

1 **NOAS**  
Russel J. Geist (9030)  
2 **HUTCHISON & STEFFEN, PLLC**  
10080 West Alta Drive, Suite 200  
3 Las Vegas, NV 89145  
(702) 385-2500  
4 (702) 385-2086 Fax  
[rgeist@hutchlegal.com](mailto:rgeist@hutchlegal.com)

5 *Attorneys for Michael T. Nedder and*  
6 *Douglas DeLuca, Trustees*

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

9 In the matter of the trust agreement,  
10 23 PARTNERS TRUST I,

11 An Irrevocable Trust.  
12

Case No.: P-20-104279-T  
Dept. No.: 26

13 **NOTICE OF APPEAL**

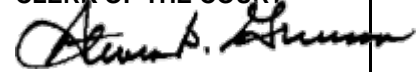
14 Notice is given that Michael Nedder and Douglas DeLuca (the "Trustees"), Respondent  
15 Trustees of the 23 Partners Trust I (the "Trust") and interested persons in the above-captioned  
16 matter, appeals to the Supreme Court of Nevada from the *Order Granting in Part and Denying in*  
17 *Part Petition to (1) Assume Jurisdiction Over Trust, (2) Confirm Douglas Scott DeLuca as Trustee,*  
18 *(3) Compel an Accounting, and (4) Obtain a Copy of Trust,* entered by the district court on April  
19 23, 2021, and from any other order of the district court rendered final and appealable pursuant to  
20 NRS 155.190 by the District Court's Order dated April 23, 2021.

21 DATED May 24, 2021.

22 HUTCHISON & STEFFEN, PLLC

23  
24 /s/ Russel J. Geist  
Russel J. Geist (9030)  
25 Peccole Professional Park  
10080 West Alta Drive, Suite 200  
26 Las Vegas, Nevada 89145  
*Attorneys for Michael T. Nedder and*  
27 *Douglas DeLuca, Trustees*  
28

Electronically Filed  
5/24/2021 4:05 PM  
Steven D. Grierson  
CLERK OF THE COURT



Electronically Filed  
Jun 03 2021 02:49 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**CERTIFICATE OF SERVICE**

Pursuant to NRCP 5(b), I certify that I am an employee of HUTCHISON & STEFFEN, PLLC and that on this 24th day of May, 2021, I caused the above and foregoing documents entitled **NOTICE OF APPEAL** to be served as follows:

- ☐ by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada; and/or
- ☒ sent electronically via the Court's electronic service system; the date and time of this electronic service is in place of the date and in place of deposit in the mail; and/or
- ☐ to be hand-delivered.

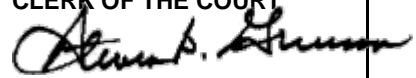
to the attorney(s) listed below at the address and/or facsimile number indicated below:

Via Electronic Service

Alexander G. LeVeque, Esq.  
Roberto M. Campos, Esq.  
SOLOMON DWIGGINS & FREER, LTD.  
9060 West Cheyenne Avenue  
Las Vegas, NV 89129

*Attorneys for Joanne S. Briggs  
as Parent and Guardian of  
Julia Ann DeLuca and Alexander Ian  
DeLuca, Beneficiaries of 23 Partners Trust I*

/s/ Amber Anderson-Reynolds  
An employee of Hutchison & Steffen, PLLC



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[rgeist@hutchlegal.com](mailto:rgeist@hutchlegal.com)

*Attorneys for Michael T. Nedder and  
Douglas DeLuca, Trustees*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

In the matter of the trust agreement,  
23 PARTNERS TRUST I,

Case No.: P-20-104279-T  
Dept. No.: 26

An Irrevocable Trust.

**CASE APPEAL STATEMENT**

Notice is given that Michael Nedder and Douglas DeLuca (the “Trustees”), Respondent Trustees of the 23 Partners Trust I (the “Trust”) and interested persons in the above-captioned matter, appeals to the Supreme Court of Nevada from the *Order Granting in Part and Denying in Part Petition to (1) Assume Jurisdiction Over Trust, (2) Confirm Douglas Scott DeLuca as Trustee, (3) Compel an Accounting, and (4) Obtain a Copy of Trust*, entered by the district court on April 23, 2021, and from any other order of the district court rendered final and appealable pursuant to NRS 155.190 by the District Court's Order dated April 23, 2021.

**1. Party filing this Case Appeal Statement.**

This appeal and case appeal statement is filed on behalf of objectors Michael Nedder and Douglas DeLuca (the “Trustees”), Respondent Trustees of the 23 Partners Trust I (the “Trust”) and interested persons in the above-captioned matter.

**2. Judge issuing the decision, judgment or order appealed from.**

Judge Gloria Sturman

- 1 **3. Parties to the proceedings in the district court.**
- 2 Joanne S. Briggs Petitioner
- 3 on behalf of beneficiaries Julia Ann DeLuca and Alexander Ian DeLuca
- 4 (the "Beneficiaries")
- 5 Michael Nedder, Trustee Objector
- 6 Douglas DeLuca, Trustee Objector
- 7 **4. Parties involved in this appeal.**
- 8 Joanne S. Briggs Petitioner
- 9 on behalf of beneficiaries Julia Ann DeLuca and Alexander Ian DeLuca
- 10 (the "Beneficiaries")
- 11 Michael Nedder, Trustee Objector
- 12 Douglas DeLuca, Trustee Objector
- 13 **5. The name, law firms, addresses and telephone numbers of all counsel on appeal, and**
- 14 **the party or parties they represent.**
- 15 Russel J. Geist
- 16 Nevada Bar No.: 9030
- 17 Hutchison & Steffen, PLLC
- 18 Peccole Professional Park
- 19 10080 W. Alta Dr., Suite 200
- 20 Las Vegas, Nevada 89145
- 21 Telephone (702) 385-2500
- 22 *Attorney for Respondents/Objectors*
- 23 Alexander G. LeVeque
- 24 Nevada Bar No.: 11183
- 25 Roberto M. Campos
- 26 Nevada Bar No.: 15189
- 27 Solomon Dwiggin & Freer, LTD
- 28 9060 West Cheyenne Avenue
- Las Vegas, Nevada 89129
- Telephone (702) 853-5483
- Attorney for Petitioner*
- 6. Whether respondent was represented by appointed or retained counsel in the**
- district court.**
- Respondent was represented by retained counsel in the district court.
- 7. Whether appellants were represented by appointed or retained counsel in the**
- district court.**
- Appellants were represented by retained counsel in the district court.

1 **8. Whether appellants were granted leave to proceed in forma pauperis in the**  
2 **district court.**

3 Appellants were not granted leave to proceed in district court in forma pauperis.

4 **9. The date the proceedings commenced in district court.**

5 This action commenced with the filing of Petitioner's *Petition to (1) Assume Jurisdiction*  
6 *Over Trust, (2) Confirm Douglas Scott DeLuca as Trustee, (3) Compel an Accounting, and*  
7 *(4) Obtain a Copy of Trust* on September 21, 2020.

8 **10. Brief description of the nature of the action and result in district court.**

9 This action is a dispute over whether the Trustees were required to provide an accounting  
10 and a full copy of the Trust to the beneficiaries. After reviewing the pleadings, the Trust,  
11 and after oral argument of the parties, the district court found and ordered that the Trustees  
12 are not obligated to provide an annual accounting, but are required to:

13 provide the Beneficiaries financial information about the Trust, specifically:

14 A. The annual Federal Income Tax Return for the Trust, as well as any Form  
K-1, which the Beneficiaries would receive.

15 B. A complete beginning and ending inventory of Trust assets, to be delivered  
16 no more frequently than annually.

17 C. A summary of all financial transactions, including Trustees' fees,  
18 reconciling the ending inventory to the beginning inventory for the period  
provided, to be delivered annually.

19 The district court further found and ordered that "The Trustees have no obligation to  
20 provide a copy of the Trust agreement to the Beneficiaries," but required the Trustees to  
21 provide them "information in the Trust related to what sections affect them and their rights  
22 under the Trust agreement with respect to their beneficial interest, the Trustees and the  
23 administration of the Trust" to be "conveyed by providing the Beneficiaries with copies of  
24 the pertinent sections or subsections of the Trust."

25 **11. Whether the case has been the subject of a previous appeal.**

26 This matter is not the subject of an existing appeal as the Objectors are appealing from the  
27 underlying judgment.

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**12. Whether the appeal involves child custody or visitation.**

There are no child custody or visitation issues in this case.

**13. Whether the appeal involves the possibility of settlement.**

It is counsel’s belief there is a possibility of settlement.

DATED May 24, 2021.

HUTCHISON & STEFFEN, PLLC

/s/ Russel J. Geist  
Russel J. Geist (9030)  
Peccole Professional Park  
10080 West Alta Drive, Suite 200  
Las Vegas, Nevada 89145  
*Attorneys for Michael T. Nedder and  
Douglas DeLuca, Trustees*

**CERTIFICATE OF SERVICE**

Pursuant to NRCP 5(b), I certify that I am an employee of HUTCHISON & STEFFEN, LLC and that on this 24th day of May, 2021, I caused the above and foregoing documents entitled **CASE APPEAL STATEMENT** to be served as follows:

- ☐ by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada; and/or
- ☒ sent electronically via the Court's electronic service system; the date and time of this electronic service is in place of the date and in place of deposit in the mail; and/or
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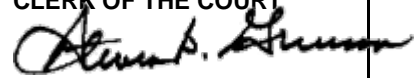
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Roberto M. Campos, Esq.  
SOLOMON DWIGGINS & FREER, LTD.  
9060 West Cheyenne Avenue  
Las Vegas, NV 89129

*Attorneys for Joanne S. Briggs  
as Parent and Guardian of  
Julia Ann DeLuca and Alexander Ian  
DeLuca, Beneficiaries of 23 Partners Trust I*

/s/ Amber Anderson-Reynolds  
An employee of Hutchison & Steffen, PLLC



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(702) 385-2086 Fax  
[rgeist@hutchlegal.com](mailto:rgeist@hutchlegal.com)

*Attorneys for Michael T. Nedder and  
Douglas DeLuca, Trustees*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

In the matter of the trust agreement,  
23 PARTNERS TRUST I,

Case No.: P-20-104279-T  
Dept. No.: 26

An Irrevocable Trust.

