

IN THE SUPREME COURT OF THE STATE OF NEVADA

* * *

NONA TOBIN, an individual,

Appellant,

vs.

BRIAN CHIESI, an individual,
DEBORA CHIESI, an individual,
QUICKEN LOANS INC.; JOEL A.
STOKES, an individual, JOEL A.
STOKES and SANDRA F. STOKES, as
Trustees of the JIMIACK
IRREVOCABLE TRUST; JIMIACK
IRREVOCABLE TRUST; RED ROCK
FINANCIAL SERVICES; and
NATIONSTAR MORTGAGE, LLC

Respondents.

Electronically Filed
Oct 04 2021 05:45 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

Supreme Court No. 82294

District Ct. No. A799890

APPEAL FROM THE EIGHTH JUDICIAL DISTRICT COURT
THE HONORABLE SUSAN JOHNSON PRESIDING

**RESPONDENTS' JOINT MOTION TO STRIKE APPENDIX TO
EXCLUDE MATTERS OUTSIDE THE RECORD ON APPEAL**

MEMORANDUM OF POINTS AND AUTHORITIES

Respondents, Brian Chiesi, Debora Chiesi, Quicken Loans Inc. (together with the Chiesis, “the Chiesi Respondents”), Joel A. Stokes, individually, Joel A. Stokes and Sandra F. Stokes, as Trustees of the Jimijack Irrevocable Trust, Jimijack Irrevocable Trust; Red Rock Financial Services; and Nationstar Mortgage LLC, by and through their respective counsel of record, hereby move to strike those portions of Appellant’s Appendix that include matters outside the record of appeal.

I. STATEMENT OF FACTS

As early as June 22, 2021, counsel for the Chiesi Respondents attempted to comply with NRAP 30(a) by contacting counsel for Appellant Nona Tobin (“Tobin”) with respect to a Joint Appendix. See e-mail dated June 22, 2021, attached hereto as **Exhibit 1**. Efforts to comply with NRAP 30(a) continued through July, August, and September, during the time period in which Tobin obtained four extensions to file an Opening Brief and Appendix. See September 23, 2021 e-mail, with attachments of prior communications, attached hereto as **Exhibit 2**.

On August 24, 2021, Tobin’s counsel provided the first draft of the proposed Appendix to Respondents’ counsel for review and comment. Id. at p. 5. By e-mail of the same date, counsel for the Chiesi Respondents objected, noting that the proposed Appendix included substantial filings that were not in the district court record in violation of NRAP 10(a). Id. at p.2-4. On August 25, 2021, counsel for the Chiesi

Respondents provided a proposed redline draft of the Appendix, requesting the removal of all items that were not part of the record on appeal. Id. at p.2, and pp.8-30.

On September 23, 2021, counsel for the Chiesi Respondents e-mailed Tobin's counsel requesting confirmation as to whether Tobin would incorporate the substantial revisions provided on August 25, 2021. Tobin's counsel did not respond to the September 23, 2021 e-mail, and instead filed numerous volumes of a proposed appendix that were later stricken by the Clerk of Court *sua sponte* for failure to comply with NRAP 30. See Notice of Deficient Appendix. Following the Court's Notice of Deficient Appendix, Tobin filed a twenty-two volume Appendix that likewise failed to comply with NRAP 30.

Respondents jointly move to strike Volumes 1-15, and items 1, 2, 3, 4, 5, 7, and 8 of Volume 16, as said filings are not part of the record on appeal. Volume 16, item 3 is misidentified. The identified filing ends at AA3140; however, the Tobin Declaration included in item 3 (AA3141-3154) is likewise not a part of the record on appeal and should be stricken. The Appendix is also missing Nationstar's Joinder, which is part of the record on appeal. Nationstar reserves the right to file a supplemental Appendix to include the Joinder. Finally, Volume 21, item 5 misidentifies the filing and Volume 22 includes several duplicate filings.

II. ARGUMENT

NRAP 10(b) limits the Record on Appeal to:

(1) The Appendix. For the purposes of appeal, the parties shall submit to the clerk of the Supreme Court ***copies of the portions of the trial court record to be used on appeal***, including all transcripts necessary to the Supreme Court's or Court of Appeals' review, as appendices to their briefs. Under Rule 30(a), a joint appendix is preferred. This Rule does not apply to pro se parties. The Supreme Court or Court of Appeals will determine whether its review of the complete record is necessary in a pro se appeal and direct the district court clerk to transmit the record as provided in Rule 11(a)(2).

(2) Exhibits. If exhibits cannot be copied to be included in the appendix, the parties may request transmittal of the original exhibits to the clerk of the Supreme Court under Rule 30(d).

(emphasis added). “Matters outside the record on appeal may not be considered by an appellate court.” Hooper v. State, 95 Nev. 924, 926, 604 P.2d 115, 116 (1979); NRAP 10(a) (“trial court record consists of the papers and exhibits filed in the district court”). When a party to an appeal includes documents that are not part of the district court record, matters outside the record will be stricken. See Kelly v. Tahoe Regional Agency, 109 Nev. 638, n.18, 855 P.2d 1027, n.18 (Nev. 1993) citing Goldman v. Nevada Comm'n on Judicial Discipline, 108 Nev. 251, 272 n.20, 830 P.2d 107, 121 n.20 (Nev. 1992) (granting Respondent's Motion to Strike to exclude public records that were not filed with the District Court); Grey v. Grey, 111 Nev. 388, 390 n.1, 892 P.2d 595, 597 (Nev. 1995).

Here, Volumes 1-15, and Volume 16 items 1, 2, 3, 4, 5, 7, and 8 (the “Prior Case Filings”) are not part of the record on appeal and therefore may not be considered by this Court. Hooper v. State, 95 Nev. 924, 926, 604 P.2d 115, 116 (1979). The Prior Case Filings were filed in a separate action involving various parties to this appeal, but they were not filed in the district court action which is the subject of this appeal. While some of the Prior Case Filings are properly included in the record on appeal to the extent the filings were part of the Chiesi Respondents’ Request for Judicial Notice (see Volumes 19 and 20, AA3813-4241), the Prior Case Filings that were not filed with the district court in Case No. A-19-799890-C must be excluded. Accordingly, Respondents request that this Court strike Volumes 1-15 and Volume 16 items 1, 2, 3, 4, 5, 7, and 8.

Dated this 4th day of October 2021.

/s/Brittany Wood

Brittany Wood, Esq.

Nevada Bar No. 007562

MAURICE WOOD

8250 W. Charleston Blvd., Ste. 100

Las Vegas, Nevada 89117

bwood@mauricewood.com

/s/Steven B. Scow

Steven B. Scow, Esq.

NV Bar No. 9906

KOCH & SCOW, LLC

11500 South Eastern Avenue Ste. 210

Henderson, NV 89052

sscow@kochscow.com

/s/Joseph Y. Hong

Joseph Y. Hong, Esq.

Nevada Bar No. 5995

HONG & HONG LAW OFFICE

1980 Festival Plaza Drive, Ste. 650

Las Vegas, Nevada 89135

yosuphonglaw@gmail.com

/s/ Melanie D. Morgan

Melanie D. Morgan, Esq.

Nevada Bar No. 8215

AKERMAN LLP

1635 Village Center Circle, Ste. 200

Las Vegas, Nevada 89134

melanie.morgan@akerman.com

CERTIFICATE OF SERVICE

Pursuant to NRAP 25(c)(1)(B), I hereby certify that I am an employee of Maurice Wood, and that on the 4th day of October, 2021, I submitted **RESPONDENTS' JOINT MOTION TO STRIKE APPENDIX TO EXCLUDE MATTERS OUTSIDE THE RECORD ON APPEAL** to the Supreme Court of Nevada's electronic docket for filing and service upon the following:

/s/ Brittany Wood
An Employee of MAURICE WOOD

Exhibit 1 – June 22, 2021 E-mail

Brittany Wood

From: Brittany Wood
Sent: Tuesday, June 22, 2021 2:56 PM
To: J.W. Thomson
Subject: Tobin v. Stokes et. al

John,

When do you anticipate you will have the draft Joint Appendix for review? NRAP 30(a) requires the parties to try to reach an agreement as to a joint appendix.

