Failure to Timely Amend Following the Granting of Defendant's Motion for More Definite Statement.</i></p>
02/06/2020	<p> NV Supreme Court Clerks Certificate/Judgment - Dismissed</p> <p><i>Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed; Rehearing Denied; Petition Denied</i></p>
02/06/2020	<p> Notice</p> <p>Filed By: Defendant Timeshare Liquidators LLC</p> <p><i>Notice of Entry of Order Granting Defendant's Motion to Strike for Plaintiff's Failure to Timely Amend Following the Granting of Defendant's Motion for More Definite Statement.</i></p>
03/04/2020	<p> Order Granting</p> <p>Filed By: Defendant Timeshare Liquidators LLC</p> <p><i>Order Granting Defendant's Motion Sanctions for Failure to Comply with Court Order Compelling Supplemental Discovery Responses</i></p>
03/04/2020	<p> Motion to Strike</p> <p>Filed By: Defendant Romay Hernandez, Eduardo; Defendant Cash4Asking, LLC; Defendant Rionda Suito, Gladys</p> <p><i>Motion to Strike Complaint for Plaintiff's Refusal to Comply with the Court's Orders Granting Defendants' Motion for More Definite Statement</i></p>
03/04/2020	<p> Clerk's Notice of Hearing</p> <p><i>Notice of Hearing</i></p>
03/04/2020	<p> Notice of Entry of Order</p> <p>Filed By: Defendant Timeshare Liquidators LLC</p> <p><i>Notice of Entry of Order Granting Defendant's Motion For Sanctions for Failure to Comply with Court Order Compelling Supplemental Discovery Responses</i></p>
03/10/2020	<p> Joinder</p> <p>Filed By: Defendant Timeshare Liquidators LLC</p> <p><i>Joinder to Motion to Strike Complaint for Plaintiff's Refusal to Comply with the Court's Order Granting Defendants' Motions for More Definite Statement</i></p>
04/01/2020	<p> Notice of Non Opposition</p> <p>Filed By: Defendant Romay Hernandez, Eduardo; Defendant Cash4Asking, LLC; Defendant Rionda Suito, Gladys</p> <p><i>Notice of Non-Opposition to Motion to Strike Complaint for Plaintiff's Refusal to Comply with the Court's Orders Granting Defendants' Motion for More Definite Statement</i></p>
04/15/2020	<p> Answer to Amended Complaint</p> <p>Filed By: Defendant Timeshare Liquidators LLC</p> <p><i>Defendant's Answer to First Amended Complaint</i></p>
05/04/2020	<p> Order</p> <p>Filed By: Defendant Cash4Asking, LLC</p> <p><i>Order Granting Motion to Strike Complaint for Plaintiff's Refusal to Comply with the Court's Orders Granting Defendant's Motions for More Definite Statement</i></p>

# CASE SUMMARY

CASE NO. A-18-776375-C

05/06/2020	 Notice of Entry of Order Filed By: Defendant Romay Hernandez, Eduardo; Defendant Cash4Asking, LLC; Defendant Rionda Suito, Gladys <i>Notice of Entry of Order</i>
05/21/2020	 Motion for Summary Judgment Filed By: Defendant Timeshare Liquidators LLC <i>Defendants' Motion for Summary Judgment on Plaintiff's Claims in Case No. A-18-776375-C and Defendants' Counter-Claims in Cadse No. A-19-799140-C</i>
05/21/2020	 Motion in Limine Filed By: Defendant Timeshare Liquidators LLC <i>Defendants' Motion in Limine No. 1, to Exclude and Preclude Testimony, Evidence and Argument from Plaintiff Concerning Established Facts in the Case Based on a Prior Order</i>
05/21/2020	 Motion in Limine Filed By: Defendant Timeshare Liquidators LLC <i>Defendants' Motion in Limine No. 2, to Preclude Plaintiff from Calling Defense Counsel as a Witness at Trial</i>
05/21/2020	 Motion in Limine Filed By: Defendant Timeshare Liquidators LLC <i>Defendants' Motion in Limine No. 3, To Preclude Plaintiff from Using Recorded Conversations at Trial</i>
05/21/2020	 Motion in Limine Filed By: Defendant Timeshare Liquidators LLC <i>Defendants' Motion in Limine No. 4, to Exclude and Preclude Testimony, Evidence and Argument Concerning the Dismissed Defendants Stanley Mullis, Angel Mullis, Jonathan Jossel, Michael Pergolikni, and Plaza Hotel &amp; Casino</i>
05/21/2020	 Motion in Limine Filed By: Defendant Timeshare Liquidators LLC <i>Defendants Motion in Limine No. 5, to Exclude and Preclude Testimony, Evidence and Argument that VIP Travel, VIP Vacations and VIP International Are Related to Defendant Timeshare Liquidators, LLC</i>
05/21/2020	 Motion in Limine Filed By: Defendant Timeshare Liquidators LLC <i>Defendant's Motion in Limine No. 6, to Exclude, and Preclude Testimony, Evidence and Argument Regarding Defendants' Financial Issues, Activities and Condition</i>
05/21/2020	 Motion in Limine Filed By: Defendant Timeshare Liquidators LLC <i>Defendant's Motion in Limine No 7, to Exclude and Preclude Improper Arguments</i>
05/21/2020	 Motion in Limine Filed By: Defendant Timeshare Liquidators LLC <i>Defendant's Motion in Limine No. 8, to Exclude and Preclude Evidence and Witnesses that were not Properly Disclosed</i>
05/22/2020	 Clerk's Notice of Hearing <i>Notice of Hearing</i>
05/22/2020	 Notice of Change of Hearing

# CASE SUMMARY

CASE NO. A-18-776375-C

## Notice of Change of Hearing

05/22/2020



Clerk's Notice of Hearing  
*Notice of Hearing*

06/29/2020



Scheduling and Trial Order  
*Scheduling Order and Order Re-Setting Civil Jury Trial, and Calendar Call*

07/10/2020



Memorandum of Costs and Disbursements  
Filed By: Defendant Timeshare Liquidators LLC  
*Memorandum Of Fees And Costs*

07/10/2020



Motion for Attorney Fees  
Filed By: Defendant Timeshare Liquidators LLC  
*Defendants' Motion for Attorney's Fees Pursuant to NRS 18.010 and for Costs of Suit Pursuant to NRS 18.020*

07/13/2020



Clerk's Notice of Hearing  
*Notice of Hearing*

07/13/2020



Order Granting Motion  
*Order Granting Defendants Motion for Summary Judgment on Plaintiffs Claims in Case No. A-18-776375, and case No. A-19-799-140*

07/13/2020



Order Granting Motion  
Filed By: Defendant Romay Hernandez, Eduardo; Defendant Cash4Asking, LLC; Defendant Rionda Suito, Gladys  
*Order Granting Defendants' Motions In Limine*

07/13/2020



Notice  
Filed By: Defendant Timeshare Liquidators LLC  
*Notice of Entry of Order Granting Defendants' Motions in Limine*

07/13/2020



Notice of Entry of Order  
Filed By: Defendant Timeshare Liquidators LLC  
*Notice of Entry of Order Granting Defendants' Motion for Summary Judgment on Plaintiffs Claims in Case No.: A-18-776375-C and Case No.: A-19-799140-C*

08/05/2020



Notice of Appeal  
Filed By: Plaintiff Edwards, Paul D S  
*Notice of Appeal to the Supreme Court for Nevada From a Judgment or Order of a District Court*

08/05/2020



Case Appeal Statement  
Filed By: Plaintiff Edwards, Paul D S  
*CASE APPEAL STATEMENT*

08/06/2020



Case Appeal Statement  
Filed By: Plaintiff Edwards, Paul D S  
*Case Appeal Statement*

08/10/2020



Memorandum of Costs and Disbursements  
Filed By: Defendant Timeshare Liquidators LLC  
*Supplemental Memorandum of Fees and Costs*

# CASE SUMMARY

CASE NO. A-18-776375-C

08/10/2020



Supplemental

Filed by: Defendant Timeshare Liquidators LLC

*Defendants' Supplement to Motion for Attorney's Fees Pursuant to NRS 18.010 and For Costs of Suit Pursuant to NRS 18.020*

08/18/2020



Order Granting Motion

Filed By: Defendant Timeshare Liquidators LLC; Defendant Mullis, Stanley C; Defendant Mullis, Angel C

*(776375) Order Granting Defendant's Motion For Attorney' Fees Pursuant to NRS 18.010 And For Cost of Suit Pursuant to NRS 18.020*

08/18/2020



Notice of Entry of Order

Filed By: Defendant Timeshare Liquidators LLC

*Notice of Entry of Order Granting Defendants' Motion for Attorney's Fees Pursuant to NRS 18.010 and for Costs of Suit Pursuant to NRS 18.020 and Judgment*

08/31/2020



Amended Notice of Appeal

Party: Plaintiff Edwards, Paul D S

*Amended Notice of Appeal to the Supreme Court for Nevada From a Judgment or Order of a District Court*

08/31/2020



Amended Case Appeal Statement

Party: Plaintiff Edwards, Paul D S

*Amended Case Appeal Statement*

## **DISPOSITIONS**

01/14/2019

**Order of Dismissal** (Judicial Officer: Allf, Nancy)

Debtors: Paul D S Edwards (Plaintiff)

Creditors: Timeshare Liquidators LLC (Defendant), Plaza Hotel & Casino LLC (Defendant), Stanley C Mullis (Defendant), Angel C Mullis (Defendant), Jonathan Robert Jossel (Defendant), Michael Anthony Pergolini (Defendant)

Judgment: 01/14/2019, Docketed: 01/14/2019

Comment: Certain Claims

01/14/2019

**Order of Dismissal With Prejudice** (Judicial Officer: Allf, Nancy)

Debtors: Paul D S Edwards (Plaintiff)

Creditors: Timeshare Liquidators LLC (Defendant), Plaza Hotel & Casino LLC (Defendant), Stanley C Mullis (Defendant), Angel C Mullis (Defendant), Jonathan Robert Jossel (Defendant), Michael Anthony Pergolini (Defendant)

Judgment: 01/14/2019, Docketed: 01/14/2019

Comment: Certain Claims

Debtors: Paul D S Edwards (Plaintiff)

Creditors: Plaza Hotel & Casino LLC (Defendant)

Judgment: 01/14/2019, Docketed: 01/14/2019

01/14/2019

**Order of Dismissal Without Prejudice** (Judicial Officer: Allf, Nancy)

Debtors: Paul D S Edwards (Plaintiff)

Creditors: Stanley C Mullis (Defendant), Angel C Mullis (Defendant), Jonathan Robert Jossel (Defendant), Michael Anthony Pergolini (Defendant)

Judgment: 01/14/2019, Docketed: 01/14/2019

08/06/2019

**Amended Voluntary Dismissal** (Judicial Officer: Allf, Nancy)

Debtors: Timeshare Liquidators LLC (Defendant), Cash4Asking LLC (Defendant), Stanley C. Mullis (Defendant), Angel C. Mullis (Defendant), Eduardo Romay Hernandez (Defendant), Gladys C. Rionda (Defendant), Jonathan Robert Jossel (Defendant)

Creditors: Paul D S Edwards (Plaintiff)

Judgment: 08/06/2019, Docketed: 07/23/2019


Comment: SET ASIDE

# CASE SUMMARY

CASE NO. A-18-776375-C

08/06/2019	<b>Order of Dismissal</b> (Judicial Officer: Allf, Nancy) Debtors: Paul D S Edwards (Plaintiff) Creditors: Timeshare Liquidators LLC (Defendant), Stanley C Mullis (Defendant), Angel C Mullis (Defendant), Jonathan Robert Jossel (Defendant), Cash4Asking LLC (Defendant), Eduardo Romay Hernandez (Defendant), Gladys C. Rionda (Defendant) Judgment: 08/06/2019, Docketed: 08/06/2019
08/27/2019	<b>Order of Dismissal</b> (Judicial Officer: Allf, Nancy) Debtors: Paul D S Edwards (Plaintiff) Creditors: Timeshare Liquidators LLC (Defendant), Plaza Hotel & Casino LLC (Defendant), Stanley C Mullis (Defendant), Angel C Mullis (Defendant), Jonathan Robert Jossel (Defendant), Michael Anthony Pergolini (Defendant), Cash4Asking LLC (Defendant), Stanley C. Mullis (Defendant), Angel C. Mullis (Defendant), Eduardo Romay Hernandez (Defendant), Gladys C. Rionda (Defendant), Jonathan Robert Jossel (Defendant) Judgment: 08/27/2019, Docketed: 10/01/2019 Comment: Certain Claims Debtors: Paul D S Edwards (Plaintiff) Creditors: Plaza Hotel & Casino LLC (Defendant), Stanley C Mullis (Defendant), Angel C Mullis (Defendant), Jonathan Robert Jossel (Defendant), Michael Anthony Pergolini (Defendant) Judgment: 08/27/2019, Docketed: 10/01/2019 Comment: Certain Claims and Certain Causes
02/06/2020	<b>Clerk's Certificate</b> (Judicial Officer: Allf, Nancy) Debtors: Paul D S Edwards (Plaintiff) Creditors: Timeshare Liquidators LLC (Defendant) Judgment: 02/06/2020, Docketed: 02/07/2020 Comment: Supreme Court No. 79545 Appeal Dismissed
07/14/2020	<b>Summary Judgment</b> (Judicial Officer: Allf, Nancy) Debtors: Paul D S Edwards (Plaintiff) Creditors: Timeshare Liquidators LLC (Defendant) Judgment: 07/14/2020, Docketed: 07/15/2020
08/18/2020	<b>Judgment Plus Interest</b> (Judicial Officer: Allf, Nancy) Debtors: Paul D S Edwards (Plaintiff) Creditors: Timeshare Liquidators LLC (Defendant), Stanley C Mullis (Defendant), Angel C Mullis (Defendant) Judgment: 08/18/2020, Docketed: 08/19/2020 Total Judgment: 102,691.50

