

IN THE SUPREME COURT OF THE STATE OF NEVADA

W L A B INVESTMENT GROUP, LLC,

Appellant,

v.

TKNR, INC., a California Corporation, and
CHI ON WONG aka CHI KUEN WONG,
an individual, and KENNY ZHONG LIN,
aka KENZHONG LIN aka KENNETH
ZHONGLIN aka WHONG K. LIN aka
CHONG KENNY LIN aka ZHONGLIN, an
individual, and LIWEHELEN CHEN aka
HELEN CHEN, an individual and YAN
QIU ZHANG, an individual and
INVESTPRO LLC dba INVESTPRO
REALTY, a Nevada Limited Liability
Company, and MANCHAU CHENG, an
individual, and JOYCE A. NICKRANDT,
an individual, and INVESTPRO
INVESTMENTS LLC, a Nevada Limited
Liability Company, and INVESTPRO
MANAGER LLC, a Nevada Limited
Liability Company and JOYCE A.
NICKDRANDT, an individual and does 1
through 15 and roe corporation I-XXX,

Respondents.

SC Case No. 82835 / 83051

DC Case No.: A-18-785917-C
Electronically Filed
Dec 23 2021 02:05 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

**From the Eighth Judicial District Court
The Honorable Adrianna Escobar, District Judge
District Court Case No. A-18-785917-C**

RESPONDENT'S APPENDIX

Michael B. Lee, Esq. (NSB 10122); Michael Matthis, Esq. (NSB 14582)
1820 E. Sahara Ave. Suite 110, Las Vegas, Nevada 89104; (702) 477-7030

MICHAEL B. LEE, P.C.

**RESPONDENTS' APPENDIX
VOLUME I**

CHRONOLOGICAL INDEX

<u>Document Name</u>	<u>Date Filed</u>	<u>Vol.</u>	<u>Page</u>
Order Granting Defendants' Motion for Leave to File Amended Answer, Counterclaims, and Third- Party Claims on an Order Shortening Time	12/02/2020	I	0001-0004
Supplement to Plaintiff's 16.1 Early Case Conference Disclosures	03/02/2021	I	0005-0011

Heather S. Hume
CLERK OF THE COURT

MICHAEL B. LEE, ESQ. (NSB 10122)
MICHAEL MATTHIS, ESQ. (NSB 14582)
MICHAEL B. LEE, P.C.
1820 East Sahara Avenue, Suite 110
Las Vegas, Nevada 89104
Telephone: (702) 477.7030
Facsimile: (702) 477.0096
mike@mblnv.com
Attorney for Defendants/Counterclaimants/Third-Party Plaintiffs

IN THE EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA

W L A B INVESTMENT, LLC,

Plaintiff,

vs.

TKNR INC., a California Corporation, and
CHI ON WONG aka CHI KUEN WONG, an
individual, and KENNY ZHONG LIN, aka
KEN ZHONG LIN aka KENNETH ZHONG
LIN aka WHONG K. LIN aka CHONG
KENNY LIN aka ZHONG LIN, an
individual, and LIWE HELEN CHEN aka
HELEN CHEN, an individual and YAN QIU
ZHANG, an individual, and INVESTPRO
LLC dba INVESTPRO REALTY, a Nevada
Limited Liability Company, and MAN
CHAU CHENG, an individual, and JOYCE
A. NICKRANDT, an individual, and
INVESTPRO INVESTMENTS I LLC, a
Nevada Limited Liability Company, and
INVESTPRO MANAGER LLC, a Nevada
Limited Liability Company and JOYCE A.
NICKRANDT, an individual and Does 1
through 15 and Roe Corporation I - XXX,

Defendants.

CASE NO.: A-18-785917-C
DEPT. NO.: XIV

ORDER GRANTING DEFENDANTS'
MOTION FOR LEAVE TO FILE
AMENDED ANSWER,
COUNTERCLAIMS, AND THIRD-PARTY
CLAIMS ON AN ORDER SHORTENING
TIME