Brittany Wood
Partner



8250 West Charleston Blvd. | Suite 100
Las Vegas, Nevada | 89117
Office: (702) 463-7616 | Fax: (702) 463-6224
bwood@mauricewood.com

This communication (including any attachments) is not intended or written to be used, and it cannot be used, for the purpose of avoiding tax penalties that may be imposed on the taxpayer. This transmission is intended only for the use of the addressee and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, any use of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately.

Exhibit 2 – September 23, 2021 E-mail

Brittany Wood

From: Brittany Wood
Sent: Thursday, September 23, 2021 6:41 PM
To: J.W. Thomson
Cc: melanie.morgan@akerman.com; Steve Scow; joseph hong; J. Thomson
Subject: Tobin vs. Stokes et al.
Attachments: RE: Tobin vs. Stokes et al. JOINT APPENDIX DRAFT

Good evening, John,

We are now, once again, less than a week away from the deadline for filing a Joint Appendix. For your convenience, our prior e-mail exchange related to the draft appendix you provided in August, the objections asserted in connection with the same, and my extensive redline revisions that would be required to authorize the filing of the document as a Joint Appendix is attached. Please advise as to whether you intend to incorporate the revisions I provided to you on August 25, 2021. As I indicated previously, if you choose not to comply with NRAP 10, please specifically state that it is not filed as a Joint Appendix with the Chiesi Defendants. Under such circumstances, the Chiesi Defendants will reserve all rights to object to the reference to matters outside the record on appeal.

Finally, please note my clients will oppose a fifth request for extension.

Brittany Wood

Partner



8250 West Charleston Blvd. | Suite 100
Las Vegas, Nevada | 89117
Office: (702) 463-7616 | Fax: (702) 463-6224
bwood@mauricewood.com

This communication (including any attachments) is not intended or written to be used, and it cannot be used, for the purpose of avoiding tax penalties that may be imposed on the taxpayer. This transmission is intended only for the use of the addressee and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, any use of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately.

Brittany Wood

From: Brittany Wood
Sent: Wednesday, August 25, 2021 11:40 AM
To: J.W. Thomson
Cc: joseph hong; melanie.morgan@akerman.com; Steve Scow; J. Thomson
Subject: RE: Tobin vs. Stokes et al. JOINT APPENDIX DRAFT
Attachments: 210824 JOINT APPENDIX DRAFT V. 2.docx

John,

My revisions and comments are attached in redline. The majority of the revisions request the removal of documents that are not part of the record on appeal. "Matters outside the record on appeal may not be considered by an appellate court." Hoooper v. State, 95 Nev. 924, 926, 604 P.2d 115, 116 (1979) see NRAP 10(a) ("trial court record consists of the papers and exhibits filed in the district court"). If you accept the revisions, please ensure the appendix also includes an alphabetical index to comply with NRAP 30(c)(2).

If you choose not to comply with NRAP 10, please do not indicate that it is filed as a Joint Appendix with the Chiesi Defendants.

Brittany Wood

Partner



8250 West Charleston Blvd. | Suite 100
Las Vegas, Nevada | 89117
Office: (702) 463-7616 | Fax: (702) 463-6224
bwood@mauricewood.com

This communication (including any attachments) is not intended or written to be used, and it cannot be used, for the purpose of avoiding tax penalties that may be imposed on the taxpayer. This transmission is intended only for the use of the addressee and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, any use of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately.

From: Brittany Wood
Sent: Tuesday, August 24, 2021 5:48 PM
To: J.W. Thomson <johnwthomson@gmail.com>
Cc: joseph hong <yosuphonglaw@gmail.com>; melanie.morgan@akerman.com; Steve Scow <:sscow@kochscow.com>; J. Thomson <jwtlaw@gmail.com>
Subject: RE: Tobin vs. Stokes et al. JOINT APPENDIX DRAFT

If you wanted additional records from other actions to be considered on appeal as part of the trial court record, those records needed to be filed in the trial court. See NRAP 10(a) (defining the trial court record as "the papers and exhibits filed in the district court, the transcript of the proceedings, if any, the district court minutes, and the docket entries made by the district court clerk."). For that reason, my office filed a Request for Judicial Notice with the trial court.

NRAP 10(b) limits the Record on Appeal to:

(1) The Appendix. For the purposes of appeal, the parties shall submit to the clerk of the Supreme Court ***copies of the portions of the trial court record to be used on appeal***, including all transcripts necessary to the Supreme Court's or Court of Appeals' review, as appendices to their briefs. Under Rule 30(a), a joint appendix is preferred. This Rule does not apply to pro se parties. The Supreme Court or Court of Appeals will determine whether its review of the complete record is necessary in a pro se appeal and direct the district court clerk to transmit the record as provided in Rule 11(a)(2).

(2) Exhibits. If exhibits cannot be copied to be included in the appendix, the parties may request transmittal of the original exhibits to the clerk of the Supreme Court under Rule 30(d).

The majority of the documents you have identified are not trial court records and are inappropriate for the Record on Appeal.

Brittany Wood

Partner



8250 West Charleston Blvd. | Suite 100

Las Vegas, Nevada | 89117

Office: (702) 463-7616 | Fax: (702) 463-6224

bwood@mauricewood.com

This communication (including any attachments) is not intended or written to be used, and it cannot be used, for the purpose of avoiding tax penalties that may be imposed on the taxpayer. This transmission is intended only for the use of the addressee and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, any use of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately.

From: J.W. Thomson <johnwthomson@ymail.com>

Sent: Tuesday, August 24, 2021 5:37 PM

To: Brittany Wood <bwood@mauricewood.com>

Cc: joseph hong <yosuphonglaw@gmail.com>; melanie.morgan@akerman.com; Steve Scow <sscow@kochscow.com>; J. Thomson <jwtlaw@ymail.com>

Subject: Re: Tobin vs. Stokes et al. JOINT APPENDIX DRAFT

Hi Brittany,

In order for the court to determine whether or not claim and issue preclusion apply to the complaint dismissed, it must evaluate the first action as well as the second action. That is why I included the record from the first action that the defendants represented/argued was already actually litigated. The comparison between the two cases is crucial to the analysis of claim and issue preclusion, upon which the defendants based their Motion to Dismiss, which was granted by the court.

"Among other requirements, for [claim] preclusion to attach ... 'the subsequent action [must be] based on the same claims or any part of them that were or could have been brought in the first case.' " Id. (third alteration in original) (quoting Five Star Capital Corp. v. Ruby, 124 Nev. 1048, 1054–55, 194 P.3d 709, 713 (2008)). For "issue preclusion to attach, the issue decided in the prior [proceeding] must be identical to the issue presented in the current [proceeding]," id. (alterations in original) (quotation omitted), and have been " 'actually litigated and determined by a valid and final judgment [in which] the determination [was] essential to the judgment.' " In re Sandoval, 126 Nev. —, —, 232 P.3d 422, 424 (2010) (quoting Restatement (Second) of Judgments § 27 (1982)).

Holt v. Reg'l Tr. Servs. Corp., 127 Nev. Adv. Op. 80, 266 P.3d 602 (Nev. 2011)" **Holt v. Reg'l Tr. Servs. Corp., 127 Nev. Adv. Op. 80, 266 P.3d 602 (Nev. 2011)**

Is there another way that you know of for the court to analyze what was decided in the first action so as to preclude Nona's pursuit of the second action?

Best regards,

John

John W. Thomson, Esq.

THOMSON LAW PC

On Tuesday, August 24, 2021, 05:26:24 PM PDT, Brittany Wood <bwood@mauricewood.com> wrote:

Hi John,

Are you sure you've included the correct attachment? It appears to include substantial filings that are not in the record below.

Brittany Wood

Partner



8250 West Charleston Blvd. | Suite 100

Las Vegas, Nevada | 89117

Office: (702) 463-7616 | Fax: (702) 463-6224

bwood@mauricewood.com

This communication (including any attachments) is not intended or written to be used, and it cannot be used, for the purpose of avoiding tax penalties that may be imposed on the taxpayer. This transmission is intended only for the use of the addressee and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, any use of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately.

From: J.W. Thomson <johnwthomson@ymail.com>

Sent: Tuesday, August 24, 2021 5:20 PM

To: Brittany Wood <bwood@mauricewood.com>

Cc: joseph hong <yosuphonglaw@gmail.com>; melanie.morgan@akerman.com; Steve Scow <sscow@kochscow.com>;

J. Thomson <jwtlaw@ymail.com>

Subject: Re: Tobin vs. Stokes et al. JOINT APPENDIX DRAFT

Brittany,

I've attached the draft of the Joint Appendix. Please advise as to any changes.

