

IN THE SUPREME COURT OF THE STATE OF NEVADA

PAUL D.S. EDWARDS,

Appellant,

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 PLAZA HOTEL & CASINO, LLC, a/d/b/a PLAZA HOTEL & CASINO, 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 JONATHAN ROBERT JOSSEL, a/k/a JONATHAN JOSSEL, and EDUARDO ROMAY HERNANDEZ, a/k/a EDUARDO L ROMAY HERNANDEZ, a/k/a EDUARDO ROMARY, a/k/a EDUARDO L. ROMAY HERNANDEZ, a/k/a HERNANDEZ EDUARDO ROMAY, a/lc/a HERNANDEZ EDUARDO L OMay, 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,

Respondents.

PAUL D.S. EDWARDS,

Appellant,

vs.

Case No.: 81595

Electronically Filed
Nov 25 2020 01:00 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

consolidated with
No. 81759

TIMESHARE LIQUIDATORS, LLC, A/D/B/A
TLC RESORT LIQUIDATORS, A/D/B/A TLC
RESORTS, A/D/B/A TLC RESORTS VACATION
CLUB, A/D/B/A TLC RESORTS VACATION
CLUB, LLC, A/D/B/A TLC TRAVEL, A/D/B/A
TLCRESORTS.COM, A/D/B/A VIP TRAVEL,
A/D/B/A VIP VACATIONS; CASH4ASKING,
LLC, A/D/B/A CASH4ASKING.COM; STANLEY
C. MULLIS, A/K/A STANLEY MULLIS, A/K/A
STAN MULLIS; ANGEL MULLIS, A/K/A ANGEL
C. MULLIS; 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 EDUARDO L. ROMAY; AND
GLADYS C. RIONDA, A/K/A SUITO GLADYS
RIONDA, A/K/A; GLADYS C. RIONDA-SUITO,
A/K/A GLADY SUITO, A/K/A GLADYS RIONDA
SUITO,

**MOTION FOR DISMISSAL OF APPEAL CHALLENGING EIGHTH
JUDICIAL DISTRICT COURT CASE NUMBER A-19-799140-C**

Marquis Aurbach Coffing

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*Attorney for Cash4Asking, LLC;
Eduardo Romay Hernandez;
and Gladys Rionda Suito*

NRAP 26.1 DISCLOSURE

The undersigned counsel of record certifies that the following are persons and entities as described in NRAP 26.1(a), and must be disclosed. These representations are made in order that the Justices and Judges of the Appellate Courts may evaluate possible disqualification or recusal.

1. Respondent Cash4Asking, LLC does not have a parent corporation and there is no publicly held corporation that owns 10% or more of its stock.

2. Eduardo Romay Hernandez and Gladys Rionda Suito are individuals.

3. The firm of Marquis Aurbach Coffing represents Respondents Cash4Asking, LLC, Eduardo Romay Hernandez, and Gladys Rionda Suito in this Court.

4. Marquis Aurbach Coffing also represented Respondents in the District Court.

Dated this 25th day of November, 2020.

MARQUIS AURBACH COFFING

By: /s/ Chad Clement

Chad F. Clement, Esq.

Nevada Bar No. 12192

10001 Park Run Drive

Las Vegas, Nevada 89145

Attorney for Cash4Asking, LLC;

Eduardo Romay Hernandez; and

Gladys Rionda Suito

**MOTION FOR DISMISSAL OF APPEAL CHALLENGING EIGHTH
JUDICIAL DISTRICT COURT CASE NUMBER A-19-799140-C**

I. INTRODUCTION

On May 6, 2020, the District Court entered a final order that resolved all of the claims in Eighth Judicial District Court case number A-19-799140-C. Paul D.S. Edwards (“Edwards”), a proper person litigant,¹ did not file a notice of appeal challenging the order until August 10, 2020. Because the notice of appeal was not timely filed, Respondents Cash4Asking, LLC, Eduardo Romay Hernandez, and Gladys Rionda Suito, (cumulatively the “Cash4Asking Respondents”) respectfully submit that this Court should dismiss Edwards’ appeal(s) in part for lack of jurisdiction.

II. FACTUAL AND PROCEDURAL BACKGROUND

On June 19, 2018, proper person litigant Paul D.S. Edwards (“Edwards”) initiated litigation in the Eighth Judicial District Court that was assigned case number A-18-776375-C. Although Edwards named over a dozen defendants, the Cash4Asking Respondents were not parties to the case.

