

FILED

2020 OCT -6 PM 1:51

**Form 1. Notice of Appeal to the Supreme Court From a Judgment or Order of a District Court**

No. 18-CV-00663

CLERK OF DISTRICT COURT ADMINISTRATOR  
THIRD JUDICIAL DISTRICT  
*Kathy Thomas*  
Dept. No. 10  
Electronically Filed  
Oct 09 2020 03:07 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

IN THE THIRD JUDICIAL DISTRICT COURT OF THE  
STATE OF NEVADA IN AND FOR  
THE COUNTY OF LYON

LEO KRAMER and AUDREY KRAMER, Plaintiffs, pro se }  
v. }  
NATIONAL DEFAULT SERVICING CORPORATION, et al, Defendants }

**NOTICE OF APPEAL**

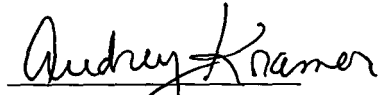
Notice is hereby given that LEO KRAMER and AUDREY KRAMER, Plaintiffs above named, hereby appeals to the Supreme Court of Nevada from the final judgment from the order.... **'Denying Plaintiffs Motion For Leave to Amend and Granting Defendants' Motion For Summary Judgment'**.... entered in this action on the 8 day of SEPTEMBER, 2020.

Date: October 5, 2020



LEO KRAMER  
PLAINTIFF, in pro se

Date: October 5, 2020



AUDREY KRAMER  
PLAINTIFF, in pro se

MAILING ADDRESS:  
2364 REDWOOD ROAD  
HERCULES, CA 94547

PROOF OF SERVICE

[C.C.P. §1013]

STATE OF CALIFORNIA )  
COUNTY OF CONTRA COSTA ) ss:

The UPS Store  
1211 Fremont Blvd.  
Hercules, CA 94547  
store2796@theupsstore.com

I am employed in the County of Contra Costa, State of California. I am over the age of 18 and not a party to the within action; my business address is: \_\_\_\_\_

On October 5, 2020, I served the foregoing document entitled:

**NOTICE OF APPEAL TO THE SUPREME COURT FROM A JUDGMENT OR ORDER OF A DISTRICT COURT & CASE APPEAL STATEMENT**

on all parties in this action as follows:

**PLEASE SEE ATTACHED SERVICE LIST**

X By Mail. By placing a true copy thereof enclosed in a sealed envelope. I am "readily familiar" with the firm's practice of collection and processing for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with first class postage thereon fully paid at Hercules, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or the postage meter is more than one day after day of deposit for mailing in this Proof of Service.

\_\_\_\_ By Email. I, Audrey Kramer also transmitted said document by Email to the offices of the addressees at the Email Addresses attached on this Service List. \_\_\_\_\_

\_\_\_\_ By Personal Service. I delivered such envelope by hand to the addressee(s).

\_\_\_\_ By Overnight Courier. I caused the above-referenced document(s) to be delivered to an overnight courier service for next day delivery to the addressee(s) on the attached Service List.

I declare under penalty of perjury under the laws of the State of California and the laws of the State of Nevada that the foregoing is true and correct.

Executed on 10.5.2020 at Hercules, California.

Corina DiGrazia

Name of Declarant



Signature of Declarant

SERVICE LIST:

Matthew K. Schriever  
John T. Steffen  
Hutchison & Steffen  
1008 West Alta Drive, Suite 200  
Las Vegas, NV 89145

Attorneys for Defendants,  
BRECKENRIDGE PROPERTY FUND 2016 LLC, et al.

Ace Van Patten  
Kevin S. Soderstrom  
Tiffany & Bosco, P.A.  
10100 W. Charleston Boulevard, Ste.220  
Las Vegas, NV 89135

Attorneys for Defendant,  
NATIONAL DEFAULT SERVICING CORPORATION

FILED

2020 OCT -9 PM 1:32

CASE NO: 18-CV-00663

DEPT: I

TANYA SCEJRINE  
COURT ADMINISTRATOR  
THIRD JUDICIAL DISTRICT

*Gathy Thomas* DEPUTY

IN THE THIRD JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF LYON

LEO KRAMER and AUDREY KRAMER,  
Appellants

CASE APPEAL STATEMENT

Vs.