## HEARINGS

12/05/2018	 <b>Motion to Dismiss</b> (10:00 AM) (Judicial Officer: Allf, Nancy) <i>Defendants' Motion to Dismiss Motion for More Definite Statement and Motion for Evidentiary Hearing</i> Matter Heard; Journal Entry Details: <i>Arguments by Mr. Clark in support of the Motion. Plaintiff requested the Court strike Defendant's Reply for being untimely and requested the Court strike Defendant's exhibits for not complying with local rules with regard to formatting. COURT DENIED Plaintiff's requests. Court noted, when the Court has digression it is directed by the Nevada Supreme Court to determine matters based on the merits. Arguments by Plaintiff in opposition to Defendant's Motion. Plaintiff offered examples of telemarketing to show the Court which related to Defendant's exhibits. Court declined Plaintiff's submission. Court advised It can only consider what is in the Complaint with regard to the Motion to Dismiss. Further arguments by Plaintiff and counter argument by Mr. Clark. COURT ORDERED, Defendant's Motion to Dismiss GRANTED IN PART; Defendant's Motion for More Definite Statement GRANTED; and Defendant's Motion for Evidentiary Hearing DENIED. Court advised there was no opposition to several of the statutes cited that would give rise to a cause of action. Court advised the Motion to Dismiss was GRANTED with regard to criminal penalties, punitive damages and the application of NRS 201. COURT ORDERED, with regard to the consumer fraud allegations under 41.600 and NRS 598.0915 and NRS 598.0925, the cause of</i>
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**CASE SUMMARY****CASE No. A-18-776375-C**

action was *DISMISSED WITH LEAVE TO AMEND*. COURT FINDS not all elements of consumer fraud had been plead; therefore, it did not meet the standard under *Picus vs. Wal-Mart Stores*. FURTHER COURT ORDERED, with regard to NRS 598.0977, the cause of action was *DISMISSED WITH LEAVE TO AMEND*. COURT FINDS there was no allegations of damages suffered. ADDITIONALLY COURT ORDERED, with regard to NRS 201.255 (2) the cause of action was *DISMISSED WITH PREJUDICE*. COURT FINDS the criminal statute had no private cause of action. COURT ORDERED, with regard to claims under NRS 228.540 through 228.620 the cause of action was *DISMISSED WITH PREJUDICE*. COURT FINDS only the Attorney General has the right to pursue those causes of action. FURTHER COURT ORDERED, claims with regard to NRS 597.812-597.818 were *DISMISSED WITH PREJUDICE*. COURT FINDS claims related to calls made with an automatic dialing device and a recorded message, which was not the allegation in this matter. ADDITIONALLY COURT ORDERED, 599B.080 thorough 599B.154 the cause of action was *DISMISSED WITH PREJUDICE*. COURT FINDS Plaintiff was not entitled to relief under that statute. COURT ORDERED with regard to 599B.027 through 599B.300, regarding damages suffered by an elderly person, claims were *DISMISSED WITH LEAVE TO AMEND*. COURT FINDS no actual damages had been plead. FURTHER COURT ORDERED claims with regard to NRS 707.910 and 707.920 were *DISMISSED WITH LEAVE TO AMEND*. COURT FINDS the cause of action relates to physical damage to a phone line, which had not been plead. ADDITIONALLY COURT ORDERED, with regard to the claim against individuals in the Plaza, COURT DISMISSED all the individuals *WITHOUT LEAVE TO AMEND BUT NOT WITHOUT PREJUDICE*. COURT FINDS there was no allegation of Piercing the Corporate Veil and no allegation that the individuals acted outside of their authority. Court noted if Plaintiff could make a cause of action against any of the individuals after Discovery, Plaintiff could file a motion to amend to bring the individuals back in. COURT ORDERED, claims against the Landlord were *DISMISSED WITH PREJUDICE*. COURT FINDS this was not a recognized cause of action under Nevada. Court reviewed facts of the case. Court stated VIP being named a pseudonym for other defendants was not sufficient. Court advised Plaintiff was required to plead Fraud with particularity against each individual. Court noted Plaintiff was granted Leave to Amend; however, if Plaintiff amended and the Court later dismissed due to lack of proof, the Court would assess fees against Plaintiff. Court advised this Court would consider if Plaintiff filed a Motion to Amend after some discovery, and not grant sanctions. Court stated NRCP 9(b) did apply and the Rocker standard had not been met. Mr. Clark to prepare the Order; Plaintiff to review as to form and content. CLERK'S NOTE: This Minute Order was drafted after reviewing JAVS. //lk 12/21/18;

04/03/2019

**Motion to Strike (9:00 AM)** (Judicial Officer: Bell, Linda Marie)

*Defendant's Motion to Strike for Plaintiff's Refusal to Comply with the Court's Order Granting Defendant's Motion for More Definite Statement*

Denied;

Journal Entry Details:

Upon inquiry of Court regarding what was remaining in the complaint, Mr. Clark stated it was the deceptive trade practice and those are subject to a more definite statement. Colloquy as to ruling on motion to dismiss and there being no amended to the complaint. Arguments by Mr. Edwards and Mr. Clark. COURT ORDERED, Defendant's Motion to Strike for Plaintiff's Refusal to Comply with the Court's Order Granting Defendant's Motion for More Definite Statement *DENIED* as to Motion Strike, however, Mr. Edwards needs to comply with order for a more definite statement within fourteen days from today; request for fees *DENIED*. Mr. Clark to prepare the order.;

04/24/2019

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

Matter Heard;

Journal Entry Details:

Court noted Defendant served its initial disclosures. Upon inquiry of Court if Mr. Edwards has served his initial disclosures, Mr. Edwards stated he has and he provided an e-signature on Defendant's notice of compliance. Mr. Clark stated they conducted an early case conference in January, submitted a joint case conference report, and have agreed to dates. Mr. Edwards agreed. Upon inquiry of Court if parties have agreed to the scope of discovery, parties stated they had and they anticipate some issues going forward. Colloquy regarding discovery time requested an potential issues going forward. Upon inquiry of Court regarding whether or not there has been e-discovery demands, Mr. Edwards stated there had been. Court stated it would issue an order that sets the trial with a discovery cut-off of June 20, 2020. Mr. Edwards stated he has an issue where he's asked for the insurance policy and has been told it's not available. Court stated if Mr. Edwards hasn't received what he has asked for informally then he should make a formal request. Matter concluded. ;

# CASE SUMMARY

CASE NO. A-18-776375-C

06/19/2019	 <b>Motion to Dismiss</b> (10:00 AM) (Judicial Officer: Cherry, Michael A.) <i>Defendant's Motion to Dismiss, Motion for More Definite Statement and Motion to Strike</i> Granted; Journal Entry Details: <i>Arguments by Mr. Clark and Mr. Edwards regarding the merits of and opposition to the motion. Colloquy regarding whether motion is in regard to first or second amended complaint. Court stated whatever rulings are made will be regarding the first amended complaint. Further arguments by counsel regarding as to requested relief. COURT ORDERED, Defendant's Motion to Dismiss, Motion for More Definite Statement and Motion to Strike UNDER ADVISEMENT, Court will prepare an order that will address all the claims, the case will not be completely dismissed, and Defense counsel can prepare the order after the minute order is entered.;</i>
07/24/2019	<b>CANCELED Motion to Compel</b> (9:00 AM) (Judicial Officer: Truman, Erin) <i>Vacated - per Commissioner</i> <i>Defendant's Motion to Compel Discovery Responsss</i>
09/04/2019	<b>CANCELED Motion to Set Aside</b> (9:00 AM) (Judicial Officer: Allf, Nancy) <i>Vacated - per Law Clerk</i> <i>Defendant's Motion to Set Aside Plaintiff's Notice of Voluntary Dismissal, or in the Alternative, for Relief Pursuant to NRCP 41(a)(2</i>
10/02/2019	<b>CANCELED Motion to Compel</b> (9:00 AM) (Judicial Officer: Allf, Nancy) <i>Vacated</i> <i>Defendants Motion To Compel Discovery Responses From Plaintiff</i>
10/02/2019	 <b>Motion to Compel</b> (9:00 AM) (Judicial Officer: Truman, Erin) <i>Re-Notice of Defendant's Motion to Compel Discovery Responses from Plaintiff</i> Granted in Part; Re-Notice of Defendant's Motion to Compel Discovery Responses from Plaintiff Journal Entry Details: <i>Mr. Clark received two emails from Plaintiff this week that Plaintiff would not participate. COMMISSIONER RECOMMENDED, motion is GRANTED IN PART; timeframe is limited to ten years; Plaintiff needs to answer Interrogatory 2; answer Interrogatory 4, but tailored, and 4(a) limited to claims or disputes made related to phone calls; 4(b) limited to cases involving telemarketing or other phone calls; 4(c) is PROTECTED; 4(d) limited to all claims involving telemarketing or other phone calls, but settlement amounts are PROTECTED; Request for Production 1(a) as Directed on the record; 1(b) and 1(c) are PROTECTED. COMMISSIONER RECOMMENDED, RFP 2 provide documents responsive to 2(a), and 1 and 2, but amounts in Demands for payment or settlement are PROTECTED as to 2(a)(3); 2(b) Plaintiff will produce with amounts REDACTED or PROTECTED; 2(c) Plaintiff is COMPELLED with amounts REDACTED or PROTECTED; 2(d) and 2(e) amounts are PROTECTED. Mr. Clark may bring the issue back to Commissioner as the amounts go to the extortion aspect of the defenses. Mr. Clark to prepare the Report and Recommendations, and Mr. Edwards, Plaintiff, to approve as to form and content. A proper report must be timely submitted within 14 days of the hearing. Otherwise, counsel will pay a contribution.;</i>
10/16/2019	 <b>Motion to Consolidate</b> (9:30 AM) (Judicial Officer: Allf, Nancy) <i>Defendants' Motion to Consolidate Cases</i> Granted; Journal Entry Details: <i>Brian P. Clark, Esq. present for Timeshare Liquidators LLC. Chad F. Clement, Esq. and Alex Calaway, Esq. present for Cash4Asking LLC, Eduardo Hernandez, and Gladys C. Rionda. There being no opposition and for good cause appearing, COURT ORDERED, Defendants' Motion to Consolidate Cases (A776375 and A799140) GRANTED. ----- CONSOLIDATED WITH A799140-----FUTURE MINUTE PLACED IN LEAD CASE-----;</i>
11/07/2019	<b>CANCELED Status Check: Compliance</b> (3:00 AM) (Judicial Officer: Truman, Erin) <i>Vacated</i> <i>Status Check: Compliance / 10-2-19 DCRR</i>



# CASE SUMMARY

CASE NO. A-18-776375-C

11/26/2019	<b>CANCELED Status Check</b> (3:00 AM) (Judicial Officer: Allf, Nancy) <i>Vacated</i> <b>IN HOUSE - DECISION</b>
12/05/2019	<b>Motion to Strike</b> (10:00 AM) (Judicial Officer: Allf, Nancy) <i>Defendant's Motion to Strike for Plaintiff's Failure to Timely Amend Following the Granting of Defendant's Motion for More Definite Statement</i> Denied;
12/05/2019	<b>Motion to Dismiss</b> (10:00 AM) (Judicial Officer: Allf, Nancy) <i>Defendants Eduardo Romay Hernandez' and Gladys Rionda Suito's Motion to Dismiss for Lack of Personal Jurisdiction, Motion to Dismiss for Failure to State a Claim Upon Which Relief can be Granted, and Motion for a More Definite Statement [Scheduled From Sub Case A-19-799140-C]</i> Granted in Part;
12/05/2019	<b>Motion for More Definite Statement</b> (10:00 AM) (Judicial Officer: Allf, Nancy) <i>Defendant Cash4asking, LLC's Motion for a More Definite Statement [Scheduled From Sub Case A-19-799140-C]</i> Granted in Part;
12/05/2019	 <b>All Pending Motions</b> (10:00 AM) (Judicial Officer: Allf, Nancy) Matter Heard; Journal Entry Details: <i>Alexander Calaway, Esq. also present on behalf of Defendants Rionda, Hernandez, and Cash4asking LLC. Court stated its office received an e-mail from Mr. Edwards that he was not going to attend the hearing. Upon inquiry of Court if everyone is comfortable moving forward, all counsel stated they were. DEFENDANTS EDUARDO ROMAY HERNANDEZ' AND GLADYS RIONDA SUITO'S MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION, MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM UPON WHICH RELIEF CAN BE GRANTED, AND MOTION FOR A MORE DEFINITE STATEMENT [SCHEDULED FROM SUB CASE A-19-799140-C] Mr. Clement submitted on his motion. COURT ORDERED, Defendants Eduardo Romay Hernandez' and Gladys Rionda Suito's Motion to Dismiss for Lack of Personal Jurisdiction, Motion to Dismiss for Failure to State a Claim Upon Which Relief can be Granted, and Motion for a More Definite Statement [Scheduled From Sub Case A-19-799140-C] DENIED IN PART as to the personal jurisdiction issue and failure to state a claim, GRANTED IN PART in all other respects. Mr. Clement to prepare the order and provide notice. DEFENDANT CASH4ASKING, LLC'S MOTION FOR A MORE DEFINITE STATEMENT [SCHEDULED FROM SUB CASE A-19-799140-C] COURT ORDERED, Defendant Cash4asking, LLC's Motion for a More Definite Statement [Scheduled From Sub Case A-19-799140-C] GRANTED, and request for dismissal as to personal jurisdiction DENIED. DEFENDANT'S MOTION TO STRIKE FOR PLAINTIFF'S FAILURE TO TIMELY AMEND FOLLOWING THE GRANTING OF DEFENDANT'S MOTION FOR MORE DEFINITE STATEMENT Arguments by Mr. Clark in support of his motion. COURT ORDERED, Defendant's Motion to Strike for Plaintiff's Failure to Timely Amend Following the Granting of Defendant's Motion for More Definite Statement DENIED, pleading must be amended by January 24, 2020 or an order an order to strike may be presented to Court. Court directed counsel that notice of entry of order must be provided to all parties.;</i>
02/20/2020	 <b>Motion for Sanctions</b> (9:30 AM) (Judicial Officer: Allf, Nancy) <i>Defendant's Motion for Sanctions for Failure to Comply with Court Order Compelling Supplemental Discovery Responses</i> Granted; Journal Entry Details: <i>Arguments by Mr. Clark in support of the motion. Court stated its findings and ORDERED, Defendant's Motion for Sanctions for Failure to Comply with Court Order Compelling Supplemental Discovery Responses GRANTED in all respects, the affirmative defenses will be established.;</i>
04/03/2020	 <b>Minute Order</b> (3:00 AM) (Judicial Officer: Allf, Nancy) <i>Minute Order: Defendant's Motion to Strike Complaint for Plaintiff's Refusal to Comply with</i>

# CASE SUMMARY

CASE NO. A-18-776375-C

*the Court's Orders Granting Defendants' Motion for More Definite Statement and Joinder to Motion to Strike Complaint for Plaintiff's Refusal to Comply with the Court's Order Granting Defendants' Motions for More Definite Statement set 4/8/2020 GRANTED and VACATED Minute Order - No Hearing Held; Minute Order: Defendant's Motion to Strike Complaint for Plaintiff's Refusal to Comply with the Court's Orders Granting Defendants' Motion for More Definite Statement and Joinder to Motion to Strike Complaint for Plaintiff's Refusal to Comply with the Court's Order Granting Defendants' Motions for More Definite Statement set 4/8/2020 GRANTED and VACATED*

Journal Entry Details:

*COURT FINDS after review on March 4, 2020, Defendants Cash4Asking, LLC, Eduardo Hernandez, and Galdys Rionda Suito s Motion to Strike Complaint for Plaintiff s Refusal to Comply with the Court s Orders Granting Defendants Motions for More Definite Statement (the Motion to Strike ) was filed. Defendant Timeshare Liquidators, LLC s Joinder to Motion to Strike Complaint was filed on March 10, 2020. Service was rendered upon Plaintiff pursuant to the certificates of service attached thereto. COURT FURTHER FINDS after review both matters were set for April 8, 2020 at 9:00 a.m. on Motions Calendar. COURT FURTHER FINDS after review EDCR 2.20(e) provides in relevant part: [f]ailure of the opposing party to serve and file written opposition may be construed as an admission that the motion and/or joinder is meritorious and a consent to granting the same. COURT FURTHER FINDS after review no oppositions to the Motion to Strike have been filed. THEREFORE, COURT ORDERS for good cause appearing and after review pursuant to EDCR 2.20 and the merits of the Motion, Defendants Motion to Strike, along with the Joinder, are hereby GRANTED. The matters set for April 8, 2020 at 9:00 a.m. on Motions Calendar shall be VACATED. Movant to prepare the Order in compliance with EDCR 7.21 and email it in both word and pdf format to DC27Inbox@ClarkCountyCourts.us. CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File & Serve. /nm 4/3/2020;*

04/08/2020

**CANCELED Motion to Strike (9:00 AM)** (Judicial Officer: Allf, Nancy)

*Vacated*

*Defendant's Motion to Strike Complaint for Plaintiff's Refusal to Comply with the Court's Orders Granting Defendants' Motion for More Definite Statement*