**NOTICE OF FILING COST BOND**

Attached hereto is a copy of the Appeal Bond posted in the amount of \$500.00 by Michael  
T. Nedder and Douglas DeLuca.

DATED May 25, 2021.

HUTCHISON & STEFFEN, PLLC

/s/ Russel J. Geist  
Russel J. Geist (9030)  
Peccole Professional Park  
10080 West Alta Drive, Suite 200  
Las Vegas, Nevada 89145  
*Attorneys for Michael T. Nedder and  
Douglas DeLuca, Trustees*

**HUTCHISON & STEFFEN**

A PROFESSIONAL LLC  
PECCOLE PROFESSIONAL PARK  
10080 WEST ALTA DRIVE, SUITE 200  
LAS VEGAS, NV 89145



**CERTIFICATE OF SERVICE**

Pursuant to NRCP 5(b), I certify that I am an employee of HUTCHISON & STEFFEN, PLLC and that on this 25th day of May, 2021, I caused the above and foregoing documents entitled **NOTICE OF FILING COST BOND** to be served as follows:

- ☐ by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada; and/or
- ☒ sent electronically via the Court's electronic service system; the date and time of this electronic service is in place of the date and in place of deposit in the mail; and/or
- ☐ to be hand-delivered.

to the attorney(s) listed below at the address and/or facsimile number indicated below:

Via Electronic Service

Alexander G. LeVeque, Esq.  
Roberto M. Campos, Esq.  
SOLOMON DWIGGINS & FREER, LTD.  
9060 West Cheyenne Avenue  
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*Attorneys for Joanne S. Briggs  
as Parent and Guardian of  
Julia Ann DeLuca and Alexander Ian  
DeLuca, Beneficiaries of 23 Partners Trust I*

/s/ Amber Anderson-Reynolds  
An employee of Hutchison & Steffen, PLLC

# OFFICIAL RECEIPT

District Court Clerk of the Court 200 Lewis Ave, 3rd Floor Las Vegas, NV 89101

Payor  
Hutchison & Steffen

Receipt No.  
**2021-32581-CCCLK**

Transaction Date  
05/25/2021






Description	Amount Paid
On Behalf Of Nedder, Michael T. P-20-104279-T In the Matter of the Trust of: 23 Partners Trust I Registry and Trust Account-Probate Probate Trust Deposit	500.00
<b>SUBTOTAL</b>	<b>500.00</b>
<b>PAYMENT TOTAL</b>	<b>500.00</b>
Check (Ref #10028) Tendered	500.00
Total Tendered	<b>500.00</b>
Change	0.00
05/25/2021 12:58 PM	Cashier Station AIKO
	Audit 37845612

## OFFICIAL RECEIPT

**CASE SUMMARY****CASE NO. P-20-104279-T****In the Matter of the Trust of:  
23 Partners Trust I**§  
§  
§  
§  
§Location: **Department 26**  
Judicial Officer: **Sturman, Gloria**  
Filed on: **09/21/2020**  
Cross-Reference Case Number: **P104279****CASE INFORMATION**Case Type: **Probate -  
Trust/Conservatorships**Case Flags: **Appealed to Supreme Court****DATE****CASE ASSIGNMENT****Current Case Assignment**Case Number P-20-104279-T  
Court Department 26  
Date Assigned 09/21/2020  
Judicial Officer Sturman, Gloria**PARTY INFORMATION**

<b>Petitioner</b>	<b>Briggs, Joanne S.</b>	<i>Lead Attorneys</i> <b>LeVeque, Alex G.</b> <i>Retained</i> 702-853-5483(W)
<b>Trustee</b>	<b>Nedder, Michael T.</b>	<b>Geist, Russel J, ESQ</b> <i>Retained</i> 702-385-2500(W)
	<b>Scott De Luca, Douglas</b>	
<b>Trust</b>	<b>23 Partners Trust I</b>	
<b>Objector</b>	<b>Nedder, Michael T.</b>	<b>Geist, Russel J, ESQ</b> <i>Retained</i> 702-385-2500(W)

**DATE****EVENTS & ORDERS OF THE COURT****INDEX****EVENTS**

09/21/2020	 Petition to Assume Jurisdiction of Trust <i>Petition to (1) Assume Jurisdiction Over Trust, (2) Confirm Douglas Scott Deluca as Trustee, (3) Obtain an Accounting, and (4) Obtain a Copy of Trust</i>
09/22/2020	 Notice of Hearing <i>Notice of Hearing</i>
09/23/2020	 Clerk's Notice of Hearing <i>Clerk's Notice of Hearing</i>
09/23/2020	 Certificate of Mailing Filed By: Petitioner Briggs, Joanne S. <i>Certificate of Mailing</i>
11/04/2020	 Objection

# CASE SUMMARY

CASE NO. P-20-104279-T

Filed By: Objector Nedder, Michael T.

*Objection to Petition to (1) Assume Jurisdiction over Trust, (2) Confirm Douglas Scott Deluca as Trustee, (3) Compel an Accounting, and (4) Obtain a Copy of Trust*

11/05/2020



Request

Filed by: Petitioner Briggs, Joanne S.

*Request to Have Matter Heard by Probate Judge*

11/13/2020



Order

*Scheduling Status Check*

11/17/2020



Notice of Hearing

*Instructions for Bluejeans Videoconference*

12/02/2020

Reply

*Reply in Support of Petition to (1) Assume Jurisdiction Over Trust, (2) Confirm Douglas Scott Deluca as Trustee, (3) Obtain an Accounting, and (4) Obtain a Copy of Trust*

12/02/2020



Redacted Version

*Redacted version of Reply to remove Exhibit 4 and seal it per Order 12/09/20*

12/02/2020



Filed Under Seal

*Exhibit 4 of Reply*

12/03/2020



Notice of Hearing

*Instructions for Bluejeans Videoconference*

12/09/2020



Stipulation and Order

Filed by: Petitioner Briggs, Joanne S.

*Stipulation and Order to Remove From Public Record Exhibit 4 attached to the reply in support of Petition to (1) Assume Jurisdiction Over Trust ( 2) Confirm Douglas Scott Deluca as Trustee (3) Obtain an Accounting and (4) Obtain a Copy of trust and place file it under seal*

12/10/2020



Notice of Entry of Stipulation and Order

Filed By: Petitioner Briggs, Joanne S.

*Notice of Entry of Stipulation and Order*

12/30/2020



Order

Filed By: Trust 23 Partners Trust I

*Order*

12/30/2020



Notice of Entry of Order

Filed By: Petitioner Briggs, Joanne S.

*Notice of Entry of Order*

01/11/2021



Recorders Transcript of Hearing

Party: Petitioner Briggs, Joanne S.

*Recorder's Transcript of Pending Motion, Wednesday, December 9, 2020*

01/11/2021



Supplement

*Supplement to Petition to (1) Assume Jurisdiction Over Trust, (2) Confirm Douglas Scott Deluca as Trustee, (3) Obtain an Accounting, and (4) Obtain a Copy of Trust*

01/19/2021



Notice

**CASE SUMMARY**

**CASE NO. P-20-104279-T**

Filed By: Objector Nedder, Michael T.  
*Notice of Submission of In Camera Documents*

01/19/2021



Supplement

Filed by: Objector Nedder, Michael T.  
*Supplement to Objection to Petition to (1) Assume Jurisdiction over Trust, (2) Confirm Douglas Scott DeLuca as Trustee, (3) Compel an Accounting, and (4) Obtain a Copy of Trust*

01/21/2021



Notice of Hearing

*Instructions for Bluejeans Videoconference*

01/25/2021



Reply

*Reply to Supplement to Objection to Petition to (1) Assume Jurisdiction Over Trust, (2) Confirm Douglas Scott Deluca as Trustee, (3) Obtain an Accounting, and (4) Obtain a Copy of Trust*

02/02/2021



Recorders Transcript of Hearing

Party: Petitioner Briggs, Joanne S.  
*Recorder's Transcript of Pending Motion, Thursday, January 28, 2021*

04/07/2021



Notice of Change of Firm Name

Filed By: Petitioner Briggs, Joanne S.  
*Notice of Change of Firm Name*

04/23/2021



Order

Filed By: Petitioner Briggs, Joanne S.  
*Order Granting in Part and Denying in Part Petition to (1) Assume Jurisdiction over Trust, (2) Confirm Douglas Scott DeLuca as Trustee, (3) Compel an Accounting, and (4) Obtain a Copy of Trust*

04/23/2021



Notice of Entry of Order

Filed By: Petitioner Briggs, Joanne S.  
*Notice of Entry of Order*

05/24/2021



Notice of Appeal

Filed By: Objector Nedder, Michael T.; Trustee Scott De Luca, Douglas  
*Notice of Appeal*

05/24/2021



Case Appeal Statement

Filed By: Objector Nedder, Michael T.; Trustee Scott De Luca, Douglas  
*Case Appeal Statement*

05/24/2021



Notice of Appeal

Filed By: Petitioner Briggs, Joanne S.  
*Notice of Appeal*

05/24/2021



Case Appeal Statement

Filed By: Petitioner Briggs, Joanne S.  
*Case Appeal Statement*

05/25/2021








Notice of Filing Cost Bond

Filed By: Objector Nedder, Michael T.  
*Notice of Filing Cost Bond*

05/25/2021

**CASE SUMMARY****CASE NO. P-20-104279-T**

	 <b>Motion</b> Filed By: Objector Nedder, Michael T. <i>Motion for Stay Pending Appeal</i>	
05/26/2021	 <b>Clerk's Notice of Hearing</b> <i>Notice of Hearing</i>	
	<b><u>HEARINGS</u></b>	
11/06/2020	 <b>Petition - HM (3:00 AM)</b> (Hearing Master: Yamashita, Wesley) <i>Petition to 1) Assume Jurisdiction Over Trust 2) Confirm Douglas Scott Deluca as Trustee 3) Obtain an Accounting and 4) Obtain a Copy of Trust</i>	
11/19/2020	 <b>Status Check (9:30 AM)</b> (Judicial Officer: Sturman, Gloria) <i>Referral from Probate Commissioner</i>	
12/09/2020	 <b>Hearing (10:00 AM)</b> (Judicial Officer: Sturman, Gloria) <b>12/09/2020, 01/28/2021</b>	
02/26/2021	<b>CANCELED Status Check (3:00 AM)</b> (Judicial Officer: Sturman, Gloria) <i>Vacated</i>	
07/01/2021	<b>Motion For Stay (9:30 AM)</b> (Judicial Officer: Sturman, Gloria) Events: 05/25/2021 Motion <i>Trustees' Motion for Stay Pending Appeal</i>	