NATIONAL DEFAULT SERVICING  
CORPORATION, ALYSSA MCDERMOTT,  
WEDGWOOD INC., BRECKENRIDGE  
PROPERTY FUND 2016 LLC, and DOES1  
THROUGH 50 INCLUSIVE,  
Respondent

1. LEO and AUDREY KRAMER are the names of the appellant filing this case appeal statement.
2. Honorable JOHN P. SCHLEGELMILCH issued the order being appealed.
3. LEO and AUDREY KRAMER are the Appellants in this case acting in Pro Per, 2364 Redwood Road, Hercules, CA 94547.
4. NATIONAL DEFAULT SERVICING CORPORATION is the respondents in this case. Kevin S. Soderstrom,, Attorney at Law, 10100 W. Charleston Blvd., Ste 20, Las Vegas NV 89135 represents the respondent in this case. ALYSSA MCDERMOTT is a respondent in this case. ALYSSA MCDERMOTT is represented by John T. Steffen, Attorney at Law, 10080 West Alta Dr., Suite 200, Las Vegas, NV 89145. BRECKENRIDGE PROPERTY FUND 2016 LLC is a respondent in this case. BRECKENRIDGE PROPERTY FUND is represented by John T. Steffen, Attorney at Law, 10080 West Alta Dr, Suite 200, Las Vegas, NV 89415.
5. KEVIN S. SODERSTROM is Licensed to Practice in the State of Nevada. JOHN T. STEFFEN is Licensed to Practice in the State of Nevada
6. Appellants were not represented by counsel in the District Court Proceedings.

1  
2 7. Appellants are acting in Proper Person on this Appeal

3 8. No request to proceed in forma pauperis filed.

4 9. The proceedings commenced in District Court on a COMPLAINT which was filed on  
5 October 29, 2018. There was a hearing held on September 8, 2020 in which the court gave  
6 an oral Order Denying Plaintiff's Motion for Leave to Amend and Granting Defendant's  
Motion for Summary Judgment. . There has not been a written Order, or a Notice of Entry of  
Order filed as of yet in the matter.

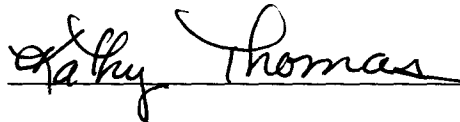
7 10. This is a Civil Case.

8 11. This case has not previously been the subject of appeals in the Supreme Court.

9 12. This case does not involve child custody/visitation.

10 13. N/A

11  
12 Dated this 9<sup>th</sup> day of October 2020.

13  
14 

15 Kathy Thomas, Deputy  
16 Thrid Judicial District Court  
17 911 Harvey Way, #4  
18 Yerington, Nevada 89447  
19 775-463-6503  
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3 **CERIFICATE OF MAILING**  
4


5 The undersigned Kathy Thomas, an employee of the Third Judicial District Court  
6 hereby certifies that on the 9<sup>TH</sup> day of Octobr, 2020 I served a copy of the Case Appeal  
7 Statement in the above entitled case by depositing the same in the U. S. mail at Yerington,  
8 Nevada, postage paid, addressed as follows:

9  
10 Audrey and Leo Kramer  
11 2364 Redwood Road  
Hercules, CA 94547

John T. Steffen  
Matthew K. Schriever  
10080 West Alta Dr., Suite 200  
Las Vegas, NV 89145

12 Casey J. Nelson  
13 2320 Potosi Street, Suite 130  
Las Vegas, NV 89146

14  
15 Dated this 9<sup>th</sup> day of October 2020

16  
17   
18 Kathy Thomas, Deputy Clerk  
19  
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## Case Summary

### NATIONAL DEFAULT SERVICING CORPORATION, LEO KRAMER, AUDREY KRAMER, ALYSSA MC DERMOTT, WEDGWOOD INC., BRECKENRIDGE PROPERTY FUND 2016 LLC ~ COMPLAINT

Case Number: 18-CV-00663

Agency: Third Judicial District Court

Type: Other Title to Property Case

Received Date: 6/8/2018

Status: Reopened

Status Date: 10/29/2018

#### Involvements

##### Primary Involvements

KRAMER, LEO Plaintiff

KRAMER, AUDREY Plaintiff

NATIONAL DEFAULT SERVICING CORPORATION Defendant

MC DERMOTT, ALYSSA Defendant

WEDGWOOD INC. Defendant

BRECKENRIDGE PROPERTY FUND 2016 LLC Defendant

##### Other Involvements

Steffen, John T. Esq. Defendant's Attorney

Soderstrom, Kevin S. Esq. Defendant's Attorney

KRAMER, LEO Pro Per

KRAMER, AUDREY Pro Per

Third Judicial District Court (18-CV-00663)

Schlegelmilch, John P. - JPS Dept I - TJDC

#### 7. REOPEN ~ Reopened Charge

KRAMER, AUDREY Plaintiff

Notes: AMENDED COMPLAINT FILED

Lead/Active: False

#### Other Title to Property Case

##### 1. NRCP 3 ~ COMPLAINT

KRAMER, LEO Plaintiff

Disposition: Motion to Dismiss by Defendant Dispo Date: 10/24/2018

Lead/Active: True

##### 2. NRCP 3 ~ COMPLAINT

KRAMER, AUDREY Plaintiff

Disposition: Motion to Dismiss by Defendant Dispo Date: 10/24/2018

Lead/Active: False

##### 3. NRCP 5 ~ ANSWER

NATIONAL DEFAULT SERVICING CORPORATION Defendant

Disposition: Motion to Dismiss by Defendant Dispo Date: 10/24/2018

Lead/Active: False

##### 4. NRCP 5 ~ ANSWER

MC DERMOTT, ALYSSA Defendant

Plea: Dismissed Plea Date: 5/24/2019 Disposition: Motion to Dismiss by Defendant Dispo Date: 10/24/2018