Best regards,

John

John W. Thomson, Esq.

THOMSON LAW PC
2450 St. Rose Parkway, Suite 120
Henderson, Nevada 89074
Office: 702.478.8282
Fax: 702.541.9500

This e-mail message is for the sole use of the intended recipient(s) and may contain privileged or confidential information. Unauthorized use, distribution, review or disclosure is prohibited. If you are not the intended recipient, please contact johnwthomson@ymail.com and jwtlaw@ymail.com by reply email and destroy all copies of the original message.

Circular 230 Notice: In accordance with Treasury Regulations we notify you that any tax advice given herein (or in any attachments) is not intended or written to be used, and cannot be used by any taxpayer, for the purpose of (i) avoiding tax penalties or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein (or in any attachments).

On Tuesday, August 24, 2021, 09:07:39 AM PDT, Brittany Wood <bwood@mauricewood.com> wrote:

Good morning John,

Can we expect to see a draft of the Joint Appendix today?

Brittany Wood

Partner



8250 West Charleston Blvd. | Suite 100

Las Vegas, Nevada | 89117

Office: (702) 463-7616 | Fax: (702) 463-6224

bwood@mauricewood.com

This communication (including any attachments) is not intended or written to be used, and it cannot be used, for the purpose of avoiding tax penalties that may be imposed on the taxpayer. This transmission is intended only for the use of the addressee and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, any use of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately.

From: Brittany Wood

Sent: Friday, August 20, 2021 10:18 AM

To: J.W. Thomson <johnwthomson@ymail.com>

Cc: joseph hong <yosuphonglaw@gmail.com>; melanie.morgan@akerman.com; Steve Scow <sscow@kochscow.com>

Subject: Tobin vs. Stokes et al.

John,

When do you anticipate you will have the draft Joint Appendix for review? NRAP 30(a) requires the parties to try to reach an agreement as to a joint appendix and Ms. Tobin's opening brief is due next week. My clients oppose a fourth extension.

Brittany Wood

Partner



8250 West Charleston Blvd. | Suite 100

Las Vegas, Nevada | 89117

Office: (702) 463-7616 | Fax: (702) 463-6224

bwood@mauricewood.com

This communication (including any attachments) is not intended or written to be used, and it cannot be used, for the purpose of avoiding tax penalties that may be imposed on the taxpayer. This transmission is intended only for the use of the addressee and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, any use of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately.

1 IN THE SUPREME COURT OF THE STATE OF NEVADA

2
3 *NONA TOBIN*, AN INDIVIDUAL,
4 APPELLANT,

5 vs.

6 BRIAN CHIESI, AN INDIVIDUAL, DEBORA
7 CHIESI, AN INDIVIDUAL; QUICKEN
8 LOANS, INC.; JOEL A. STOKES, AN
9 INDIVIDUAL; JOEL A. STOKES AND
10 SANDRA F. STOKES, AS TRUSTEES OF
11 JIMIJACK IRREVOCABLE TRUST;
12 JIMIJACK IRREVOCABLE TRUST;
13 NATIONSTAR MORTGAGE LLC; AND RED
14 ROCK FINANCIAL SERVICES,
15 RESPONDENTS

CASE NO.: 82294

DISTRICT COURT CASE A-19-
799890-C

JOINT APPENDIX

16
17
18 **JOINT APPENDIX**
19
20
21
22
23
24
25
26
27
28

JOHN W. THOMSON, ESQ.,
Nevada Bar No. 5802
LAW OFFICE OF JOHN W. THOMSON, ESQ.
2450 St. Rose Parkway Suite 120
Henderson NV 89074
Office: (702) 478-8282
Fax: (702) 541-9500
johnwthomson@ymail.com
Attorney for Plaintiff /Appellant

John W. Thomson, Esq.
LAW OFFICES OF JOHN W. THOMSON
2450 St. Rose Parkway, Suite 120 Henderson,
NV 89144

Brittany Wood, Esq.
MAURICE WOOD
8250 West Charleston Blvd.,
Ste.
100 Las Vegas, Nevada 89117

JOINT APPENDIX - 1

Attorney for Appellant
Nona Tobin

AKERMAN LLP
ARIEL E. STERN, ESQ.
MELANIE D. MORGAN, ESQ.
LILITH V. XARA, ESQ.
1635 Village Center Circle, Suite 200
Las Vegas, Nevada 89134

Attorney for Respondent
Nationstar Mortgage LLC

David R. Koch,
Esq. Steven B. Scow
KOCH & SCOW, LLC
11500 S. Eastern Ave., Ste. 210
Henderson, NV 89052

Attorney for Respondent
Red Rock Financial Services

DATED this ____ day of June 2021.

THE LAW OFFICE OF JOHN W. THOMSON, ESQ.

Attorney for Respondents Brian
& Debora Chiesi and
Quicken Loans, Inc.
Joseph Y. Hong, ESQ.
HONG & HONG LAW OFFICE
1980 Festival Plaza Dr., Suite 650
Las Vegas NV 89135

Attorney for Respondents
Joel A. And Sandra F. Stokes as
trustees for Jimijack Irrevocable
Trust, Jimijack Irrevocable Trust,
and Joel A. Stokes, an individual

<u>DATE</u>	DOCUMENT	BATES STAMP
<u>6/16/15</u>	Complaint (Jimijack Irrevocable Trust vs. Bank of America & Sun City Anthem)	
<u>10/16/15</u>	Judgment by Default Against Defendant Bank of America	
<u>1/11/16</u>	Complaint Nationstar Mortgage LLC vs Opportunity Homes LLC	

JOINT APPENDIX - 2

Formatted Table

<u>4/12/16</u>	Motion to Substitute Party, Intervene and Set Aside Default Judgment (Nationstar for Bank of America)	
<u>6/2/16</u>	Defendant in Intervention Nationstar Mortgage, LLC's Answer to Plaintiffs' Complaint and Counterclaim	
<u>6/7/16</u>	Lis Pendens RECORDED AS INSTRUMENT NUMBER 20160607-0001450	
<u>6/7/16</u>	Order Granting in Part Nationstar Mortgage, LLC's Motion to Substitute Party, Intervene and Set Aside Default Judgment	
<u>7/29/16</u>	Nona Tobin and Steve Hansen's Motion to Intervene	
<u>8/30/16</u>	Plaintiff JimiJack Irrevocable Trust's, Opposition to Nona Tobin and Steve Hansen's Motion to Intervene	
<u>9/9/16</u>	Reply to Plaintiff JimiJack Irrevocable Trust's Opposition to motion to intervene	
<u>9/23/16</u>	Affidavit of Nona Tobin in Support of Nona Tobin and Steve Hansen's Motion to Intervene	
<u>9/29/16</u>	Amended Transcript to Correct Title of Motion: Third Parties Nona Tobin and Steve Hansen's Motion to Intervene	
<u>11/15/16</u>	Motion to Intervene into Consolidated Quiet Title Cases A-15-720032-C and Former Case A-16-730078 (Nona Tobin, an Individual & Trustee of Gordon B. Hansen Trust, dated 8/22/02)	
<u>12/5/16</u>	Plaintiff JimiJack Irrevocable Trust's, Opposition to Motion to Intervene	
<u>12/12/16</u>	Reply to Plaintiff JimiJack Irrevocable Trust's Opposition to motion to intervene	
<u>12/20/16</u>	Recorder's Transcript of Hearing Nona Tobin's Motion to Intervene into Consolidated Quiet Title Cases A-15-720032-C and Former Case A-16-730078-C 12/20/16	
<u>1/11/17</u>	Order Granting Applicant Nona Tobin's Motion to Intervene	