**DATE****FINANCIAL INFORMATION**

<b>Petitioner</b> Briggs, Joanne S.	
Total Charges	561.50
Total Payments and Credits	561.50
<b>Balance Due as of 5/26/2021</b>	<b>0.00</b>
 <b>Objector</b> Nedder, Michael T.	
Total Charges	500.00
Total Payments and Credits	500.00
<b>Balance Due as of 5/26/2021</b>	<b>0.00</b>
 <b>Objector</b> Nedder, Michael T.	
Registry and Trust Account-Probate Balance as of 5/26/2021	<b>500.00</b>

**EIGHTH JUDICIAL DISTRICT COURT  
CLARK COUNTY, NEVADA  
FAMILY COURT COVER SHEET**

**CASE NO: P-20-104279-T  
Department 26**

CASE NO. \_\_\_\_\_ (To be assigned by the Clerk's Office)

**Do you or any other party in this case (including any minor child) have any other current case(s) or past case(s) in the Family Court or Juvenile Court in Clark County?**

☐ YES ☒ NO

**If yes, complete the other side of this form**

PARTY INFORMATION (Please Print)

Plaintiff/Petitioner		Defendant/Respondent/Co-Petitioner/Ward/Decedent	
Last Name: Briggs		Last Name: 23 Partners Trust I, dated August 31, 2017	
First Name: Joanne	Middle Name: S.	First Name:	Middle Name:
Home Address: 9060 W. Cheyenne Ave.		Home Address:	
City, State, Zip: Las Vegas, Nevada 89129		City, State, Zip:	
Mailing Address:		Mailing Address:	
City, State, Zip:			
Phone #: 702-853-5483	Date of Birth: 6-30-1972	Phone #:	Date of Birth:
Attorney Information		Attorney Information	
Name: Alexander G. LeVeque, Esq.	Bar No. 11183	Name:	Bar No:
Address: Solomon Dwiggin & Freer, Ltd. 9060 W. Cheyenne Ave.		Address:	
City, State, Zip: Las Vegas, NV 89129-8932		City, State, Zip:	
Phone #: (702) 853-5483		Phone #:	

(Check one box only for the type of case being filed with this cover sheet)

DOMESTIC	OTHER DOMESTIC RELATIONS PETITIONS	GUARDIANSHIP	PROBATE
<b>Marriage Dissolution</b> <input type="checkbox"/> Annulment <input type="checkbox"/> Divorce –No minor child(ren) <input type="checkbox"/> Divorce –With minor child(ren) <input type="checkbox"/> Foreign Decree <input type="checkbox"/> Joint Petition –No minor child(ren) <input type="checkbox"/> Joint Petition – With minor child(ren) <input type="checkbox"/> Separate Maintenance	<input type="checkbox"/> Adoption –Minor <input type="checkbox"/> Adoption –Adult <input type="checkbox"/> Child Custody (Non-Divorce) <input type="checkbox"/> Mental Health <input type="checkbox"/> Name Change <input type="checkbox"/> Paternity <input type="checkbox"/> Permission to Marry <input type="checkbox"/> Support - Other <input type="checkbox"/> Temporary Protective Order (TPO) <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> Visitation (Non-Divorce) <input type="checkbox"/> Other (identify)	<b>Guardianship of an Adult</b> <input type="checkbox"/> Person <input type="checkbox"/> Estate <input type="checkbox"/> Person and Estate  <b>Guardianship of a Minor</b> <input type="checkbox"/> Person <input type="checkbox"/> Estate <input type="checkbox"/> Person and Estate  <input type="checkbox"/> Guardianship Trust	<input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside Estates <input checked="" type="checkbox"/> Trust/Conservatorships <input checked="" type="checkbox"/> Individual Trustee <input type="checkbox"/> Corporate Trustee <input type="checkbox"/> Other Probate
<b>MISC. JUVENILE PETITIONS</b>	<b>IV-D CHILD SUPPORT PETITIONS</b>		
<input type="checkbox"/> Work Permit <input type="checkbox"/> Emancipation	<input type="checkbox"/> DA – UIFSA <input type="checkbox"/> Child Support In State IV-D		

List children involved in this case (If more than 3 children, please enter the information on the reverse side)

Last Name	First Name	Middle Name	Date of Birth	Relationship
1. DeLuca	Julia	Ann	03-23-2003	daughter
2. DeLuca	Alexander	Ian	08-23-2005	son

Alexander LeVeque, Esq.  
Printed Name of Preparer

/s/ Alexander LeVeque  
Signature of Preparer

9-21-2020  
Date

**ORDR**

ALEXANDER G. LEVEQUE (#11183)  
aleveque@sdfnlaw.com  
ROBERTO M. CAMPOS (#15189)  
rcampos@sdfnlaw.com  
SOLOMON DWIGGINS & FREER, LTD.  
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Las Vegas, Nevada 89129  
Telephone: (702) 853-5483  
Facsimile: (702) 853-5485

*Attorneys for Joanne S. Briggs  
as Parent and Guardian of  
Julia Ann DeLuca and Alexander Ian DeLuca,  
Primary Beneficiaries of 23 Partners Trust I*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

In the Matter of the Trust Agreement,  
  
23 PARTNERS TRUST I,  
  
An Irrevocable Trust.

Case No.: P-20-104279-T  
Dept. No.: 26  
  
Hearing Date: January 28, 2021  
Hearing Time: 10:30 a.m.

**ORDER GRANTING IN PART AND DENYING IN PART PETITION TO (1) ASSUME  
JURISDICTION OVER TRUST, (2) CONFIRM DOUGLAS SCOTT DeLUCA AS  
TRUSTEE, (3) COMPEL AN ACCOUNTING, AND (4) OBTAIN A COPY OF TRUST**

The Parties appeared before the Court for return hearing and oral argument on Joanne S. Briggs' Petition to (1) Assume Jurisdiction Over Trust, (2) Confirm Douglas Scott DeLuca as Trustee, (3) Compel an Accounting, and (4) Obtain a Copy of Trust ("Petition") filed on behalf of beneficiaries Julia Ann DeLuca and Alexander Ian DeLuca (the "Beneficiaries"). Russel J. Geist of the law firm Hutchison & Steffen, PLLC appeared on behalf of Michael Nedder and Douglas DeLuca (the "Trustees"), Respondent Trustees of the 23 Partners Trust I (the "Trust"), and Alex LeVeque and Roberto Campos of the law firm of Solomon Dwiggins & Freer, LTD appeared on behalf of Joanne S. Briggs. After having read the papers and pleadings associated with the Petition and the opposition thereto, entertained oral arguments by counsel, the Court makes the following findings of fact, conclusions of law and order:

///





## FINDINGS OF FACT

1. The Trust is specific and not vague. In particular, the Trust specifically does not contain any requirement that the Trustees must provide a copy of the Trust agreement to the Beneficiaries. The Trust requires the Trustees to deliver copies of “instruments of amendment, revocation, exercise of power, designation, release, disclaimer, etc. as well as of a trustee’s resignation, removal, appointment and/or acceptance” to the Beneficiaries upon request.

2. The Trust agreement was not amended and so there was no instrument of amendment to deliver to the Beneficiaries.

3. The Beneficiaries’ interest in the Trust includes distributions of income and principal in the discretion of the Trustees.

4. The Trustees’ have the right and ability to distribute to or permit, and the Beneficiaries have the right to know of and request, the use and enjoyment of personal property and real property owned by the Trust by the Beneficiaries.

5. The Beneficiaries, although not entitled to a copy of the Trust agreement are entitled to know the information in the Trust regarding what sections affect them, their rights under the Trust agreement with respect to their beneficial interest or the Trustees and the administration of the Trust, to be conveyed without delivering a copy of the entire Trust agreement.

6. The Beneficiaries are not entitled to an annual accounting under the terms of the Trust.

7. The Beneficiaries are not entitled to audit the books and records every year under the terms of the Trust. The Beneficiaries, however, are entitled to review the Trust’s books and records if for instance an item on the tax returns warrants further inquiry.

8. The Beneficiaries are entitled to the annual Federal Income Tax Return for the Trust, as well as any Form K-1, which they would receive.

9. The Beneficiaries are entitled to a complete beginning and ending inventory of Trust assets, to be delivered annually.

10. The Beneficiaries are entitled to a summary of all financial transactions, including Trustees’ fees, reconciling the ending inventory to the beginning inventory for the period provided, to be delivered annually.

///



11. As applied here, the non-corporate Trustees have the same obligations as the corporate trustees.

### CONCLUSIONS OF LAW

12. The Trustees have no obligation to provide an annual accounting to the Beneficiaries pursuant to NRS 165.1207(1)(b)(5) or a full accounting every year pursuant to the Trust or to permit the Beneficiaries to audit the books and records of the Trust every year. The Beneficiaries, however, are entitled to review the Trust's books and records if for instance an item on the tax returns warrants further inquiry.

13. The Trustees are required to provide the Beneficiaries financial information about the Trust, specifically:

A. The annual Federal Income Tax Return for the Trust, as well as any Form K-1, which the Beneficiaries would receive.

B. A complete beginning and ending inventory of Trust assets, to be delivered no more frequently than annually.

C. A summary of all financial transactions, including Trustees' fees, reconciling the ending inventory to the beginning inventory for the period provided, to be delivered annually.

14. The Trustees have no obligation to provide a copy of the Trust agreement to the Beneficiaries. However, the Beneficiaries are entitled to information in the Trust related to what sections affect them and their rights under the Trust agreement with respect to their beneficial interest, the Trustees and the administration of the Trust. This information must be conveyed to the Beneficiaries without delivering a copy of the entire Trust agreement. Instead, this information must be conveyed by providing the Beneficiaries with copies of the pertinent sections or subsections of the Trust.

15. Because the language in the Trust is so specific and there is no provision in the Trust requiring the Trustees to provide a copy of the Trust to the Beneficiaries, the Beneficiaries are not entitled to a copy of the entire Trust agreement.