Lead/Active: False

##### 5. NRCP 5 ~ ANSWER

WEDGWOOD INC. Defendant

Plea: Dismissed Plea Date: 5/24/2019 Disposition: Motion to Dismiss by Defendant Dispo Date: 10/24/2018

Lead/Active: False

##### 6. NRCP 5 ~ ANSWER

BRECKENRIDGE PROPERTY FUND 2016 LLC Defendant

Disposition: Motion to Dismiss by Defendant Dispo Date: 10/24/2018

Lead/Active: False

# Case Summary

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## Case Status History

6/8/2018 12:31:00 PM | Open  
10/24/2018 | Closed  
10/29/2018 | Reopened

## Documents

6/8/2018 Complaint .pdf - Filed  
Notes: For: 1. Unlawful Foreclosure 2. Quiet Title 3. Preliminary Injunction 4. Slander of Title 5. Constructive Fraud 6. Declaratory Relief  
6/8/2018 Summons- Issued.pdf - Issued  
6/8/2018 Civil Cover Sheet.pdf - Filed  
6/20/2018 Affidavit of Service - Breckenridge Property.pdf - Filed  
6/20/2018 Proof of Service National Default Service Corp.pdf - Filed  
6/25/2018 National Default Servicing Corporation's Motion to Dismiss.pdf - Filed  
7/2/2018 Motion to Dismiss.pdf - Filed  
7/2/2018 Joinder to National Default Servicing Corporation's Motion to Dismiss.pdf - Filed  
7/5/2018 Ptf's Oppo to Deft National Default Servicing Corp's.pdf - Filed  
Notes: Mtn to Dismiss Ptf's Complaint; Declaration of Audrey Kramer filed Concurrent Herewith; Memorandum of Points & Authorities in Support Thereof  
7/17/2018 Plaintiffs' Opposition to Defendants Motion to Dismiss Plaintiffs Complaint.pdf - Filed  
Notes: Memorandum of Points and Authorities in Support Thereof, Declaration of Daniel Starrling; Declaration of Lee Anne Chaffin; and Declaration of Audrey Kramer Filed Concurrently Herewith  
8/2/2018 Request for Submission.pdf - Filed  
8/2/2018 Reply in Support of Motion to Dismiss.pdf - Filed  
8/3/2018 Notice of Errata Regarding Certificate of Service Attached to Request for Submission of Motion to Dismiss.pdf - Filed  
Notes: Filed and Served on August 2, 2018  
8/20/2018 Request for Submission of National Default Servicing Corporation's Motion to Dismiss (2).pdf - Filed  
8/30/2018 Setting Memo (10-5-18).pdf - Filed  
10/5/2018 Request for Telephonic Appearance and Approval for 10-5-18 Hearing.pdf - For Court Use Only  
**SEALED**  
10/24/2018 Order Granting Motion to Dismiss Pltf's Complaint.pdf - Filed  
10/29/2018 First Amended Complaint.pdf - Filed  
11/19/2018 Motion to Dismiss First Amended Complaint.pdf - Filed  
12/21/2018 Plaintiff's Request for Production of Documents Set One (Breckenridge Property Fund 2016).pdf - Filed  
12/21/2018 Plaintiffs, Audrey Kramer & Leo Kramer's Special Interrogatories Set Once (National Default Servicing).pdf - Filed  