JOINT APPENDIX - 3

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

<u>1/12/17</u>	Notice of Entry of Order Granting Applicant Nona Tobin's Motion to Intervene	
<u>1/31/17</u>	NONA TOBIN'S CROSSCLAIM FOR QUIET TITLE AGAINST SUN CITY ANTHEM COMMUNITY ASSOCIATION, INC. (HOA)	
<u>2/1/17</u>	NONA TOBIN'S ANSWER TO PLAINTIFF'S COMPLAINT AND COUNTERCLAIM	
<u>2/1/17</u>	NONA TOBIN'S CROSSCLAIM AGAINST THOMAS LUCAS D/B/A OPPORTUNITY HOMES, LLC	
<u>2/1/17</u>	NONA TOBIN'S CROSSCLAIM AGAINST YUEN K. LEE D/B/A F. BONDURANT, LLC	
<u>2/1/17</u>	Initial Appearance Fee Disclosure (Nona Tobin, Pro Se)	
<u>2/23/17</u>	Cross-Defendant Sun City Anthem Community Association's Motion to Dismiss Cross-Claimant Nona Tobin, An Individual and Trustee of the Gordon B. Hansen Trust's Cross-Claim	
<u>3/3/17</u>	OPPOSITION TO SUN CITY ANTHEM COMMUNITY ASSOCIATION'S MOTION TO DISMISS AND COUNTERMOTION FOR ORDER VOIDING THE HOA SALE	
<u>3/7/17</u>	Notice of intent to take default vs. Jimijack	
<u>3/7/17</u>	Notice of intent to take default vs. Yuen K. Lee dba F. Bondurant LLC	
<u>3/7/17</u>	Notice of intent to take default vs. Thomas Lucas dba Opportunity Homes	
<u>3/8/17</u>	Lucas/Opportunity Homes's motion for summary judgment vs Tobin/Hansen Trust & Nationstar	
<u>3/8/17</u>	DISCLAIMER OF INTEREST THOMAS LUCAS/OPPORTUNITY HOMES LLC FILED	
<u>3/13/17</u>	DISCLAIMER OF INTEREST LEE/F. BONDURANT LLC FILED	
<u>3/13/17</u>	PLAINTIFF'S REPLY TO NONA TOBIN'S COUNTERCLAIM	

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

<u>3/13/17</u>	YUEN K. LEE'S ANSWER TO NONA TOBIN'S CROSSCLAIM	
<u>3/22/17</u>	Sun City Anthem Community Association's Motion to Dismiss Nona Tobin, an Individual and Trustee of the Gordon B. Hansen Trust's Cross-Claim	
<u>3/27/17</u>	NATIONSTAR OPPOSITION TO OPPORTUNITY HOMES MSJ	
<u>3/27/17</u>	LITIGATION ANALYST EDWARD HYNE AFFIDAVIT	
<u>3/27/17</u>	Sun City Anthem Community Association's Reply in Support of its Motion to Dismiss	
<u>3/28/17</u>	DEED GORDON B. HANSEN TRUST, dated 8/22/08, TO NONA TOBIN, AN INDIVIDUAL, THE SOLE BENEFICIARY, RECORDED AS INSTRUMENT NUMBER 201703280001452	
<u>3/28/17</u>	DISCLAIMER OF INTEREST (STEVE HANSEN) FILED	
<u>3/28/17</u>	Recorder's Transcript of Hearing Sun City Anthem Community Association's Motion to Dismiss Nona Tobin, an Individual and Trustee of the Gordon B. Hansen Trust's Cross-Claim 03/28/17	
<u>3/31/17</u>	TOBIN RECORDED Interest disclaimer lee/f bondurant filed 3/8/17 NSM 222-227 recorded as instrument 201703310003073	
<u>3/31/17</u>	TOBIN RECORDED Interest disclaimer Lucas/ophomes filed 3/8/17 NSM 218-211 recorded as instrument 201703310003072	
<u>3/31/17</u>	TOBIN RECORDED Interest disclaimer Steve Hansen filed 3/28/17 NSM 212-217 recorded as instrument 201703310003071	
<u>3/31/17</u>	Sun City Anthem's's Opposition to Tobin's 3/3/17 Motion to void the sale	
<u>4/5/17</u>	(Nona Tobin's) Opposition to Sun City Anthem's Motion to Dismiss	

<u>4/10/17</u>	Nona Tobin's Reply to Sun City Anthem Community Association's Reply in Support of its Motion to Dismiss	
<u>4/19/17</u>	Thomas Lucas and Opportunity Homes, LLC's Reply to Nona Tobin's Opposition to Motion for Summary Judgment	
<u>4/20/17</u>	Opportunity Homes, LLC's reply to Nationstar Mortgage, LLC's Opposition to Motion for Summary Judgment	
<u>4/27/17</u>	Recorder's Transcript of Hearing: All Pending Motions April 27, 2017	
<u>4/27/17</u>	HEARING MINUTES	
<u>5/23/17</u>	HEARING MINUTES	
<u>5/23/17</u>	RECORDER'S TRANSCRIPT OF HEARING STATUS CHECK	
<u>5/24/17</u>	Notice of Appearance of Counsel to represent Nona Tobin as an individual and as trustee	
<u>5/25/17</u>	Transcript of Proceedings: All Pending Motions	
<u>5/25/17</u>	Hearing minutes	
<u>6/21/17</u>	Order Denying Motion for Summary Judgment (OpHomes vs Nationstar)	
<u>6/22/17</u>	Notice of Entry of Order Denying Motion for Summary Judgment	
<u>8/9/17</u>	Order Granting Thomas Lucas and Opportunity Homes, LLC's Motion for Summary Judgment	
<u>8/11/17</u>	Notice of Entry of Order Granting Thomas Lucas and Opportunity Homes, LLC's Motion for Summary Judgment	
<u>9/19/17</u>	STIPULATION AND ORDER	
<u>9/20/17</u>	NOTICE OF ENTRY OF ORDER	
<u>11/9/17</u>	NATIONSTAR NOTICE OF COMPLETION OF MEDIATION PURSUANT TO NRS 38.310	
<u>2/9/18</u>	Nationstar's INDIVIDUAL CASE CONFERENCE REPORT	

JOINT APPENDIX - 6

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

<u>4/10/18</u>	SUBSTITUTION OF COUNSEL FOR DEFENDANT IN INTERVENTION AND COUNTERCLAIMANT NATIONSTAR MORTGAGE LLC	
<u>4/17/18</u>	Minutes- DISCOVERY CONFERENCE	
<u>4/20/18</u>	CROSS- DEFENDANT SUN CITY ANTHEM COMMUNITY ASSOCIATION'S ANSWER TO CROSS- CLAIMS BY NONA TOBIN, AN INDIVIDUAL AND TRUSTEE OF THE GORDON B. HANSEN TRUST	
<u>5/15/18</u>	JOINT CASE CONFERENCE REPORT	
<u>5/15/18</u>	Minutes- DISCOVERY STATUS CHECK	
<u>5/31/18</u>	CROSS- DEFENDANT SUN CITY ANTHEM COMMUNITY ASSOCIATION'S INITIAL DISCLOSURE OF WITNESSES AND DOCUMENTS PURSUANT TO NEV. R. CIV. P. 16.1	
<u>5/31/18</u>	SCA 001-116 Sun City Anthem CC&Rs 2008 3rd restatement	
<u>5/31/18</u>	SCA 117-145 Sun City Anthem bylaws 2008 3rd restatement	
<u>5/31/18</u>	SCA 146-163 Sun City Anthem Rules and Regulations	
<u>5/31/18</u>	SCA 164-167 Sun City Anthem 2007 Red Rock Financial Services Debt Collection contract	
<u>5/31/18</u>	SCA 168-175 Sun City Anthem 2013 Delinquent Assessment Policy	
<u>5/31/18</u>	SCA 176-643 Red Rock Financial Services Foreclosure File redacted	
<u>7/10/18</u>	A-15-720032-C SCHEDULING ORDER	
<u>7/13/18</u>	NONA TOBIN'S INITIAL LIST OF WITNESSES AND PRODUCTION OF DOCUMENTS	