04/08/2020

**CANCELED Joinder (9:00 AM)** (Judicial Officer: Allf, Nancy)

*Vacated*

*Joinder to Motion to Strike Complaint for Plaintiff's Refusal to Comply with the Court's Order Granting Defendants' Motions for More Definite Statement*

06/23/2020



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

*Minute Order: BlueJeans Appearance*

*Minute Order - No Hearing Held; Minute Order: BlueJeans Appearance*

Journal Entry Details:

*Department 27 Formal Request to Appear Telephonically Re: Motions in Limine Set: June 25, 2020 at 9:30 a.m. Please be advised that due to the COVID-19 pandemic, Department 27 will continue to conduct Court hearings REMOTELY using the Blue Jeans Video Conferencing system. You have the choice to appear either by phone or computer/video. Dial the following number: 1-408-419-1715 Meeting ID: 284 804 642 Meeting URL: <https://bluejeans.com/284804642> To connect by phone dial the number provided and enter the meeting ID followed by # To connect by computer if you do NOT have the app, copy the URL link into a web browser. Google Chrome is preferred but not required. Once you are on the BlueJeans website click on Join with Browser which is located on the bottom of the page. Follow the instructions and prompts given by BlueJeans. You may also download the Blue Jeans app and join the meeting by entering the meeting ID PLEASE NOTE the following protocol each participant will be required to follow: Place your phone on MUTE while waiting for your matter to be called. Do NOT place the call on hold since some phones may play wait/hold music. Please do NOT use speaker phone as it causes a loud echo/ringing noise. Please state your name each time you speak so that the court recorder can capture a clear record. Please be mindful of rustling papers, background noise, and coughing or loud breathing. Please be mindful of where your camera is pointing. We encourage you to visit the [bluejeans.com](https://bluejeans.com) website to get familiar with the Blue Jeans phone/videoconferencing system before your hearing. If your hearing gets continued to a different date after you have already received this minute order please note a new minute order will issue with a different meeting ID since the ID number changes with each meeting/hearing. Please be patient if you call in and we are in the middle of oral argument from a previous case. Your case should be called shortly. Again, please keep your phone or computer mic on MUTE until your case is called.*

# CASE SUMMARY

CASE NO. A-18-776375-C

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDewitt, to all registered parties for Odyssey File & Serve. /nm 6/23/2020;

06/25/2020	<p><b>Motion for Summary Judgment</b> (9:30 AM) (Judicial Officer: Allf, Nancy)  <i>Defendants' Motion for Summary Judgment on Plaintiff's Claims in Case No. A-18-776375-C and Defendants' Counter-Claims in Cadse No. A-19-799140-C</i>            Granted;</p>
06/25/2020	<p><b>Motion in Limine</b> (9:30 AM) (Judicial Officer: Allf, Nancy)  <i>Defendants' Motion in Limine No. 1, to Exclude and Preclude Testimony, Evidence and Argument from Plaintiff Concerning Established Facts in the Case Based on a Prior Order</i>            Granted;</p>
06/25/2020	<p><b>Motion in Limine</b> (9:30 AM) (Judicial Officer: Allf, Nancy)  <i>Defendants' Motion in Limine No. 2, to Preclude Plaintiff from Calling Defense Counsel as a Witness at Trial</i>            Granted;</p>
06/25/2020	<p><b>Motion in Limine</b> (9:30 AM) (Judicial Officer: Allf, Nancy)  <i>Defendants' Motion in Limine No. 3, To Preclude Plaintiff from Using Recorded Conversations at Trial</i>            Granted;</p>
06/25/2020	<p><b>Motion in Limine</b> (9:30 AM) (Judicial Officer: Allf, Nancy)  <i>Defendants' Motion in Limine No. 4, to Exclude and Preclude Testimony, Evidence and Argument Concerning the Dismissed Defendants Stanley Mullis, Angel Mullis, Jonathan Jossel, Michael Pergolikni, and Plaza Hotel &amp; Casino</i>            Granted;</p>
06/25/2020	<p><b>Motion in Limine</b> (9:30 AM) (Judicial Officer: Allf, Nancy)  <i>Defendants Motion in Limine No. 5, to Exclude and Preclude Testimony, Evidence and Argument that VIP Travel, VIP Vacations and VIP International Are Related to Defendant Timeshare Liquidators, LLC</i>            Granted;</p>
06/25/2020	<p><b>Motion in Limine</b> (9:30 AM) (Judicial Officer: Allf, Nancy)  <i>Defendant's Motion in Limine No. 6, to Exclude, and Preclude Testimony, Evidence and Argument Regarding Defendants' Financial Issues, Activities and Condition</i>            Granted;</p>
06/25/2020	<p><b>Motion in Limine</b> (9:30 AM) (Judicial Officer: Allf, Nancy)  <i>Defendant's Motion in Limine No 7, to Exclude and Preclude Improper Arguments</i>            Granted;</p>
06/25/2020	<p><b>Motion in Limine</b> (9:30 AM) (Judicial Officer: Allf, Nancy)  <i>Defendant's Motion in Limine No. 8, to Exclude and Preclude Evidence and Witnesses that were not Properly Disclosed</i>            Granted;</p>
06/25/2020	<p> <b>All Pending Motions</b> (9:30 AM) (Judicial Officer: Allf, Nancy)            Matter Heard;            Journal Entry Details:    <i>DEFENDANTS' MOTION IN LIMINE NO. 1, TO EXCLUDE AND PRECLUDE TESTIMONY, EVIDENCE AND ARGUMENT FROM PLAINTIFF CONCERNING ESTABLISHED FACTS IN THE CASE BASED ON A PRIOR ORDER...DEFENDANTS' MOTION IN LIMINE NO. 2, TO PRECLUDE PLAINTIFF FROM CALLING DEFENSE COUNSEL AS A WITNESS AT TRIAL...DEFENDANTS' MOTION IN LIMINE NO. 3, TO PRECLUDE PLAINTIFF FROM USING RECORDED CONVERSATIONS AT TRIAL...DEFENDANTS' MOTION IN LIMINE NO. 4, TO EXCLUDE AND PRECLUDE TESTIMONY, EVIDENCE AND ARGUMENT CONCERNING THE DISMISSED DEFENDANTS STANLEY MULLIS, ANGEL MULLIS, JONATHAN JOSSEL, MICHAEL PERGOLIKNI, AND PLAZA HOTEL &amp; CASINO...DEFENDANTS MOTION IN LIMINE NO. 5. TO EXCLUDE AND PRECLUDE</i></p>


# CASE SUMMARY

CASE NO. A-18-776375-C

TESTIMONY, EVIDENCE AND ARGUMENT THAT VIP TRAVEL, VIP VACATIONS AND VIP INTERNATIONAL ARE RELATED TO DEFENDANT TIMESHARE LIQUIDATORS, LLC...DEFENDANT'S MOTION IN LIMINE NO. 6, TO EXCLUDE, AND PRECLUDE TESTIMONY, EVIDENCE AND ARGUMENT REGARDING DEFENDANTS' FINANCIAL ISSUES, ACTIVITIES AND CONDITION...DEFENDANT'S MOTION IN LIMINE NO 7, TO EXCLUDE AND PRECLUDE IMPROPER ARGUMENTS...DEFENDANT'S MOTION IN LIMINE NO. 8, TO EXCLUDE AND PRECLUDE EVIDENCE AND WITNESSES THAT WERE NOT PROPERLY DISCLOSED...DEFENDANTS' MOTION FOR SUMMARY JUDGMENT ON PLAINTIFF'S CLAIMS IN CASE NO. A-18-776375-C AND DEFENDANTS' COUNTER-CLAIMS IN CASE NO. A-19-799140-C At 10:09 a.m., Court noted Plaintiff not present. COURT ORDERED, Defendants' Motion in Limine No. 1, to Exclude and Preclude Testimony, Evidence and Argument from Plaintiff Concerning Established Facts in the Case Based on a Prior Order; Defendants' Motion in Limine No. 2, to Preclude Plaintiff from Calling Defense Counsel as a Witness at Trial; Defendants' Motion in Limine No. 3, To Preclude Plaintiff from Using Recorded Conversations at Trial; Defendants' Motion in Limine No. 4, to Exclude and Preclude Testimony, Evidence and Argument Concerning the Dismissed Defendants Stanley Mullis, Angel Mullis, Jonathan Jossel, Michael Pergolikni, and Plaza Hotel & Casino; Defendants Motion in Limine No. 5. to Exclude and Preclude Testimony, Evidence and Argument that VIP Travel, VIP Vacations and VIP International Are Related to Defendant Timeshare Liquidators, LLC; Defendant's Motion in Limine No. 6, to Exclude, and Preclude Testimony, Evidence and Argument Regarding Defendants' Financial Issues, Activities and Condition; Defendant's Motion in Limine No 7, to Exclude and Preclude Improper Arguments; Defendant's Motion in Limine No. 8, to Exclude and Preclude Evidence and Witnesses that were not Properly Disclosed; and Defendants' Motion for Summary Judgment on Plaintiff's Claims in Case No. A-18-776375-C and Defendants' Counter-Claims in Case No. A-19-799140-C GRANTED. Court directed counsel to prepare one order granting all the motions in limine and one order granting the motion for summary judgment in all respects, and to follow up with entry of a judgment. At 10:43 a.m., Court called the case again and noted Plaintiff still not present telephonically. Matter concluded.;

07/09/2020 CANCELED **Calendar Call** (10:30 AM) (Judicial Officer: Allf, Nancy)  
Vacated



07/13/2020 CANCELED **Jury Trial** (10:30 AM) (Judicial Officer: Allf, Nancy)  
Vacated - On in Error

07/28/2020  **Minute Order** (3:00 AM) (Judicial Officer: Allf, Nancy)  
Minute Order: BlueJeans Appearance  
Minute Order - No Hearing Held; Minute Order: BlueJeans Appearance  
Journal Entry Details:  
Department 27 Formal Request to Appear Telephonically Re: Matter set on July 30, 2020 at 10:30 a.m. Please be advised that due to the COVID-19 pandemic, Department 27 will continue to conduct Court hearings REMOTELY using the Blue Jeans Video Conferencing system. You have the choice to appear either by phone or computer/video. Dial the following number: 1-408-419-1715 Meeting ID: 897 138 369 Meeting URL:  
<https://bluejeans.com/897138369> To connect by phone dial the number provided and enter the meeting ID followed by # To connect by computer if you do NOT have the app, copy the URL link into a web browser. Google Chrome is preferred but not required. Once you are on the BlueJeans website click on Join with Browser which is located on the bottom of the page. Follow the instructions and prompts given by BlueJeans. You may also download the Blue Jeans app and join the meeting by entering the meeting ID PLEASE NOTE the following protocol each participant will be required to follow: Place your phone on MUTE while waiting for your matter to be called. Do NOT place the call on hold since some phones may play wait/hold music. Please do NOT use speaker phone as it causes a loud echo/ringing noise. Please state your name each time you speak so that the court recorder can capture a clear record. Please be mindful of rustling papers, background noise, and coughing or loud breathing. Please be mindful of where your camera is pointing. We encourage you to visit the Bluejeans.com website to get familiar with the Blue Jeans phone/videoconferencing system before your hearing. If your hearing gets continued to a different date after you have already received this minute order please note a new minute order will issue with a different meeting ID since the ID number changes with each meeting/hearing. Please be patient if you call in and we are in the middle of oral argument from a previous case. Your case should be called shortly. Again, please keep your phone or computer mic on MUTE until your case is called. CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File & Serve. /nm 7/28/2020. ;

EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY**

**CASE NO. A-18-776375-C**

07/30/2020	<b>CANCELED Calendar Call</b> (10:30 AM) (Judicial Officer: Allf, Nancy) <i>Vacated</i>
08/03/2020	<b>CANCELED Jury Trial</b> (10:30 AM) (Judicial Officer: Allf, Nancy) <i>Vacated - Previously Decided</i>
08/07/2020	 <b>Minute Order</b> (3:00 AM) (Judicial Officer: Allf, Nancy) <i>Minute Order: BlueJeans Appearance</i> Minute Order - No Hearing Held; Minute Order: BlueJeans Appearance Journal Entry Details: <i>Department 27 Formal Request to Appear Telephonically Re: Matter set on August 12, 2020 at 9:00 a.m. Please be advised that due to the COVID-19 pandemic, Department 27 will continue to conduct Court hearings REMOTELY using the Blue Jeans Video Conferencing system. You have the choice to appear either by phone or computer/video. Dial the following number: 1-408-419-1715 Meeting ID: 897 138 369 Meeting URL: https://bluejeans.com/897138369 To connect by phone dial the number provided and enter the meeting ID followed by # To connect by computer if you do NOT have the app, copy the URL link into a web browser. Google Chrome is preferred but not required. Once you are on the BlueJeans website click on Join with Browser which is located on the bottom of the page. Follow the instructions and prompts given by BlueJeans. You may also download the Blue Jeans app and join the meeting by entering the meeting ID PLEASE NOTE the following protocol each participant will be required to follow: Place your phone on MUTE while waiting for your matter to be called. Do NOT place the call on hold since some phones may play wait/hold music. Please do NOT use speaker phone as it causes a loud echo/ringing noise. Please state your name each time you speak so that the court recorder can capture a clear record. Please be mindful of rustling papers, background noise, and coughing or loud breathing. Please be mindful of where your camera is pointing. We encourage you to visit the Bluejeans.com website to get familiar with the Blue Jeans phone/videoconferencing system before your hearing. If your hearing gets continued to a different date after you have already received this minute order please note a new minute order will issue with a different meeting ID since the ID number changes with each meeting/hearing. Please be patient if you call in and we are in the middle of oral argument from a previous case. Your case should be called shortly. Again, please keep your phone or computer mic on MUTE until your case is called. CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File &amp; Serve. /nm 8/7/2020. ;</i>
08/12/2020	 <b>Motion for Attorney Fees and Costs</b> (9:00 AM) (Judicial Officer: Allf, Nancy) <i>Defendants' Motion for Attorney's Fees Pursuant to NRS 18.010 and for Costs of Suit Pursuant to NRS 18.020</i> Granted; Journal Entry Details: <i>Court noted there was no appearance for Plaintiff. Arguments by Mr. Clark in support of his motion. Court stated its findings and ORDERED Defendants' Motion for Attorney's Fees Pursuant to NRS 18.010 and for Costs of Suit Pursuant to NRS 18.020 GRANTED in its entirety. Mr. Clark to prepare the order.;</i>

DATE	FINANCIAL INFORMATION
	<b>Defendant</b> Mullis, Stanley C Total Charges 450.00 Total Payments and Credits 450.00 <b>Balance Due as of 9/1/2020 0.00</b>
	<b>Attorney</b> Clark, Brian P Total Charges 3.00 Total Payments and Credits 3.00 <b>Balance Due as of 9/1/2020 0.00</b>
	<b>Defendant</b> Cash4Asking, LLC Total Charges 24.50 Total Payments and Credits 24.50 <b>Balance Due as of 9/1/2020 0.00</b>

**CASE SUMMARY**

**CASE NO. A-18-776375-C**

**Defendant** Timeshare Liquidators LLC

Total Charges 810.00

Total Payments and Credits 810.00

**Balance Due as of 9/1/2020 0.00**

**Plaintiff** Edwards, Paul D S

Total Charges 318.00

Total Payments and Credits 318.00

**Balance Due as of 9/1/2020 0.00**



## DISTRICT COURT CIVIL COVER SHEET

A-18-776375-C

Clark County, Nevada

Case No. \_\_\_\_\_

Department 16

(Assigned by Clerk's Office)

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

Plaintiff(s) (name/address/phone):

Paul D.S. Edwards  
 713 Wheat Ridge Lane, Unit 203  
 Las Vegas, Nevada 89145  
 702.341.1776  
 Plaintiff, pro se

Defendant(s) (name/address/phone):

Timeshare Liquidators, LLC, a/d/b/a TLC Resort Liquidators,  
 a/d/b/a TLC Resorts Vacation Club, LLC, a/d/b/a TLC Resorts Vacation Club,  
 a/d/b/a TLC Resorts, a/k/a tlcresorts.com, a/d/b/a TLC Travel,  
 a/d/b/a VIP Travel, a/d/b/a VIP Vacations,  
 and Plaza Hotel & Casino, LLC, a/d/b/a Plaza Hotel & Casino,  
 and Stanley C. Mullis, a/k/a Stanley Mullis, a/k/a Stan Mullis,  
 and Angel C. Mullis, a/k/a Angel Mullis, a/k/a Angel Santilli,  
 and Jonathan Robert Jossel, a/k/a Jonathan Jossel,  
 and Michael Anthony Pergolini, a/k/a Michael A. Pergolini,  
 a/k/a Michael Pergolini, a/k/a Michael A. Percolini,  
 and DOES I-X, and ROE Corporations XI-XX, et al.