18. Whether or not the creditors can get to the assets under the Trust does not matter to the resolution of issues here.

IT IS THEREFORE ORDERED that the Petition, as to an accounting and a copy of the Trust, is DENIED in part and GRANTED in part as set forth herein.<sup>1</sup>

IT IS FURTHER ORDERED that within 30 days of the notice of entry of this Order, the Trustees must provide the following to the Beneficiaries:

A. The annual Federal Income Tax Return for the Trust, as well as any Form K-1, which the Beneficiaries would receive.

B. A complete beginning and ending inventory of Trust assets.

C. A summary of all financial transactions, including Trustees' fees, reconciling the ending inventory to the beginning inventory for the period provided.

D. Information in the Trust related to what sections affect them, the Beneficiaries' rights under the Trust agreement with respect to their beneficial interest or the Trustees and the administration of the Trust, to be conveyed to the Beneficiaries without delivering a copy of the entire Trust agreement. Instead, this information must be conveyed by providing the Beneficiaries with copies of the pertinent sections or subsections of the Trust.

<sup>1</sup> On December 30, 2020, the Court entered an Order on other parts of the Petition.



1 IT IS FURTHER ORDERED that the foregoing financial information to be delivered to  
2 the Beneficiaries shall be delivered on an on ongoing basis annually, not more frequently than  
3 annually by the Trustees.

4 IT IS SO ORDERED.

5 Dated this 23rd day of April, 2021

6 

7 239 776 424A 954C  
8 Gloria Sturman  
9 District Court Judge

10 Respectfully Submitted By:  
11 SOLOMON DWIGGINS & FREER, LTD.

12 /s/ Roberto M. Campos

13 Alexander G. LeVeque (11183)  
14 Roberto M. Campos (15189)  
15 9060 West Cheyenne Avenue  
16 Las Vegas, Nevada 89129

17 *Attorneys for Joanne S. Briggs*  
18 *as Parent and Guardian of*  
19 *Julia Ann DeLuca and Alexander Ian DeLuca,*  
20 *Primary Beneficiaries of 23 Partners Trust I*

## Allie Carnival

---

**From:** Roberto M. Campos  
**Sent:** Wednesday, March 17, 2021 8:37 AM  
**To:** Russel J. Geist; Alexander LeVeque  
**Cc:** Amber Anderson-Reynolds; Terrie Maxfield  
**Subject:** RE: 23 Partners Trust I

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Good morning, Russel,

Because I have not heard a response to my email below, I assume your client disagrees with our position on the draft order. Accordingly, we will be submitting to the court the draft order as emailed to you on March 4.

Thanks,

Roberto

---

**From:** Roberto M. Campos  
**Sent:** Thursday, March 11, 2021 8:48 AM  
**To:** 'Russel J. Geist' <RGeist@hutchlegal.com>; Alexander LeVeque <aleveque@sdfnlaw.com>  
**Cc:** Amber Anderson-Reynolds <AAnderson@hutchlegal.com>; Terrie Maxfield <TMaxfield@sdfnlaw.com>  
**Subject:** RE: 23 Partners Trust I

Good morning, Russel,

Thanks for your email and agreement to changes on the first draft.

I agree that the Court ruled the Petitioner is not entitled to a copy of the entire Trust.

However, the Court referenced "the sections that affect them." Tr., at p. 35:3-5 ("They are entitled, I think, to information about what affects them, the way I read this. What are the sections that affect them?")

Initially, the transmission of this information on the beneficiaries' *rights* and what Trust sections affect them must be in written form for the sake of increasing clarity and minimizing ambiguity and potential misunderstandings.

Thus, practically speaking, obtaining copies of the relevant Trust sections (or subsections) is the best way for trustees ensuring they are properly discharging their duty to convey the information that the Court ordered them to convey and for the beneficiaries to obtain accurately the information to which they are entitled, pursuant to the Court's ruling.

The Court did not prohibit the trustees from transmitting this information by providing copies of the relevant sections in the Trust. Moreover, without actually seeing the relevant sections for themselves, the beneficiaries have no way of ensuring that they are receiving (1) all of the information, (2) accurately, to which they are entitled according to the Court. Indeed, Petitioner listed in her Reply various examples of trustees' already misrepresenting what the Trust says:

- "Section 5.2 of the Trust ... just says, books and records shall be available for an inspection." – R. Geist, December 9, 2020, Hearing Transcript (Pet.'s Supp., Ex. 2), at 15:15-23). Yet, Section 5.2 also speak of "an accounting summarizing all financial transactions..."

- “[O]ur objection is limited in that their request for relief is to **compel an accounting and the delivery of a copy of a Trust**, both of which are not permitted under the statute and **not permitted under the terms of the Trust.**” – *Id.*, at 13:2-6 (emphases added). Actually, as the Court stated the Trust “says nothing about a copy of the Trust.” Tr., at p. 28:19-20. And, again, Section 5.2 does mandate “an accounting” summarizing all financial transactions. See Sec. 5.2 (trustees “upon request shall furnish [to said beneficiaries] an accounting summarizing all financial transactions for such period...”
- “[T]he Trustee has **no obligation to provide an accounting** to the Beneficiaries pursuant to NRS 165.1207(1)(b)(5) **or pursuant to the Trust.**” Objection, at 6:4-8 (emphases added).
- “As I have explained to [Julia] in the past, the trust is clear in what information can be shared with beneficiaries and what cannot. The beneficiaries are **not entitled to any information** about the underlying document or the assets contained therein.” – M. Salvin, Head of Client Relations, Nedder & Associates, LLC., Exhibit 3 to Nedder’s Supplement (emphasis added).

Further, at no point have trustees informed the beneficiaries that they have the present right under 7.2(D) to remove any individual Independent Trustee. See Nedder Supp., at p.3;10-12 (“... even if the beneficiaries exercised their right under Section 7.2(D) to remove any individual Independent Trustee. Thus while the Beneficiaries may remove the Independent Trustee ...”).

Nor did the Trustees inform Petitioner of Section 5.2(b) requiring that *some* trustee must carry out 5.2(A) duties when no corporate trustee is then acting to carry them out.

These are a but a few examples of misrepresentations and omissions on what the Trust actually says. Thus, to minimize the chances of any additional misrepresentations, omissions or ambiguities (regardless if benign), copies of the relevant trust sections (or subsections) should be provided.

Accordingly, we cannot accept Mr. Nedder’s suggested language excluding copies of the relevant trust sections (or subsections).

Thank you

Roberto

---

**From:** Russel J. Geist <[RGeist@hutchlegal.com](mailto:RGeist@hutchlegal.com)>

**Sent:** Wednesday, March 10, 2021 9:57 AM

**To:** Roberto M. Campos <[RCampos@sdfnlaw.com](mailto:RCampos@sdfnlaw.com)>; Alexander LeVeque <[aleveque@sdfnlaw.com](mailto:aleveque@sdfnlaw.com)>

**Cc:** Amber Anderson-Reynolds <[AAnderson@hutchlegal.com](mailto:AAnderson@hutchlegal.com)>; Terrie Maxfield <[TMaxfield@sdfnlaw.com](mailto:TMaxfield@sdfnlaw.com)>

**Subject:** RE: 23 Partners Trust I

Roberto,

I’m fine with all of the suggestions revisions with the exception of the language about providing information about the rights of the beneficiaries regarding the trust, the trustees, etc. I think we agree the court specified they are not entitled to a copy of the full trust.

It seems that we do not agree that the court also contemplated that they are not entitled to copies of sections of the trust since allowing or requiring copies of sections of the trust relevant to their rights but not a copy of the full trust is that creates a back door to the full copy – an inconsistent result. Judge Sturman specifically said that she didn’t believe their rights could be summarized in one or two pages. “So they have to generally know what their rights are at the present time.” Transcript, page 52, 9-10.

Accordingly, I have changed paragraph 5 to read:

5. The Beneficiaries, although not entitled to a copy of the Trust agreement are entitled to know the information in the Trust regarding what sections affect them, their rights under the Trust agreement with respect to their beneficial interest or the Trustees and the administration of the Trust, to be conveyed without delivering a copy of the entire Trust agreement or copies of sections of the Trust agreement, but conveyed to the Beneficiaries so that they generally know what their rights are at the present time.

Paragraph 14 to read:

14. The Trustees have no obligation to provide a copy of the Trust agreement to the Beneficiaries. However, the Beneficiaries are entitled to information in the Trust related to what sections affect them and their rights under the Trust agreement with respect to their beneficial interest, the Trustees and the administration of the Trust. This information must be conveyed to the Beneficiaries without delivering a copy of the entire Trust agreement, but conveyed to the Beneficiaries so that they generally know what their rights are at the present time.

And paragraph D in the Order to read:

D. Information in the Trust related to what sections affect them, the Beneficiaries' rights under the Trust agreement with respect to their beneficial interest or the Trustees and the administration of the Trust, to be conveyed to the Beneficiaries so that they generally know what their rights are at the present time.

Please let me know if you are in agreement with these revisions.

Sincerely,

---

**From:** Roberto M. Campos [<mailto:RCampos@sdfnlaw.com>]  
**Sent:** Thursday, March 04, 2021 12:23 PM  
**To:** Russel J. Geist <[RGeist@hutchlegal.com](mailto:RGeist@hutchlegal.com)>; Alexander LeVeque <[aleveque@sdfnlaw.com](mailto:aleveque@sdfnlaw.com)>  
**Cc:** Amber Anderson-Reynolds <[AAnderson@hutchlegal.com](mailto:AAnderson@hutchlegal.com)>; Terrie Maxfield <[TMaxfield@sdfnlaw.com](mailto:TMaxfield@sdfnlaw.com)>  
**Subject:** RE: 23 Partners Trust I

Hello, Russel,

Attached is your initial draft with our revisions in redline. I included parentheses only for assistance in referencing the relevant Transcript portions.

Thanks,

Roberto

---

**From:** Russel J. Geist <[RGeist@hutchlegal.com](mailto:RGeist@hutchlegal.com)>  
**Sent:** Tuesday, March 2, 2021 12:46 PM  
**To:** Roberto M. Campos <[RCampos@sdfnlaw.com](mailto:RCampos@sdfnlaw.com)>; Alexander LeVeque <[aleveque@sdfnlaw.com](mailto:aleveque@sdfnlaw.com)>  
**Cc:** Amber Anderson-Reynolds <[AAnderson@hutchlegal.com](mailto:AAnderson@hutchlegal.com)>  
**Subject:** RE: 23 Partners Trust I

That will work. Thanks.