¹ Although Nevada courts extend extra courtesies and consideration to proper person litigants, unrepresented parties are not exempt from basic procedural requirements or court rules. *See, e.g., Rodriguez v. Fiesta Palms, LLC*, 134 Nev. 654, 659, 428 P.3d 255, 259 (2018); *Bonnell v. Lawrence*, 128 Nev. 394, 404, 282 P.3d 712, 718 (2012).

On July 25, 2019, Edwards filed an additional 106-page complaint in the Eighth Judicial District Court that was assigned case number A-19-799140-C. In addition to many of the same defendants from the 2018 case, the 2019 complaint named the Cash4Asking Respondents as defendants.

Because the two cases overlapped in some respects, several defendants moved the District Court to consolidate case number A-18-776375-C with A-19-799140-C. The District Court granted the motion on October 16, 2019.

Meanwhile, on September 11, 2019, the Cash4Asking Respondents filed motions for a more definitive statement in accordance with NRCP 12(e). The motions were fully briefed and the District Court held a hearing on October 29, 2019. Thereafter, on January 29, 2020, and February 3, 2020, the District Court entered two virtually identical orders which granted the Cash4Asking Respondents' motions. Notices of entry were filed and served the same day. *See Exhibits A and B* hereto.

Under NRCP 12(e), Edwards then had fourteen days to cure the deficiencies in the complaint (from case number A-19-799140-C) and provide a more definite statement. Edwards did not do so.

On March 4, 2020, *i.e.*, more than a month after entry of the later order, the Cash4Asking Respondents filed a motion to strike Edwards' complaint for failure

to provide a more definite statement. Other defendants, including Timeshare Liquidators, LLC's, Stanley Mullis, and Angel Mullis, joined the motion.

Although Edwards was properly served with the motion and the joinders, he did not file an opposition. So, on the basis of Eighth Judicial District Court Rule 2.20(e) *and* NRCP 12(e), the District Court granted the motion to strike Edwards' complaint in case number A-19-799140-C. Notice of entry of the District Court's written Order Granting Motion to Strike Complaint for Plaintiff's Refusal to Comply with the Court's Orders Granting Defendants' Motions for More Definite Statement (the "Order Granting Motion to Strike") was completed on May 6, 2020. *See Exhibit C* hereto.

Under NRAP 4(a)(1), Edwards had until June 5, 2020, to file a notice of appeal challenging the Order Granting Motion to Strike. Edwards waited, however, until August 2020, to file a notice of appeal which challenges, amongst other matters, the Order Granting Motion to Strike.² *See Exhibit D*. Thus, Edwards' notice of appeal was more than two months late.

² Edwards filed a separate notice of appeal on September 9, 2020, which challenges attorneys' fees and costs. Both cases (Supreme Court of Nevada case numbers 81595 and 81795) were recently consolidated.

III. LEGAL ARGUMENT

Nevada's appellate courts have jurisdiction to entertain an appeal only where an appeal is authorized by statute or court rule. *Valley Bank of Nev. v. Ginsburg*, 110 Nev. 440, 444, 874 P.2d 729, 732 (1994). Importantly, the proper and timely filing of a notice of appeal is also a fundamental jurisdictional requirement. *See In re Duong*, 118 Nev. 920, 922 59 P.3d 1210, 1212 (2002); *Dickerson v. State*, 114 Nev. 1084, 1087, 967 P.2d 1132, 1134 (1998); *Zugel by Zugel v. Miller*, 99 Nev. 100, 101, 659 P.2d 296, 297 (1983). Accordingly, where an appellant fails to file a timely notice of appeal, this Court lacks jurisdiction to consider the appeal – even if the issues are meritorious or otherwise of interest to the Court. *See, e.g., Dickerson*, 114 Nev. at 187, 967 P.2d at 1134, *Walker v. Scully*, 99 Nev. 45, 657 P.2d 94 (1983).