Attorney (name/address/phone):

Unknown at this time.

**II. Nature of Controversy** (please select the one most applicable filing type below)**Civil Case Filing Types**

Real Property	Negligence	Torts
<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	<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
Probate	Construction Defect & Contract	Judicial Review/Appeal
<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</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</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>X Other Civil Filing</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> <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input checked="" type="checkbox"/> <b>Other Civil Matters</b>

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

June 19, 2018

Date

/s/ Paul D.S. Edwards

Signature of initiating party or representative

See other side for family-related case filings.

*Heather S. Lumin*

CLERK OF THE COURT

**OGM**

BRIAN P. CLARK

Nevada Bar No. 4236

LUKAS B. McCOURT

Nevada Bar No. 11839

CLARK MCCOURT

7371 Prairie Falcon Road, Suite 120

Las Vegas, Nevada 89128

Telephone: (702) 474-0065

Facsimile: (702) 474-0068

bpc@clarkmccourt.com

lmccourt@clarkmccourt.com

Attorneys for Defendants

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

PAUL D. S. EDWARDS,

Plaintiff,

v.

TIMESHARE LIQUIDATORS, LLC, a/d/b/a TCL  
RESORT LIQUIDATORS, a/d/b/a TLC RESORTS  
VACATION CLUB, LLC, a/d/b/a TLC RESORTS  
VACATION CLUB, a/d/b/a TLC RESORTS, a/k/a  
TLCRESORTS.COM, a/d/b/a TLC TRAVEL, a/d/b/a  
VIP TRAVEL, a/d/b/a VIP VACATIONS, and  
PLAZA HOTEL & CASINO, LLC, a/d/b/a PLAZA  
HOTEL & CASINO, and STANLEY C. MULLIS,  
a/k/a STANLEY MULLIS, a/k/a STAN MULLIS, and  
ANGEL C. MULLIS, a/k/a ANGEL MULLIS, a/k/a  
ANGEL SANTILLI, and JONATHAN ROBERT  
JOSSEL, a/k/a JONATHAN JOSSEL, and  
MICHAEL ANTHONY PERGOLINI, a/k/a  
MICHAEL A. PERGOLINI, a/k/a MICHAEL  
PERGOLINI, a/k/a MICHAEL A. PERCOLINI, and  
DOES I-X, and ROE CORPORATIONS XI-XX, et  
al.,

Defendants.

AND CONSOLIDATED MATTERS

Case No.: A-18-776375-C

Dept. No.: XXVII

Consolidated with

Case No.: A-19-799140-C

**ORDER GRANTING DEFENDANTS'  
MOTION FOR SUMMARY  
JUDGMENT ON PLAINTIFF'S  
CLAIMS IN CASE NO. A-18-776375,  
AND CASE NO. A-19-799140-C**

Defendants' motion for summary judgment came before the court on June 25, 2020.

Appearing for Defendants, via Bluejeans audio, was Brian P. Clark of the law firm Clark McCourt.

Plaintiff did not appear at the hearing in person or attend by remote means.



1 Having reviewed the papers on file, the court makes the following Findings of Fact and  
2 Conclusions of Law.

3 **I. FINDINGS OF FACT.**

4 **THE COURT FINDS** that the motion for summary judgment was presented to summarily  
5 adjudicate Plaintiff's claims in Case No. A-18-776375-C and Case No. A-19-799140-C<sup>1</sup>.

6 **THE COURT FURTHER FINDS** that Plaintiff was served with Defendants' motion for  
7 summary judgment and that Plaintiff did not file an opposition to the motion and did not attend the  
8 June 25, 2020 hearing on the motion for summary judgment.

9 **THE COURT FURTHER FINDS**, pursuant to EDCR 2.20(e), that Plaintiff's failure to file  
10 a written opposition to the motion for summary judgment "may be construed as an admission that  
11 the motion and/or joinder is meritorious and a consent to granting the same."

12 **THE COURT FURTHER FINDS**, and adopts as supporting facts each of the "Undisputed  
13 Facts" set forth in the motion for summary judgment (numbered items 1-42) as none of these facts  
14 were contested by Plaintiff.

15 **THE COURT FURTHER FINDS**, regarding Case No. A-18-776375-C, that most of  
16 Plaintiff's claims in the First Amended Complaint were dismissed by court orders dated January 14,  
17 2019, and August 27, 2019. Additionally, many of Plaintiff's allegations were stricken from the  
18 First Amended Complaint by court orders dated August 27, 2019 (May 1, 2019 motion to strike)  
19 December 17, 2019 (motion to strike for failure to amend) and February 6, 2020 (motion to strike  
20 for failure to amend). Plaintiff's remaining claims in Case No. A-18-776375-C are for invasion of  
21 Plaintiff privacy, intrusion into seclusion, and for injunctive relief.

22 **THE COURT FURTHER FINDS**, regarding Case No. A-19-799140-C, that the Complaint  
23 was struck, pursuant to NRCP 12(e), for Plaintiff's failure to file an Amended Complaint after  
24 failing to oppose Defendants' Motion To Strike Complaint For Plaintiff's Refusal To Comply With  
25 The Court's Orders Granting Defendants' Motions For More Definite Statement. (See Order entered  
26 May 4, 2020.)

---

27 <sup>1</sup>  
28 Defendants Cash4Asking, Eduardo Romay Hernandez, and Gladys Rionda Suito were  
dismissed from Case No. A-19-799140-C by court order filed May 4, 2020.

1       **THE COURT FURTHER FINDS** that Plaintiff did not present any facts to show that  
2 Timeshare Liquidators, LLC or its employees made any intrusion, intentional or otherwise, on the  
3 solitude of Plaintiff.

4       **THE COURT FURTHER FINDS** that although Mr. Edwards claims that several telephone  
5 calls were received by him on his landline and mobile telephone numbers, Mr. Edwards cannot show  
6 that any of the alleged calls were made by Timeshare or its employees.

7       **THE COURT FURTHER FINDS** that the First Amended Complaint sought an order for  
8 injunctive relief and that Plaintiff did not seek a preliminary injunction by motion since the filing of  
9 his original complaint on June 19, 2018.

10       **THE COURT FURTHER FINDS** that Plaintiff has not presented any evidence that  
11 Defendant Timeshare made any of the alleged calls to Plaintiff and has not alleged irreparable injury.

12       **THE COURT FURTHER FINDS**, regarding Case No. A-19-799140-C, that Plaintiff had  
13 an ulterior purpose, other than resolving a legal dispute, when he filed the action and that Plaintiff's  
14 actions were not in the regular conduct of proceedings.

15       **THE COURT FURTHER FINDS** that Plaintiff's filing of a second action, Case No. A-19-  
16 799140-C, constitutes an abuse of process.

17       **II. CONCLUSIONS OF LAW.**

18       A.       "Summary judgment is appropriate and 'shall be rendered forthwith' when the  
19 pleadings and other evidence on file demonstrate that no 'genuine issue as to any material fact  
20 [remains] and that the moving party is entitled to a judgment as a matter of law.' This court has  
21 noted that when reviewing a motion for summary judgment, the evidence, and any reasonable  
22 inferences drawn from it, must be viewed in a light most favorable to the nonmoving party." *Wood*  
23 *v. Safeway, Inc.*, 121 Nev. 724, 729, 121 P.3d 1026, 1029 (2005).

24       B.       "This court has often stated that the nonmoving party may not defeat a motion for  
25 summary judgment by relying 'on the gossamer threads of whimsy, speculation and conjecture.' As  
26 this court has made abundantly clear, '[w]hen a motion for summary judgment is made and

27       ///

28       ///

1 supported as required by Rule 56, the nonmoving party may not rest upon general allegations and  
2 conclusions, but must, by affidavit or other wise, set forth specific facts demonstrating the existence  
3 of a genuine factual issue.” *Id.* at p. 730-7310, 1030-31.

4 C. “While we construe the facts in the light most favorable to the nonmoving party, we  
5 also place the burden on the nonmoving party to ‘set forth facts demonstrating the existence of a  
6 genuine issue in order to withstand a disfavorable summary judgment.’ Where the nonmoving party  
7 would bear the burden of persuasion at trial, ‘the party moving for summary judgment may satisfy  
8 the burden of production by either (1) submitting evidence that negates an essential element of the  
9 nonmoving party’s claims, or (2) ‘pointing out . . . that there is an absence of evidence to support the  
10 nonmoving party’s case.’” *Torrealba v. Kesmetis*, 124 Nev. 95, 100, 178 P.3d 716, 720 (Nev. 2008).

11 D. “In our view, the plain language of Rule 56(c) mandates the entry of summary  
12 judgment, after adequate time for discovery and upon motion, against a party who fails to make a  
13 showing sufficient to establish the existence of an element essential to that party’s case, and on  
14 which that party will bear the burden of proof at trial. In such a situation, there can be ‘no genuine  
15 issue as to any material fact,’ since a complete failure of proof concerning an essential element of  
16 the nonmoving party’s case necessarily renders all other facts immaterial.”)

17 E. “To recover for the tort of intrusion, a plaintiff must prove the following elements: 1)  
18 an intentional intrusion (physical or otherwise); 2) on the solitude or seclusion of another; 3) that  
19 would be highly offensive to a reasonable person.” *PETA v. Berosini*, 111 Nev. 615, 630, 895 P.2d  
20 1269, 1270 (1995).

21 F. Plaintiff’s claim for injunctive relief under NRS 33.010(2) fails as Plaintiff has not  
22 presented any evidence that Defendant Timeshare made any of the alleged calls to Plaintiff, has not  
23 shown any conduct by Defendant Timeshare during the litigation that would support injunctive  
24 relief, and Plaintiff has not alleged any irreparable injury.

### 25 **III. ORDER.**

26 Based on the case activity, history and prior orders, including Plaintiff’s failure to amend the  
27 First Amended Complaint in Case No. A-18-776375-C and failure to amend the Complaint in Case  
28 No. A-19-799140-C, and Plaintiff’s failure to oppose case ending motions,

**IT IS HEREBY ORDERED** that Defendants' Motion For Summary Judgment is granted in its entirety, resolving Plaintiff's claims for invasion of Plaintiff privacy, intrusion into seclusion, and for injunctive relief in favor of Defendants.

**IT IS FURTHER ORDERED** that the Motion For Summary Judgment is granted in favor of the Counter-claimants, on their claim of abuse of process in Case No. A-19-799140-C.


DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

**Dated this 13th day of July, 2020**

Nancy L Alf  
DISTRICT COURT JUDGE JD

Submitted by:

CLARK MCCOURT

  
 Brian P. Clark  
 Nevada Bar No. 4236  
 Lukas B. McCourt  
 Nevada Bar No. 11839  
 7371 Prairie Falcon Road, Suite 120  
 Las Vegas, NV 89128  
 Attorneys for Defendants

1 **CSERV**

2  
3 **DISTRICT COURT**  
4 **CLARK COUNTY, NEVADA**

5  
6 Paul Edwards, Plaintiff(s)

CASE NO: A-18-776375-C

7 vs.

DEPT. NO. Department 27

8 Timeshare Liquidators LLC,  
9 Defendant(s)

10  
11 **AUTOMATED CERTIFICATE OF SERVICE**

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

14 Service Date: 7/13/2020

15 Maria Garcia

mgarcia@clarkmccourt.com

16 Lukas McCourt

lmccourt@clarkmccourt.com

17 Brian Clark

bpc@clarkmccourt.com

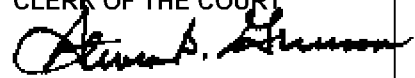
18 Rody Scott

rscott@clarkmccourt.com

19 Paul EDwards

pauldse@pauldsedwards.com

20  
21  
22  
23  
24  
25  
26  
27  
28



1 **NOTC**  
2 BRIAN P. CLARK  
3 Nevada Bar No. 4236  
4 LUKAS B. McCOURT  
5 Nevada Bar No. 11839  
6 CLARK MCCOURT  
7 7371 Prairie Falcon Road, Suite 120  
8 Las Vegas, Nevada 89128  
9 Telephone: (702) 474-0065  
10 Facsimile: (702) 474-0068  
11 bpc@clarkmccourt.com  
12 lmccourt@clarkmccourt.com  
13 Attorneys for Defendants

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

10 PAUL D. S. EDWARDS,

11 Plaintiff,

12 v.

13 TIMESHARE LIQUIDATORS, LLC, a/d/b/a TCL  
14 RESORT LIQUIDATORS, a/d/b/a TLC RESORTS  
15 VACATION CLUB, LLC, a/d/b/a TLC RESORTS  
16 VACATION CLUB, a/d/b/a TLC RESORTS, a/k/a  
17 TLCRESORTS.COM, a/d/b/a TLC TRAVEL, a/d/b/a  
18 VIP TRAVEL, a/d/b/a VIP VACATIONS, and  
19 PLAZA HOTEL & CASINO, LLC, a/d/b/a PLAZA  
20 HOTEL & CASINO, and STANLEY C. MULLIS,  
21 a/k/a STANLEY MULLIS, a/k/a STAN MULLIS,  
22 and ANGEL C. MULLIS, a/k/a ANGEL MULLIS,  
23 a/k/a ANGEL SANTILLI, and JONATHAN  
24 ROBERT JOSSEL, a/k/a JONATHAN JOSSEL, and  
25 MICHAEL ANTHONY PERGOLINI, a/k/a  
26 MICHAEL A. PERGOLINI, a/k/a MICHAEL  
27 PERGOLINI, a/k/a MICHAEL A. PERCOLINI, and  
28 DOES I-X, and ROE CORPORATIONS XI-XX, et  
al.,

Defendants.

AND CONSOLIDATED MATTERS

Case No.: A-18-776375-C  
Dept. No.: XXVII

Consolidated with

Case No.: A-19-799140-C

**NOTICE OF ENTRY OF ORDER  
GRANTING DEFENDANTS'  
MOTION FOR SUMMARY  
JUDGMENT ON PLAINTIFF'S  
CLAIMS IN CASE NO. A-18-776375-  
C, AND CASE NO. A-19-799140-C**

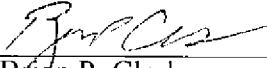
PLEASE TAKE NOTICE that an ORDER GRANTING DEFENDANTS' MOTION FOR  
SUMMARY JUDGMENT ON PLAINTIFF'S CLAIMS IN CASE NO. A-18-776375-C, AND  
CASE NO. A-19-799140-C was filed on July 13, 2020.