Date of Hearing: November 18, 2020
Time of Hearing: chambers

This matter being set for hearing before the Honorable Court on November 18, 2020 at
9:30 a.m., on Defendants' TKNR INC., CHI ON WONG aka CHI KUEN WONG, KENNY
ZHONG LIN, aka KEN ZHONG LIN aka KENNETH ZHONG LIN aka WHONG K. LIN aka
CHONG KENNY LIN aka ZHONG LIN, LIWE HELEN CHEN aka HELEN CHEN, YAN QIU
ZHANG, INVESTPRO LLC dba INVESTPRO REALTY, MAN CHAU CHENG, JOYCE A.
NICKRANDT, INVESTPRO INVESTMENTS LLC, and INVESTPRO MANAGER LLC,
(collectively, the "Defendant"), Motion for Leave to File Amended Answer, Counterclaims, and

1 Third-Party Claims on an Order Shortening Time ("Motion"), by and through their attorney of
2 record, MICHAEL B. LEE, P.C. Plaintiff W L A B INVESTMENT, LLC appeared on and through
3 its counsel of record, BENJAMIN B. CHILDS, ESQ. The Motion, to which Plaintiff filed a limited
4 opposition, was set for Chambers Calendar before Department 14 of the Eighth Judicial District
5 Court, the Honorable Adriana Escobar presiding, on November 18, 2020. After considering the
6 pleadings of counsel, the Court enters the following order:

7 1. A motion for leave to amend is left to the sound discretion of the trial judge, and
8 the trial judge's decision will not be disturbed absent an abuse of discretion. *University & Cmty.*
9 *Coll. Sys. v. Sutton*, 120 Nev. 972, 988 (2004).

10 2. Under NRCP 15(a)(2), [t]he court should freely give leave when justice so
11 requires. Motions for leave to amend a pleading ought to be granted unless a strong reason exists
12 not to do so, such as prejudice to the opponent or lack of good faith by the moving party. *Nutton*
13 *v. Sunset Station, Inc.*, 131 Nev. 279, 284 (Nev. App. 2015); *see also Stephens v. S. Nev. Music*
14 *Co.*, 89 Nev. 104, 105 06 (1973) ([I]n the absence of any apparent or declared reason such as
15 undue delay, bad faith or dilatory motive on the part of the movant the leave sought should be
16 freely given.).

17 3. Here, Defendants Motion is timely filed as the deadline to amend the pleadings
18 and add parties is December 14, 2020. The Court finds that Defendants should be given leave to
19 amend their Answer, to file a Counterclaim, and to file a Third-Party Claim. .

20 4. The arguments Plaintiff raises in its limited opposition are meritless.
21 Based on the foregoing, the Court GRANTS Defendants' Motion.

22 ////

23 ////

24 ////

25 ////

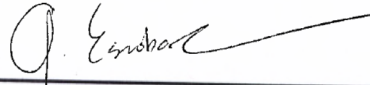
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1 **IT IS HEREBY ORDERED, ADJUDICATED, AND DECREED** that the Motion is
2 **GRANTED.**

Dated this 2nd day of December, 2020



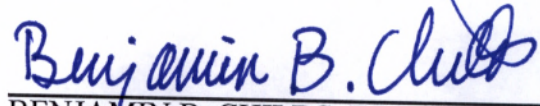
3
4
5 Date: December 2, 2020.

67A 5D2 D6CB 110B
Adriana Escobar
District Court Judge

6 Respectfully Submitted By:

Approved of as to Form and Content By:

7 MICHAEL B. LEE, P.C.



8 /s/ Michael Lee

9 MICHAEL B. LEE, ESQ. (NSB 10122)
10 MICHAEL MATTHIS, ESQ. (NSB 14582)
11 1820 E. Sahara Avenue, Suite 110
12 Las Vegas, Nevada 89104
13 Telephone: (702) 477.7030
14 Facsimile: (702) 477.0096
15 mike@mblnv.com
16 *Attorneys for Defendants*

BENJAMIN B. CHILDS, ESQ. (NSB 3946)
318 S. Maryland Parkway
Las Vegas, Nevada 89101
Tel - (702) 251.0000
Fax - 702.385.1847
ben@benchilds.com
Attorney for Plaintiff

MICHAEL B. LEE, P.C.
1820 E. SAHARA AVENUE, SUITE 110
LAS VEGAS, NEVADA 89104
TEL - (702) 477.7030; FAX - (702) 477.0096

1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 W L A B Investment LLC,
Plaintiff(s)

CASE NO: A-18-785917-C

7 vs.