Here, the Order Granting Motion to Strike was a final order that resolved all of the claims in Eighth Judicial District Court case number A-19-799140-C and left “nothing for the future consideration of the court.” *See Lee v. GNLV Corp.*, 116 Nev. 424, 426, 996 P.2d 416, 417 (2000) (“[A] final judgment has been described as one that disposes of the issues presented in the case, determines the costs, and leaves nothing for the future consideration of the court.”) (internal quotation marks and citation omitted). Although case number A-19-799140-C was

consolidated with another case, it is well-established that consolidation is not a complete merger of separate cases into a single matter. *Hall v. Hall*, 138 S. Ct. 1118, 1125 (2018) (citing *Rich v. Lambert*, 12 How. 347, 13 L.Ed. 1017 (1852)); *Gelboim v. Bank of Am. Corp.*, 574 U.S. 405, 414, 135 S. Ct. 897, 905 (2015); *see also Taylor v. Logan Tr. Co.*, 289 F. 51, 53 (8th Cir. 1923) (holding that parties to one constituent consolidated case could not appeal orders in the other because “consolidation did not make the parties to one suit parties to the other”). Instead, consolidated cases retain their distinct identities while everyone benefits from efficient case management. *Hall*, 138 S. Ct. at 1126.; *see also Stone v. United States*, 64 F. 667, 672 (9th Cir. 1894) (“The two cases, although consolidated, were separate and distinct.”); *Baltimore S.S. Co., Inc. v. Koppel Indus. Car & Equip. Co.*, 299 F. 158, 160 (4th Cir. 1924) (“[T]he consolidation for convenience of trial did not merge the two causes of action”).

So, once the Order Granting Motion to Strike resolved all of the claims in case number A-19-799140-C by striking Edwards’ complaint, the order was immediately appealable under NRAP 3A(3)(b). *See Matter of Estate of Sarge*, 134 Nev. 866, 870-71, 432 P.3d 718, 722 (2018); *see also, e.g., Hall*, 138 S. Ct. at 1131 (“[W]hen one of several consolidated cases is finally decided, a disappointed litigant is free to seek review of that decision in the court of appeals”); *Gelboim*,

574 U.S. at 413, 135 S. Ct. at 904 (“[A]n order disposing of one of the discrete cases in its entirety should qualify under § 1291 as an appealable final decision”). Edwards then had until June 5, 2020, to file a notice of appeal. *See* NRAP 4(a)(1).

Because Edwards did not file his notice of appeal until months later, this Court lacks jurisdiction to consider Edwards’ challenge to the Order Granting Motion to Strike or any other arguments that pertain specifically to case number A-19-799140-C. Accordingly, this Court should grant the instant motion to dismiss Edwards’ appeal in part. Further, because the Cash4Asking Respondents were only parties in case number A-19-799140-C, these Respondents should also be dismissed from further participation in the consolidated appeals.

IV. CONCLUSION

The May 6, 2020, Order Granting Motion to Strike was a final order that resolved all of the claims in case number A-19-799140-C. Because Edwards failed to file a timely notice of appeal within thirty days of entry of the order, this Court lacks jurisdiction to entertain an appeal regarding the Order Granting Motion to Strike or any interlocutory orders that were entered in case number A-19-799140-C. Jurisdiction is fundamental and not a matter of discretion. Therefore, the Cash4Asking Respondents respectfully submit that Edwards’ appeal should be dismissed in part and that the caption in case numbers 81759 and 81595 be updated

to reflect that Cash4Asking, Eduardo Romay Hernandez, and Gladys Rionda Suito are no longer Respondents in this matter.

Dated this 25th day of November, 2020.

MARQUIS AURBACH COFFING

By: /s/ Chad Clement

Chad F. Clement, Esq.

Nevada Bar No. 12192

10001 Park Run Drive

Las Vegas, Nevada 89145

Attorney for Cash4Asking, LLC;

Eduardo Romay Hernandez; and Gladys

Rionda Suito

CERTIFICATE OF SERVICE

I hereby certify that the foregoing **MOTION FOR DISMISSAL OF APPEAL CHALLENGING EIGHTH JUDICIAL DISTRICT COURT CASE NUMBER A-19-799140-C** was filed electronically with the Supreme Court of Nevada on the 25th day of November, 2020. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

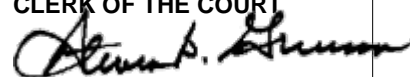
Brian Clark

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage prepaid, addressed to:

Paul D.S. Edwards
713 Wheat Ridge Lane, Unit 203
Las Vegas, Nevada 89145
Telephone: 702-341-1776
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Email: pauldse@pauldsedwards.com
Appellant, pro se

/s/ *Javie-Anne Bauer*
An employee of Marquis Aurbach Coffing

Exhibit A

**Marquis Aurbach Coffing**

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Attorneys for Defendants
Cash4Asking, LLC; Eduardo Romay Hernandez;
and Gladys Rionda Suito

DISTRICT COURT**CLARK COUNTY, NEVADA**

PAUL D.S. EDWARDS,

Plaintiff,

vs.