///

1 A copy of said Order is attached hereto.

2 DATED this 13<sup>th</sup> day of July, 2020.

3 CLARK MCCOURT


4 

5 Brian P. Clark  
6 Lukas B. McCourt  
7 7371 Prairie Falcon Road, Suite 120  
8 Las Vegas, NV 89128  
9 Attorneys for Defendants

10 **CERTIFICATE OF SERVICE**

11  
12 I certify that on the 13<sup>th</sup> day of July, 2020, I served a true and correct copy of the NOTICE  
13 OF ENTRY OF ORDER GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT  
14 ON PLAINTIFF'S CLAIMS IN CASE NO. A-18-776375-C, AND CASE NO. A-19-799140-C on  
15 the following parties/ individuals via the court's mandatory electronic service provider, Odyssey.  
16

17 Paul D.S. Edwards  
18 713 Wheat Ridge Lane, Unit 203  
19 Las Vegas, NV 89145  
20 Plaintiff in proper person

21   
22 An employee of CLARK MCCOURT  
23  
24  
25  
26  
27  
28

**OGM**  
BRIAN P. CLARK  
Nevada Bar No. 4236  
LUKAS B. McCOURT  
Nevada Bar No. 11839  
CLARK MCCOURT  
7371 Prairie Falcon Road, Suite 120  
Las Vegas, Nevada 89128  
Telephone: (702) 474-0065  
Facsimile: (702) 474-0068  
bpc@clarkmccourt.com  
lmccourt@clarkmccourt.com  
Attorneys for Defendants

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

PAUL D. S. EDWARDS,

Plaintiff,

v.

TIMESHARE LIQUIDATORS, LLC, a/d/b/a TCL  
RESORT LIQUIDATORS, a/d/b/a TLC RESORTS  
VACATION CLUB, LLC, a/d/b/a TLC RESORTS  
VACATION CLUB, a/d/b/a TLC RESORTS, a/k/a  
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PLAZA HOTEL & CASINO, LLC, a/d/b/a PLAZA  
HOTEL & CASINO, and STANLEY C. MULLIS,  
a/k/a STANLEY MULLIS, a/k/a STAN MULLIS, and  
ANGEL C. MULLIS, a/k/a ANGEL MULLIS, a/k/a  
ANGEL SANTILLI, and JONATHAN ROBERT  
JOSSEL, a/k/a JONATHAN JOSSEL, and  
MICHAEL ANTHONY PERGOLINI, a/k/a  
MICHAEL A. PERGOLINI, a/k/a MICHAEL  
PERGOLINI, a/k/a MICHAEL A. PERCOLINI, and  
DOES I-X, and ROE CORPORATIONS XI-XX, et  
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Case No.: A-18-776375-C  
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Consolidated with

Case No.: A-19-799140-C

**ORDER GRANTING DEFENDANTS'  
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JUDGMENT ON PLAINTIFF'S  
CLAIMS IN CASE NO. A-18-776375,  
AND CASE NO. A-19-799140-C**

Defendants' motion for summary judgment came before the court on June 25, 2020.

Appearing for Defendants, via Bluejeans audio, was Brian P. Clark of the law firm Clark McCourt.

Plaintiff did not appear at the hearing in person or attend by remote means.



1 Having reviewed the papers on file, the court makes the following Findings of Fact and  
2 Conclusions of Law.

3 **I. FINDINGS OF FACT.**

4 **THE COURT FINDS** that the motion for summary judgment was presented to summarily  
5 adjudicate Plaintiff's claims in Case No. A-18-776375-C and Case No. A-19-799140-C<sup>1</sup>.

6 **THE COURT FURTHER FINDS** that Plaintiff was served with Defendants' motion for  
7 summary judgment and that Plaintiff did not file an opposition to the motion and did not attend the  
8 June 25, 2020 hearing on the motion for summary judgment.

9 **THE COURT FURTHER FINDS**, pursuant to EDCR 2.20(e), that Plaintiff's failure to file  
10 a written opposition to the motion for summary judgment "may be construed as an admission that  
11 the motion and/or joinder is meritorious and a consent to granting the same."

12 **THE COURT FURTHER FINDS**, and adopts as supporting facts each of the "Undisputed  
13 Facts" set forth in the motion for summary judgment (numbered items 1-42) as none of these facts  
14 were contested by Plaintiff.

15 **THE COURT FURTHER FINDS**, regarding Case No. A-18-776375-C, that most of  
16 Plaintiff's claims in the First Amended Complaint were dismissed by court orders dated January 14,  
17 2019, and August 27, 2019. Additionally, many of Plaintiff's allegations were stricken from the  
18 First Amended Complaint by court orders dated August 27, 2019 (May 1, 2019 motion to strike)  
19 December 17, 2019 (motion to strike for failure to amend) and February 6, 2020 (motion to strike  
20 for failure to amend). Plaintiff's remaining claims in Case No. A-18-776375-C are for invasion of  
21 Plaintiff privacy, intrusion into seclusion, and for injunctive relief.

22 **THE COURT FURTHER FINDS**, regarding Case No. A-19-799140-C, that the Complaint  
23 was struck, pursuant to NRCP 12(e), for Plaintiff's failure to file an Amended Complaint after  
24 failing to oppose Defendants' Motion To Strike Complaint For Plaintiff's Refusal To Comply With  
25 The Court's Orders Granting Defendants' Motions For More Definite Statement. (See Order entered  
26 May 4, 2020.)

---

27 <sup>1</sup> Defendants Cash4Asking, Eduardo Romay Hernandez, and Gladys Rionda Suito were  
28 dismissed from Case No. A-19-799140-C by court order filed May 4, 2020.

1           **THE COURT FURTHER FINDS** that Plaintiff did not present any facts to show that  
2 Timeshare Liquidators, LLC or its employees made any intrusion, intentional or otherwise, on the  
3 solitude of Plaintiff.

4           **THE COURT FURTHER FINDS** that although Mr. Edwards claims that several telephone  
5 calls were received by him on his landline and mobile telephone numbers, Mr. Edwards cannot show  
6 that any of the alleged calls were made by Timeshare or its employees.

7           **THE COURT FURTHER FINDS** that the First Amended Complaint sought an order for  
8 injunctive relief and that Plaintiff did not seek a preliminary injunction by motion since the filing of  
9 his original complaint on June 19, 2018.

10           **THE COURT FURTHER FINDS** that Plaintiff has not presented any evidence that  
11 Defendant Timeshare made any of the alleged calls to Plaintiff and has not alleged irreparable injury.

12           **THE COURT FURTHER FINDS**, regarding Case No. A-19-799140-C, that Plaintiff had  
13 an ulterior purpose, other than resolving a legal dispute, when he filed the action and that Plaintiff's  
14 actions were not in the regular conduct of proceedings.

15           **THE COURT FURTHER FINDS** that Plaintiff's filing of a second action, Case No. A-19-  
16 799140-C, constitutes an abuse of process.

17 **II. CONCLUSIONS OF LAW.**

18           A.       "Summary judgment is appropriate and 'shall be rendered forthwith' when the  
19 pleadings and other evidence on file demonstrate that no 'genuine issue as to any material fact  
20 [remains] and that the moving party is entitled to a judgment as a matter of law.' This court has  
21 noted that when reviewing a motion for summary judgment, the evidence, and any reasonable  
22 inferences drawn from it, must be viewed in a light most favorable to the nonmoving party." *Wood*  
23 *v. Safeway, Inc.*, 121 Nev. 724, 729, 121 P.3d 1026, 1029 (2005).

24           B.       "This court has often stated that the nonmoving party may not defeat a motion for  
25 summary judgment by relying 'on the gossamer threads of whimsy, speculation and conjecture.' As  
26 this court has made abundantly clear, '[w]hen a motion for summary judgment is made and

27       ///

28       ///

1 supported as required by Rule 56, the nonmoving party may not rest upon general allegations and  
2 conclusions, but must, by affidavit or other wise, set forth specific facts demonstrating the existence  
3 of a genuine factual issue.” *Id.* at p. 730-7310, 1030-31.

4 C. “While we construe the facts in the light most favorable to the nonmoving party, we  
5 also place the burden on the nonmoving party to ‘set forth facts demonstrating the existence of a  
6 genuine issue in order to withstand a disfavorable summary judgment.’ Where the nonmoving party  
7 would bear the burden of persuasion at trial, ‘the party moving for summary judgment may satisfy  
8 the burden of production by either (1) submitting evidence that negates an essential element of the  
9 nonmoving party’s claims, or (2) ‘pointing out . . . that there is an absence of evidence to support the  
10 nonmoving party’s case.’” *Torrealba v. Kesmetis*, 124 Nev. 95, 100, 178 P.3d 716, 720 (Nev. 2008).

11 D. “In our view, the plain language of Rule 56(c) mandates the entry of summary  
12 judgment, after adequate time for discovery and upon motion, against a party who fails to make a  
13 showing sufficient to establish the existence of an element essential to that party’s case, and on  
14 which that party will bear the burden of proof at trial. In such a situation, there can be ‘no genuine  
15 issue as to any material fact,’ since a complete failure of proof concerning an essential element of  
16 the nonmoving party’s case necessarily renders all other facts immaterial.”)

17 E. “To recover for the tort of intrusion, a plaintiff must prove the following elements: 1)  
18 an intentional intrusion (physical or otherwise); 2) on the solitude or seclusion of another; 3) that  
19 would be highly offensive to a reasonable person.” *PETA v. Berosini*, 111 Nev. 615, 630, 895 P.2d  
20 1269, 1270 (1995).

21 F. Plaintiff’s claim for injunctive relief under NRS 33.010(2) fails as Plaintiff has not  
22 presented any evidence that Defendant Timeshare made any of the alleged calls to Plaintiff, has not  
23 shown any conduct by Defendant Timeshare during the litigation that would support injunctive  
24 relief, and Plaintiff has not alleged any irreparable injury.

### 25 **III. ORDER.**

26 Based on the case activity, history and prior orders, including Plaintiff’s failure to amend the  
27 First Amended Complaint in Case No. A-18-776375-C and failure to amend the Complaint in Case  
28 No. A-19-799140-C, and Plaintiff’s failure to oppose case ending motions,

**IT IS HEREBY ORDERED** that Defendants' Motion For Summary Judgment is granted in its entirety, resolving Plaintiff's claims for invasion of Plaintiff privacy, intrusion into seclusion, and for injunctive relief in favor of Defendants.

**IT IS FURTHER ORDERED** that the Motion For Summary Judgment is granted in favor of the Counter-claimants, on their claim of abuse of process in Case No. A-19-799140-C.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Dated this 13th day of July, 2020

Nancy L Allf

DISTRICT COURT JUDGE

JD

Submitted by:

CLARK MCCOURT

4DA 1CF CB09 A41E

Nancy Alf

**District Court Judge**

Brn Ch 2.

Brian P. Clark

Nevada Bar No. 4236

Lukas B. McCourt

Nevada Bar No. 11839

7371 Prairie Falcon Road, Suite 120

Las Vegas, NV 89128

Attorneys for Defendants

1 CSERV

2 DISTRICT COURT  
3 CLARK COUNTY, NEVADA  
4

5  
6 Paul Edwards, Plaintiff(s)

CASE NO: A-18-776375-C

7 vs.

DEPT. NO. Department 27

8 Timeshare Liquidators LLC,  
9 Defendant(s)

10  
11 **AUTOMATED CERTIFICATE OF SERVICE**

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

Service Date: 7/13/2020

15 Maria Garcia mgarcia@clarkmccourt.com

16 Lukas McCourt lmccourt@clarkmccourt.com

17 Brian Clark bpc@clarkmccourt.com

18 Rody Scott rscott@clarkmccourt.com

19 Paul EDwards pauldse@pauldsedwards.com  
20  
21  
22  
23  
24  
25  
26  
27  
28

*Heather S. Hume*  
CLERK OF THE COURT

**JUDG**  
BRIAN P. CLARK  
Nevada Bar No. 4236  
LUKAS B. McCOURT  
Nevada Bar No. 11839  
CLARK MCCOURT  
7371 Prairie Falcon Road, Suite 120  
Las Vegas, Nevada 89128  
Telephone: (702) 474-0065  
Facsimile: (702) 474-0068  
bpc@clarkmccourt.com  
lmccourt@clarkmccourt.com  
Attorneys for Defendant

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

PAUL D. S. EDWARDS,

Plaintiff,

v.

TIMESHARE LIQUIDATORS, LLC, a/d/b/a TCL  
RESORT LIQUIDATORS, a/d/b/a TLC RESORTS  
VACATION CLUB, LLC, a/d/b/a TLC RESORTS  
VACATION CLUB, a/d/b/a TLC RESORTS, a/k/a  
TLCRESORTS.COM, a/d/b/a TLC TRAVEL, a/d/b/a  
VIP TRAVEL, a/d/b/a VIP VACATIONS, and DOES  
I-X, and ROE CORPORATIONS XI-XX, et al.,

Defendants.

AND CONSOLIDATED MATTER

Case No.: A-18-776375-C  
Dept. No.: XXVII

Consolidated with

Case No.: A-19-799140-C

**ORDER GRANTING DEFENDANTS' MOTION FOR ATTORNEY'S FEES PURSUANT  
TO NRS 18.010 AND FOR COSTS OF SUIT PURSUANT TO NRS 18.020**

**AND**

**JUDGMENT**

Defendants' motion for attorney's fees pursuant to NRS 18.010 and for costs of suit pursuant to NRS 18.020 came on for hearing on August 12, 2020 before the Honorable Nancy Allf of the Eighth Judicial District Court. Appearing for the moving Defendants was Brian P. Clark of the law firm Clark McCourt. No appearance was made by dismissed Defendants Cash4Asking, Eduardo Romay Hernandez, and Gladys Rionda Suito. No appearance was made by Plaintiff, in proper person, Paul D.S. Edwards.

1 Having reviewed the papers on file, including the supplement to the moving papers, and  
2 having considered the arguments presented at the time of the hearing,

3 **THE COURT FINDS** that Plaintiff's claims in Case No. A-18-776375-C were adjudicated  
4 by prior motions to dismiss, motions to strike, and motion for summary judgment.

5 **THE COURT FURTHER FINDS** that Plaintiff's claims in Case No. A-19-799140-C were  
6 adjudicated by prior motions to dismiss, motion to strike, and motion for summary judgment.

7 **THE COURT FURTHER FINDS** that the standard for attorney's fees under NRS  
8 18.010(2)(b) has been satisfied by the order entered March 4, 2020, on Defendants' motion for  
9 sanctions, wherein, the court established as facts in the case:

- 10 a. that "Plaintiff has improper motives for bringing suit, other than to resolve a  
11 dispute";
- 12 b. that "Plaintiff is a professional litigant and manufactured this law suit to  
13 maintain his standard of living"; and
- 14 c. that "Plaintiff's claims are intentionally false and misleading, and are brought  
15 by Plaintiff for the sole purpose to harass and extort a settlement".

16 **THE COURT FURTHER FINDS** that Plaintiff did not file a written opposition to  
17 Defendants' motion for attorney's fees and costs.

18 **THE COURT FURTHER FINDS** that Defendants' costs, as set forth in the Memorandum  
19 Of Fees And Costs, and in the Supplemental Memorandum Of Fees And Costs are each allowed by  
20 NRS.18.005, et. seq.

