

**IN THE SUPREME COURT OF THE
STATE OF NEVADA**

NUVEDA, LLC,

Petitioner,

vs

EIGHTH JUDICIAL DISTRICT
COURT OF THE STATE OF
NEVADA, IN AND FOR THE
COUNTY OF CLARK, THE
HONORABLE ELIZABETH
GONZALEZ, DISTRICT JUDGE,

Respondent,

SHANE TERRY,

Real Party in Interest.

Electronically Filed
Jun 15 2021 10:47 a.m.
Elizabeth A. Brown
Clerk of Supreme Court
Supreme Court Case No. 82767

Case: A-20-817363-B

Lead Case: A-17-755479-B

Other Consolidated Cases with Lead
Case:

A-19-791405-C and A-19-796300-B

SECOND SUPPLEMENT TO PETITION FOR WRIT

LAW OFFICE OF MITCHELL STIPP
MITCHELL STIPP, ESQ. (Nevada Bar No. 7531)
1180 N. Town Center Drive, Suite 100, Las Vegas, Nevada 89144
Telephone: 702.602.1242; Email: mstipp@stipplaw.com
Counsel for Petitioner¹

¹ A. William Maupin, of Clark Hill LLP, 3800 Howard Hughes Parkway, Suite 500, Las Vegas, Nevada 89169, Email: awmaupin@clarkhill.com, serves as co-counsel to Petitioner in this matter.

DATED this 15th day of June, 2021.

LAW OFFICE OF MITCHELL STIPP

A handwritten signature in black ink, appearing to read "Mitchell Stipp", is positioned above a horizontal line.

MITCHELL STIPP, ESQ.

Nevada Bar No. 7531

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Las Vegas, Nevada 89144

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mstipp@stipplaw.com

Counsel for Petitioner

I. District Court entered Outstanding Orders.

NuVeda, LLC, as Petitioner, filed its Writ Petition on or about April 14, 2021. See Dkt. 21-10775. The Writ Petition was supported by an Appendix (Volumes I-VI). See Dkt. 21-10778 through Dkt. 21-10783. This Court ordered NuVeda to supplement its Writ Petition and Appendix. See Dkt. 21-13663. NuVeda supplemented its Writ Petition (Dkt. 21-16547) and Appendix (Dkt. 21-16548 through Dkt. 21-16555 and Dkt. 21-16558). In its supplement, NuVeda noted in Footnotes 3 and 5 that the district court still had not entered orders as described therein. See Dkt. 21-16547, pgs. 4-5. Attached as **Exhibit 1** hereto is the order recently entered by the district court applicable to the matter referenced in Footnote 3 (denial of NuVeda's motion to enter order on Shane Terry's claims). Attached as **Exhibit 2** hereto is the order recently entered by the district court applicable to the matter referenced in Footnote 5 (denial of NuVeda's motion for a stay on Shane Terry's claims pending a writ petition).

II. Conclusion

For the reasons set forth in the Petition, Appendix (Volumes I-VI), Supplement (including Volumes VII-XV to the Appendix), and this Second Supplement, NuVeda seeks an order requiring the claims of Mr. Terry be dismissed and/or summary judgment granted.

DATED this 15th day of June, 2021.

LAW OFFICE OF MITCHELL STIPP

A handwritten signature in black ink, appearing to read "Mitchell Stipp", is written over a solid black horizontal line.

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Counsel for Petitioner

CERTIFICATE OF COMPLIANCE AND VERIFICATION

1. The supplement has been prepared in a proportionally spaced typeface using Microsoft Word, Version 16.11.1, in 14 point, Times New Roman.
2. The supplement does not exceed 15 pages.
3. I hereby certify that I have read the supplement, 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 supplement complies with all applicable Nevada Rules of Appellate Procedure, in particular NRAP 21. I understand that I may be subject to sanctions in the event that the supplement is not in conformity with the requirements of the Nevada Rules of Appellate Procedure.

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Counsel for Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 15th day of June, 2021, I filed the foregoing **SECOND SUPPLEMENT TO PETITION FOR WRIT**, using the court's electronic filing system.

Notice of the filing of the Second Supplement to Petition for Writ was made upon acceptance by the Nevada Supreme Court using the District Court's electronic filing system to the following e-service participants in District Court Case No. A-17-755479-B and by mail to the addresses as indicated:

Judge Elizabeth Gonzalez:

Dept11lc@clarkcountycourts.us

Regional Justice Center
200 Lewis Ave.
Las Vegas, NV 89155

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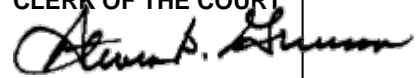
Shane Terry as Real Party-in- Interest:

Michael R. Mushkin, Esq.
Nevada Bar No. 2421
L. Joe Coppedge, Esq.
Nevada Bar No. 4954
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By: 

An employee of Law Office of Mitchell Stipp

EXHIBIT 1



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**DISTRICT COURT
CLARK COUNTY, NEVADA**

NUVEDA, LLC, a Nevada Limited Liability
Company; and CWNEVADA LLC, a Nevada
Limited Liability Company,

Plaintiffs,

v.