Case No.: A-18-776375-C
(Consolidated with A-19-799140-C)

Dept. No.: 27

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.,jen

NOTICE OF ENTRY OF ORDER

Defendants.

PLEASE TAKE NOTICE that on the 29th day of January, 2020, an Order Granting Cash4Asking, LLC's Motion for More Definite Statement in the above-referenced court. A copy of which is attached hereto.

Dated this 29th day of January, 2020.

Marquis Aurbach Coffing

/s/ Chad F. Clement

By: Chad F. Clement, Esq.
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*Attorneys for Defendants
Cash4Asking, LLC; Eduardo Romay Hernandez;
and Gladys Rionda Suito*

CERTIFICATE OF SERVICE

I hereby certify that the foregoing NOTICE OF ENTRY OF ORDER was submitted electronically for filing and/or service with the Eighth Judicial District Court on the 29th day of January, 2020. Electronic service of the foregoing document shall be made in accordance with the E-Service List as follows:¹

Paul D.S. Edwards (pauldse@pauldsedwards.com)
Plaintiff pro se

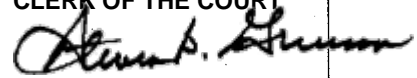
Brian Clark (bpc@clarkmccourt.com)
*Attorneys for Defendants Timeshare Liquidators, LLC; Stanley Mullis
And Angel Mullis*

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage prepaid, addressed to:

N/A

/s/ Barb Frauenfeld
an employee of Marquis Aurbach Coffing

¹ Pursuant to EDCR 8.05(a), each party who submits an E-Filed document through the E-Filing System consents to electronic service in accordance with NRCP 5(b)(2)(D).



1 **Marquis Aurbach Coffing**
2 Chad F. Clement, Esq.
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10 cclement@maclaw.com
11 *Attorneys for Defendants*
12 *Cash4Asking, LLC; Eduardo Romay Hernandez;*
13 *and Gladys Rionda Suito*

8 **DISTRICT COURT**

9 **CLARK COUNTY, NEVADA**

10 PAUL D.S. EDWARDS,

11 Plaintiff,

12 vs.

Case No.: A-18-776375-C
(Consolidated with A-19-799140-C)

Dept. No.: 27

13 TIMESHARE LIQUIDATORS, LLC,
14 a/d/b/a TLC RESORT LIQUIDATORS,
15 a/d/b/a TLC RESORTS VACATION CLUB,
16 LLC, a/d/b/a TLC RESORTS VACATION
17 CLUB, a/d/b/a TLC RESORTS, a/k/a
18 TLCRESORTS.COM, a/d/b/a TLC TRAVEL,
19 a/k/a TLC, a/d/b/a VIP TRAVEL, a/d/b/a VIP
20 VACATIONS, a/d/b/a VIP INTERNATIONAL,
21 and CASH4ASKING, LLC, a/d/b/a
22 CASH4ASKING.COM,
23 and STANLEY C. MULLIS, a/k/a STANLEY
24 MULLIS, a/k/a STAN MULLIS, and ANGEL C.
25 MULLIS, a/k/a ANGEL MULLIS, a/k/a
26 ANGEL SANTILLI,
27 and EDUARDO ROMAY HERNANDEZ,
28 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.,jen

**ORDER GRANTING CASH4ASKING,
LLC'S MOTION FOR MORE DEFINITE
STATEMENT**

Defendants.

Defendant Cash4Asking, LLC's ("C4A") Motion for More Definite Statement ("Motion") came before this Court for hearing on December 5, 2019, at 10:00 a.m., with Chad F. Clement, Esq., of Marquis Aurbach Coffing, appearing for C4A. Plaintiff Paul D.S. Edwards did not appear at the hearing.

NOW, THEREFORE, having reviewed the Motion, briefing related thereto, papers and pleadings on file herein, having heard argument at the time of the hearing, being fully advised on the matter, and good cause appearing therefore, the Court decides the Motion as follows:

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Motion is **GRANTED**.

IT IS SO ORDERED this 24 day of Jan, 2020.

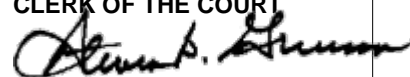
Nancy L. Ane
DISTRICT COURT JUDGE
JD

Submitted by:

Marquis Aurbach Coffing

By: Chad F. Clement, Esq.
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Attorneys for Defendants
Cash4Asking, LLC; Eduardo Romay Hernandez;
and Gladys Rionda Suito

Exhibit B

**Marquis Aurbach Coffing**

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Attorneys for Defendants
Cash4Asking, LLC; Eduardo Romay Hernandez;
and Gladys Rionda Suito

DISTRICT COURT**CLARK COUNTY, NEVADA**

PAUL D.S. EDWARDS,

Plaintiff,

vs.