21 **THE COURT FURTHER FINDS** that Plaintiff did not move to retax and settle the costs  
22 claimed by Defendants, pursuant to NRS 18.110(4), after Defendants filed a verified memorandum  
23 of cost on July 10, 2020.

24 **THE COURT FURTHER FINDS** that Plaintiff did not attend the August 12, 2020 hearing  
25 on Defendants' motion for attorney's fees and costs.

26 **THE COURT FURTHER FINDS** that attorney's fees are also warranted by Plaintiff's  
27 repeated violations of court rules and failures to comply with court orders as set forth in the motion.

28 ///

1       **THE COURT FURTHER FINDS** that Defendants Timeshare Liquidators, LLC, Stanley  
2 Mullis and Angel Mullis are the prevailing parties in Case No.: A-18-776375-C and Case No.: A-  
3 19-799140-C, that Plaintiff sought to recover more than \$2,500 in each of the suits, and that these  
4 Defendants are entitled to be awarded their costs pursuant to NRS 10.020.

5       **THE COURT FURTHER FINDS** that the qualities, skills, training, education and  
6 experience of Defendants' attorney are, at minimum, equal to the competence expected by this court  
7 in an advocate. (See *Brunzell v. Golden Gate Nat'l Bank*, 85 Nev. 345, 349, 455 P.2d 31 (1969).)

8       **THE COURT FURTHER FINDS** that Plaintiff's pleadings created difficulty in  
9 understanding the scope of claims made, and Plaintiff's lumping defendants together prevented the  
10 defendants from understanding what actual claims were made against a specific defendant, and  
11 when compounded by Plaintiff's conduct during the litigation, required significant time and skill by  
12 Defendants' attorney to decipher and respond to Plaintiff's pleadings and papers. (See *Brunzell v.*  
13 *Golden Gate Nat'l Bank*, 85 Nev. 345, 349, 455 P.2d 31 (1969).)

14       **THE COURT FURTHER FINDS** that the actual work performed by Defendants' attorney  
15 was reasonable, and necessary, in responding to Plaintiff's claims. (See *Brunzell v. Golden Gate*  
16 *Nat'l Bank*, 85 Nev. 345, 349, 455 P.2d 31 (1969).)

17       **THE COURT FURTHER FINDS** the Defendants' attorney was successful in Defendants'  
18 motion practice before the court over the course of the litigation as outlined in the Motion For  
19 Attorney's Fees, which motion practice included two (2) successful motions to dismiss, two (2)  
20 successful motions for more definite statement, a motion to strike portions of Plaintiff's pleadings, a  
21 motion for sanctions and a motion for summary judgment. (See *Brunzell v. Golden Gate Nat'l*  
22 *Bank*, 85 Nev. 345, 349, 455 P.2d 31 (1969).)

23       **THE COURT FURTHER FINDS**, based on the experience level of Defendants' attorney,  
24 that Defendants' attorney's hourly rate of \$450.00 is reasonable for the type of work performed, and  
25 that the fees presented in Defendants' attorney's billing invoices are reasonable.

26       **THEREFORE,**

27       **IT IS HEREBY ORDERED** that Defendants' motion for attorney's fees pursuant to NRS  
28 18.010 and for costs of suit pursuant to NRS 18.020 is GRANTED.



**IT IS FURTHER ORDERED** that Defendants Timeshare Liquidators, LLC, Stanley Mullis and Angel Mullis are awarded their costs of suit against Plaintiff Paul D.S. Edwards in the amount of \$4,770.00.

**IT IS FURTHER ORDERED** that Defendants Timeshare Liquidators, LLC, Stanley Mullis and Angel Mullis are awarded their attorney's fees against Plaintiff Paul D.S. Edwards in the amount of \$97,921.50.

**IT IS FURTHER ORDERED** that this order shall be entered on the court's records as a JUDGMENT against Plaintiff Paul D.S. Edwards for the total sum of \$102,691.50.

**IT IS FURTHER ORDERED** that statutory interest on this JUDGEMENT shall begin to accrue from the date of Notice Of Entry Of Judgment until the judgment is paid in full.


**Dated this 18th day of August, 2020**

Nancy L Allf  
DISTRICT COURT JUDGE

Submitted by:

CLARK MCCOURT

998 720 2417 0557  
Nancy Alf  
District Court Judge

  
 Brian P. Clark  
 Lukas B. McCourt  
 7371 Prairie Falcon Road, Suite 120  
 Las Vegas, Nevada 89128  
 Attorneys for Defendants

1 **CSERV**

2  
3 **DISTRICT COURT**  
4 **CLARK COUNTY, NEVADA**

5  
6 Paul Edwards, Plaintiff(s)

CASE NO: A-18-776375-C

7 vs.

DEPT. NO. Department 27

8 Timeshare Liquidators LLC,  
9 Defendant(s)

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13 Court. The foregoing Judgment was served via the court's electronic eFile system to all  
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17 Brian Clark bpc@clarkmccourt.com

18 Rody Scott rscott@clarkmccourt.com

19 Paul EDwards pauldse@pauldsedwards.com

20 Chad Clement cclement@maclaw.com

21

22

23

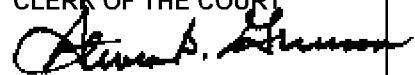
24

25

26

27

28



NEO  
BRIAN P. CLARK  
Nevada Bar No. 4236  
LUKAS B. McCOURT  
Nevada Bar No. 11839  
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bpc@clarkmccourt.com  
lmccourt@clarkmccourt.com  
Attorneys for Defendants

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

PAUL D. S. EDWARDS,

Plaintiff,

v.

TIMESHARE LIQUIDATORS, LLC, a/d/b/a TCL  
RESORT LIQUIDATORS, a/d/b/a TLC RESORTS  
VACATION CLUB, LLC, a/d/b/a TLC RESORTS  
VACATION CLUB, a/d/b/a TLC RESORTS, a/k/a  
TLCRESORTS.COM, a/d/b/a TLC TRAVEL, a/d/b/a  
TLC, a/d/b/a/ VIP TRAVEL, a/d/b/a VIP  
VACATIONS, a/d/b/a VIP INTERNATIONAL, and  
DOES I-X, and ROE CORPORATIONS XI-XX, et  
al.,

Defendants.

Case No.: A-18-776375-C  
Dept. No.: XXVII

Consolidated with

Case No.: A-19-799140-C

**NOTICE OF ENTRY OF ORDER GRANTING DEFENDANTS' MOTION FOR  
ATTORNEY'S FEES PURSUANT TO NRS 18.010 AND FOR COSTS OF SUIT PURSUANT  
TO NRS 18.020 AND JUDGMENT**

PLEASE TAKE NOTICE that an **ORDER GRANTING DEFENDANTS' MOTION  
FOR ATTORNEY'S FEES PURSUANT TO NRS 18.010 AND FOR COSTS OF SUIT  
PURSUANT TO NRS 18.020 AND JUDGMENT** was filed on August 18, 2020.

///

1 A copy of said Order is attached hereto.

2 DATED this 18<sup>th</sup> day of August, 2020

3 CLARK MCCOURT

4 

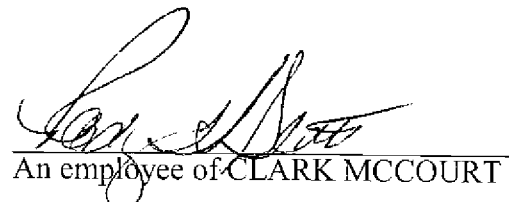
5 Brian P. Clark  
6 Lukas B. McCourt  
7 7371 Prairie Falcon Road, Suite 120  
8 Las Vegas, NV 89128  
9 Attorneys for Defendants

10  
11 **CERTIFICATE OF SERVICE**

12 I certify that on the 18<sup>th</sup> day of August, 2020, I served a true and correct copy of **NOTICE**  
13 **OF ENTRY OF ORDER GRANTING DEFENDANTS' MOTION FOR ATTORNEY'S**  
14 **FEES PURSUANT TO NRS 18.010 AND FOR COSTS OF SUIT PURSUANT TO NRS 18.020**  
15 **AND JUDGMENT** on the following parties/individuals via the court's mandatory electronic service  
16 provider, Odyssey.

17 Paul D.S. Edwards  
18 713 Wheat ridge Lane, Unit 203  
19 Las Vegas, NV 89145  
20 Plaintiff in proper person.

21 Chad F. Clement  
22 MARQUIS AURBACH COFFING  
23 10001 Park Run Drive  
24 Las Vegas, NV 89145  
25 Attorneys for Cash4Asking, LLC;  
26 Eduardo Romay Hernandez; and Gladys Rionda Suito

27   
28 An employee of CLARK MCCOURT

**JUDG**  
BRIAN P. CLARK  
Nevada Bar No. 4236  
LUKAS B. McCOURT  
Nevada Bar No. 11839  
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bpc@clarkmccourt.com  
lmccourt@clarkmccourt.com  
Attorneys for Defendant

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

PAUL D. S. EDWARDS,

Plaintiff,

v.

TIMESHARE LIQUIDATORS, LLC, a/d/b/a TCL  
RESORT LIQUIDATORS, a/d/b/a TLC RESORTS  
VACATION CLUB, LLC, a/d/b/a TLC RESORTS  
VACATION CLUB, a/d/b/a TLC RESORTS, a/k/a  
TLCRESORTS.COM, a/d/b/a TLC TRAVEL, a/d/b/a  
VIP TRAVEL, a/d/b/a VIP VACATIONS, and DOES  
I-X, and ROE CORPORATIONS XI-XX, et al.,

Defendants.

AND CONSOLIDATED MATTER

Case No.: A-18-776375-C  
Dept. No.: XXVII

Consolidated with

Case No.: A-19-799140-C

**ORDER GRANTING DEFENDANTS' MOTION FOR ATTORNEY'S FEES PURSUANT  
TO NRS 18.010 AND FOR COSTS OF SUIT PURSUANT TO NRS 18.020**

**AND**

**JUDGMENT**

Defendants' motion for attorney's fees pursuant to NRS 18.010 and for costs of suit pursuant to NRS 18.020 came on for hearing on August 12, 2020 before the Honorable Nancy Allf of the Eighth Judicial District Court. Appearing for the moving Defendants was Brian P. Clark of the law firm Clark McCourt. No appearance was made by dismissed Defendants Cash4Asking, Eduardo Romay Hernandez, and Gladys Rionda Suito. No appearance was made by Plaintiff, in proper person, Paul D.S. Edwards.

1 Having reviewed the papers on file, including the supplement to the moving papers, and  
2 having considered the arguments presented at the time of the hearing.

3 **THE COURT FINDS** that Plaintiff's claims in Case No. A-18-776375-C were adjudicated  
4 by prior motions to dismiss, motions to strike, and motion for summary judgment.

5 **THE COURT FURTHER FINDS** that Plaintiff's claims in Case No. A-19-799140-C were  
6 adjudicated by prior motions to dismiss, motion to strike, and motion for summary judgment.

7 **THE COURT FURTHER FINDS** that the standard for attorney's fees under NRS  
8 18.010(2)(b) has been satisfied by the order entered March 4, 2020, on Defendants' motion for  
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15 by Plaintiff for the sole purpose to harass and extort a settlement".

16 **THE COURT FURTHER FINDS** that Plaintiff did not file a written opposition to  
17 Defendants' motion for attorney's fees and costs.

18 **THE COURT FURTHER FINDS** that Defendants' costs, as set forth in the Memorandum  
19 Of Fees And Costs, and in the Supplemental Memorandum Of Fees And Costs are each allowed by  
20 NRS.18.005, et. seq.

21 **THE COURT FURTHER FINDS** that Plaintiff did not move to relax and settle the costs  
22 claimed by Defendants, pursuant to NRS 18.110(4), after Defendants filed a verified memorandum  
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24 **THE COURT FURTHER FINDS** that Plaintiff did not attend the August 12, 2020 hearing  
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26 **THE COURT FURTHER FINDS** that attorney's fees are also warranted by Plaintiff's  
27 repeated violations of court rules and failures to comply with court orders as set forth in the motion.

28 ///

1       **THE COURT FURTHER FINDS** that Defendants Timeshare Liquidators, LLC, Stanley  
2 Mullis and Angel Mullis are the prevailing parties in Case No.: A-18-776375-C and Case No.: A-  
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5       **THE COURT FURTHER FINDS** that the qualities, skills, training, education and  
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12 Defendants' attorney to decipher and respond to Plaintiff's pleadings and papers. (See *Brunzell v.*  
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14       **THE COURT FURTHER FINDS** that the actual work performed by Defendants' attorney  
15 was reasonable, and necessary, in responding to Plaintiff's claims. (See *Brunzell v. Golden Gate*  
16 *Nat'l Bank*, 85 Nev. 345, 349, 455 P.2d 31 (1969).)

17       **THE COURT FURTHER FINDS** the Defendants' attorney was successful in Defendants'  
18 motion practice before the court over the course of the litigation as outlined in the Motion For  
19 Attorney's Fees, which motion practice included two (2) successful motions to dismiss, two (2)  
20 successful motions for more definite statement, a motion to strike portions of Plaintiff's pleadings, a  
21 motion for sanctions and a motion for summary judgment. (See *Brunzell v. Golden Gate Nat'l*  
22 *Bank*, 85 Nev. 345, 349, 455 P.2d 31 (1969).)

23       **THE COURT FURTHER FINDS**, based on the experience level of Defendants' attorney,  
24 that Defendants' attorney's hourly rate of \$450.00 is reasonable for the type of work performed, and  
25 that the fees presented in Defendants' attorney's billing invoices are reasonable.

26       **THEREFORE,**

27       **IT IS HEREBY ORDERED** that Defendants' motion for attorney's fees pursuant to NRS  
28 18.010 and for costs of suit pursuant to NRS 18.020 is GRANTED.

**IT IS FURTHER ORDERED** that Defendants Timeshare Liquidators, LLC, Stanley Mullis and Angel Mullis are awarded their costs of suit against Plaintiff Paul D.S. Edwards in the amount of \$4,770.00.

**IT IS FURTHER ORDERED** that Defendants Timeshare Liquidators, LLC, Stanley Mullis and Angel Mullis are awarded their attorney's fees against Plaintiff Paul D.S. Edwards in the amount of \$97,921.50.

**IT IS FURTHER ORDERED** that this order shall be entered on the court's records as a JUDGMENT against Plaintiff Paul D.S. Edwards for the total sum of \$102,691.50.


**IT IS FURTHER ORDERED** that statutory interest on this JUDGEMENT shall begin to accrue from the date of Notice Of Entry Of Judgment until the judgment is paid in full.