DEPT. NO. Department 14

8
9 TKNR Inc, 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
recipients registered for e-Service on the above entitled case as listed below:

14 Service Date: 12/2/2020

15 Katherine MacElwain

kmacelwain@nevadafirm.com

16 Michael Matthis

matthis@mblnv.com

17 John Savage

jsavage@nevadafirm.com

18 BENJAMIN CHILDS

ben@benchilds.com

19 Nikita Burdick

nburdick@burdicklawnv.com

20 Michael Lee

mike@mblnv.com

21 Bradley Marx

brad@marxfirm.com

BENJAMIN B. CHILDS, ESQ.
Nevada Bar # 3946
318 S. Maryland Parkway
Las Vegas, Nevada 89101
(702) 251 0000
Fax 384 1119
ben@benchilds.com
Attorney for Plaintiff

EIGHTH JUDICIAL DISTRICT COURT
CLARK COUNTY, NEVADA

W L A B INVESTMENT, LLC

Plaintiff

vs.

Case # A-18-785917-C
Dept # 14

TKNR, INC, a California Corporation, and
CHI ON WONG aka CHI KUEN WONG, an individual, and
ZHONG KENNY LIN aka KENNY ZHONG LIN aka KEN
ZHONG LIN aka KENNETH ZHONG LIN aka WHONG
K.LIN aka CHONG KENNY LIN aka ZHONG LIN, an
individual, and LIWE HELEN CHEN aka HELEN CHEN,
an individual and YAN QIU ZHANG, an individual, and
INVESTPRO LLC dba INVESTPRO REALTY,
a Nevada Limited Liability Company, and
MAN CHAU CHENG, an individual, and
JOYCE A. NICKRANDT, an individual and
INVESTPRO INVESTMENTS I LLC, a Nevada Limited
Liability Company, and INVESTPRO MANAGER LLC,
a Nevada Limited Liability Company, and
Does 1 through 15 and Roe Corporations I - XXX

Defendants

SUPPLEMENT TO PLAINTIFF'S 16.1 EARLY CASE CONFERENCE DISCLOSURES

[additions in **BOLD**]

WITNESSES [16.1(a)(1)(A)]

1. PMK of TKNR, INC c/o Nikita R. Burdick, Esq. 8360 W. Sahara Ave. # 250 Las Vegas,
NV 89117 702 481 9207.
Has information about the fact and circumstances of it's purchase, repair, and sale of the
Subject Property.

- 1 2. PMK of INVESTPRO LLC dba INVESTPRO REALTY [hereinafter Investpro] c/o Nikita R.
2 Burdick, Esq. 8360 W. Sahara Ave. # 250 Las Vegas, NV 89117 702 481 9207.
3 Has information about the fact and circumstances of TKNR's purchase, repair, and sale of
4 the Subject Property.
- 5 3. JOYCE A. NICKRANDT c/o Nikita R. Burdick, Esq. 8360 W. Sahara Ave. # 250 Las Vegas,
6 NV 89117 702 481 9207.
7 Has information about the fact and circumstances of TKNR purchase, repair, and sale of the
8 Subject Property.
- 9 4. CHI ON WONG aka CHI KUEN WONG c/o Nikita R. Burdick, Esq. 8360 W. Sahara Ave.
10 # 250 Las Vegas, NV 89117 702 481 9207.
11 Has information about the fact and circumstances of it's purchase, repair, and sale of the
12 Subject Property. Mr. Wong owns and controls TKNR, INC and is the alter ego of TKNR.
13 TKNR was and is influenced and governed by Wong and received funds when TKNR was
14 dissolved in 2018.
- 15 5. ZHONG KENNY LIN aka KENNY ZHONG LIN aka KEN ZHONG LIN aka KENNETH
16 ZHONG LIN aka WHONG K.LIN aka CHONG KENNY LIN aka ZHONG
17 LIN [hereinafter Lin] c/o Nikita R. Burdick, Esq. 8360 W. Sahara Ave. # 250 Las Vegas, NV
18 89117 702 481 9207.
19 Has information about the fact and circumstances of TKNR's purchase, repair, and sale of
20 the Subject Property. Mr. Lin has information as he was both TKNR's agent and Investpro's
21 Chief Executive Officer and agent. Mr. Lin was also Chief Executive Officer of INVESTPRO
22 INVESTMENT LLC and INVESTPRO MANAGER LLC. Lin is also founding chairman
23 of INVESTPRO MANAGER LLC. Lin is also the Chairman and founder of Investpro.
- 24 6. YAN QIU ZHANG c/o Nikita R. Burdick, Esq. 8360 W. Sahara Ave. # 250 Las Vegas, NV
25 89117 702 481 9207.
26 Has information about the fact and circumstances of it's purchase, repair, and sale of the
27 Subject Property. Mr/Ms. Zhang was a manager and registered agent of Investpro.
28