Case No.: A-18-776375-C
(Consolidated with A-19-799140-C)

Dept. No.: 27

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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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VACATIONS, a/d/b/a VIP INTERNATIONAL,
and CASH4ASKING, LLC, a/d/b/a
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and STANLEY C. MULLIS, a/k/a STANLEY
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MULLIS, a/k/a ANGEL MULLIS, a/k/a
ANGEL SANTILLI,
and EDUARDO ROMAY HERNANDEZ,
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a/k/a EDUARDO L. ROMAY HERNANDEZ,
a/k/a HERNANDEZ EDUARDO ROMAY,
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and GLADYS C. RIONDA, a/k/a SUITO
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RIONDA-SUITO, a/k/a GLADYS SUITO, a/k/a
GLADYS RIONDA SUITO,
and DOES I-X, and ROE CORPORATIONS XI-
XX, et al.,jen

NOTICE OF ENTRY OF ORDER

Defendants.

PLEASE TAKE NOTICE that on the 3rd day of February, 2020, an 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 was filed in the above-referenced court. A copy of which is attached hereto.

Dated this 3rd day of February, 2020.

Marquis Aurbach Coffing

/s/ Chad F. Clement
By: Chad F. Clement, Esq.
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*Attorneys for Defendants
Cash4Asking, LLC; Eduardo Romay Hernandez;
and Gladys Rionda Suito*

CERTIFICATE OF SERVICE

I hereby certify that the foregoing NOTICE OF ENTRY OF ORDER was submitted electronically for filing and/or service with the Eighth Judicial District Court on the 3rd day of February, 2020. Electronic service of the foregoing document shall be made in accordance with the E-Service List as follows:¹

Paul D.S. Edwards (pauldse@pauldsedwards.com)
Plaintiff pro se

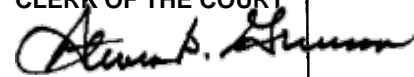
Brian Clark (bpc@clarkmccourt.com)
*Attorneys for Defendants Timeshare Liquidators, LLC; Stanley Mullis
And Angel Mullis*

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage prepaid, addressed to:

N/A

/s/ Barb Frauenfeld
an employee of Marquis Aurbach Coffing

¹ Pursuant to EDCR 8.05(a), each party who submits an E-Filed document through the E-Filing System consents to electronic service in accordance with NRCP 5(b)(2)(D).



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11 *Attorneys for Defendants*
12 *Cash4Asking, LLC; Eduardo Romay Hernandez;*
13 *and Gladys Rionda Suito*

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

10 PAUL D.S. EDWARDS,

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16 LLC, a/d/b/a TLC RESORTS VACATION
17 CLUB, a/d/b/a TLC RESORTS, a/k/a
18 TLCRESORTS.COM, a/d/b/a TLC TRAVEL,
19 a/k/a TLC, a/d/b/a VIP TRAVEL, a/d/b/a VIP
20 VACATIONS, a/d/b/a VIP INTERNATIONAL,
21 and CASH4ASKING, LLC, a/d/b/a
22 CASH4ASKING.COM,
23 and STANLEY C. MULLIS, a/k/a STANLEY
24 MULLIS, a/k/a STAN MULLIS, and ANGEL C.
25 MULLIS, a/k/a ANGEL MULLIS, a/k/a
26 ANGEL SANTILLI,
27 and EDUARDO ROMAY HERNANDEZ,
28 a/k/a EDUARDO L ROMAYHERNANDEZ,
a/k/a EDUARDO ROMARY,
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.,

**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**

Defendants.

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, Motion for More Definite Statement came before this Court for hearing on December 5, 2019, at 10:00 a.m., with Chad F. Clement, Esq., of Marquis Aurbach Coffing, appearing for Defendants Eduardo Romay Hernandez and Gladys Rionda Suito. Plaintiff Paul D.S. Edwards did not appear at the hearing.