Dated this 18th day of August, 2020

Nancy L Alf  
DISTRICT COURT JUDGE

Submitted by:  
CLARK MCCOURT

998 720 2417 0557  
Nancy Alf  
District Court Judge

  
 Brian P. Clark  
 Lukas B. McCourt  
 7371 Prairie Falcon Road, Suite 120  
 Las Vegas, Nevada 89128  
 Attorneys for Defendants



1 CSERV

2 DISTRICT COURT  
3 CLARK COUNTY, NEVADA

4		
5		
6	Paul Edwards, Plaintiff(s)	CASE NO: A-18-776375-C
7	vs.	DEPT. NO. Department 27
8	Timeshare Liquidators LLC,	
9	Defendant(s)	

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

14 Service Date: 8/18/2020

15	Maria Garcia	mgarcia@clarkmccourt.com
16	Lukas McCourt	lmccourt@clarkmccourt.com
17	Brian Clark	bpc@clarkmccourt.com
18	Rody Scott	rscott@clarkmccourt.com
19	Paul EDwards	pauldse@pauldsedwards.com
20	Chad Clement	cclement@maclaw.com
21		
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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Civil Matters**

**COURT MINUTES**

**December 05, 2018**

---

A-18-776375-C	Paul Edwards, Plaintiff(s) vs. Timeshare Liquidators LLC, Defendant(s)
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**December 05, 2018      10:00 AM      Motion to Dismiss**

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

**COURT CLERK:** Lauren Kidd

**RECORDER:** Brynn White

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Clark, Brian P	Attorney
	Edwards, Paul D S	Plaintiff
	McCourt, Lukas B., ESQ	Attorney

**JOURNAL ENTRIES**

- Arguments by Mr. Clark in support of the Motion. Plaintiff requested the Court strike Defendant's Reply for being untimely and requested the Court strike Defendant's exhibits for not complying with local rules with regard to formatting. COURT DENIED Plaintiff's requests. Court noted, when the Court has digression it is directed by the Nevada Supreme Court to determine matters based on the merits. Arguments by Plaintiff in opposition to Defendant's Motion. Plaintiff offered examples of telemarketing to show the Court which related to Defendant's exhibits. Court declined Plaintiff's submission. Court advised It can only consider what is in the Complaint with regard to the Motion to Dismiss. Further arguments by Plaintiff and counter argument by Mr. Clark. COURT ORDERED, Defendant's Motion to Dismiss GRANTED IN PART; Defendant's Motion for More Definite Statement GRANTED; and Defendant's Motion for Evidentiary Hearing DENIED. Court advised there was no opposition to several of the statutes cited that would give rise to a cause of action.

Court advised the Motion to Dismiss was GRANTED with regard to criminal penalties, punitive damages and the application of NRS 201.

COURT ORDERED, with regard to the consumer fraud allegations under 41.600 and NRS 598.0915

and NRS 598.0925, the cause of action was DISMISSED WITH LEAVE TO AMEND. COURT FINDS not all elements of consumer fraud had been plead; therefore, it did not meet the standard under Picus vs. Wal-Mart Stores.

FURTHER COURT ORDERED, with regard to NRS 598.0977, the cause of action was DISMISSED WITH LEAVE TO AMEND. COURT FINDS there was no allegations of damages suffered.

ADDITIONALLY COURT ORDERED, with regard to NRS 201.255 (2) the cause of action was DISMISSED WITH PREJUDICE. COURT FINDS the criminal statute had no private cause of action.

COURT ORDERED, with regard to claims under NRS 228.540 through 228.620 the cause of action was DISMISSED WITH PREJUDICE. COURT FINDS only the Attorney General has the right to pursue those causes of action.

FURTHER COURT ORDERED, claims with regard to NRS 597.812-597.818 were DISMISSED WITH PREJUDICE. COURT FINDS claims related to calls made with an automatic dialing device and a recorded message, which was not the allegation in this matter.

ADDITIONALLY COURT ORDERED, 599B.080 thorough 599B.154 the cause of action was DISMISSED WITH PREJUDICE. COURT FINDS Plaintiff was not entitled to relief under that statute.

COURT ORDERED with regard to 599B.027 through 599B.300, regarding damages suffered by an elderly person, claims were DISMISSED WITH LEAVE TO AMEND. COURT FINDS no actual damages had been plead.

FURTHER COURT ORDERED claims with regard to NRS 707.910 and 707.920 were DISMISSED WITH LEAVE TO AMEND. COURT FINDS the cause of action relates to physical damage to a phone line, which had not been plead.

ADDITIONALLY COURT ORDERED, with regard to the claim against individuals in the Plaza, COURT DISMISSED all the individuals WITHOUT LEAVE TO AMEND BUT NOT WITHOUT PREJUDICE. COURT FINDS there was no allegation of Piercing the Corporate Veil and no allegation that the individuals acted outside of their authority. Court noted if Plaintiff could make a cause of action against any of the individuals after Discovery, Plaintiff could file a motion to amend to bring the individuals back in.

COURT ORDERED, claims against the Landlord were DISMISSED WITH PREJUDICE. COURT FINDS this was not a recognized cause of action under Nevada.

Court reviewed facts of the case. Court stated VIP being named a pseudonym for other defendants was not sufficient. Court advised Plaintiff was required to plead Fraud with particularity against each individual. Court noted Plaintiff was granted Leave to Amend; however, if Plaintiff amended and the Court later dismissed due to lack of proof, the Court would assess fees against Plaintiff.

Court advised this Court would consider if Plaintiff filed a Motion to Amend after some discovery, and not grant sanctions. Court stated NRCP 9(b) did apply and the Rocker standard had not been met. Mr. Clark to prepare the Order; Plaintiff to review as to form and content.

CLERK'S NOTE: This Minute Order was drafted after reviewing JAVS. //lk 12/21/18

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Civil Matters**

**COURT MINUTES**

**April 03, 2019**

---

A-18-776375-C      Paul Edwards, Plaintiff(s)  
vs.  
Timeshare Liquidators LLC, Defendant(s)

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**April 03, 2019      9:00 AM      Motion to Strike**

**HEARD BY:** Bell, Linda Marie      **COURTROOM:** RJC Courtroom 03A

**COURT CLERK:** Nicole McDevitt

**RECORDER:** Brynn White

**REPORTER:**

**PARTIES**

**PRESENT:**      Clark, Brian P      Attorney  
                 Edwards, Paul D S      Plaintiff

**JOURNAL ENTRIES**

- Upon inquiry of Court regarding what was remaining in the complaint, Mr. Clark stated it was the deceptive trade practice and those are subject to a more definite statement. Colloquy as to ruling on motion to dismiss and there being no amended to the complaint. Arguments by Mr. Edwards and Mr. Clark. COURT ORDERED, Defendant's Motion to Strike for Plaintiff's Refusal to Comply with the Court's Order Granting Defendant's Motion for More Definite Statement DENIED as to Motion Strike, however, Mr. Edwards needs to comply with order for a more definite statement within fourteen days from today; request for fees DENIED. Mr. Clark to prepare the order.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Civil Matters**

**COURT MINUTES**

**April 24, 2019**

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A-18-776375-C      Paul Edwards, Plaintiff(s)  
vs.  
Timeshare Liquidators LLC, Defendant(s)

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**April 24, 2019      9:30 AM      Mandatory Rule 16  
Conference**

**HEARD BY:** Allf, Nancy

**COURTROOM:** RJC Courtroom 03A

**COURT CLERK:** Nicole McDevitt

**RECORDER:** Brynn White

**REPORTER:**

**PARTIES**

**PRESENT:**      Clark, Brian P      Attorney  
                 Edwards, Paul D S      Plaintiff

**JOURNAL ENTRIES**

- Court noted Defendant served its initial disclosures. Upon inquiry of Court if Mr. Edwards has served his initial disclosures, Mr. Edwards stated he has and he provided an e-signature on Defendant's notice of compliance. Mr. Clark stated they conducted an early case conference in January, submitted a joint case conference report, and have agreed to dates. Mr. Edwards agreed. Upon inquiry of Court if parties have agreed to the scope of discovery, parties stated they had and they anticipate some issues going forward. Colloquy regarding discovery time requested an potential issues going forward. Upon inquiry of Court regarding whether or not there has been e-discovery demands, Mr. Edwards stated there had been. Court stated it would issue an order that sets the trial with a discovery cut-off of June 20, 2020. Mr. Edwards stated he has an issue where he's asked for the insurance policy and has been told it's not available. Court stated if Mr. Edwards hasn't received what he has asked for informally then he should make a formal request. Matter concluded.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

## Other Civil Matters

# COURT MINUTES

**June 19, 2019**

A-18-776375-C      Paul Edwards, Plaintiff(s)  
vs.  
Timeshare Liquidators LLC, Defendant(s)

**June 19, 2019                      10:00 AM                      Motion to Dismiss**

**HEARD BY:** Cherry, Michael A. **COURTROOM:** RJC Courtroom 03A

**COURT CLERK:** Nicole McDevitt

**RECORDER:** Brynn White

**REPORTER:**

## PARTIES

**PRESENT:** Clark, Brian P Attorney  
Edwards, Paul D S Plaintiff

## JOURNAL ENTRIES

- Arguments by Mr. Clark and Mr. Edwards regarding the merits of and opposition to the motion. Colloquy regarding whether motion is in regard to first or second amended complaint. Court stated whatever rulings are made will be regarding the first amended complaint. Further arguments by counsel regarding as to requested relief. COURT ORDERED, Defendant's Motion to Dismiss, Motion for More Definite Statement and Motion to Strike UNDER ADVISEMENT, Court will prepare an order that will address all the claims, the case will not be completely dismissed, and Defense counsel can prepare the order after the minute order is entered.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Civil Matters**

**COURT MINUTES**

**October 02, 2019**

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A-18-776375-C      Paul Edwards, Plaintiff(s)  
vs.  
Timeshare Liquidators LLC, Defendant(s)

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<b>October 02, 2019</b>	<b>9:00 AM</b>	<b>Motion to Compel</b>	<b>Re-Notice of Defendant's Motion to Compel Discovery Responses from Plaintiff</b>
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**HEARD BY:** Truman, Erin

**COURTROOM:** RJC Level 5 Hearing Room

**COURT CLERK:** Jennifer Lott

**RECORDER:** Francesca Haak

**REPORTER:**

**PARTIES**

**PRESENT:** Clark, Brian P Attorney

**JOURNAL ENTRIES**

- Mr. Clark received two emails from Plaintiff this week that Plaintiff would not participate. COMMISSIONER RECOMMENDED, motion is GRANTED IN PART; timeframe is limited to ten years; Plaintiff needs to answer Interrogatory 2; answer Interrogatory 4, but tailored, and 4(a) limited to claims or disputes made related to phone calls; 4(b) limited to cases involving telemarketing or other phone calls; 4(c) is PROTECTED; 4(d) limited to all claims involving telemarketing or other phone calls, but settlement amounts are PROTECTED; Request for Production 1(a) as Directed on the record; 1(b) and 1(c) are PROTECTED.

COMMISSIONER RECOMMENDED, RFP 2 provide documents responsive to 2(a), and 1 and 2, but amounts in Demands for payment or settlement are PROTECTED as to 2(a)(3); 2(b) Plaintiff will produce with amounts REDACTED or PROTECTED; 2(c) Plaintiff is COMPELLED with amounts REDACTED or PROTECTED; 2(d) and 2(e) amounts are PROTECTED. Mr. Clark may bring the issue back to Commissioner as the amounts go to the extortion aspect of the defenses. Mr. Clark to



prepare the Report and Recommendations, and Mr. Edwards, Plaintiff, to approve as to form and content. A proper report must be timely submitted within 14 days of the hearing. Otherwise, counsel will pay a contribution.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Civil Matters**

**COURT MINUTES**

**October 16, 2019**

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A-18-776375-C      Paul Edwards, Plaintiff(s)  
vs.  
Timeshare Liquidators LLC, Defendant(s)

---

**October 16, 2019      9:30 AM      Motion to Consolidate**

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

**COURT CLERK:** Nicole McDevitt

**RECORDER:** Brynn White

**REPORTER:**

**PARTIES**

**PRESENT:**      Clark, Brian P      Attorney

**JOURNAL ENTRIES**

- Brian P. Clark, Esq. present for Timeshare Liquidators LLC. Chad F. Clement, Esq. and Alex Calaway, Esq. present for Cash4Asking LLC, Eduardo Hernandez, and Gladys C. Rionda.

There being not opposition and for good cause appearing, COURT ORDERED, Defendants' Motion to Consolidate Cases (A776375 and A799140) GRANTED.

-----CONSOLIDATED WITH A799140-----  
-----FUTURE MINUTE PLACED IN LEAD CASE-----

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Civil Matters**

**COURT MINUTES**

**December 05, 2019**

---

A-18-776375-C      Paul Edwards, Plaintiff(s)  
vs.  
Timeshare Liquidators LLC, Defendant(s)

---

**December 05, 2019      10:00 AM      All Pending Motions**

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

**COURT CLERK:** Nicole McDevitt

**RECORDER:** Brynn White

**REPORTER:**

**PARTIES**

**PRESENT:** Clark, Brian P      Attorney

**JOURNAL ENTRIES**

- Alexander Calaway, Esq. also present on behalf of Defendants Rionda, Hernandez, and Cash4asking LLC.

Court stated its office received an e-mail from Mr. Edwards that he was not going to attend the hearing. Upon inquiry of Court if everyone is comfortable moving forward, all counsel stated they were.

DEFENDANTS EDUARDO ROMAY HERNANDEZ' AND GLADYS RIONDA SUITO'S MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION, MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM UPON WHICH RELIEF CAN BE GRANTED, AND MOTION FOR A MORE DEFINITE STATEMENT [SCHEDULED FROM SUB CASE A-19-799140-C]

Mr. Clement submitted on his motion. COURT ORDERED, Defendants Eduardo Romay Hernandez' and Gladys Rionda Suito's Motion to Dismiss for Lack of Personal Jurisdiction, Motion to Dismiss for Failure to State a Claim Upon Which Relief can be Granted, and Motion for a More Definite Statement [Scheduled From Sub Case A-19-799140-C] DENIED IN PART as to the personal jurisdiction issue and failure to state a claim, GRANTED IN PART in all other respects. Mr. Clement to prepare the order and provide notice.

DEFENDANT CASH4ASKING, LLC'S MOTION FOR A MORE DEFINITE STATEMENT  
[SCHEDULED FROM SUB CASE A-19-799140-C]

COURT ORDERED, Defendant Cash4asking, LLC's Motion for a More Definite Statement [Scheduled From Sub Case A-19-799140-C] GRANTED, and request for dismissal as to personal jurisdiction DENIED.

DEFENDANT'S MOTION TO STRIKE FOR PLAINTIFF'S FAILURE TO TIMELY AMEND  
FOLLOWING THE GRANTING OF DEFENDANT'S MOTION FOR MORE DEFINITE STATEMENT  
Arguments by Mr. Clark in support of his motion. COURT ORDERED, Defendant's Motion to Strike for Plaintiff's Failure to Timely Amend Following the Granting of Defendant's Motion for More Definite Statement DENIED, pleading must be amended by January 24, 2020 or an order an order to strike may be presented to Court. Court directed counsel that notice of entry of order must be provided to all parties.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Civil Matters**

**COURT MINUTES**

**February 20, 2020**

---

A-18-776375-C      Paul Edwards, Plaintiff(s)  
vs.  
Timeshare Liquidators LLC, Defendant(s)

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**February 20, 2020      9:30 AM      Motion for Sanctions**

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

**COURT CLERK:** Nicole McDevitt

**RECORDER:** Brynn White

**REPORTER:**

**PARTIES**

**PRESENT:**      Calaway, Alexander Kip      Attorney  
Clark, Brian P      Attorney

**JOURNAL ENTRIES**

- Arguments by Mr. Clark in support of the motion. Court stated its findings and ORDERED, Defendant's Motion for Sanctions for Failure to Comply with Court Order Compelling Supplemental Discovery Responses GRANTED in all respects, the affirmative defenses will be established.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Civil Matters**

**COURT MINUTES**

**April 03, 2020**

---

A-18-776375-C      Paul Edwards, Plaintiff(s)  
vs.  
Timeshare Liquidators LLC, Defendant(s)

---

<b>April 03, 2020</b>	<b>3:00 AM</b>	<b>Minute Order</b>	<b>Minute Order: Defendant's Motion to Strike Complaint for Plaintiff's Refusal to Comply with the Court's Orders Granting Defendants' Motion for More Definite Statement and Joinder to Motion to Strike Complaint for Plaintiff's Refusal to Comply with the Court's Order Granting Defendants' Motions for More Definite Statement set 4/8/2020 GRANTED and VACATED</b>
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**HEARD BY:** Alf, Nancy

**COURTROOM:** No Location

**COURT CLERK:** Nicole McDevitt

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

**PRINT DATE:** 09/01/2020

Page 13 of 23

**Minutes Date:** December 05, 2018

- COURT FINDS after review on March 4, 2020, Defendants Cash4Asking, LLC, Eduardo Hernandez, and Galdys Rionda Suito s Motion to Strike Complaint for Plaintiff s Refusal to Comply with the Court s Orders Granting Defendants Motions for More Definite Statement (the Motion to Strike ) was filed. Defendant Timeshare Liquidators, LLC s Joinder to Motion to Strike Complaint was filed on March 10, 2020. Service was rendered upon Plaintiff pursuant to the certificates of service attached thereto.