1 7. LIWEI HELEN CHEN aka HELEN CHEN [Chen] c/o Nikita R. Burdick, Esq. 8360 W.
2 Sahara Ave. # 250 Las Vegas, NV 89117 702 481 9207.

3 Has information about the fact and circumstances of it's purchase, repair, and sale of the
4 Subject Property. Ms. Chen was a real estate agent employed, associated and/or the agent of
5 Investpro who represented Plaintiff as the buyer of the Subject Property. Chen was the
6 buyer's agent, representing Plaintiff.

7 8. PMK of INVESTPRO INVESTMENTS I LLC c/o Nikita R. Burdick, Esq. 8360 W. Sahara
8 Ave. # 250 Las Vegas, NV 89117 702 481 9207.

9 Has information about the fact and circumstances of funding for TKNR's purchase, repair,
10 and sale of the Subject Property. INVESTPRO INVESTMENTS I LLC is the Flipping Fund
11 described in the Amended Complaint.

12 9. PMK of INVESTPRO MANAGER LLC c/o Nikita R. Burdick, Esq. 8360 W. Sahara Ave.
13 # 250 Las Vegas, NV 89117 702 481 9207.

14 Has information about the fact and circumstances of funding for TKNR's purchase, repair,
15 and sale of the Subject Property. was at all relevant times a Nevada Limited Liability
16 Company. INVESTPRO MANAGER LLC presented and solicited investors for the Flipping
17 Fund described in the Amended Complaint. INVESTPRO MANAGER LLC managed
18 Investpro INVESTMENTS I LLC, the Flipping Fund, and also managed the renovation project
19 of the Subject Property prior to the sale of the Subject Property to Plaintiff. INVESTPRO
20 MANAGER LLC used TKNR as a sham owner of the Subject Property while in reality
21 INVESTPRO MANAGER LLC retained control of all decisions regarding the Subject
22 Property.

23 10. MAN CHAU CHENG c/o Nikita R. Burdick, Esq. 8360 W. Sahara Ave. # 250 Las Vegas,
24 NV 89117 702 481 9207.

25 Has information about the fact and circumstances of it's purchase, repair, and sale of the
26 Subject Property. Ms. Cheng was a manager of INVESTPRO MANAGER LLC and was a
27 founder of INVESTPRO MANAGER LLC.
28

1 11. PMK of W L A B INVESTMENT, LLC c/o Benjamin B. Childs, Esq. 318 S.
2 Maryland Pkwy Las Vegas, Nevada 89101 phone (702) 385 3865
3 Expected to testify as to the facts and circumstances surrounding this litigation.
4

5 12. EXPERT
6 Amin Sani, President of Arvin Construction Co.
7 10524 Angel Dreams Ave Las Vegas, NV 89144 (702) 355 4757
8 General Contractor will testify to the unlicensed work on the Subject
9 Property and the resultant damages. Itemized damages total \$650,000.
10 Mr. Sani's report is attached consisting of the following :

Document	Bates #
Narrative Report	164 - 173
Licenses/Resume/Fee disclosure	174 - 182
Pictures	183 - 193

16
17 Summary of the damages Mr. Sani itemizes in his report is set forth below.
18

Defect	Repair Cost (\$)
Structural Defects	150,000
Electrical System	70,000
Plumbing System	60,000
Sewer System	60,000
Heating System	15,000
Cooling System	60,000
Moisture/Water damage	40,000
Roof	70,000
Fungus/Mold	50,000
Flooring	25,000
Foundation	50,000
Total	650,000