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

<u>9/13/18</u>	ORDER SETTING CIVIL NON JURY TRIAL, PRE-TRIAL CONFERENCE, CALENDAR CALL, AND STATUS CHECK	
<u>11/30/18</u>	MOTION TO AMEND ANSWER, COUNTERCLAIM, AND CROSSCLAIMS	
<u>12/5/18</u>	PLAINTIFFS ANSWERS TO NONA TOBIN'S FIRST SET OF INTERROGATORIES	
<u>12/10/18</u>	NOTICE OF APPEARANCE	
<u>1/10/19</u>	Transcript of Proceedings: ALL PENDING MOTIONS	
<u>1/10/19</u>	HEARING MINUTES ALL PENDING MOTIONS	
<u>2/4/19</u>	NOTICE OF ISSUANCE OF SUBPOENA DUCES TECUM TO NEVADA LEGAL NEWS	
<u>2/4/19</u>	NOTICE OF ISSUANCE OF SUBPOENA DUCES TECUM TO RED ROCK FINANCIAL SERVICES, LLC	
<u>2/4/19</u>	NOTICE OF ISSUANCE OF SUBPOENA DUCES TECUM TO AMERICANA, LLC DBA BERKSHIRE HATHAWAY HOME SERVICES NEVADA PROPERTIES	
<u>2/5/19</u>	CROSS-DEFENDANT SUN CITY ANTHEM COMMUNITY ASSOCIATION'S MOTION FOR SUMMARY JUDGMENT	
<u>2/7/19</u>	NATIONSTAR MORTGAGE LLC'S FIRST SUPPLEMENT TO NRCP 16.1 INITIAL DISCLOSURES OF WITNESSES AND DOCUMENTS NSM 186-257	
<u>2/11/19</u>	CROSS-DEFENDANT SUN CITY ANTHEM COMMUNITY ASSOCIATION'S FIRST SUPPLEMENTAL DISCLOSURE OF WITNESSES AND DOCUMENTS PURSUANT TO NEV. R. CIV. P. 16.1	
<u>2/12/19</u>	NATIONSTAR MORTGAGE LLC'S SECOND SUPPLEMENT TO NRCP 16.1 INITIAL DISCLOSURES OF WITNESSES AND DOCUMENTS NSM 258-403	

JOINT APPENDIX - 8

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

<u>2/12/19</u>	NATIONSTAR MORTGAGE LLC'S LIMITED JOINDER TO SUN CITY ANTHEM COMMUNITY ASSOCIATION'S MOTION FOR SUMMARY JUDGMENT	
<u>2/20/19</u>	STIPULATION AND ORDER FOR DISMISSAL WITHOUT PREJUDICE AS TO CLAIMS AGAINST OPPORTUNITY HOMES, LLC AND F. BONDURANT, LLC	
<u>2/20/19</u>	NOTICE OF ENTRY OF STIPULATION AND ORDER FOR DISMISSAL WITHOUT PREJUDICE AS TO CLAIMS AGAINST OPPORTUNITY HOMES, LLC AND F. BONDURANT, LLC	
<u>2/21/19</u>	NATIONSTAR MORTGAGE LLC'S RESPONSE TO NONA TOBIN'S FIRST SET OF INTERROGATORIES	
<u>2/21/19</u>	NATIONSTAR MORTGAGE LLC'S RESPONSE TO NONA TOBIN'S FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS	
<u>2/26/19</u>	DEFENDANT / CROSS-DEFENDANT SUN CITY ANTHEM COMMUNITY ASSOCIATION'S RESPONSE TO COUNTER-CLAIMANT / CROSS-CLAIMANT NONA TOBIN'S FIRST SET OF INTERROGATORIES	
<u>2/26/19</u>	DEFENDANT / CROSS-DEFENDANT SUN CITY ANTHEM COMMUNITY ASSOCIATION'S RESPONSE TO COUNTER-CLAIMANT / CROSS-CLAIMANT NONA TOBIN'S FIRST SET OF REQUEST FOR PRODUCTION OF DOCUMENTS	
<u>2/27/19</u>	NONA TOBIN'S FIRST SUPPLEMENTAL LIST OF WITNESSES AND PRODUCTION OF DOCUMENTS	

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

<u>2/27/19</u>	NATIONSTAR MORTGAGE LLC'S THIRD SUPPLEMENT TO NRCP 16.1 INITIAL DISCLOSURES OF WITNESSES AND DOCUMENTS NSM 404-408	
<u>2/28/19</u>	NATIONSTAR MORTGAGE LLC'S SUPPLEMENTAL RESPONSE TO NONA TOBIN'S FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS	
<u>2/28/19</u>	NATIONSTAR MORTGAGE LLC'S SUPPLEMENTAL RESPONSES TO NONA TOBIN'S FIRST SET OF INTERROGATORIES	
<u>3/5/19</u>	CROSS-CLAIMANT NONA TOBIN'S OPPOSITION TO CROSS- DEFENDANT SUN CITY ANTHEM COMMUNITY ASSOCIATION'S MOTION FOR SUMMARY JUDGMENT	
<u>3/5/19</u>	MINUTE ORDER- CROSS- DEFENDANT SUN CITY ANTHEM COMMUNITY ASSOCIATION'S MOTION FOR SUMMARY JUDGMENT NATIONSTAR MORTGAGE LLC'S LIMITED JOINDER TO SUN CITY ANTHEM COMMUNITY ASSOCIATION'S MOTION FOR SUMMARY JUDGMENT- GRANTED	
<u>3/6/19</u>	CROSS-CLAIMANT NONA TOBIN'S OPPOSITION TO CROSS- DEFENDANT SUN CITY ANTHEM COMMUNITY ASSOCIATION'S MOTION FOR SUMMARY JUDGMENT	
<u>3/7/19</u>	STIPULATION AND ORDER REFORMING CAPTION	
<u>3/7/19</u>	NOTICE OF ENTRY OF STIPULATION AND ORDER REFORMING CAPTION	
<u>3/8/19</u>	RESCISSION OF ASSIGNMENT OF DEED OF TRUST	
<u>3/8/19</u>	CORPORATE ASSIGNMENT OF DEED OF TRUST	

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

<u>3/12/19</u>	AMENDED NOTICE OF ENTRY OF STIPULATION AND ORDER REFORMING CAPTION	
<u>3/12/19</u>	NATIONSTAR MORTGAGE LLC'S FOURTH SUPPLEMENT TO NRCP 16.1 INITIAL DISCLOSURES OF WITNESSES AND DOCUMENTS	
<u>3/18/19</u>	NATIONSTAR MORTGAGE LLC'S THREE DAY NOTICE OF INTENT TO TAKE DEFAULT AGAINST JIMI JACK IRREVOCABLE TRUST	
<u>3/21/19</u>	NATIONSTAR MORTGAGE LLC'S MOTION FOR SUMMARY JUDGMENT	
<u>3/22/19</u>	CLERK'S NOTICE OF HEARING	
<u>3/25/19</u>	JIMI JACK IRREVOCABLE TRUST'S REPLY TO NATIONSTAR MORTGAGE, LLC.'S (6/2/16) COUNTERCLAIM	
<u>3/26/19</u>	HEARING MINUTES ALL PENDING MOTIONS	
<u>3/26/19</u>	Recorder's Transcript of Hearing All Pending Motions 03/26/19	
<u>4/9/19</u>	NOTICE OF APPEARANCE NONA TOBIN IN PROPER PERSON	
<u>4/9/19</u>	NONA TOBIN NOTICE OF COMPLETION OF MEDIATION PURSUANT TO NRS 38.310	
<u>4/10/19</u>	TOBIN OPPOSITION TO NATIONSTAR MOTION FOR SUMMARY JUDGMENT AGAINST JIMI JACK AND COUNTER MOTION FOR SUMMARY JUDGMENT HEARING REQUESTED IN CONJUNCTION WITH HEARING FOR NATIONSTAR MSJ SCHEDULED: APRIL 23, 2019 9:30 AM	
<u>4/12/19</u>	NOTICE OF APPEARANCE NONA TOBIN IN PROPER PERSON	
<u>4/12/19</u>	NONA TOBIN NOTICE OF COMPLETION OF MEDIATION PURSUANT TO NRS 38.310	
<u>4/12/19</u>	TOBIN OPPOSITION TO NATIONSTAR MOTION FOR SUMMARY JUDGMENT AGAINST	