4FRONT ADVISORS LLC, foreign limited
liability company, DOES I through X and ROE
ENTITIES, II through XX, inclusive,

Defendants.

Case No.: A-17-755479-B

Consolidated With: A-19-791405-C,
A-19-796300-B, A-20-817363-B, and
A-21-827473-W

Dept. No.: XI

Hearing Date: January 29, 2021
Hearing Time: Chambers¹

AND RELATED MATTERS

**NOTICE OF ENTRY OF ORDER DENYING RENEWED MOTION TO ENTER
ORDER ON SHANE TERRY'S CLAIMS AND RELATED RELIEF**

NuVeda, LLC, a Nevada limited liability company, by and through its attorneys, Mitchell
Stipp, Esq., of the Law Office of Mitchell Stipp, hereby provides notice of entry of the order
attached hereto.

///

///

¹ The matter was taken under advisement by the Court at the hearing on January 25, 2021 at 9:00 a.m. L. Joe Coppedge, Esq., who represents Shane Terry, was ordered to file a supplemental declaration including a copy of the Terry Motion (as defined in this Order), and the matter would be decided by the Court in chambers on January 29, 2021.

1 **LAW OFFICE OF MITCHELL STIPP**

2 */s/ Mitchell Stipp*

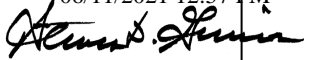
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8 *Attorneys for NuVeda, LLC*


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**DISTRICT COURT
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NUVEDA, LLC, a Nevada Limited Liability
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Dept. No.: XI

Hearing Date: January 29, 2021
Hearing Time: Chambers¹

AND RELATED MATTERS

**ORDER DENYING RENEWED MOTION TO ENTER ORDER ON SHANE TERRY'S
CLAIMS AND RELATED RELIEF**

The Renewed Motion to Enter Order on Shane Terry's Claims and Related Relief (the "Motion") came before the Honorable Elizabeth Gonzalez, and the Court, having reviewed the Motion and related briefing, including the Supplemental Declaration of L. Joe Coppedge, and being fully informed, denies the Motion **without prejudice**.

The Court finds that the determination by the American Arbitration Association ("AAA") not to act with respect to Shane Terry's Motion to Set Aside Dismissal, which was attached as Exhibit 4 to Mr. Coppedge's Supplement Declaration (the "Terry Motion"), because it no longer

¹ The matter was taken under advisement by the Court at the hearing on January 25, 2021 at 9:00 a.m. L. Joe Coppedge, Esq., who represents Shane Terry, was ordered to file a supplemental declaration including a copy of the Terry Motion (as defined in this Order), and the matter would be decided by the Court in chambers on January 29, 2021.

1 had jurisdiction over the matter places this Court in the position of deciding the Terry Motion.

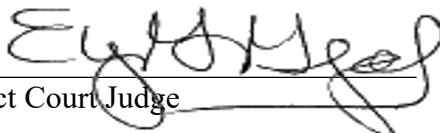
2 Based on the foregoing and the allegations that have been made, the Court desires to set
3 an evidentiary hearing on the issue of rescission as raised in the Terry Motion.

4 IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Counsel for the
5 parties are directed to consult and determine what discovery is necessary prior to the
6 commencement of such a hearing and the anticipated length for such hearing.

7 IT IS FURTHER ORDERED ADJUDGED AND DECREED that the parties are to submit
8 a joint status report regarding the evidentiary hearing by February 12, 2021.

9 IT IS SO ORDERED.

10
11 Date: _____ Dated this 11th day of June, 2021

12
13 
14 District Court Judge

15 Approved as to Form and Content:
16 **LAW OFFICE OF MITCHELL STIPP**

17 */s/ Mitchell Stipp*

269 987 5BB7 7D3B
Elizabeth Gonzalez
District Court Judge

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19 MITCHELL D. STIPP, ESQ.
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Attorneys for NuVeda, LLC

21 **MUSHKIN & COPPEDGE**
22 approved

23 ~~*****REFUSED*****~~

24 L. JOE COPPEDGE, ESQ.
25 Nevada Bar No. 4954
6070 South Eastern Ave Ste 270
Las Vegas, NV 89119
Attorneys for Dotan Y. Melech, Receiver,
Shane Terry, and Phillip D. Ivey

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 Nuveda LLC, Plaintiff(s)

CASE NO: A-17-755479-B

7 vs.