12/21/2018 Plaintiffs, Audrey Kramer & Leo Kramer's Special Interrogatories Set One (Breckenridge).pdf - Filed  
12/21/2018 Plaintiffs, Audrey Kramer & Leo Kramer's Request for Admissions Set One (Breckenridge).pdf - Filed  
12/21/2018 Plaintiffs' Oppo to Def, Alyssa Mc Dermott, Wedgwood Inc. & Breckenridge Property Fund 2016 LLC's Motion to Dismiss.pdf - Filed  
12/21/2018 Request to Submit Motion to Dismiss First Amended Complaint.pdf - Filed  
12/21/2018 Notice of Non-Oppo to Deft's Motion to Dismiss 1st Amended Complaint.pdf - Filed  
12/21/2018 Plaintiff's Request for Production of Documents Set One (National Default Servicing).pdf - Filed  
12/21/2018 Plaintiffs, Audrey Kramer & Leo Kramer's Request for Admissions Set One (National Default Servicing).pdf - Filed  
1/4/2019 Reply in Support of Motion to Dismiss First Amended Complaint.pdf - Filed  
1/4/2019 Pltf's Objection to Notice of Non-oppo Filed by Defts.pdf - Filed  
1/17/2019 National Default Servicing Corporation's Motion to Dismiss First Amended Complaint.pdf - Filed  
1/18/2019 Setting Memo (2-22-19).pdf - Filed  
2/1/2019 Ex Parte Motion for Continuance (2-22-19).pdf - Filed  
2/4/2019 Plaintiff's Opposition to Defendant's Motion to Dismiss Plaintiff's First Amended Complaint.pdf - Filed  
3/6/2019 Stipulation and Order to Continue Hearing (2-22-19 to 5-1-19).pdf - Filed  
3/18/2019 Notice of Entry of Stipulation & Order to Continue Hearing.pdf - Filed  
3/29/2019 Early Case Conference Report Pursuant to NRC 16.1(b).pdf - Filed  
4/22/2019 Objection to Plaintiff's Early Case Conference Report (McDermott, Wedgewood Inc., & Breckenridge).pdf - Filed  
5/2/2019 Opposition to Plaintiff's Motion for Summary Judgment.pdf - Filed  
5/2/2019 Opposition to Plaintiffs' Motion for Summary Judgment (National Default).pdf - Filed  
5/2/2019 Declaration of Counsel in Support of Opposition to Plaintiffs' Motion for Summary Judgment (National Default).pdf - Filed  
5/17/2019 Answer to First Amended Complaint - Natt'l Default.pdf - Filed  
5/21/2019 Opposition to Plaintiff's Motion for Summary Judgment (McDermott, Wedgewood Inc and Breckenridge Property).pdf - Filed  
5/22/2019 Rejection of Unconscionable Offer of Judgment.pdf - Filed  
5/24/2019 Letter to Plaintiffs Re- Proposed Default.pdf - For Court Use Only  
**SEALED**  
5/24/2019 Order Granting in Part & Denying in Part Defendants' Motion to Dismiss.pdf - Filed  
5/24/2019 Email From Plaintiffs Regarding Proposed Order.pdf - For Court Use Only  
**SEALED**  
5/28/2019 Notice of Intent to Take Default.pdf - Filed