---

**From:** Roberto M. Campos [<mailto:RCampos@sdfnlaw.com>]  
**Sent:** Tuesday, March 02, 2021 12:13 PM  
**To:** Russel J. Geist <[RGeist@hutchlegal.com](mailto:RGeist@hutchlegal.com)>; Alexander LeVeque <[aleveque@sdfnlaw.com](mailto:aleveque@sdfnlaw.com)>  
**Cc:** Amber Anderson-Reynolds <[AAnderson@hutchlegal.com](mailto:AAnderson@hutchlegal.com)>  
**Subject:** RE: 23 Partners Trust I

Your initial draft of the order is appreciated, especially since the draft order is not a simple order.

We can have our revisions to you no later than this Thursday. Does that work for you?

Thanks,

Roberto

---

**From:** Russel J. Geist <[RGeist@hutchlegal.com](mailto:RGeist@hutchlegal.com)>  
**Sent:** Tuesday, March 2, 2021 11:31 AM  
**To:** Roberto M. Campos <[RCampos@sdfnlaw.com](mailto:RCampos@sdfnlaw.com)>; Alexander LeVeque <[aleveque@sdfnlaw.com](mailto:aleveque@sdfnlaw.com)>  
**Cc:** Amber Anderson-Reynolds <[AAnderson@hutchlegal.com](mailto:AAnderson@hutchlegal.com)>  
**Subject:** RE: 23 Partners Trust I

While I understand that the draft was delayed, the transcript is available and the order uses the language directly from the transcript. After I took the laboring oar to draft the order, it seems that your review would not be as laborious. Am I wrong?

How much time are you requesting to review and provide your comments?

---

**From:** Roberto M. Campos [<mailto:RCampos@sdfnlaw.com>]  
**Sent:** Tuesday, March 02, 2021 11:15 AM  
**To:** Russel J. Geist <[RGeist@hutchlegal.com](mailto:RGeist@hutchlegal.com)>; Alexander LeVeque <[aleveque@sdfnlaw.com](mailto:aleveque@sdfnlaw.com)>  
**Cc:** Amber Anderson-Reynolds <[AAnderson@hutchlegal.com](mailto:AAnderson@hutchlegal.com)>  
**Subject:** RE: 23 Partners Trust I

Russel,

We waited exactly 4 weeks to receive the draft order from you, which you sent over last Thursday afternoon. Yes, we have proposed revisions but need a bit of time to consider and review with the client before sending over to you. We would appreciate the extension of courtesy of a reasonable time to respond with our revisions.

Thank you,

Roberto

---

**From:** Russel J. Geist <[RGeist@hutchlegal.com](mailto:RGeist@hutchlegal.com)>  
**Sent:** Tuesday, March 2, 2021 11:07 AM  
**To:** Alexander LeVeque <[aleveque@sdfnlaw.com](mailto:aleveque@sdfnlaw.com)>; Roberto M. Campos <[RCampos@sdfnlaw.com](mailto:RCampos@sdfnlaw.com)>  
**Cc:** Amber Anderson-Reynolds <[AAnderson@hutchlegal.com](mailto:AAnderson@hutchlegal.com)>  
**Subject:** RE: 23 Partners Trust I

Alex and Roberto,

I am planning on submitting the proposed order today. Please let me know if you have any revisions for my consideration.



Sincerely,

---

**From:** Russel J. Geist

**Sent:** Thursday, February 25, 2021 12:49 PM

**To:** Alexander LeVeque <[aleveque@sdfnlaw.com](mailto:aleveque@sdfnlaw.com)>; Roberto M. Campos <[RCampos@sdfnlaw.com](mailto:RCampos@sdfnlaw.com)>

**Cc:** Amber Anderson-Reynolds <[aanderson@hutchlegal.com](mailto:aanderson@hutchlegal.com)>

**Subject:** RE: 23 Partners Trust I

Word Perfect attached.

---

**From:** Alexander LeVeque [<mailto:aleveque@sdfnlaw.com>]

**Sent:** Thursday, February 25, 2021 11:30 AM

**To:** Russel J. Geist <[RGeist@hutchlegal.com](mailto:RGeist@hutchlegal.com)>; Roberto M. Campos <[RCampos@sdfnlaw.com](mailto:RCampos@sdfnlaw.com)>

**Cc:** Amber Anderson-Reynolds <[AAnderson@hutchlegal.com](mailto:AAnderson@hutchlegal.com)>

**Subject:** RE: 23 Partners Trust I

Russ, can you please send Word or WordPerfect version?

Alexander G. LeVeque

SOLOMON DWIGGINS & FREER, LTD.

Cheyenne West Professional Center | 9060 W. Cheyenne Avenue | Las Vegas, NV 89129

Direct: 702.589.3508 | Office: 702.853.5483 | Facsimile: 702.853.5485

Email: [aleveque@sdfnlaw.com](mailto:aleveque@sdfnlaw.com) | Website: [www.sdfnlaw.com](http://www.sdfnlaw.com)

 [www.facebook.com/sdfnlaw](https://www.facebook.com/sdfnlaw)

 [www.linkedin.com/company/solomon-dwiggins-&-freer-ltd-](https://www.linkedin.com/company/solomon-dwiggins-&-freer-ltd-)

**SOLOMON | DWIGGINS | FREER LTD**  
TRUST AND ESTATE ATTORNEYS



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---

**From:** Russel J. Geist <[RGeist@hutchlegal.com](mailto:RGeist@hutchlegal.com)>

**Sent:** Thursday, February 25, 2021 11:27 AM

**To:** Roberto M. Campos <[RCampos@sdfnlaw.com](mailto:RCampos@sdfnlaw.com)>; Alexander LeVeque <[aleveque@sdfnlaw.com](mailto:aleveque@sdfnlaw.com)>

**Cc:** Amber Anderson-Reynolds <[AAnderson@hutchlegal.com](mailto:AAnderson@hutchlegal.com)>

**Subject:** 23 Partners Trust I

Roberto and Alex,

I apologize for the delay. Please find the attached draft order for your review.

1 **CSERV**

2  
3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

5  
6 In the Matter of the Trust of:

CASE NO: P-20-104279-T

7 23 Partners Trust I

DEPT. NO. Department 26

8  
9 **AUTOMATED CERTIFICATE OF SERVICE**

10 This automated certificate of service was generated by the Eighth Judicial District  
11 Court. The foregoing Order was served via the court's electronic eFile system to all  
12 recipients registered for e-Service on the above entitled case as listed below:

13 Service Date: 4/23/2021

14 Alexander LeVeque

aleveque@sdfnvlaw.com

15 Terrie Maxfield

tmaxfield@sdfnvlaw.com

16 Amber Anderson-Reynolds

aanderson@hutchlegal.com

17 Allie Carnival

acarnival@sdfnvlaw.com

18 Erin Hansen

ehansen@sdfnvlaw.com

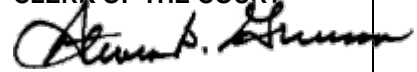
19 Russel Geist

rgeist@hutchlegal.com

20 Roberto Campos

rcampos@sdfnvlaw.com

21  
22  
23  
24  
25  
26  
27  
28



ALEXANDER G. LEVEQUE (#11183)  
[aleveque@sdfnvlaw.com](mailto:aleveque@sdfnvlaw.com)  
ROBERTO M. CAMPOS (#15189)  
[rcampos@sdfnvlaw.com](mailto:rcampos@sdfnvlaw.com)  
SOLOMON DWIGGINS FREER & STEADMAN, LTD.  
9060 West Cheyenne Avenue  
Las Vegas, Nevada 89129  
Telephone: (702) 853-5483  
Facsimile: (702) 853-5485

*Attorneys for Joanne S. Briggs  
as Parent and Guardian of  
Julia Ann DeLuca and Alexander Ian DeLuca,  
Beneficiaries of 23 Partners Trust I*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

In the Matter of  
  
23 PARTNERS TRUST I,  
  
An Irrevocable Trust.

Case No.: P-20-104279-T  
Dept.: 26

Hearing Date: January 28, 2021  
Hearing Time: 10:30 a.m.

**NOTICE OF ENTRY OF ORDER**

PLEASE TAKE NOTICE that an *Order Granting in Part and Denying in Part* Petition to  
(1) Assume Jurisdiction Over Trust, (2) Confirm Douglas Scott DeLuca as Trustee, (3) Compel an  
Account, and (4) Obtain a Copy of Trust was entered on the 23<sup>rd</sup> day of April, 2021, a true and  
correct copy of which is attached hereto.

DATED this 23<sup>rd</sup> day of April, 2021.

SOLOMON DWIGGINS FREER & STEADMAN, LTD.

By: /s/ Roberto M. Campos  
Alexander G. LeVeque (#11183)  
[aleveque@sdfnvlaw.com](mailto:aleveque@sdfnvlaw.com)  
Roberto M. Campos, (#15189)  
[rcampos@sdfnvlaw.com](mailto:rcampos@sdfnvlaw.com)  
9060 West Cheyenne Avenue  
Las Vegas, Nevada 89129  
Telephone: (702) 853-5483  
Facsimile: (702) 853-5485

*Attorneys for Joanne S. Briggs as Parent and  
Guardian of Julia Ann DeLuca and Alexander Ian  
DeLuca as Beneficiaries of 23 Partners Trust I*

**CERTIFICATE OF SERVICE**

PURSUANT to NRCP 5(b), I HEREBY CERTIFY that on April 23, 2020, I served a true and correct copy of the **ORDER GRANTING IN PART AND DENYING IN PART PETITION TO (1) ASSUME JURISDICTION OVER TRUST, (2) CONFIRM DOUGLAS SCOTT DELUCA AS TRUSTEE, (3) COMPEL AN ACCOUNT, AND (4) OBTAIN A COPY OF TRUST** to the following in the manner set forth below:

**Via:**

- ☐ Hand Delivery
- ☐ U.S. Mail, Postage Prepaid
- ☐ Certified Mail, Receipt No.: \_\_\_\_\_
- ☐ Return Receipt Request
- ☒ E-Service through the Odyssey eFileNV/Nevada E-File and Serve System, as follows:

Russel J. Geist  
Hutchison & Steffen, PLLC  
Peccole Professional Park  
10080 West Alta Drive, Suite 200  
Las Vegas, Nevada 89145  
[rgeist@hutchlegal.com](mailto:rgeist@hutchlegal.com)

*Attorneys for Michael T. Nedder, Independent Trustee, and  
Douglas DeLuca, Family Trustee*

/s/ Alexandra Carnival  
An employee of SOLOMON DWIGGINS FREER & STEADMAN, LTD.