DEPT. NO. Department 11

8 4Front Advisors LLC,
9 Defendant(s)

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

12 This automated certificate of service was generated by the Eighth Judicial District
13 Court. The foregoing Order was served via the court's electronic eFile system to all
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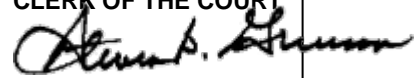
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18	Ashley Blacksmith	ablacksmith@swlaw.com
19	Diane Welch	dwelch@mcdonalddcarano.com

24 If indicated below, a copy of the above mentioned filings were also served by mail
25 via United States Postal Service, postage prepaid, to the parties listed below at their last
26 known addresses on 6/14/2021
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Nathanael Rulis	Kemp, Jones & Coulthard, LLP c/o: Nathanael R. Rulis 3800 Howard Hughes Pkwy, 17th Floor Las Vegas, NV, 89169
Nicole Whyte	7670 W Lake Mead Blvd Ste 225 Las Vegas, NV, 89128
Theodore Parker	2460 Professional CT STE 200 Las Vegas, NV, 89128

EXHIBIT 2



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Attorneys for NuVeda, LLC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

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Defendants.

Case No.: A-17-755479-B

Consolidated With: A-19-791405-C,
A-19-796300-B, A-20-817363-B, and
A-21-827473-W

Dept. No.: XI

Hearing Date: February 22, 2021
Hearing Time: 9:00 a.m.

AND RELATED MATTERS

NOTICE OF ENTRY OF ORDER DENYING MOTION TO STAY

NuVeda, LLC, a Nevada limited liability company, by and through its attorneys, Mitchell
Stipp, Esq., of the Law Office of Mitchell Stipp, hereby provides notice of entry of the order
attached hereto.

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1 **LAW OFFICE OF MITCHELL STIPP**

2 */s/ Mitchell Stipp*

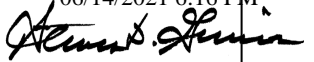
3 _____
4 MITCHELL D. STIPP, ESQ.

5 Nevada Bar No. 7531

6 1180 N. Town Center Drive, Suite 100

7 Las Vegas, Nevada 89144

8 *Attorneys for NuVeda, LLC*


CLERK OF THE COURT

MITCHELL D. STIPP, ESQ.
Nevada Bar No. 7531
LAW OFFICE OF MITCHELL STIPP
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Las Vegas, Nevada 89144
Telephone: 702.602.1242
mstipp@stippilaw.com
Attorneys for NuVeda, LLC

**DISTRICT COURT
CLARK COUNTY, NEVADA**

NUVEDA, LLC, a Nevada Limited Liability
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A-21-827473-W

Dept. No.: XI

Hearing Date: February 22, 2021
Hearing Time: 9:00 a.m.

AND RELATED MATTERS

ORDER DENYING MOTION TO STAY

The Motion to Stay on Order Shortening Time filed by NuVeda, LLC with respect to claims by Shane Terry asserted in the complaint on file in Sub-Case A-20-817363-B came before the Honorable Elizabeth Gonzalez at the hearing set forth above (the "Motion"). Based on the briefing by the parties and oral argument by counsel, the Court has reconsidered its prior decision to set an evidentiary hearing on the issue of rescission (because there are factual issues to be resolved at trial).

IT IS THEREFORE ORDERED ADJUDGED AND DECREED that the Motion is denied without prejudice.

IT IS SO ORDERED.

Dated this 14th day of June, 2021

Date: _____


District Court Judge

819 2FF 64C4 C4AC
Page 1 of 2
Elizabeth Gonzalez
District Court Judge

1 Approved as to Form and Content:
2 **LAW OFFICE OF MITCHELL STIPP**

3 */s/ Mitchell Stipp*

4 _____
5 MITCHELL D. STIPP, ESQ.
6 Nevada Bar No. 7531
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8 Las Vegas, Nevada 89144
9 *Attorneys for NuVeda, LLC*

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9 **MUSHKIN & COPPEDGE**

10 *****REFUSED*****

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15 *Attorneys for Dotan Y. Melech, Receiver,*
16 *Shane Terry, and Phillip D. Ivey*

1 **CSERV**

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5
6 Nuveda LLC, Plaintiff(s)

CASE NO: A-17-755479-B

7 vs.

DEPT. NO. Department 11

8 4Front Advisors LLC,
9 Defendant(s)

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

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13 Court. The foregoing Order was served via the court's electronic eFile system to all
14 recipients registered for e-Service on the above entitled case as listed below:

Service Date: 6/14/2021

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