## Case Summary

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5/28/2019 Amended Certificate of Service.pdf - Filed  
5/29/2019 Answer to First Amended Complaint- Breckenridge Property Fund 2016 LLC.pdf - Filed  
6/6/2019 Plaintiffs, Leo Kramer, and Audrey Kramer's Notice of Motion and Motion to Strike.pdf - Filed  
Notes: National Default Servicing Corporation's Answer to First Amended Complaint and/or in the Alternative to Strike Defendant's Affirmative Defenses  
6/10/2019 Plaintiffs' Objections to Judge's Order Granting in Part & Denying in Part Defendants' Motions to Dismiss.pdf - Filed  
6/11/2019 Plaintiffs, Leo Kramer, & Audrey Kramer's Notice of Motion & Motion to Strike Breckenridge Property Fund.pdf - Filed  
Notes: 2016 LLC's Answer in Its Entirety for Failure to Timely File an Answer or in the Alternative to Strike Portions of Defendant's Answer  
6/12/2019 Plaintiffs, Leo Kramer, & Audrey Kramer's Notice of Motion & Motion to Strike Opposition to Summary Judgment.pdf - Filed  
Notes: Filed by Breckenridge Property Fund 2016 LLC, Alyssa McDermott, & Wedgwood Inc  
6/19/2019 Opposition to Plaintiffs' Notice of Motion and Motion to Strike National Default Servicing Corp's Answer to First.pdf - Filed  
Notes: Amended Complaint and/or in the Alternative to Strike Defendant's Affirmative Defenses; Memorandum of Points and Authorities in Support Thereof  
6/24/2019 Opposition to Pt's Notice of Mtn & Mtn to Strike Breckenridge.pdf - Filed  
Notes: Property Fund 2016 LLC's Answer in its Entirety for Failure to Timely File an Answer or in the Alternative to Strike Portions of Deft's Answer & All Affirmative Defenses  
6/24/2019 Opposition to Ptf's Notice of Motion & Mtn to Strike.pdf - Filed  
Notes: Opposition to Summary Judgment Filed by Breckenridge Property Fund 2016 LLC, Alyssa McDermott, and Wedgwood Inc.  
7/5/2019 Plaintiff's Reply to Oppositon -Motion to Strike.pdf - Filed  
7/15/2019 Plaintiffs, Leo Kramer & Audrey Kramer's Initial Disclosure of Witnesses & Documents.pdf - Filed  
7/15/2019 Joint Case Conference Report.pdf - Filed  
7/16/2019 Letter to Plaintiffs From Court.pdf - For Court Use Only  
**SEALED**  
7/22/2019 Individual Case Conferece Report - Plaintiffs.pdf - Filed  
7/30/2019 Demand for Jury Trial.pdf - Filed  
7/30/2019 Copy of Ck for Jury Demand Pd by Audrey Kramer.pdf - For Court Use Only  
8/1/2019 Defendant's Joint Case Conference Report.pdf - Filed  
8/8/2019 Case Management and Trial Scheduling Order.pdf - Filed  
8/22/2019 Notice of Taking Deposition of Daniel Starling.pdf - Filed  
8/22/2019 Notice of Taking Deposition of Deborah Taylor.pdf - Filed  
8/22/2019 Notice of Taking Deposition of Lee Anne Chaffin.pdf - Filed  
8/22/2019 Notice of Taking Deposition of Person Most Knowledgeable for Chaffin Rel Estate Services.pdf - Filed  
8/22/2019 Notice of Taking Deposition of Leo Kramer.pdf - Filed  
8/22/2019 Notice of Taking Deposition of Audrey Kramer.pdf - Filed  
12/23/2019 National Default Servicing Coporation's Motion in Limine To Exclude and Disqualify William J. Paatalo.pdf - Filed  
1/7/2020 Plaintiffs' Opposition to Defendant National Default Servicing Corp's Motion in Limine to Exclude and Disqualify.pdf - Filed  
Notes: William Paatalo; Declaration of Updated Curriculum Vitae of William Pataalo Filed Concurrently Herewith; Memorandum of Points and Authorities in Support Thereof  
1/9/2020 Plaintiff's Notice of Motion & Mtn to Amend Complaint.pdf - Filed  
1/9/2020 PROPOSED 2nd Amended Complaint (2).pdf - Filed  
1/9/2020 Pltf's Request for Judicial Notice.pdf - Filed  
1/15/2020 Plaintiffs' Notice and Motion to Strike Portions of Defendant, National Default Servicing Corp's First Supplemental.pdf - Filed  
Notes: Disclosure of Documents and Witnesses; Memorandum of Points and Authorities in Support Thereof; Declaration of Audrey Kramer Filed Concurrent Herewith  
1/16/2020 National Default Servicing Corporation's Reply to Plaintiff's Opposition.pdf - Filed  
1/23/2020 National Default Servicing Corporation's Objection to the Plaintiffs' Request for Judicial Notice.pdf - Filed  
Notes: of: Expert/Fact Witness, William J. Paatalo's 'Amended Updated' Curriculum Vitae, Executed Declaration & Forensic Report & Exhibits & Judicial Notice of: Widely Publicized Government Documents  
1/23/2020 National Default Servicing Corporation's Opposition to Motion for Leave to Amend Complaint.pdf - Filed  
Notes: to Include Fraud Cause of Action Due to Newly Discovered Material Evidence  
1/29/2020 National Default Servicing Corporation's Opposition to Motion to Strike.pdf - Filed  
1/30/2020 Plaintiff's Corrected (Proposed) Second Amended Complaint.pdf - Filed  
2/3/2020 Breckenridge Property Fund 2016 LLC's Joinder to National Default Ser Corp Opposition to Mtn for Leave to Amend Complaint.pdf - Filed  
2/5/2020 Order.pdf - For Court Use Only  
2/5/2020 Order Denying Plaintiff's Motion for Leave to Amend Plaintiffs' First Amended Complaint.pdf - For Court Use Only  
Notes: to Include Fraud Cause of Action Due to Newly Discovered Material Evidence  
2/5/2020 Order Granting Defendant's Motion in Limine to Exclude and Disqualify William J. Paatalo.pdf - For Court Use Only  
2/5/2020 Stipulation and Order.pdf - Filed