*Heather S. Hume*  
CLERK OF THE COURT

**ORDR**

ALEXANDER G. LEVEQUE (#11183)  
aleveque@sdfnlaw.com  
ROBERTO M. CAMPOS (#15189)  
rcampos@sdfnlaw.com  
SOLOMON DWIGGINS & FREER, LTD.  
9060 West Cheyenne Avenue  
Las Vegas, Nevada 89129  
Telephone: (702) 853-5483  
Facsimile: (702) 853-5485

*Attorneys for Joanne S. Briggs  
as Parent and Guardian of  
Julia Ann DeLuca and Alexander Ian DeLuca,  
Primary Beneficiaries of 23 Partners Trust I*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

In the Matter of the Trust Agreement,  
  
23 PARTNERS TRUST I,  
  
An Irrevocable Trust.

Case No.: P-20-104279-T  
Dept. No.: 26  
  
Hearing Date: January 28, 2021  
Hearing Time: 10:30 a.m.

**ORDER GRANTING IN PART AND DENYING IN PART PETITION TO (1) ASSUME  
JURISDICTION OVER TRUST, (2) CONFIRM DOUGLAS SCOTT DeLUCA AS  
TRUSTEE, (3) COMPEL AN ACCOUNTING, AND (4) OBTAIN A COPY OF TRUST**

The Parties appeared before the Court for return hearing and oral argument on Joanne S. Briggs' Petition to (1) Assume Jurisdiction Over Trust, (2) Confirm Douglas Scott DeLuca as Trustee, (3) Compel an Accounting, and (4) Obtain a Copy of Trust ("Petition") filed on behalf of beneficiaries Julia Ann DeLuca and Alexander Ian DeLuca (the "Beneficiaries"). Russel J. Geist of the law firm Hutchison & Steffen, PLLC appeared on behalf of Michael Nedder and Douglas DeLuca (the "Trustees"), Respondent Trustees of the 23 Partners Trust I (the "Trust"), and Alex LeVeque and Roberto Campos of the law firm of Solomon Dwiggins & Freer, LTD appeared on behalf of Joanne S. Briggs. After having read the papers and pleadings associated with the Petition and the opposition thereto, entertained oral arguments by counsel, the Court makes the following findings of fact, conclusions of law and order:

///



## FINDINGS OF FACT

1. The Trust is specific and not vague. In particular, the Trust specifically does not contain any requirement that the Trustees must provide a copy of the Trust agreement to the Beneficiaries. The Trust requires the Trustees to deliver copies of “instruments of amendment, revocation, exercise of power, designation, release, disclaimer, etc. as well as of a trustee’s resignation, removal, appointment and/or acceptance” to the Beneficiaries upon request.

2. The Trust agreement was not amended and so there was no instrument of amendment to deliver to the Beneficiaries.

3. The Beneficiaries’ interest in the Trust includes distributions of income and principal in the discretion of the Trustees.

4. The Trustees’ have the right and ability to distribute to or permit, and the Beneficiaries have the right to know of and request, the use and enjoyment of personal property and real property owned by the Trust by the Beneficiaries.

5. The Beneficiaries, although not entitled to a copy of the Trust agreement are entitled to know the information in the Trust regarding what sections affect them, their rights under the Trust agreement with respect to their beneficial interest or the Trustees and the administration of the Trust, to be conveyed without delivering a copy of the entire Trust agreement.

6. The Beneficiaries are not entitled to an annual accounting under the terms of the Trust.

7. The Beneficiaries are not entitled to audit the books and records every year under the terms of the Trust. The Beneficiaries, however, are entitled to review the Trust’s books and records if for instance an item on the tax returns warrants further inquiry.

8. The Beneficiaries are entitled to the annual Federal Income Tax Return for the Trust, as well as any Form K-1, which they would receive.

9. The Beneficiaries are entitled to a complete beginning and ending inventory of Trust assets, to be delivered annually.

10. The Beneficiaries are entitled to a summary of all financial transactions, including Trustees’ fees, reconciling the ending inventory to the beginning inventory for the period provided, to be delivered annually.

///



11. As applied here, the non-corporate Trustees have the same obligations as the corporate trustees.

### CONCLUSIONS OF LAW

12. The Trustees have no obligation to provide an annual accounting to the Beneficiaries pursuant to NRS 165.1207(1)(b)(5) or a full accounting every year pursuant to the Trust or to permit the Beneficiaries to audit the books and records of the Trust every year. The Beneficiaries, however, are entitled to review the Trust's books and records if for instance an item on the tax returns warrants further inquiry.

13. The Trustees are required to provide the Beneficiaries financial information about the Trust, specifically:

A. The annual Federal Income Tax Return for the Trust, as well as any Form K-1, which the Beneficiaries would receive.

B. A complete beginning and ending inventory of Trust assets, to be delivered no more frequently than annually.

C. A summary of all financial transactions, including Trustees' fees, reconciling the ending inventory to the beginning inventory for the period provided, to be delivered annually.

14. The Trustees have no obligation to provide a copy of the Trust agreement to the Beneficiaries. However, the Beneficiaries are entitled to information in the Trust related to what sections affect them and their rights under the Trust agreement with respect to their beneficial interest, the Trustees and the administration of the Trust. This information must be conveyed to the Beneficiaries without delivering a copy of the entire Trust agreement. Instead, this information must be conveyed by providing the Beneficiaries with copies of the pertinent sections or subsections of the Trust.

15. Because the language in the Trust is so specific and there is no provision in the Trust requiring the Trustees to provide a copy of the Trust to the Beneficiaries, the Beneficiaries are not entitled to a copy of the entire Trust agreement.



1 16. Because the Trust is discretionary, the Beneficiaries here, although clearly Primary  
2 Beneficiaries under the Trust's terms, are not vested beneficiaries and so they are not entitled to  
3 an accounting, nor are they entitled to rights under the Trust's Section 5.2A. However, the  
4 Beneficiaries are entitled to a baseline of information in the Trust because they have rights under  
5 other sections of the Trust.

6 17. As applied here, the non-corporate Trustees have the same obligations as the  
7 corporate trustees.

8 18. Whether or not the creditors can get to the assets under the Trust does not matter  
9 to the resolution of issues here.

#### 10 ORDER

11 IT IS THEREFORE ORDERED that the Petition, as to an accounting and a copy of the  
12 Trust, is DENIED in part and GRANTED in part as set forth herein.<sup>1</sup>

13 IT IS FURTHER ORDERED that within 30 days of the notice of entry of this Order, the  
14 Trustees must provide the following to the Beneficiaries:

15 A. The annual Federal Income Tax Return for the Trust, as well as any Form  
16 K-1, which the Beneficiaries would receive.

17 B. A complete beginning and ending inventory of Trust assets.

18 C. A summary of all financial transactions, including Trustees' fees,  
19 reconciling the ending inventory to the beginning inventory for the period provided.

20 D. Information in the Trust related to what sections affect them, the  
21 Beneficiaries' rights under the Trust agreement with respect to their beneficial interest or the  
22 Trustees and the administration of the Trust, to be conveyed to the Beneficiaries without  
23 delivering a copy of the entire Trust agreement. Instead, this information must be conveyed by  
24 providing the Beneficiaries with copies of the pertinent sections or subsections of the Trust.

---

25  
26 <sup>1</sup> On December 30, 2020, the Court entered an Order on other parts of the Petition.





1 IT IS FURTHER ORDERED that the foregoing financial information to be delivered to  
2 the Beneficiaries shall be delivered on an on ongoing basis annually, not more frequently than  
3 annually by the Trustees.

4 IT IS SO ORDERED.

5 Dated this 23rd day of April, 2021

6 

7 239 776 424A 954C  
8 Gloria Sturman  
9 District Court Judge

10 Respectfully Submitted By:  
11 SOLOMON DWIGGINS & FREER, LTD.

12 /s/ Roberto M. Campos

13 Alexander G. LeVeque (11183)  
14 Roberto M. Campos (15189)  
15 9060 West Cheyenne Avenue  
16 Las Vegas, Nevada 89129

17 *Attorneys for Joanne S. Briggs*  
18 *as Parent and Guardian of*  
19 *Julia Ann DeLuca and Alexander Ian DeLuca,*  
20 *Primary Beneficiaries of 23 Partners Trust I*

## Allie Carnival

---

**From:** Roberto M. Campos  
**Sent:** Wednesday, March 17, 2021 8:37 AM  
**To:** Russel J. Geist; Alexander LeVeque  
**Cc:** Amber Anderson-Reynolds; Terrie Maxfield  
**Subject:** RE: 23 Partners Trust I

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Good morning, Russel,

Because I have not heard a response to my email below, I assume your client disagrees with our position on the draft order. Accordingly, we will be submitting to the court the draft order as emailed to you on March 4.

Thanks,

Roberto

---

**From:** Roberto M. Campos  
**Sent:** Thursday, March 11, 2021 8:48 AM  
**To:** 'Russel J. Geist' <RGeist@hutchlegal.com>; Alexander LeVeque <aleveque@sdfnlaw.com>  
**Cc:** Amber Anderson-Reynolds <AAnderson@hutchlegal.com>; Terrie Maxfield <TMaxfield@sdfnlaw.com>  
**Subject:** RE: 23 Partners Trust I

Good morning, Russel,

Thanks for your email and agreement to changes on the first draft.

I agree that the Court ruled the Petitioner is not entitled to a copy of the entire Trust.

However, the Court referenced "the sections that affect them." Tr., at p. 35:3-5 ("They are entitled, I think, to information about what affects them, the way I read this. What are the sections that affect them?")

Initially, the transmission of this information on the beneficiaries' *rights* and what Trust sections affect them must be in written form for the sake of increasing clarity and minimizing ambiguity and potential misunderstandings.

Thus, practically speaking, obtaining copies of the relevant Trust sections (or subsections) is the best way for trustees ensuring they are properly discharging their duty to convey the information that the Court ordered them to convey and for the beneficiaries to obtain accurately the information to which they are entitled, pursuant to the Court's ruling.