NOW, THEREFORE, having reviewed the Motion, briefing related thereto, papers and pleadings on file herein, having heard argument at the time of the hearing, being fully advised on the matter, and good cause appearing therefore, the Court decides the Motion as follows:

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendants Eduardo Romay Hernandez And Gladys Rionda Suito's Motion To Dismiss For Lack Of Personal Jurisdiction is **DENIED**.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendants Eduardo Romay Hernandez and Gladys Rionda Suito's Motion To Dismiss For Failure To State A Claim Upon Which Relief Can Be Granted is **DENIED**; and

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1 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant Eduardo
2 Romay Hernandez and Gladys Rionda Suito's Motion for More Definite Statement is
3 **GRANTED.**

4 IT IS SO ORDERED this 30 day of Jan., 2020.

5
6 Nancy L. All
7 DISTRICT COURT JUDGE
8 JD

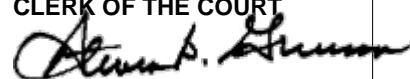
9 Submitted by:

10 **Marquis Aurbach Coffing**

11 By: Chad F. Clement

12 Chad F. Clement, Esq.
13 Nevada Bar No. 12192
14 Alexander K. Calaway
15 Nevada Bar No. 15188
16 10001 Park Run Drive
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19 Facsimile: (702) 382-5816
20 cclement@maclaw.com
21 Attorneys for Defendants
22 Cash4Asking, LLC; Eduardo Romay Hernandez;
23 and Gladys Rionda Suito
24
25
26
27
28

Exhibit C

**Marquis Aurbach Coffing**

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Attorneys for Defendants
Cash4Asking, LLC; Eduardo Romay Hernandez;
and Gladys Rionda Suito

DISTRICT COURT**CLARK COUNTY, NEVADA**

PAUL D.S. EDWARDS,

Plaintiff,

vs.

Case No.: A-18-776375-C
(Consolidated with A-19-799140-C)

Dept. No.: 27

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.

NOTICE OF ENTRY OF ORDER

1 PLEASE TAKE NOTICE that on the 4th day of May, 2020, the order Granting Motion to
2 Strike Complaint for Plaintiff's Refusal to Comply with the Court's Orders Granting Defendants'
3 Motions for More Definite Statement was filed in the above-referenced court. A copy of which
4 is attached hereto.

5 Dated this 6th day of May, 2020.

6 **Marquis Aurbach Coffing**

7
8 /s/ Alexander Calaway
9 By: Chad F. Clement, Esq.
10 Nevada Bar No. 12192
11 Alexander K. Calaway
12 Nevada Bar No. 15188
13 10001 Park Run Drive
14 Las Vegas, Nevada 89145
15 Telephone: (702) 382-0711
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17 cclement@maclaw.com
18 *Attorneys for Defendants*
19 *Cash4Asking, LLC; Eduardo Romay Hernandez;*
20 *and Gladys Rionda Suito*
21
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing **NOTICE OF ENTRY OF ORDER** was submitted electronically for filing and/or service with the Eighth Judicial District Court on the 6th day of May, 2020. Electronic service of the foregoing document shall be made in accordance with the E-Service List as follows:¹

Paul D.S. Edwards (pauldse@pauldsedwards.com)
Plaintiff pro se

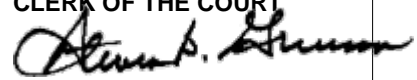
Brian Clark (bpc@clarkmccourt.com)
*Attorneys for Defendants Timeshare Liquidators, LLC; Stanley Mullis
And Angel Mullis*

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage prepaid, addressed to:

N/A

/s/ J. Case
an employee of Marquis Aurbach Coffing

¹ Pursuant to EDCR 8.05(a), each party who submits an E-Filed document through the E-Filing System consents to electronic service in accordance with NRCP 5(b)(2)(D).



Marquis Aurbach Coffing
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acalaway@maclaw.com

Attorneys for Defendants
Cash4Asking, LLC; Eduardo Romay Hernandez;
and Gladys Rionda Suito

DISTRICT COURT**CLARK COUNTY, NEVADA**

PAUL D.S. EDWARDS,

Plaintiff,

vs.

Case No.: A-18-776375-C

Dept. No.: 27

Consolidated with Case No. A-19-799140-C

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

ORDER GRANTING MOTION TO
STRIKE COMPLAINT FOR
PLAINTIFF'S REFUSAL TO COMPLY
WITH THE COURT'S ORDERS
GRANTING DEFENDANTS' MOTIONS
FOR MORE DEFINITE STATEMENT

GLADYS RIONDA SUITO,
and DOES I-X, and ROE CORPORATIONS XI-
XX, et al.,

Defendants.