COURT FURTHER FINDS after review both matters were set for April 8, 2020 at 9:00 a.m. on Motions Calendar.

COURT FURTHER FINDS after review EDCR 2.20(e) provides in relevant part: [f]ailure of the opposing party to serve and file written opposition may be construed as an admission that the motion and/or joinder is meritorious and a consent to granting the same.

COURT FURTHER FINDS after review no oppositions to the Motion to Strike have been filed.

THEREFORE, COURT ORDERS for good cause appearing and after review pursuant to EDCR 2.20 and the merits of the Motion, Defendants Motion to Strike, along with the Joinder, are hereby GRANTED. The matters set for April 8, 2020 at 9:00 a.m. on Motions Calendar shall be VACATED. Movant to prepare the Order in compliance with EDCR 7.21 and email it in both word and pdf format to DC27Inbox@ClarkCountyCourts.us.

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File & Serve. /nm 4/3/2020

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Civil Matters**

**COURT MINUTES**

**June 23, 2020**

---

A-18-776375-C      Paul Edwards, Plaintiff(s)  
vs.  
Timeshare Liquidators LLC, Defendant(s)

---

**June 23, 2020**

**3:00 AM**

**Minute Order**

**Minute Order:  
BlueJeans  
Appearance**

**HEARD BY:** Allf, Nancy

**COURTROOM:** No Location

**COURT CLERK:** Nicole McDevitt

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Department 27 Formal Request to Appear Telephonically

Re: Motions in Limine

Set: June 25, 2020 at 9:30 a.m.

Please be advised that due to the COVID-19 pandemic, Department 27 will continue to conduct Court hearings REMOTELY using the Blue Jeans Video Conferencing system. You have the choice to appear either by phone or computer/video.

Dial the following number: 1-408-419-1715

Meeting ID: 284 804 642

Meeting URL: <https://bluejeans.com/284804642>



To connect by phone dial the number provided and enter the meeting ID followed by #

To connect by computer if you do NOT have the app, copy the URL link into a web browser. Google Chrome is preferred but not required. Once you are on the BlueJeans website click on Join with Browser which is located on the bottom of the page. Follow the instructions and prompts given by BlueJeans.

You may also download the Blue Jeans app and join the meeting by entering the meeting ID

PLEASE NOTE the following protocol each participant will be required to follow:

Place your phone on MUTE while waiting for your matter to be called.

Do NOT place the call on hold since some phones may play wait/hold music.

Please do NOT use speaker phone as it causes a loud echo/ringing noise.

Please state your name each time you speak so that the court recorder can capture a clear record.

Please be mindful of rustling papers, background noise, and coughing or loud breathing.

Please be mindful of where your camera is pointing.

We encourage you to visit the Bluejeans.com website to get familiar with the Blue Jeans phone/videoconferencing system before your hearing.

If your hearing gets continued to a different date after you have already received this minute order please note a new minute order will issue with a different meeting ID since the ID number changes with each meeting/hearing.

Please be patient if you call in and we are in the middle of oral argument from a previous case. Your case should be called shortly. Again, please keep your phone or computer mic on MUTE until your case is called.

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File & Serve. /nm 6/23/2020

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Civil Matters**

**COURT MINUTES**

**June 25, 2020**

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A-18-776375-C      Paul Edwards, Plaintiff(s)  
vs.  
Timeshare Liquidators LLC, Defendant(s)

---

**June 25, 2020**

**9:30 AM**

**All Pending Motions**

**HEARD BY:** Allf, Nancy

**COURTROOM:** RJC Courtroom 03A

**COURT CLERK:** Nicole McDevitt

**RECORDER:** Brynn White

**REPORTER:**

**PARTIES**

**PRESENT:** Clark, Brian P

Attorney

**JOURNAL ENTRIES**

- DEFENDANTS' MOTION IN LIMINE NO. 1, TO EXCLUDE AND PRECLUDE TESTIMONY, EVIDENCE AND ARGUMENT FROM PLAINTIFF CONCERNING ESTABLISHED FACTS IN THE CASE BASED ON A PRIOR ORDER...DEFENDANTS' MOTION IN LIMINE NO. 2, TO PRECLUDE PLAINTIFF FROM CALLING DEFENSE COUNSEL AS A WITNESS AT TRIAL...DEFENDANTS' MOTION IN LIMINE NO. 3, TO PRECLUDE PLAINTIFF FROM USING RECORDED CONVERSATIONS AT TRIAL...DEFENDANTS' MOTION IN LIMINE NO. 4, TO EXCLUDE AND PRECLUDE TESTIMONY, EVIDENCE AND ARGUMENT CONCERNING THE DISMISSED DEFENDANTS STANLEY MULLIS, ANGEL MULLIS, JONATHAN JOSSEL, MICHAEL PERGOLIKNI, AND PLAZA HOTEL & CASINO...DEFENDANTS MOTION IN LIMINE NO. 5. TO EXCLUDE AND PRECLUDE TESTIMONY, EVIDENCE AND ARGUMENT THAT VIP TRAVEL, VIP VACATIONS AND VIP INTERNATIONAL ARE RELATED TO DEFENDANT TIMESHARE LIQUIDATORS, LLC...DEFENDANT'S MOTION IN LIMINE NO. 6, TO EXCLUDE, AND PRECLUDE TESTIMONY, EVIDENCE AND ARGUMENT REGARDING DEFENDANTS' FINANCIAL ISSUES, ACTIVITIES AND CONDITION...DEFENDANT'S MOTION IN LIMINE NO 7, TO EXCLUDE AND PRECLUDE IMPROPER ARGUMENTS...DEFENDANT'S MOTION IN LIMINE NO. 8, TO EXCLUDE AND PRECLUDE EVIDENCE AND WITNESSES THAT WERE NOT PROPERLY DISCLOSED...DEFENDANTS' MOTION FOR SUMMARY JUDGMENT ON PLAINTIFF'S CLAIMS IN CASE NO. A-18-776375-C AND DEFENDANTS' COUNTER-CLAIMS IN

CASE NO. A-19-799140-C

At 10:09 a.m., Court noted Plaintiff not present. COURT ORDERED, Defendants' Motion in Limine No. 1, to Exclude and Preclude Testimony, Evidence and Argument from Plaintiff Concerning Established Facts in the Case Based on a Prior Order; Defendants' Motion in Limine No. 2, to Preclude Plaintiff from Calling Defense Counsel as a Witness at Trial; Defendants' Motion in Limine No. 3, To Preclude Plaintiff from Using Recorded Conversations at Trial; Defendants' Motion in Limine No. 4, to Exclude and Preclude Testimony, Evidence and Argument Concerning the Dismissed Defendants Stanley Mullis, Angel Mullis, Jonathan Jossel, Michael Pergolikni, and Plaza Hotel & Casino; Defendants Motion in Limine No. 5. to Exclude and Preclude Testimony, Evidence and Argument that VIP Travel, VIP Vacations and VIP International Are Related to Defendant Timeshare Liquidators, LLC; Defendant's Motion in Limine No. 6, to Exclude, and Preclude Testimony, Evidence and Argument Regarding Defendants' Financial Issues, Activities and Condition; Defendant's Motion in Limine No 7, to Exclude and Preclude Improper Arguments; Defendant's Motion in Limine No. 8, to Exclude and Preclude Evidence and Witnesses that were not Properly Disclosed; and Defendants' Motion for Summary Judgment on Plaintiff's Claims in Case No. A-18-776375-C and Defendants' Counter-Claims in Case No. A-19-799140-C GRANTED. Court directed counsel to prepare one order granting all the motions in limine and one order granting the motion for summary judgment in all respects, and to follow up with entry of a judgment.

At 10:43 a.m., Court called the case again and noted Plaintiff still not present telephonically. Matter concluded.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Civil Matters**

**COURT MINUTES**

**July 28, 2020**

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A-18-776375-C	Paul Edwards, Plaintiff(s) vs. Timeshare Liquidators LLC, Defendant(s)
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**July 28, 2020**

**3:00 AM**

**Minute Order**

**Minute Order:  
BlueJeans  
Appearance**

**HEARD BY:** Allf, Nancy

**COURTROOM:** No Location

**COURT CLERK:** Nicole McDevitt

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Department 27 Formal Request to Appear Telephonically

Re: Matter set on July 30, 2020 at 10:30 a.m.

Please be advised that due to the COVID-19 pandemic, Department 27 will continue to conduct Court hearings REMOTELY using the Blue Jeans Video Conferencing system. You have the choice to appear either by phone or computer/video.

Dial the following number: 1-408-419-1715

Meeting ID: 897 138 369

Meeting URL: <https://bluejeans.com/897138369>

To connect by phone dial the number provided and enter the meeting ID followed by #

To connect by computer if you do NOT have the app, copy the URL link into a web browser. Google Chrome is preferred but not required. Once you are on the BlueJeans website click on Join with Browser which is located on the bottom of the page. Follow the instructions and prompts given by BlueJeans.

You may also download the Blue Jeans app and join the meeting by entering the meeting ID

PLEASE NOTE the following protocol each participant will be required to follow:

Place your phone on MUTE while waiting for your matter to be called.

Do NOT place the call on hold since some phones may play wait/hold music.

Please do NOT use speaker phone as it causes a loud echo/ringing noise.

Please state your name each time you speak so that the court recorder can capture a clear record.

Please be mindful of rustling papers, background noise, and coughing or loud breathing.

Please be mindful of where your camera is pointing.

We encourage you to visit the Bluejeans.com website to get familiar with the Blue Jeans phone/videoconferencing system before your hearing.

If your hearing gets continued to a different date after you have already received this minute order please note a new minute order will issue with a different meeting ID since the ID number changes with each meeting/hearing.

Please be patient if you call in and we are in the middle of oral argument from a previous case. Your case should be called shortly. Again, please keep your phone or computer mic on MUTE until your case is called.

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File & Serve. /nm 7/28/2020.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Civil Matters**

**COURT MINUTES**

**August 07, 2020**

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A-18-776375-C      Paul Edwards, Plaintiff(s)  
vs.  
Timeshare Liquidators LLC, Defendant(s)

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**August 07, 2020      3:00 AM      Minute Order      Minute Order:  
BlueJeans  
Appearance**

**HEARD BY:** Allf, Nancy

**COURTROOM:** No Location

**COURT CLERK:** Nicole McDevitt

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Department 27 Formal Request to Appear Telephonically

Re: Matter set on August 12, 2020 at 9:00 a.m.

Please be advised that due to the COVID-19 pandemic, Department 27 will continue to conduct Court hearings REMOTELY using the Blue Jeans Video Conferencing system. You have the choice to appear either by phone or computer/video.

Dial the following number: 1-408-419-1715

Meeting ID: 897 138 369

Meeting URL: <https://bluejeans.com/897138369>

To connect by phone dial the number provided and enter the meeting ID followed by #

To connect by computer if you do NOT have the app, copy the URL link into a web browser. Google Chrome is preferred but not required. Once you are on the BlueJeans website click on Join with Browser which is located on the bottom of the page. Follow the instructions and prompts given by BlueJeans.

You may also download the Blue Jeans app and join the meeting by entering the meeting ID

PLEASE NOTE the following protocol each participant will be required to follow:

Place your phone on MUTE while waiting for your matter to be called.

Do NOT place the call on hold since some phones may play wait/hold music.

Please do NOT use speaker phone as it causes a loud echo/ringing noise.

Please state your name each time you speak so that the court recorder can capture a clear record.

Please be mindful of rustling papers, background noise, and coughing or loud breathing.

Please be mindful of where your camera is pointing.

We encourage you to visit the Bluejeans.com website to get familiar with the Blue Jeans phone/videoconferencing system before your hearing.

If your hearing gets continued to a different date after you have already received this minute order please note a new minute order will issue with a different meeting ID since the ID number changes with each meeting/hearing.

Please be patient if you call in and we are in the middle of oral argument from a previous case. Your case should be called shortly. Again, please keep your phone or computer mic on MUTE until your case is called.

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Nicole McDevitt, to all registered parties for Odyssey File & Serve. /nm 8/7/2020.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Civil Matters**

**COURT MINUTES**

**August 12, 2020**

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A-18-776375-C      Paul Edwards, Plaintiff(s)  
vs.  
Timeshare Liquidators LLC, Defendant(s)

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**August 12, 2020      9:00 AM      Motion for Attorney Fees  
and Costs**

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

**COURT CLERK:** Nicole McDevitt

**RECORDER:** Brynn White

**REPORTER:**

**PARTIES**

**PRESENT:**      Clark, Brian P      Attorney

**JOURNAL ENTRIES**

- Court noted there was no appearance for Plaintiff. Arguments by Mr. Clark in support of his motion. Court stated its findings and ORDERED Defendants' Motion for Attorney's Fees Pursuant to NRS 18.010 and for Costs of Suit Pursuant to NRS 18.020 GRANTED in its entirety. Mr. Clark to prepare the order.



# 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):

AMENDED NOTICE OF APPEAL TO THE SUPREME COURT FOR NEVADA FROM A JUDGMENT OR ORDER OF A DISTRICT COURT; AMENDED CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT ON PLAINTIFF'S CLAIMS IN CASE NO. A-18-776375, AND CASE NO. A-19-799140-C; NOTICE OF ENTRY OF ORDER GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT ON PLAINTIFF'S CLAIMS IN CASE NO. A-18-776375-C, AND CASE NO. A-19-799140-C; ORDER GRANTING DEFENDANTS' MOTION FOR ATTORNEY'S FEES PURSUANT TO NRS 18.010 AND FOR COSTS OF SUIT PURSUANT TO NRS 18.020 AND JUDGMENT; NOTICE OF ENTRY OF ORDER GRANTING DEFENDANT'S MOTION FOR ATTORNEY'S FEES PURSUANT TO NRS 18.010 AND FOR COSTS OF SUIT PURSUANT TO NRS 18.020 AND JUDGMENT; DISTRICT COURT MINUTES

PAUL D.S. EDWARDS,

Plaintiff(s),

vs.

TIMESHARE LIQUIDATORS, LLC dba TLC  
RESORT LIQUIDATORS dba TLC RESORTS  
VACATION CLUB, LLC dba TLC RESORTS  
VACATION CLUB dba TLC RESORTS aka  
TLCRESORTS.COM dba TLC TRAVEL dba  
VIP TRAVEL dba VIP VACATIONS dba VIP  
INTERNATIONAL,

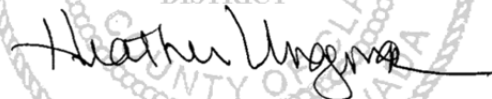
Defendant(s),

Case No: A-18-776375-C  
*Consolidated with A-19-799140-C*  
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 1 day of September 2020.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk  
A-18-776375-C