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

	JIMIJACK AND COUNTER MOTION FOR SUMMARY JUDGMENT HEARING REQUESTED IN CONJUNCTION WITH HEARING FOR NATIONSTAR MSJ SCHEDULED: APRIL 23, 2019 9:30 AM	
<u>4/12/19</u>	NOTICE OF SETTLEMENT	
<u>4/15/19</u>	AUTHENTICATED OMBUDSMAN NOTICE OF SALE COMPLIANCE RECORDS FROM 4/17/19 AND 5/23/19 EXHIBITS	
<u>4/15/19</u>	STIPULATION AND ORDER TO EXTEND BRIEFING SCHEDULE FOR NATIONSTAR MORTGAGE LLC'S MOTION FOR SUMMARY JUDGMENT AND CONTINUE HEARING	
<u>4/17/19</u>	TOBIN'S REPLY IN SUPPORT OF JOINDER TO NATIONSTAR MORTGAGE, LLC'S MOTION FOR SUMMARY JUDGMENT AND REPLY IN SUPPORT OF TOBIN'S MOTION FOR SUMMARY JUDGMENT	
<u>4/17/19</u>	FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON CROSS- DEFENDANT SUN CITY ANTHEM COMMUNITY ASSOCIATION'S MOTION FOR SUMMARY JUDGMENT	
<u>4/18/19</u>	NOTICE OF ENTRY OF FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER ON CROSS- DEFENDANT SUN CITY ANTHEM COMMUNITY ASSOCIATION'S MOTION FOR SUMMARY JUDGMENT	
<u>4/19/19</u>	NATIONSTAR MORTGAGE LLC'S RESPONSE TO NONA TOBIN'S OPPOSITION TO NATIONSTAR MORTGAGE LLC'S MOTION FOR SUMMARY JUDGMENT AGAINST JIMIJACK AND COUNTERMOTION FOR SUMMARY JUDGMENT	
<u>4/22/19</u>	NOTICE OF ENTRY OF STIPULATION AND ORDER TO EXTEND BRIEFING SCHEDULE FOR NATIONSTAR MORTGAGE LLC'S MOTION FOR	

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

	SUMMARY JUDGMENT ANC[sic] CONTINUE HEARING	
4/23/19	MINUTES — TOBIN OPPOSITION TO NATIONSTAR MOTION FOR SUMMARY JUDGMENT AGAINST JIMI JACK AND COUNTERMOTION FOR SUMMARY JUDGMENT TOBIN OPPOSITION TO NATIONSTAR MOTION FOR SUMMARY JUDGMENT AGAINST JIMI JACK AND COUNTERMOTION FOR SUMMARY JUDGMENT	
4/23/19	RECORDER'S TRANSCRIPT OF HEARING: ALL PENDING MOTIONS	
4/23/19	NOTICE OF WITHDRAWAL OF NATIONSTAR MORTGAGE LLC'S MOTION FOR SUMMARY JUDGMENT	
4/24/19	MOTION TO VACATE SUN CITY ANTHEM MOTION FOR SUMMARY JUDGMENT AND NATIONSTAR MORTGAGE JOINDER THERETO AND COUNTERMOTION FOR SUMMARY JUDGMENT	
4/25/19	AMENDED TRANSCRIPT OF PROCEEDINGS OF PRETRIAL CONFERENCE TO CORRECT ATTORNEY NAME ONLY	
4/25/19	PRE TRIAL CONFERENCE MINUTES.pdf	
4/29/19	CROSS CLAIMANT NONA TOBIN'S MOTION FOR RECONSIDERATION	
4/30/19	NOTICE OF LIS PENDENS (TOBIN/HANSEN TRUST)	
5/1/19	DEED JOEL A. STOKES & SANDRA F. STOKES, AS TRUSTEES OF JIMI JACK IRREVOCABLE TRUST TO JOEL A. STOKES, AN INDIVIDUAL, RECORDED AS INSTRUMENT 201905010003348	

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

<u>05/02/19</u>	CROSS-DEFENDANT SUN CITY ANTHEM COMMUNITY ASSOCIATION'S OPPOSITION TO CROSS-CLAIMANT NONA TOBIN'S MOTION FOR RECONSIDERATION	
<u>5/3/19</u>	NATIONSTAR MORTGAGE, LLC'S LIMITED JOINDER TO SUN CITY ANTHEM COMMUNITY ASSOCIATION'S OPPOSITION TO NONA TOBIN'S MOTION FOR RECONSIDERATION	
<u>5/3/19</u>	JOEL STOKES AND SANDRA F. STOKES, AS TRUSTEES OF THE JIMJACK IRREVOCABLE TRUST'S JOINDER TO SUN CITY ANTHEM COMMUNITY ASSOCIATION'S OPPOSITION TO NONA TOBIN'S MOTION FOR RECONSIDERATION	
<u>5/6/19</u>	LIS PENDENS RECORDED 4/30/19 NOTICE AS INSTRUMENT NUMBER 201905060001022	
<u>5/17/19</u>	MOTION TO WITHDRAW AS COUNSEL TO TOBIN THE INDIVIDUAL AND TO SUBSTITUTE TOBIN AS THE REAL PARTY OF INTEREST VS THE CLOSED HANSEN TRUST	
<u>5/21/19</u>	COPPEDGE MOTION TO WITHDRAW AS COUNSEL FROM TOBIN AS AN INDIVIDUAL.pdf	
<u>5/21/19</u>	TRANSCRIPT OF PROCEEDINGS: STATUS CHECK - SETTLEMENT DOCUMENTS	
<u>5/21/19</u>	MINUTES STATUS CHK NSM JJ SETTLEMENT DOCS	
<u>5/21/19</u>	VIDEO STATUS CHK NSM JIMJACK SETTLEMENT DOCS	
<u>5/23/19</u>	REPLY TO CROSS-DEFENDANT SUN CITY ANTHEM COMMUNITY ASSOCIATION'S OPPOSITION TO TOBIN'S MOTION FOR RECONSIDERATION	
<u>5/23/19</u>	DEED OF TRUST, ASSIGNMENT OF LEASES AND RENTS, SECURITY AGREEMENT, AND FIXTURE FILING LOAN NUMBER: 0119048046	

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

	PARTIES: JOEL A STOKES, AN INDIVIDUAL, AND CIVIC FINANCIAL SERVICES RECORDED AS INSTRUMENT 201905230003531	
<u>5/24/19</u>	CROSS-DEFENDANT SUN-CITY ANTHEM COMMUNITY ASSOCIATION'S OPPOSITION TO MOTION TO SUBSTITUTE REAL PARTY IN INTEREST AND TO WITHDRAW AS COUNSEL OF RECORD FOR COUNTERCLAIMANT NONA TOBIN ON ORDER SHORTENING TIME	
<u>5/24/19</u>	JOEL A. STOKES AND SANDRA F. STOKES, AS TRUSTEES OF THE JIMI JACK IRREVOCABLE TRUST'S. OPPOSITION TO MOTION TO SUBSTITUTE REAL PARTY IN INTEREST AND TO WITHDRAW AS COUNSEL OF RECORD FOR COUNTERCLAIMANT NONA TOBIN ON ORDER SHORTENING TIME	
<u>5/29/19</u>	RECORDERS TRANSCRIPT OF PROCEEDINGS: ALL PENDING MOTIONS	
<u>5/31/19</u>	ORDER DENYING MOTION FOR RECONSIDERATION	
<u>5/31/19</u>	NOTICE OF ENTRY OF ORDER DENYING MOTION FOR RECONSIDERATION	
<u>5/31/19</u>	STIPULATION AND ORDER FOR THE DISMISSAL OF NATIONSTAR MORTGAGE, LLC'S CLAIMS AGAINST JIMI JACK IRREVOCABLE TRUST WITH PREJUDICE	
<u>5/31/19</u>	NOTICE OF ENTRY OF STIPULATION AND ORDER FOR THE DISMISSAL OF NATIONSTAR MORTGAGE, LLC'S CLAIMS AGAINST JIMI JACK IRREVOCABLE TRUST WITH PREJUDICE	
<u>6/3/19</u>	COUNTERCLAIMANT NONA TOBIN'S PRE-TRIAL MEMORANDUM	
<u>6/3/19</u>	COUNTERCLAIMANT, NONA TOBIN'S [PROPOSED] FINDINGS OF FACT AND CONCLUSIONS OF LAW	