## Case Summary

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2/5/2020 Plaintiffs' Reply to Defendant, National Default Servicing Corp Oppositin to Motion for Leave to Amend Complaint.pdf - Filed  
2/5/2020 Plaintiffs' Response to Def, National Default Servicing Corp's Objection to Plaintiffs' Request for Ducial Notice.pdf - Filed  
2/10/2020 Plaintiffs' Reply to National Default Servicing Cor's Opposition to Plaintiffs' Motion to Strike Portions of Def.pdf - Filed  
2/20/2020 National Default Servicing Corporation's Motion for Summary Judgment.pdf - Filed  
2/20/2020 National Default Servicing Corporation's Request for Judicial Notice.pdf - Filed  
2/20/2020 Declaration of Ace C. Van Patten, Esq..pdf - Filed  
2/21/2020 Breckenridge Property Fund 2016 LLC's Joinder to National Default Servicing.pdf - Filed  
Notes: Corporation's Motion for Summary Judgment  
2/25/2020 Plaintiffs' Objection to Defendant, National Default Servicing Corp's SEcond Supplemental Disclosure of Documents.pdf - Filed  
Notes: and Witnesses and Notice of Motion and Motion to Strike Portions of the Second Supplemental Disclosure of Documents and Witnesses; Memorandum of Points and Authorities in Support Thereof  
2/26/2020 Proposed Order Granting Plaintiffs' Motions to Strike and Sustaining Plaintiffs' Objection.pdf - Submitted  
3/5/2020 Declaration of Audrey Kramer in Support of Plaintiffs, Leo Kramer, & Audrey Kramer's Opposition.pdf - Filed  
Notes: to National Default Servicing Corporation's Motion for Summary Judgment  
3/5/2020 Plaintiffs, Leo Kramer, & Audrey Kramer's Opposition to National Default Servicing Corporation's.pdf - Filed  
Notes: Motion for Summary Judgment, Memorandum of Points & Authorities in Support Thereof; Declaration of Audrey Kramer  
3/18/2020 Reply in Support of Motion for Summary Jdgmt.pdf - Filed  
3/20/2020 Breckenridge Property Fund 2016 LLC's Joinder to National Default Servicing Co.'s Reply.pdf - Filed  
Notes: in Support of Motion for Summary Judgment  
3/24/2020 Plaintiffs, Leo Kramer and Audrey Kramer's Motion for Summary Judgment.pdf - Filed  
Notes: Memorandum of Points & Authorities in Support Thereof; Declaration of Audrey Kramer  
3/24/2020 Declaration of Audrey Kramer in Support of Plaintiffs, Leo Kramer, & Audrey Kramer's Motion for Summary Judgment.pdf - Filed  
3/26/2020 Setting Memo (6-10-20).pdf - Filed  
4/6/2020 Objection to Reply in Support of Motion for Summary Judgment.pdf - Filed  
4/8/2020 Breckenridge-Opposition to Motion for Summary Judgment.pdf - Filed  
4/8/2020 Oppo to Pltf's Late Filed MTN for Summary Jdgmt.pdf - Filed  
4/17/2020 Response to Plaintiffs' Objection to Breckenridge Property Fund 2016 LLC;s Joinder to National Default.pdf - Filed  
Notes: Servicing Corporation's Reply in Support of Motion  
4/21/2020 Plaintiffs, Leo Kramer, and Audrey Kramer's Reply to Breckenridge Property Fund 2016.pdf - Filed  
Notes: LLC's Opposition to Plaintiffs' Motion for Summary Judgment; Memorandum of Points and Authorities in Support Thereof  
4/21/2020 Plaintiffs, Leo Kramer, and Audrey Kramer's Reply to National Default Servicing.pdf - Filed  
Notes: Corporation's Opposition to Plaintiffs' Motion for Summary Judgment; Memorandum of Points and Authorities in Support Thereof  
4/28/2020 Plaintiffs, Leo Kramer, & Audrey Kramer's Motion for Leave to File Motion.pdf - Filed  
Notes: for Summary Judgment; Memorandum of Points & Authorities in Support Thereof; Declaration of Audrey Kramer  
4/28/2020 Declaration of Audrey Kramer in Support of Plaintiffs' Motion for Leave.pdf - Filed  
Notes: to File Motion for Summary Judgment  
5/6/2020 Response to Pltf's MTN for Leave to File MTN for Sum Jdgmt.pdf - Filed  
6/8/2020 Ptf's Mtn to Cont. & Rescheduel 6-10-20 hearing.pdf - Filed  
6/8/2020 Ptf's Ex parte or in Alternative Shortening Time to Continue Hearing.pdf - Filed  
6/8/2020 Request for Submission (Plaintiff's Motion to Continue).pdf - Filed  
6/8/2020 Proposed Order Granting Rescheuling 6-10-20 Hearing.pdf - Submitted  
6/8/2020 Opposition to Plaintiff's Motion to Continue Hearing.pdf - Filed  
6/9/2020 Order Granting Continuance (From 6-10-2020 to 9-8-2020).pdf - Filed  
6/18/2020 Order Denying Motion to Strike Portions of NDSC;s 1st Sup Disclosures.pdf - Filed  
10/9/2020 Case Appeal Statement.pdf - Filed

### Events

10/5/2018 10:00:00 AM | Motion Hearing | DEPT I 18-CV-00663 | Court Room B  
Andersen, Andrea Deputy Clerk -  
AANDERSEN  
Staff - STAFF  
Court Room B - CourtRmB  
lawclerk1 - LAW1  
Aaron Richter  
Dayton, Matthew D. Esq.  
Telephonic, obo National Default Servicing Corporation  
Warner, Eric Esq.  
obo Defendants, Alyssa McDermott, Wedgewood, Inc., and Breckenridge Property Fund 2016 LLC  
Schlegelmilch, John P. - JPS (Dept I - TJDC)