Defendants Cash4asking, LLC's, Eduardo Romay Hernandez's, and Gladys Rionda Suito's ("Defendants") Motion to Strike Complaint for Plaintiff Paul D.S. Edward's ("Plaintiff") Refusal to Comply with the Court's Orders Granting Defendants' Motions for More Definite Statement ("Motion"), and Defendants Timeshare Liquidators, LLC's, Stanley Mullis', and Angel Mullis' Joinder to the Motion ("Joinder"), were scheduled for hearing on April 8, 2020, at 9:00 a.m., but were decided in chambers by minute order on April 3, 2020, after Plaintiff filed to file an opposition to the Motion and Joinder, as more fully set forth below.

NOW, THEREFORE, having reviewed the Motion, Joinder, papers, pleadings, and evidence on file herein, being fully advised on the matter, and good cause appearing therefore, the Court decides the Motion and Joinder as set forth below.

NRCP 12(e) provides:

A party may move for a more definite statement of a pleading to which a responsive pleading is allowed but which is so vague or ambiguous that the party cannot reasonably prepare a response. The motion must be made before filing a responsive pleading and must point out the defects complained of and the details desired. If the court orders a more definite statement and the order is not obeyed within 14 days after notice of the order or within the time the court sets, the court may strike the pleading or issue any other appropriate order.¹

Here, on July 25, 2019, Plaintiff filed his Complaint which was over 106 pages long and contained 252 paragraphs of allegations, commencing Case No. A-19-799140-C.² On September 11, 2019, Defendants filed their motions for a more definite statement directed at the Complaint

¹ The Nevada Rules of Civil Procedure "cannot be applied differently merely because a party not learned in the law is acting pro se." *Bonnell v. Lawrence*, 128 Nev. 394, 404, 282 P.3d 712, 718 (2012). "[A] pro se litigant cannot use his alleged ignorance as a shield to protect him from the consequences of failing to comply with basic procedural requirements." *Rodriguez v. Fiesta Palms, LLC*, 134 Nev. 654, 659, 428 P.3d 255, 259 (2018) (citing *Kahn v. Orme*, 108 Nev. 510, 514, 835 P.2d 790, 793 (1992)).

² Plaintiff had previously commenced Case No. A-18-776375-C with a separate complaint.

1 in Case No. A-19-799140-C, wherein Defendants requested Plaintiff “file an amended complaint
2 that contains a short and plain statement of his claims. . . so that [Defendants] can prepare a
3 response to the Complaint.” On October 16, 2019, this Court granted a motion and joinder to
4 consolidate Case No. A-19-799140-C with Case No. A-18-776375-C. On October 29, 2019, a
5 hearing was held on the motions for a more definitive statement and the Court orally granted them.
6 On January 29, 2020, and February 3, 2020, this Court entered its orders granting those motions.
7 Notices of entry of those were filed and served upon Plaintiff that same day. Thus, Plaintiff was
8 required to amend his complaint in Case No. A-19-799140-C within fourteen (14) days (on or
9 before February 12, 2020) under NRCP 12(e).

10 Plaintiff failed, however, to amend his Complaint or cure any of the Complaint’s defects
11 within that time period. So, on March 4, 2020, and March 10, 2020, Defendants filed the instant
12 Motion and Joinder, respectively, which were both served upon Plaintiff on those days as shown
13 by the certificates of service attached thereto.³ Plaintiff’s opposition to the Motion was due, at the
14 latest, on or before March 18, 2020. *See* EDCR 2.20(e) (2020) (requiring opposition within 14
15 days of service of the Motion); *see also* NRCP 6(a) (instructing as to computation of time).

16 Plaintiff, however, did not file an opposition to the Motion and Joinder. Under EDCR
17 2.20(e), the “[f]ailure of the opposing party to serve and file written opposition may be construed
18 as an admission that the motion ... is meritorious and a consent to granting the same.” As a
19 consequence, under EDCR 2.20(e), and after a review and based upon the merits of the Motion
20 and Joinder, the Court grants the Motion and Joinder.

21 Accordingly,

22 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Defendants’ Motion to
23 Strike Complaint for Plaintiff’s Refusal to Comply with the Court’s Orders Granting Defendants’
24 Motion for More Definite Statement is GRANTED.

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26
27 ³ Defendants refrained from brining the Motion until well after the time allotted under NRCP 12(e) (Plaintiff
28 had more than twice the time allotted under the rule).