<u>6/3/19</u>	RECORDER'S TRANSCRIPT OF PROCEEDINGS: CALENDAR CALL	
<u>6/3/19</u>	NATIONSTAR SUB/RECONVEY 7/22/04 HANSEN DEED OF TRUST	
<u>6/3/19</u>	TOBIN EDCR 2.67 SUPPLEMENT REJECTED BY COURT AT THE CALENDAR CALL	
<u>6/5/19</u>	RECORDER'S TRANSCRIPT OF PROCEEDINGS:: BENCH TRIAL DAY 1	
<u>6/5/19</u>	HONG'S PROPOSED FFCL (NEED AN UNANNOTATED COPY)	
<u>6/6/19</u>	TRIAL DAY 2 MINUTES	
<u>6/6/19</u>	RECORDER'S TRANSCRIPT OF PROCEEDINGS: BENCH TRIAL DAY 2	
<u>6/17/19</u>	COPPEDGE MOTION TO WITHDRAW AS COUNSEL OF RECORD FOR NONA TOBIN, AN INDIVIDUAL ON ORDER SHORTENING TIME	
<u>6/17/19</u>	NONA TOBIN MOTION TO INTERVENE CONSOLIDATED CASES A-15-720032-C CASE A- 16-730078 PER RULE 24	
<u>6/21/19</u>	NONA TOBIN DECLARATIONS IN SUPPORT OF RULE 24 MOTION TO INTEREVEVE INTO A-15- 720032-C AS AN INDIVIDUAL	
<u>6/24/19</u>	ORDER ON FINDINGS OF FACT, CONCLUSIONS OF LAW AND JUDGMENT	
<u>6/28/19</u>	COUNTERDEFENDANTS' OPPOSITION TO NONA TOBIN'S MOTION TO INTERVENE CONSOLIDATED CASES A-15-720032-C AND A- 16-730078 PER RULE 24	
<u>7/1/19</u>	NONA TOBIN DECLARATION IN SUPPORT OF THE WITHDRAWAL OF COUNSEL OF RECORD FOR NONA TOBIN, AS AN INDIVIDUAL	
<u>7/2/19</u>	NONA TOBIN REPLY TO JOSEPH HONG'S OPPOSITION TO HER RULE 24 MOTION TO INTERVENE INTO A-15-720032-C AS AN INDIVIDUAL HEARING REQUESTED WITH ALL	

JOINT APPENDIX - 16

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

	PENDING MOTIONS: SCHEDULED ON JULY 9 2019 9 AM	
7/9/19	MINUTES	
7/9/19	MODIFIED ORDER	
7/22/19	NONA TOBIN'S MOTIONS FOR A NEW TRIAL PER RULE 54 (B) AND RULE 59(a) (1)(A)(B)(C)(F)	
7/23/19	Tobin's notice of appearance as a Pro Se following 7/9/19 bench order by Judge Barker	
7/23/19	Case Appeal Statement	
7/24/19	Tobin's notice of appeal as an individual into case 79295	
7/26/19	Tobin Pro Se case appeal statement into case 79295	
7/29/19	Tobin Pro Se motion to dismiss Judge Kishner's order granting quiet title to Jimijack for lack of jurisdiction per NRS 38.310(2)	
8/7/19	TOBIN A-19-799890-C COMPLAINT	
8/7/19	Tobin 39 page notice of lis pendens with A-19-799890-C complaint attached filed into A-15-720032-C because defendants in new case were set up in the Odyssey filing system	
8/7/19	COUNTERDEFENDANTS' RESPONSE TO NONA TOBIN'S MOTION FOR A NEW TRIAL PER RULE 54(B) AND RULE 59 (1)(A)(B) (C) (F) AND MOTION TO DISMISS PURSUANT TO NRS 38.310(2) AND COUNTERMOTION TO STRIKE FROM THE RECORD THE ROGUE MOTIONS AND FOR ATTORNEY'S FEES AND COSTS PURSUANT TO E.D.C.R. RULE 7.60(b)(1) AND/OR (3)	
8/8/19	SUN CITY ANTHEM COMMUNITY ASSOCIATION'S JOINDER TO: COUNTERDEFENDANTS RESPONSE TO NONA TOBIN'S MOTION FOR A NEW TRIAL PER	

JOINT APPENDIX - 17

Formatted Table

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

	RULE 54(B) AND RULE 59 (1)((A)(B)(C)(F) AND MOTION TO DISMISS PURSUANT TO NRS 38.310(2) AND COUNTERMOTION TO STRIKE FROM THE RECORD THE ROGUE MOTIONS AND SUN CITY ANTHEM COMMUNITY ASSOCIATIONS COUNTERMOTION TO STRIKE NOTICE OF LIS PENDENS WITH ATTACHED COMPLAINT, FOR A VEXATIOUS LITIGANT ORDER, AND FOR ATTORNEYS' FEES PURSUANT TO NRS 18.010 and E.D.C.R. 7.60	
8/13/19	COUNTERDEFENDANTS' JOINDER TO SUN CITY ANTHEM COMMUNITY ASSOCIATION'S COUNTERMOTION TO STRIKE NOTICE OF LIS PENDENS WITH ATTACHED COMPLAINT	
8/13/19	Notice of lis pendens filed into case A-19-799890-C	
8/14/19	LIS PENDENS RECORDED AS INSTRUMENT 201908140003083	
8/14/19	LIS PENDENS RECORDED AS INSTRUMENT 201908140003084	
8/20/19	Tobin Pro Se declaration opposing Sun city Anthem's motion for attorney fees and costs from the closed Hansen Trust	
8/26/19	NONA TOBIN DECLARATION IN SUPPORT OF HER MOTIONS TO DISMISS PER 38.310(2) AND FOR A NEW TRIAL AND IN OPPOSITION TO COUNTERMOTIONS TO STRIKE PLEADINGS, LIS PENDENS AND MOTIONS FOR ATTORNEY FEES AND VEXATIOUS LITIGANT ORDER	
8/26/19	NONA TOBIN'S PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER OF DISMISSAL PURSUANT TO NRS 38.310(2) Scheduled Hearing: September 3, 2019 9:30 AM	
8/27/19	OPPOSITION TO SUN CITY ANTHEM'S MOTIONS AND TO STRIKE LIS PENDENS AND FOR A VEXATIOUS LITIGANT ORDER AND TWO MOTIONS FOR ATTORNEY FEES AND COUNTERMOTION FOR AN ORDER TO SHOW	

JOINT APPENDIX - 18

Formatted Table

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

	CAUSE WHY SANCTIONS SHOULD NOT BE IMPOSED	
<u>9/3/19</u>	RECORDER'S TRANSCRIPT OF PROCEEDINGS	
<u>9/10/19</u>	TOBIN INDIVIDUAL DOCKETING STATEMENT INTO 79295 WAS RETURNED UNFILED BY SC ORDER 19-37846	
<u>9/10/19</u>	MINUTES OF HEARING RE HOA MOTION FOR ATTORNEY'S FEES VS. THE HANSEN TRUST	
<u>11/22/19</u>	ORDER FROM 9/3/19 HEARING	
<u>4/30/20</u>	SUPREME COURT ORDER OF DISMISSAL OF TOBIN AS AN INDIVIDUAL	
<u>6/3/20</u>	Tobin1st First aAmended eComplaint	
<u>6/23/20</u>	Red Rock Financial Services, LLC's Mmotion to dDismiss per NRCP 12(b)(5)	
<u>6/24/20</u>	Nationstar motion to dismiss NSM from appeal 79295 20-23483	
<u>6/24/20</u>	NSM appendix 79295 20-23484	
<u>6/25/20</u>	MOT Nationstar's joinder to Red Rock Financial Service's mMotion to dDismiss	
<u>6/25/20</u>	JMOT Stokes joinder Joel A. Stokes, Joel A. Stokes and Sandra Stokes, as Trustees of the Jimijack Irrevocable Trust, and Jimijack Irrevocable Trust's Joinder To Defendant, Red Rock Financial Services' Motion To Dismiss First Amended Complaint and for Attorney's Fees and Costs Pursuant to E.D.C.R. Rule 7.60(b)(1) and/or (3)	
<u>7/1/20</u>	Joint respondents' 79295-brief by Sun City Anthem, Jimijack, and Yuen K. Lee dba F. Bondurant LLC 20-24418	
<u>7/1/20</u>	Nationstar's joinder to the joint respondents' brief 20-24464	
<u>7/6/20</u>	Chiesi/Quicken joinder Brian and Debora Chiesi and Quicken Loan Inc.'s Joinder to Defendant Red Rock Financial Service's Motion to Dismiss Plaintiff's Amended Complaint	