The Court did not prohibit the trustees from transmitting this information by providing copies of the relevant sections in the Trust. Moreover, without actually seeing the relevant sections for themselves, the beneficiaries have no way of ensuring that they are receiving (1) all of the information, (2) accurately, to which they are entitled according to the Court. Indeed, Petitioner listed in her Reply various examples of trustees' already misrepresenting what the Trust says:

- "Section 5.2 of the Trust ... just says, books and records shall be available for an inspection." – R. Geist, December 9, 2020, Hearing Transcript (Pet.'s Supp., Ex. 2), at 15:15-23). Yet, Section 5.2 also speak of "an accounting summarizing all financial transactions..."

- “[O]ur objection is limited in that their request for relief is to **compel an accounting and the delivery of a copy of a Trust**, both of which are not permitted under the statute and **not permitted under the terms of the Trust.**” – *Id.*, at 13:2-6 (emphases added). Actually, as the Court stated the Trust “says nothing about a copy of the Trust.” Tr., at p. 28:19-20. And, again, Section 5.2 does mandate “an accounting” summarizing all financial transactions. See Sec. 5.2 (trustees “upon request shall furnish [to said beneficiaries] an accounting summarizing all financial transactions for such period...”
- “[T]he Trustee has **no obligation to provide an accounting** to the Beneficiaries pursuant to NRS 165.1207(1)(b)(5) **or pursuant to the Trust.**” Objection, at 6:4-8 (emphases added).
- “As I have explained to [Julia] in the past, the trust is clear in what information can be shared with beneficiaries and what cannot. The beneficiaries are **not entitled to any information** about the underlying document or the assets contained therein.” – M. Salvin, Head of Client Relations, Nedder & Associates, LLC., Exhibit 3 to Nedder’s Supplement (emphasis added).

Further, at no point have trustees informed the beneficiaries that they have the present right under 7.2(D) to remove any individual Independent Trustee. See Nedder Supp., at p.3;10-12 (“... even if the beneficiaries exercised their right under Section 7.2(D) to remove any individual Independent Trustee. Thus while the Beneficiaries may remove the Independent Trustee ...”).

Nor did the Trustees inform Petitioner of Section 5.2(b) requiring that *some* trustee must carry out 5.2(A) duties when no corporate trustee is then acting to carry them out.

These are a but a few examples of misrepresentations and omissions on what the Trust actually says. Thus, to minimize the chances of any additional misrepresentations, omissions or ambiguities (regardless if benign), copies of the relevant trust sections (or subsections) should be provided.

Accordingly, we cannot accept Mr. Nedder’s suggested language excluding copies of the relevant trust sections (or subsections).

Thank you

Roberto

---

**From:** Russel J. Geist <[RGeist@hutchlegal.com](mailto:RGeist@hutchlegal.com)>

**Sent:** Wednesday, March 10, 2021 9:57 AM

**To:** Roberto M. Campos <[RCampos@sdfnlaw.com](mailto:RCampos@sdfnlaw.com)>; Alexander LeVeque <[aleveque@sdfnlaw.com](mailto:aleveque@sdfnlaw.com)>

**Cc:** Amber Anderson-Reynolds <[AAnderson@hutchlegal.com](mailto:AAnderson@hutchlegal.com)>; Terrie Maxfield <[TMaxfield@sdfnlaw.com](mailto:TMaxfield@sdfnlaw.com)>

**Subject:** RE: 23 Partners Trust I

Roberto,

I’m fine with all of the suggestions revisions with the exception of the language about providing information about the rights of the beneficiaries regarding the trust, the trustees, etc. I think we agree the court specified they are not entitled to a copy of the full trust.

It seems that we do not agree that the court also contemplated that they are not entitled to copies of sections of the trust since allowing or requiring copies of sections of the trust relevant to their rights but not a copy of the full trust is that creates a back door to the full copy – an inconsistent result. Judge Sturman specifically said that she didn’t believe their rights could be summarized in one or two pages. “So they have to generally know what their rights are at the present time.” Transcript, page 52, 9-10.

Accordingly, I have changed paragraph 5 to read:

5. The Beneficiaries, although not entitled to a copy of the Trust agreement are entitled to know the information in the Trust regarding what sections affect them, their rights under the Trust agreement with respect to their beneficial interest or the Trustees and the administration of the Trust, to be conveyed without delivering a copy of the entire Trust agreement or copies of sections of the Trust agreement, but conveyed to the Beneficiaries so that they generally know what their rights are at the present time.

Paragraph 14 to read:

14. The Trustees have no obligation to provide a copy of the Trust agreement to the Beneficiaries. However, the Beneficiaries are entitled to information in the Trust related to what sections affect them and their rights under the Trust agreement with respect to their beneficial interest, the Trustees and the administration of the Trust. This information must be conveyed to the Beneficiaries without delivering a copy of the entire Trust agreement, but conveyed to the Beneficiaries so that they generally know what their rights are at the present time.

And paragraph D in the Order to read:

D. Information in the Trust related to what sections affect them, the Beneficiaries' rights under the Trust agreement with respect to their beneficial interest or the Trustees and the administration of the Trust, to be conveyed to the Beneficiaries so that they generally know what their rights are at the present time.

Please let me know if you are in agreement with these revisions.

Sincerely,

---

**From:** Roberto M. Campos [<mailto:RCampos@sdfnlaw.com>]

**Sent:** Thursday, March 04, 2021 12:23 PM

**To:** Russel J. Geist <[RGeist@hutchlegal.com](mailto:RGeist@hutchlegal.com)>; Alexander LeVeque <[aleveque@sdfnlaw.com](mailto:aleveque@sdfnlaw.com)>

**Cc:** Amber Anderson-Reynolds <[AAnderson@hutchlegal.com](mailto:AAnderson@hutchlegal.com)>; Terrie Maxfield <[TMaxfield@sdfnlaw.com](mailto:TMaxfield@sdfnlaw.com)>

**Subject:** RE: 23 Partners Trust I

Hello, Russel,

Attached is your initial draft with our revisions in redline. I included parentheses only for assistance in referencing the relevant Transcript portions.

Thanks,

Roberto

---

**From:** Russel J. Geist <[RGeist@hutchlegal.com](mailto:RGeist@hutchlegal.com)>

**Sent:** Tuesday, March 2, 2021 12:46 PM

**To:** Roberto M. Campos <[RCampos@sdfnlaw.com](mailto:RCampos@sdfnlaw.com)>; Alexander LeVeque <[aleveque@sdfnlaw.com](mailto:aleveque@sdfnlaw.com)>

**Cc:** Amber Anderson-Reynolds <[AAnderson@hutchlegal.com](mailto:AAnderson@hutchlegal.com)>

**Subject:** RE: 23 Partners Trust I

That will work. Thanks.

---

**From:** Roberto M. Campos [<mailto:RCampos@sdfnlaw.com>]  
**Sent:** Tuesday, March 02, 2021 12:13 PM  
**To:** Russel J. Geist <[RGeist@hutchlegal.com](mailto:RGeist@hutchlegal.com)>; Alexander LeVeque <[aleveque@sdfnlaw.com](mailto:aleveque@sdfnlaw.com)>  
**Cc:** Amber Anderson-Reynolds <[AAnderson@hutchlegal.com](mailto:AAnderson@hutchlegal.com)>  
**Subject:** RE: 23 Partners Trust I

Your initial draft of the order is appreciated, especially since the draft order is not a simple order.

We can have our revisions to you no later than this Thursday. Does that work for you?

Thanks,

Roberto

---

**From:** Russel J. Geist <[RGeist@hutchlegal.com](mailto:RGeist@hutchlegal.com)>  
**Sent:** Tuesday, March 2, 2021 11:31 AM  
**To:** Roberto M. Campos <[RCampos@sdfnlaw.com](mailto:RCampos@sdfnlaw.com)>; Alexander LeVeque <[aleveque@sdfnlaw.com](mailto:aleveque@sdfnlaw.com)>  
**Cc:** Amber Anderson-Reynolds <[AAnderson@hutchlegal.com](mailto:AAnderson@hutchlegal.com)>  
**Subject:** RE: 23 Partners Trust I

While I understand that the draft was delayed, the transcript is available and the order uses the language directly from the transcript. After I took the laboring oar to draft the order, it seems that your review would not be as laborious. Am I wrong?

How much time are you requesting to review and provide your comments?

---

**From:** Roberto M. Campos [<mailto:RCampos@sdfnlaw.com>]  
**Sent:** Tuesday, March 02, 2021 11:15 AM  
**To:** Russel J. Geist <[RGeist@hutchlegal.com](mailto:RGeist@hutchlegal.com)>; Alexander LeVeque <[aleveque@sdfnlaw.com](mailto:aleveque@sdfnlaw.com)>  
**Cc:** Amber Anderson-Reynolds <[AAnderson@hutchlegal.com](mailto:AAnderson@hutchlegal.com)>  
**Subject:** RE: 23 Partners Trust I

Russel,

We waited exactly 4 weeks to receive the draft order from you, which you sent over last Thursday afternoon. Yes, we have proposed revisions but need a bit of time to consider and review with the client before sending over to you. We would appreciate the extension of courtesy of a reasonable time to respond with our revisions.

Thank you,

Roberto

---

**From:** Russel J. Geist <[RGeist@hutchlegal.com](mailto:RGeist@hutchlegal.com)>  
**Sent:** Tuesday, March 2, 2021 11:07 AM  
**To:** Alexander LeVeque <[aleveque@sdfnlaw.com](mailto:aleveque@sdfnlaw.com)>; Roberto M. Campos <[RCampos@sdfnlaw.com](mailto:RCampos@sdfnlaw.com)>  
**Cc:** Amber Anderson-Reynolds <[AAnderson@hutchlegal.com](mailto:AAnderson@hutchlegal.com)>  
**Subject:** RE: 23 Partners Trust I

Alex and Roberto,

I am planning on submitting the proposed order today. Please let me know if you have any revisions for my consideration.

Sincerely,

---

**From:** Russel J. Geist

**Sent:** Thursday, February 25, 2021 12:49 PM

**To:** Alexander LeVeque <[aleveque@sdfnlaw.com](mailto:aleveque@sdfnlaw.com)>; Roberto M. Campos <[RCampos@sdfnlaw.com](mailto:RCampos@sdfnlaw.com)>

**Cc:** Amber Anderson-Reynolds <[aanderson@hutchlegal.com](mailto:aanderson@hutchlegal.com)>

**Subject:** RE: 23 Partners Trust I

Word Perfect attached.