DOCUMENT DISCLOSURES

Exhibit #	Bates Page #
1. Investpro advertising and solicitations	1 - 12
2. Trustee's Deed 10/09/2015	13 - 16
3. Texts dated 08/17/2017 and 08/24/2017	17 - 19
4. Flyers from Clark County re building permit requirements	20 - 24
5. Offer and Acceptance and Escrow Package	25 - 60
6. City of Las Vegas Inspection records	61 - 68
7. Flyers from City of Las Vegas re building permit requirements	69 - 83
8. California Secretary of State printouts and records for TKNR, Inc.	84 - 87
9. Repair estimates and receipts	88 - 152
10. Nevada Secretary of State printouts for Investpro Investments I LLC, Investpro Manager LLC, Investpro LLC	153 - 161
11. Nevada Real Estate Division printout for Joyce A. Nickrandt	162 - 163
12. EXPERT WITNESS REPORT OF Amin Sani	164 - 193
13. Pictures of flooring in Subject Property	194 - 204

DAMAGES

1. As to Defendant TKNR, Wong and INVESTPRO MANAGER LLC, pursuant to NRS 113.150, judgment jointly and severally for treble the amount necessary to

1 repair or replace the defective part of the Subject Property. The amount necessary to
2 repair or replace the defective part of the Subject Property is \$650,000.00 [see Mr.
3 Sani's itemization of damages]. Treble this amount is \$1,950,000.00.

4 2. As to Defendants Investpro, Nickrandt and Chen, judgment jointly and severally for
5 compensatory damages in an amount of \$650,000.00, plus exemplary and/or punitive
6 damages in the amount of three times \$ 650,000.00 [\$1,950,000.00] for a total
7 judgment sought of \$2,600,000.00.

8 3. As to Defendants Investpro, INVESTPRO MANAGER LLC, TKNR, Wong and
9 Lin, judgment jointly and severally for compensatory damages in an amount of
10 \$650,000.00, plus exemplary and/or punitive damages in the amount of three times \$
11 650,000.00 [\$1,950,000.00] for a total judgment sought of \$2,600,000.00.

12 4. As to Defendants Lin, Cheng, INVESTPRO MANAGER LLC and INVESTPRO
13 INVESTMENTS I LLC, pursuant to NRS 207.470, judgment jointly and severally
14 for treble Plaintiff's actual damages, so judgment in the amount of **\$2,600,000.00.**

15 5. As to Defendant Chen, pursuant to NRS 645.257(1) judgment for Plaintiff's actual
16 damages, which amount is \$650,000.00.

17 6. As to Defendant Lin, pursuant to NRS 645.257(1) judgment for Plaintiff's actual
18 damages, which amount is \$650,000.00..

19 7. As to Defendant Investpro, pursuant to NRS 645.257(1) judgment for Plaintiff's
20 actual damages, which amount is \$650,000.00.

21 8. As to Defendant Nickrandt, pursuant to NRS 645.257(1) judgment for Plaintiff's
22 actual damages, which amount is \$650,000.00.

23 9. As to Defendants Investpro, Zhang, and Nickrandt, judgment jointly and severally
24 Plaintiff's actual damages, which amount is \$650,000.00.

25 10. As to Defendant MAN CHAU CHENG, Lin, Investpro, Wong, TKNR,
26 INVESTPRO INVESTMENTS I LLC and INVESTPRO MANAGER LLC,
27 judgment jointly and severally for Plaintiff's actual damages, which amount is of
28 \$650,000.00, plus exemplary and/or punitive damages in the amount of three times

1 \$ 650,000.00 [\$1,950,000.00] for a total judgment sought of \$2,600,000.00.

2 13. As to Defendant Investpro, judgment for Plaintiff's actual damages, which amount
3 is \$650,000.00.

4
5 In addition to the compensatory damages, Plaintiff seeks an award of attorney fees
6 and costs, against all Defendants jointly and severally, which amount **totals \$65,162.00**
7 **through March 1, 2021.**

8
9
10 /s/ Benjamin B. Childs

11 _____
12 BENJAMIN B. CHILDS, ESQ.
13 Nevada Bar No. 3946
14 Attorney for Plaintiff

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CERTIFICATE OF ELECTRONIC SERVICE

15 This SUPPLEMENT TO PLAINTIFF'S 16.1 EARLY CASE CONFERENCE
16 DISCLOSURES, with Exhibit 13, was served through the Odyssey File and Serve
17 system on March 2, 2021. Electronic service is in place of service by mailing.

18 /s/ Benjamin B. Childs, Sr.

19 _____
20 BENJAMIN B. CHILDS, Sr. ESQ.
21 NEVADA BAR # 3946