JOINT APPENDIX - 19

Formatted Table

Formatted Table

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

<u>7/6/20</u>	<u>Chiesi/Quicken REFIN Request for Judicial Notice</u>	
<u>7/15/20</u>	<u>Hansen Trust opposition to Nationstar motion to dismiss</u>	
<u>7/20/20</u>	<u>Tobin Opposition to Red Rock 6/23/20 motion to dismiss and 6/25/20, 6/25/20 & 7/6/20 joinders</u> <u>Opposition to Motion to Dismiss and to Joinders Thereto</u>	
<u>7/22/20</u>	<u>Nationstar 's reply to Hansen Trust's 7/15/20 opposition to NSM 6/24/20 motion to dismiss the Hansen Trust appeal 20-26801</u>	
<u>7/31/20</u>	<u>Order denying Nationstar's motion to dismiss 20-28043</u>	
<u>8/3/20</u>	<u>Brian and Debora Chiesi and Quicken Loans, LLC's Reply to Plaintiff's Opposition to Motion to Dismiss and Joinders thereto</u> <u>Chiesi/Quicken reply in support of their joinder</u>	
<u>8/3/20</u>	<u>RPLY Stokes/Jimijack reply in support of their JMOT</u> <u>Joel A. Stokes, Joel A. Stokes and Sandra Stokes, as Trustees of the Jimijack Irrevocable Trust, and Jimijack Irrevocable Trust's Reply in Support of Joinder to Defendant, Red Rock Financial Services' Motion To Dismiss First Amended Complaint and for Attorney's Fees and Costs Pursuant to E.D.C.R. Rule 7.60(b)(1) And/Or (3)</u>	
<u>8/3/20</u>	<u>Defendant Red Rock Financial Services' Reply in Support of its Motion to Dismiss the Complaint Pursuant to NRCP 12(b)(5) and (6)</u> <u>Red Rock reply in support of its motion to dismiss</u>	
<u>8/11/20</u>	<u>Transcript of hearings on 6/23/20-8/11/2020 Red Rock MTD and all joinders</u>	
<u>8/11/20</u>	<u>Hearing minutes</u>	
<u>8/11/20</u>	<u>Unannotated transcript of hearing on 6/23/20 Red Rock MTD and all joinders</u>	
<u>8/11/20</u>	<u>Hearing video VIDEO</u>	
<u>8/14/20</u>	<u>Appellant Hansen Trust's answering brief in 79295 20-30133</u>	

JOINT APPENDIX - 20

Formatted Table

Formatted Table

Formatted Table

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

<u>9/6/20</u>	order granting motion Order Granting Motion for Attorney's Fees and Costs filed by Joel A. Stokes, Joel A. Stokes and Sandra Stokes, as Trustees of the Jimijack Irrevocable Trust and Jimijack Irrevocable Trust, Pursuant to EDCR 7.60(b)(1) and/or (3)	
<u>9/16/20</u>	Chiesi/Quicken reply in support of their joinder Motion for Attorney's Fees and Costs	
<u>10/8/20</u>	notice of entry of order to sanction per EDCR 7.60 (1)(3) \$3,455 to Hong for Jimijack/Stokes Notice of Entry of Order Granting Motion for Attorney's Fees and Costs filed by Joel A. Stokes, Joel A. Stokes and Sandra Stokes, as Trustees of The Jimijack Irrevocable Trust, and Jimijack Irrevocable Trust, Pursuant to EDCR 7.60(b)(1) and/or (3)	
<u>10/8/20</u>	Opposition to Chiesi and Quicken Loans Motion for Attorney Fees and CostsOPPM Tobin opposition to Chiesi Quicken 9/16/20 MAFC	
<u>10/16/20</u>	Order shortening time motion to enforce Defendants, Joel A. Stokes and Sandra Stokes, as Trustees of The JimiJack Irrevocable Trust and Jimijack Irrevocable Trust's, Motion to Enforce Order for Attorney's Fees and Costs and for Contempt and for Attorney's Fees and Costs Pursuant to E.D.C.R. Rule 7.60(b)(3) and/or (5) and Order Shortening Time	
<u>10/16/20</u>	Notice Of Entry Of Order Shortening TimeNEOJ on OST to be at 10/29/20 hearing	
<u>10/19/20</u>	Chiesi/Quicken reply to Tobin opposition Reply to Plaintiff's Opposition to the Chiesi Defendants' Motion for Attorney's Fees and Costs	
<u>10/27/20</u>	John Thomson Letter to opposing counsels regarding Tobin objections to OGM as drafted	
<u>10/27/20</u>	Tobin opposition to Hong OST MENE Opposition to Joel A. Stokes and Sandra Stokes, as Trustees of the Jimijack Irrevocable Trust and Jimijack Irrevocable Trust's Motion to Enforce Order for Attorney Fees and Costs and for Contempt and Order Shortening Time	

Commented [BW1]: This does not appear in the docket and therefore is not a record on appeal

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

<u>10/29/20</u>	m Minutes of hearing on Wood's & Hong's motions to sanction Tobin	
<u>10/29/20</u>	t Transcript of hearing re motions for sanctions	
<u>11/3/20</u>	h Hearing minutes	
<u>11/3/20</u>	t Transcript of hearing re Hong OST MENF	
<u>11/17/20</u>	order to sanction Tobin \$8,948.99 per NRCP 18.010(2) to Wood for Chiesi/Quicken Order Granting Motion for Attorney's Fees and Costs	
11/17/20 <u>11/9/20</u>	Tobin notice of 82094 appeal of 9/6/20 order entered 10/8/20 granting \$3,455 per EDCR 7.60(b)(1)(3) sanction Notice of Appeal	
<u>11/17/20</u>	entry of order to sanction Tobin \$8,948.99 per NRCP 18.010(2) to Wood for Chiesi/Quicken Notice of Entry of Order	
<u>11/17/20</u>	OSCC o Order to statistically close case	
<u>12/3/20</u>	12/3/20 OGM order granting Red Rock's motion to dismiss per NRCP 12(b)(5) (non-mutual claims preclusion) and Joel Stokes's, Sandra Stokes's, Joel Stokes & Sandra Stokes as trustees of Jimijack Irrevocable Trust's, Jimijack Irrevocable Trust's, Nationstar Mortgage LLC's, Brian Chiesi's, Debora Chiesi's, and Quicken's joinders to dismiss Tobin's complaint for quiet title, unjust enrichment and declaratory and equitable relief with prejudice per NRCP 12(b)(5) (non-mutual claims preclusion/res judicata) Order Granting Defendant Red Rock Financial Services' Motion to Dismiss Complaint and All Joinders to the Motion	
<u>12/3/20</u>	n Notice of e Entry of e Order granting all defendants' motions and joinders and expunging three lis pendens as if they had been expunged on the dates they were recorded, i.e., 8/8/19, 8/14/19 and 8/14/19	
<u>12/4/20</u>	Order to expunge 8/8/19 LISP, 8/14/19 LISP & 8/14/19 LISP Tobin LIS pendens and to dismiss Tobin's claims with prejudice recorded as instrument 202012040001097 by Chiesi/Quicken	

Formatted Table

~~attorney Brittany Wood while appeals 82094, 82234, 82294 and 79295 were pending.~~

Commented [BW2]: This is not in the record on appeal

~~12/9/20 20-44787 Docketing Statement—82094—appeal of 9/6/20 order entered 10/8/20 granting EDCR 7.60(b)(1)(3) sanction~~

Commented [BW3]: Documents filed with the appellate court are not included in the Appendix.

~~12/18/20 NOAS 82234 Chiesi Quicken MAFC 20-45890~~

~~1/8/21 82294 21-00536 TOBIN NOTICE OF APPEAL FROM 12/3/20 NODP~~

~~1/19/21 DOCKETING STATEMENT FOR 82234 appeal of 11/17/20 ORDER GRANTING CHIESI//QUICKEN MAFC FOR \$8,949 NRS 18.010(2) sanction~~

~~2/2/21 Docketing statement for 82294 appeal from 12/3/20 order granting Red Rock motion to dismiss with prejudice Tobin's claims and all joinders thereto and to expunge three Tobin lis pendens as if they had never been recorded~~

JOHN W. THOMSON, ESQ,
Nevada Bar No. 5802
LAW OFFICE OF JOHN W. THOMSON,
ESQ.
2450 St. Rose Parkway Suite 120
Henderson NV 89074
Office: (702) 478-8282
Fax: (702) 541-9500
johnwthomson@ymail.com
Attorney for Plaintiff /Appellant