---

**From:** Alexander LeVeque [<mailto:aleveque@sdfnlaw.com>]

**Sent:** Thursday, February 25, 2021 11:30 AM

**To:** Russel J. Geist <[RGeist@hutchlegal.com](mailto:RGeist@hutchlegal.com)>; Roberto M. Campos <[RCampos@sdfnlaw.com](mailto:RCampos@sdfnlaw.com)>

**Cc:** Amber Anderson-Reynolds <[AAnderson@hutchlegal.com](mailto:AAnderson@hutchlegal.com)>

**Subject:** RE: 23 Partners Trust I

Russ, can you please send Word or WordPerfect version?

Alexander G. LeVeque

SOLOMON DWIGGINS & FREER, LTD.

Cheyenne West Professional Center | 9060 W. Cheyenne Avenue | Las Vegas, NV 89129

Direct: 702.589.3508 | Office: 702.853.5483 | Facsimile: 702.853.5485

Email: [aleveque@sdfnlaw.com](mailto:aleveque@sdfnlaw.com) | Website: [www.sdfnlaw.com](http://www.sdfnlaw.com)

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---

**From:** Russel J. Geist <[RGeist@hutchlegal.com](mailto:RGeist@hutchlegal.com)>

**Sent:** Thursday, February 25, 2021 11:27 AM

**To:** Roberto M. Campos <[RCampos@sdfnlaw.com](mailto:RCampos@sdfnlaw.com)>; Alexander LeVeque <[aleveque@sdfnlaw.com](mailto:aleveque@sdfnlaw.com)>

**Cc:** Amber Anderson-Reynolds <[AAnderson@hutchlegal.com](mailto:AAnderson@hutchlegal.com)>

**Subject:** 23 Partners Trust I

Roberto and Alex,

I apologize for the delay. Please find the attached draft order for your review.

1 **CSERV**

2  
3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

5  
6 In the Matter of the Trust of:

CASE NO: P-20-104279-T

7 23 Partners Trust I

DEPT. NO. Department 26

8  
9 **AUTOMATED CERTIFICATE OF SERVICE**

10 This automated certificate of service was generated by the Eighth Judicial District  
11 Court. The foregoing Order was served via the court's electronic eFile system to all  
12 recipients registered for e-Service on the above entitled case as listed below:

13 Service Date: 4/23/2021

14 Alexander LeVeque

aleveque@sdfnvlaw.com

15 Terrie Maxfield

tmaxfield@sdfnvlaw.com

16 Amber Anderson-Reynolds

aanderson@hutchlegal.com

17 Allie Carnival

acarnival@sdfnvlaw.com

18 Erin Hansen

ehansen@sdfnvlaw.com

19 Russel Geist

rgeist@hutchlegal.com

20 Roberto Campos

rcampos@sdfnvlaw.com

21  
22  
23  
24  
25  
26  
27  
28

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Probate -  
Trust/Conservatorships**

**COURT MINUTES**

**November 06, 2020**

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P-20-104279-T      In the Matter of the Trust of:  
23 Partners Trust I

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**November 06, 2020      3:00 AM      Petition - HM**

**HEARD BY:** Yamashita, Wesley      **COURTROOM:** Chambers

**COURT CLERK:** Jill Chambers

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- COMMISSIONER RECOMMENDED, matter REFERRED to Judge Sturman pursuant to EDCR 4.08.

CLERK'S NOTE: Referral To District Court Judge was submitted to Judge Sturman's Judicial Executive Assistant for scheduling of a hearing and notification to parties. jmc 11/10/20



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Probate -  
Trust/Conservatorships**

**COURT MINUTES**

**November 19, 2020**

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P-20-104279-T      In the Matter of the Trust of:  
23 Partners Trust I

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**November 19, 2020      9:30 AM      Status Check**

**HEARD BY:** Sturman, Gloria      **COURTROOM:** RJC Courtroom 10D

**COURT CLERK:** Louisa Garcia

**RECORDER:** Kerry Esparza

**REPORTER:**

**PARTIES**

**PRESENT:**      Geist, Russel J, ESQ      Attorney  
LeVeque, Alex G.      Attorney

**JOURNAL ENTRIES**

- Upon Court's inquiry, Mr. LeVeque stated the two children were still minors. Mr. LeVeque requested a hearing on the Petition, noting they still have to file a reply on the objection. COURT ORDERED, matter SET for hearing.

12/9/20 10:00 AM HEARING: PETITION

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Probate -  
Trust/Conservatorships**

**COURT MINUTES**

**December 09, 2020**

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P-20-104279-T      In the Matter of the Trust of:  
23 Partners Trust I

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**December 09, 2020      10:00 AM      Hearing**

**HEARD BY:** Sturman, Gloria      **COURTROOM:** RJC Courtroom 10D

**COURT CLERK:** Grecia Snow

**RECORDER:** Kerry Esparza

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Briggs, Joanne S.	Petitioner
	Campos, Roberto Mario	Attorney
	Geist, Russel J, ESQ	Attorney
	LeVeque, Alex G.	Attorney

**JOURNAL ENTRIES**

- Arguments by counsel regarding the petition to assume jurisdiction over trust, to confirm trustee, compel an accounting, and obtain a copy of the trust. COURT ORDERED, Petition GRANTED IN PART; the Court to assume jurisdiction of the trust and confirm both trustees Mr. DeLuca and Mr. Nedder. COURT FURTHER ORDERED, ruling RESERVED as to the request to obtain accounting until it has reviewed the terms of the trust and as to the copy of the trust being reducible to the beneficiaries. Colloquy regarding a confidentiality agreement. COURT ADDITIONALLY ORDERED, Trustee to provide a copy of the trust available in camera for the Court to review and for attorneys' eyes only; parties to work together to draft a confidentiality agreement; matter CONTINUED.

CONTINUED TO: 1/28/21 10:30 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Probate -  
Trust/Conservatorships**

**COURT MINUTES**

**January 28, 2021**

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P-20-104279-T	In the Matter of the Trust of: 23 Partners Trust I
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**January 28, 2021      10:30 AM      Hearing**

**HEARD BY:** Sturman, Gloria      **COURTROOM:** RJC Courtroom 10D

**COURT CLERK:** Kristen Brown

**RECORDER:** Kerry Esparza

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Campos, Roberto Mario	Attorney
	Geist, Russel J, ESQ	Attorney
	LeVeque, Alex G.	Attorney

**JOURNAL ENTRIES**

- Arguments by counsel. Court stated its findings and ORDERED, Motion GRANTED IN PART; FURTHER ORDERED, matter SET for a status check on the chamber calendar to make sure the order is filed. Mr. Geist to prepare the Order.

2/26/21 3:00 AM STATUS CHECK



EIGHTH JUDICIAL DISTRICT COURT CLERK'S OFFICE  
**NOTICE OF DEFICIENCY**  
ON APPEAL TO NEVADA SUPREME COURT

RUSSEL J. GEIST, ESQ.  
10080 W. ALTA DR., STE 200  
LAS VEGAS, NV 89145

DATE: May 26, 2021  
CASE: P-20-104279-T

RE CASE: In the Matter of the Trust of: 23 PARTNERS TRUST I

NOTICE OF APPEAL FILED: May 24, 2021

**YOUR APPEAL HAS BEEN SENT TO THE SUPREME COURT.**

PLEASE NOTE: DOCUMENTS **NOT** TRANSMITTED HAVE BEEN MARKED:

- ☒ \$250 – Supreme Court Filing Fee (Make Check Payable to the Supreme Court)\*\*
  - If the \$250 Supreme Court Filing Fee was not submitted along with the original Notice of Appeal, it must be mailed directly to the Supreme Court. The Supreme Court Filing Fee will not be forwarded by this office if submitted after the Notice of Appeal has been filed.
- ☐ \$24 – District Court Filing Fee (Make Check Payable to the District Court)\*\*
- ☐ \$500 – Cost Bond on Appeal (Make Check Payable to the District Court)\*\*
  - NRAP 7: Bond For Costs On Appeal in Civil Cases
  - *Previously paid Bonds are not transferable between appeals without an order of the District Court.*
- ☐ Case Appeal Statement
  - NRAP 3 (a)(1), Form 2
- ☐ Order
- ☐ Notice of Entry of Order

---

NEVADA RULES OF APPELLATE PROCEDURE 3 (a) (3) states:

"The district court clerk must file appellant's notice of appeal despite perceived deficiencies in the notice, including the failure to pay the district court or Supreme Court filing fee. **The district court clerk shall apprise appellant of the deficiencies in writing**, and shall transmit the notice of appeal to the Supreme Court in accordance with subdivision (g) of this Rule with a notation to the clerk of the Supreme Court setting forth the deficiencies. Despite any deficiencies in the notice of appeal, the clerk of the Supreme Court shall docket the appeal in accordance with Rule 12."

***Please refer to Rule 3 for an explanation of any possible deficiencies.***

---

***\*\*Per District Court Administrative Order 2012-01, in regards to civil litigants, "...all Orders to Appear in Forma Pauperis expire one year from the date of issuance." You must reapply for in Forma Pauperis status.***

# Certification of Copy

State of Nevada }  
County of Clark } SS:

I, Steven D. Grierson, the Clerk of the Court of the Eighth Judicial District Court, Clark County, State of Nevada, does hereby certify that the foregoing is a true, full and correct copy of the hereinafter stated original document(s):

NOTICE OF APPEAL; CASE APPEAL STATEMENT; NOTICE OF FILING COST BOND; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER GRANTING IN PART AND DENYING IN PART PETITION TO (1) ASSUME JURISDICTION OVER TRUST, (2) CONFIRM DOUGLAS SCOTT DELUCA AS TRUSTEE, (3) COMPEL AN ACCOUNTING, AND (4) OBTAIN A COPY OF TRUST; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

In the Matter of the Trust of:

23 PARTNERS TRUST I

Case No: P-20-104279-T

Dept No: XXVI

now on file and of record in this office.

**IN WITNESS THEREOF**, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 26 day of May 2021.

Steven D. Grierson, Clerk of the Court



Amanda Hampton, Deputy Clerk