

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.

Supreme Court Case No.: 82294

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APPEAL

From the Eighth Judicial District Court, Department XXII
The Honorable Susan Johnson, District Judge
District Court Case No.: A-19-799890-C

**RESPONDENTS, JIMIACK IRREVOCABLE TRUST, JOEL A.
STOKES AND SANDRA F. STOKES', ANSWERING BRIEF**

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NRAP 26.1 DISCLOSURE

In accordance with NRAP 26.1, the undersigned counsel of record for Respondents, Jimijack Irrevocable Trust, Joel A. Stokes and Sandra F. Stokes (collectively "JIT"), certifies the following are persons and entities described in NRAP 26.1, and must be disclosed. These representations are made so the Judges of this Court may evaluate possible disqualifications or recusal.

Regarding all parent corporations of JIT and any public-held company which owns 10% or more of the party's stock, there are no such corporations.

In addition, the following is a list of the names of all law firms whose partners or associates have appeared for JIT in this case, including proceedings in district court: Joseph Y. Hong, Esq. of Hong & Hong Law Office.

/s/ Joseph Y. Hong
JOSEPH Y. HONG, ESQ.
Attorney for Respondents

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ARGUMENT

I. JOINDER TO RESPONDENTS, BRIAN CHIESI, DEBORA CHIESI AND QUICKEN LOANS INC.'S ANSWERING BRIEF

JIT, pursuant to NRAP 28(i), joins and incorporates the answering brief filed by Respondents, Brian Chiesi, Debora Chiesi and Quicken Loans Inc. filed on October 25, 2021.

II. THE DISTRICT COURT DID NOT ABUSE ITS DISCRETION IN AWARDING JIT ATTORNEY'S FEES AND COSTS INCURRED IN DEFENSE OF TOBIN'S FRIVOLOUS CLAIMS

Tobin argues that there was allegedly no support for the awarding of JIT's attorney's fees and costs, and that the district court allegedly did not consider the enumerated factors pursuant to *Brunzell v. Golden Gate National Bank*, 455 P.2d 31 (Nev. 1969) ("*Brunzell*"). Tobin, however, completely ignores JIT's moving papers (AA3777-AA3866), and the district court's thorough and extensive order containing the analysis under the *Brunzell* factors (AA4381-AA4388). The district court, therefore, did not abuse its discretion in awarding JIT attorney's fees and costs in the amount of \$3,165.00.

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CONCLUSION

JIT respectfully requests this Court affirm the district court's ruling in this case.

DATED this 15th day of November, 2021.

HONG & HONG LAW OFFICE

/s/ Joseph Y. Hong

JOSEPH Y. HONG, ESQ.

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Attorney for Respondents

Jimijack Irrevocable Trust, Joel A.

Stokes and Sandra F. Stokes

CERTIFICATE OF COMPLIANCE

I HEREBY CERTIFY this brief complies with the formatting requirements of NRAP 32(a)(4), the typeface requirements of NRAP 32(a)(5) and the type style requirements of NRAP 32(a)(6) because this brief has been prepared in a proportionally spaced typeface using Microsoft Word in Times New Roman and 14 point font size.

I FURTHER CERTIFY this brief complies with the page or type volume limitations of NRAP 32(a)(7) because, excluding the parts of this brief exempted by NRAP 32(a)(7)(C), it is proportionally spaced, has a typeface of 14 points or more, and contains 987 words.

FINALLY, I CERTIFY that I have read this brief, and to the best of my knowledge, information and belief, it is not frivolous or interposed for any improper purpose. I further certify that this brief complies with all applicable Nevada Rules of Appellate Procedure, in particular NRAP 28(e)(1), which requires every assertion in the brief regarding matters in the record to be supported by a reference to the page of the transcript or appendix where the matter relied on is to be found.

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I understand that I may be subject to sanctions in the event that the accompanying brief is not in conformity with the requirements of the Nevada Rules of Appellate Procedure.

DATED this 15th day of November, 2021.

/s/ Joseph Y. Hong
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CERTIFICATE OF SERVICE

I certify that I electronically filed on the 15th day of November, 2021, the foregoing **RESPONDENTS, JIMI JACK IRREVOCABLE TRUST, JOEL A. STOKES AND SANDRA F. STOKES', ANSWERING BRIEF**, with the Clerk of the Court for the Nevada Supreme Court by using the CM/ECF system. I further certify that all parties of record to this appeal either are registered with the CM/ECF or have consented to electronic service.

By placing a true copy enclosed in a sealed envelope(s) addressed as follows:

(By electronic service) Pursuant to the CM/ECF system, registration as a CM/ECF user constitutes consent to electronic service through the Court's transmission facilities. The Court's CM/ECF system sends email notification of the filing to the parties and counsel of record listed above who are registered with the Court's CM/ECF system.

(Nevada) I declare that I am employed in the office of a member of the bar of this Court at whose discretion this service was made.

/s/ Debra L. Batesel

An employee of Joseph Y. Hong, Esq.