## Case Summary

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KRAMER, LEO (Pro Per)  
Plaintiff, in Pro Per  
KRAMER, AUDREY (Pro Per)  
Plaintiff, in Pro Per

Notes: Mr. Dayton, Mr. Warner and Ms. Kramer argued the Motion to Dismiss and the res judicata matter. Plaintiff requested leave to file an amended complaint and discovery. Court finds Judge Du's previously found there was an ability to foreclose upon the property and therefore precludes that matter from being brought up in this court. In the event that ruling is reversed, it would then be addressed in the United States District Court. Court granted the Motion to Dismiss without prejudice against all defendant. Court granted Plaintiff's the ability to file an Amended Complaint that is not based upon Judge Du's rulings. Amended Complaint is to be filed within twenty (20) calendar days. Mr. Dayton and Mr. Warner are willing to accept service of the Amended Complaint on behalf of their client(s). Court permitted service of the Amended Complaint on counsel. Court directed plaintiff to provide an Acceptance of Service for counsel to sign. Mr. Dayton to prepare Order and email the order to the court, Plaintiff's and Mr. Warner. Parties will have five (5) days to object to the proposed order. Plaintiff's email address is audreykramer55@yahoo.com. Proposed Order is to be submitted to the court in Word or Word Perfect.

5/1/2019 10:30:00 AM | Motion Hearing | DEPT I 18-CV-00663 | Court Room B

lawclerk1 - LAW1  
CHING, KEITH S.K.  
GEURTS, PATRICK JAMES J.  
VanPatten, Ace C. Esq.  
obo NDSC w/Tiffany & Bosco  
Thomas, Kathy Dep. Clerk - KTHOMAS  
Staff - STAFF  
Court Room B - CourtRmB

Schlegelmilch, John P. - JPS (Dept I - TJDC)  
Notes: Plaintiff's appeared in Proper Person. Mr. Ching appeared on behalf of McDermott, Wedgewood, Inc., and Breckenridge Property. Mr. Van Patten, appearing on behalf of NDSC. Counsel argued the motions. Court Found McDermott and Wedgewood are not owners in the property. Motion to Dismiss as to McDermott and Wedgewood is granted. Breckenridge will remain as a party in the case. Court dismissed the quiet title action, does not fit the proper requirements. Cause of Action 2 & 3 in the complaint is Dismissed. Cause of action 1 & 4 does exist, case will go forward on those 2 causes. In regards to the Discovery motion, court found the early case conference doesn't take place until after first answer is filed. Defendant to file answer within 20 days of today's date. Parties are to co-operate with the rules of 16.1 which also applies to parties in proper person. The opposition to the early case conference is granted. Mr. Ching to prepare Order and email within 10 days to the court and other parties. Parties have 5 days after the receipt to file any objection to the order.

3/25/2020 12:00:00 PM | Telephonic Conference | DEPT I 18-CV-00663 | Judge's Chambers

Andersen, Andrea Deputy Clerk -  
AANDERSEN  
Staff - STAFF  
lawclerk1 - LAW1  
Hawah Ahmad  
Schriever, Matthew K. Esq.  
Telephonic, obo Breckenridge Property Fund  
VanPatten, Ace C. Esq.  
Telephonic, obo National Default Servicing Corporation  
Velto, Alex Esq.  
Telephonic, obo Breckenridge Property Fund  
Schlegelmilch, John P. - JPS (Dept I - TJDC)  
KRAMER, AUDREY (Pro Per)  
Plaintiff, in Pro Per, Telephonic

Notes: Court confirmed the Jury Trial previously set for May 12, 2020 is vacated. Court confirmed there are several outstanding Motions and a Motion hearing needs to be set. No other hearing dates will be set until pending Motions are resolved. Ms. Kramer requested the Motion hearing be in person. Counsel did not object to video conference for the Motion Hearing. Court set Motion Hearing for June 10, 2020 for one (1) day. If the restrictions are not lifted, at least three (3) weeks prior to the Motion Hearing Court will hold another telephone conference. Mr. Schriever addressed the court regarding the timeliness of Plaintiff's Motion for Summary Judgment filed March 24, 2020. Court heard statements from Mr. Van Patten and Mrs. Kramer regarding the timeliness of Plaintiff's Motion for Summary Judgment. Court will determine if Plaintiff's Motion for Summary Judgment can be heard at the Motion Hearing, based upon filings and argument.