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendants Timeshare
2 Liquidators, LLC, Stanley Mullis, and Angel Mullis Joinder to Motion to Strike Complaint for
3 Plaintiff's Refusal to Comply with the Court's Orders Granting Defendants' Motion for More
4 Definite Statement is GRANTED.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Plaintiff's Complaint
6 in Case No. A-19-799140-C is STRICKEN in its entirety under NRCP 12(e).

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that as a result of Plaintiff's
8 Complaint being stricken, Case No. A-19-799140-C is hereby DISMISSED with PREJUDICE.⁴

9 IT IS SO ORDERED this 4th day of May, 2020.

11
12 
13 DISTRICT COURT JUDGE

14 Submitted by:

15 MARQUIS AURBACH COFFING

16
17 By: /s/Alexander Calaway

18 Chad F. Clement, Esq.

19 Nevada Bar No. 12192

20 Alexander K. Calaway, Esq.

21 Nevada Bar No. 15188

22 10001 Park Run Drive

23 Las Vegas, Nevada 89145

24 Attorneys for Defendants

25 Cash4Asking, LLC; Eduardo Romay Hernandez;

26 and Gladys Rionda Suito

27
28
⁴ The Court finds that dismissal is also proper under NRCP 41(b). NRCP 41(b) provides "[i]f the plaintiff fails to comply with these rules or a court order, a defendant may move to dismiss the action or any claim against the defendant." As more fully explained above, Plaintiff violated NRCP 12(e), NRCP 8(a), and this Court's prior orders. Also, as is demonstrated by the record, Plaintiff also violated the same statutes and other orders in Case No. A-18-776375-C.

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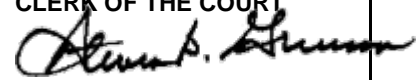
Case No.: A-18-776375-C
Dept. No.: 27
Order

CLARK MCCOURT

By: /s/Brian Clark

Brian P. Clark, Esq.
Nevada Bar No. 4326
Lukas B. McCourt
Nevada Bar No. 11839
7371 Prairie Falcon Road, Suite 120
Las Vegas, NV 89128
Attorneys for Defendants
Stanley Mullis; Angel Mullis; and Timeshare Liquidators

Exhibit D



Electronically Filed
Aug 10 2020 01:26 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

NOAS (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

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

1 Notice is hereby given that Plaintiff PAUL D.S. EDWARDS, *pro se* (“**Plaintiff**”), in the
2 above-entitled action, does now hereby appeal to the Supreme Court for Nevada from the [entire]
3 Order and Notice of Entry of Order Granting Defendants’ Motion for Summary Judgment on
4 Plaintiff’s Claims in Case No. A-18-776375-C, and Case No. A-19-799140-C, entered on July 13,
5 2020. A copy of the July 13, 2020 Order and Entry of Order is attached hereto and incorporated
6 herein as **Exhibit 1 (Bates Nos. 001-008)**.

7 Plaintiff also appeals every Order and Entry of Order associated with Case No. A-18-776375-
8 C and Case No. A-19-799140-C, that was issued subsequent to the District Court’s approval and the
9 filing of Plaintiff’s “Notice of Voluntary Dismissal, Pursuant to Nevada Rules of Civil Procedures,
10 Rule 41(a)” on July 16, 2019. A copy of Plaintiff’s “Notice of Voluntary Dismissal, Pursuant to
11 Nevada Rules of Civil Procedures, Rule 41(a),” is attached hereto and incorporated herein as **Exhibit**
12 **2 (Bates Nos. 009-011)**.

13 DATED this 5th day of August 2020.

14
15
16 PAUL D.S. EDWARDS,

17
18 /s/ Paul D.S. Edwards
19 Paul D.S. Edwards
20 713 Wheat Ridge Lane, Unit 203,
21 Las Vegas, Nevada 89145
22 Landline Telephone: 702.341.1776
23 Cellular Telephone: 702.893.1776
24 Email: pauldse@pauldsedwards.com
25 Plaintiff, *pro se*
26
27
28

1 **CERTIFICATE OF E-SERVICE**

2 I HEREBY CERTIFY that on the 5th day of August 2020, pursuant to the Nevada Electronic
3 Filing and Conversion Rules (NEFCR) & N.R.C.P., Rule 5(b)(4), I e-served a true and correct copy
4 of the following document:

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

7 to the following:

8 Chad F. Clement, MARQUIS AURBACH COFFING
9 cclement@maclaw.com

10 Brian P. Clark, CLARK MCCOURT
11 bpc@clarkmccomi.com

12
13 

14 _____
15 Designee for Plaintiff
16
17
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