6/9/2020 10:00:00 AM | Telephonic Conference | DEPT I 18-CV-00663 | Judge's Chambers

VanPatten, Ace C. Esq.  
obo Defendant, National Default Servicing, Telephonic  
Andersen, Andrea Deputy Clerk -  
AANDERSEN  
Staff - STAFF  
lawclerk1 - LAW1  
Schriever, Matthew K. Esq.  
obo Defendant, Breckenridge Property, Telephonic

## Case Summary

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Schlegelmilch, John P. - JPS (Dept I - TJDC)

KRAMER, LEO (Pro Per)

Plaintiff, in Pro Per, Telephonic

KRAMER, AUDREY (Pro Per)

Plaintiff, in Pro Per, Telephonic

Notes: Ms. Kramer requested the June 10, 2020 hearing be vacated due to the pandemic and she would prefer to appear for court live, otherwise she felt as if she would be at a disadvantage. Mr. VanPatten did not object to the continuance so long as it is the final continuance. Mr. Schreiver objected to the continuance if the hearing would be continued to September. Ms. Kramer advised the court the September date is due to the expert witness's availability. Prior to the court ruling on the Motion to Exclude Mr. Paatalo, court needs to hear Mr. Paatalo's testimony either live or by deposition. Court denied Plaintiff's Motion to Strike Supplement Discovery. Court to issue Order on procedural matters. Court ordered matter be continued to September 8, 2020 @ 9:00 am for one (1) day. Court will not continue the matter again. All parties are required to appear in person.

9/8/2020 9:00:00 AM | Motion Hearing | DEPT I 18-CV-00663 | Court Room B

Andersen, Andrea Deputy Clerk -

AANDERSEN

Staff - STAFF

Court Room B - CourtRmB

Geurts, Patrick Bailiff - X004896

VanPatten, Ace C. Esq.

obo Defendant National Default Servicing Corporation

Velto, Alex Esq.

obo Defendant, Alyssa McDermott, Wedgwood Inc. and Breckenridge Property Fund 2016 LLC

lawclerk1 - LAW1

Hawah Ahmad

Schlegelmilch, John P. - JPS (Dept I - TJDC)

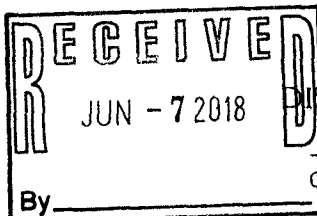
KRAMER, LEO (Pro Per)

Plaintiff, in Pro Per

KRAMER, AUDREY (Pro Per)

Plaintiff, in Pro Per

Notes: Ms. Kramer, Mr. VanPatten and Mr. Velto argued the Motion to Amend Complaint. Court heard sworn testimony from William Paatalo. Court denied the Motion to Amend Complaint. Mr. VanPatten requested the court address the Motion to Disqualify Mr. Paatalo. Based upon previous order, court find the motion in irrelevant. Court granted the Motion to Disqualify in part. Mr. VanPatten, Mr. Velto and Ms. Kramer argued National Default Servicing Corporation's Motion for Summary Judgment. Court finds the trustee complied with the notice provision. Court finds the parties received the notice. Court finds the notice of default was properly made. Court granted the Motion for Summary Judgment. Court dismissed the matter as to all parties on Summary Judgment due to substantial compliance. Mr. VanPatten to prepare Order on all matters.



## DISTRICT COURT CIVIL COVER SHEET

Lyon County, Nevada  
Case No. 18-CV-00663  
(Assigned by Clerk's Office)

FILED

Dept. I

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

2018 JUN -8 PM 12:38

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

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

Leo F. Kramer, Pro Se 510-708-9100  
Audrey E. Kramer Pro Se 510-708-9100  
2364 Redwood Rd  
Hercules, CA 94547

National Default Servicing Corp., et.al  
Victoria Toran

Attorney (name/address/phone):

Kerin Soderman  
Tiffany & Bosco, P.A.  
212 S. Jones Blvd.  
Las Vegas, NV 89107

## 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 checked="" 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
<b>Probate</b> <b>Probate (select case type and estate value)</b> <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Surviving Spouse <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate <b>Estate Value</b> <input type="checkbox"/> Greater than \$300,000 <input type="checkbox"/> \$200,000-\$300,000 <input type="checkbox"/> \$100,001-\$199,999 <input type="checkbox"/> \$25,001-\$100,000 <input type="checkbox"/> \$20,001-\$25,000 <input type="checkbox"/> \$2,501-\$20,000 <input type="checkbox"/> \$2,500 or less	<b>Construction Defect &amp; Contract</b> <b>Construction Defect</b> <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect <b>Contract Case</b> <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	<b>Judicial Review/Appeal</b> <b>Judicial Review</b> <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency <b>Nevada State Agency Appeal</b> <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency <b>Appeal Other</b> <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
<b>Civil Writ</b> <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant	<input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ	<b>Other Civil Filing</b> <b>Other Civil Filing</b> <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters

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

6/4/2018

Date

Audrey Kramer

Signature of initiating party or representative

See other side for family-related case filings.