

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN RE:

DISCIPLINE OF
BRIAN C. PADGETT, ESQ.
STATE BAR NO. 7474

Electronically Filed
Aug 10 2021 03:36 p.m.
Case No. Elizabeth A. Brown
Clerk of Supreme Court

Volume X

RECORD OF DISCIPLINARY PROCEEDINGS,
PLEADINGS
AND TRANSCRIPT OF HEARINGS

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EXHIBIT 15

EXHIBIT 15



WEATHER ALERT

Critical Fire Weather
SEE MORE

A year later: What Nevada emergency officials learned from January 2017 floods

by Ben Margiott

Friday, January 5th 2018

January 2017 flooding

RENO, Nev. (News 4 & Fox 11) — Nearly one year has passed since most of Northern Nevada was bracing for widespread flooding in January 2017.

The Truckee River was projected to hit major flood stage in some places, which would've submerged the Sparks Industrial Park under 7 feet of water. Some were forecasting a 100-year flood event.

Ultimately, the floodwaters came, but rivers rose not nearly as much as initially expected.

"The January event was ... a set piece. It was almost a textbook reaction to flooding in our region," said Aaron Kenneston, Washoe County's emergency manager.

Kenneston said that in the weeks and months that followed, emergency officials met to debrief and improve systems to do better next time.

Officials are currently updating the regional flood response action plan and the regional mitigation plan, Kenneston said.

News 4-Fox 11 asked what, if anything, they would do differently if faced with a similar flooding event in the near future.

"I believe that we would be reacting much quicker to some of the identified (flood-prone) areas ... the North Valleys and those closed basins that do not have any place for the water to drain," Kenneston said.



CALIFORNIA NEVADA RIVER FORECAST CENTER

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

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TRUCKEE RIVER - RENO (TRRN2)

Latitude: 39.53° N

Longitude: 119.79° W

Elevation: 4445 Feet

Location: Washoe County in Nevada

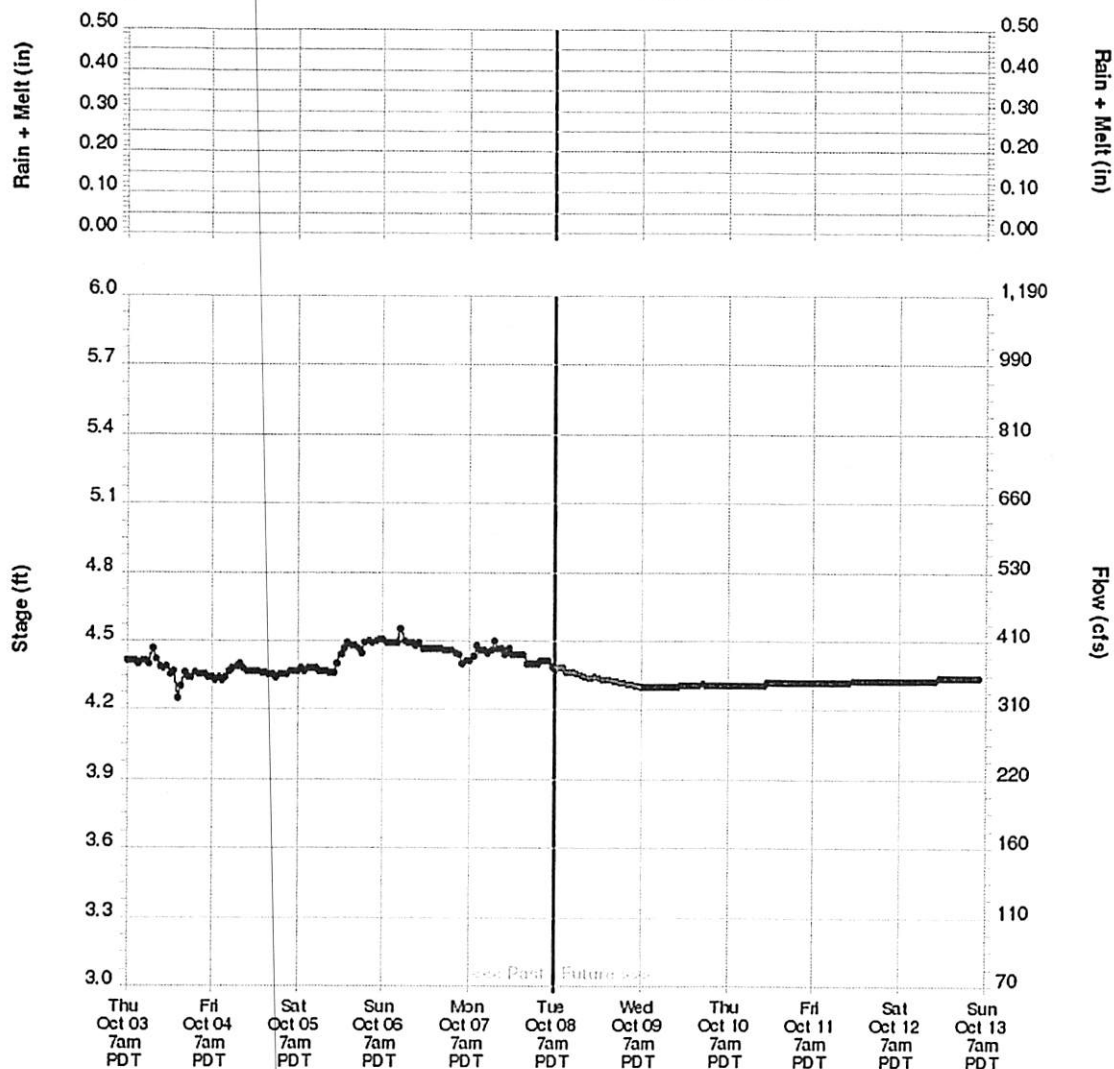
River Group: Eastern Sierra

Issuance Time: Oct 08 2019 at 7:47 AMPDT

Next Issuance: Oct 09 2019 at 9:00 AMPDT

Monitor Stage: 10.0 Feet

Flood Stage: 12.0 Feet



Observed • Forecast • Guidance •

Created: 10/08/2019 at 7:47 AM PDT (TRRN2 Forecast Run Time = 1439Z)

California Department of Water Resources
NOAA / NWS / California Nevada River Forecast Center

Observed Data Credit

Raw streamflow data is provided by the US Geological Survey (USGS).
[View USGS Data for this station location.](#)

Verification - Historical Graphical RVF

Month: Day: Year: Cycle: [Fetch](#)To view other verification locations, use our [Historical Graphical River Forecast Interface](#).

Historical Stage/Flow Data

Water Year	Peak Discharge (cfs)	Stage (foot)	Date
Most Recent 5 Years			
2018*	6,690	10.24	Apr 7, 2018
2017*	12,800	12.45	Jan 9, 2017
2016*	3,320	8.00	Jan 30, 2016

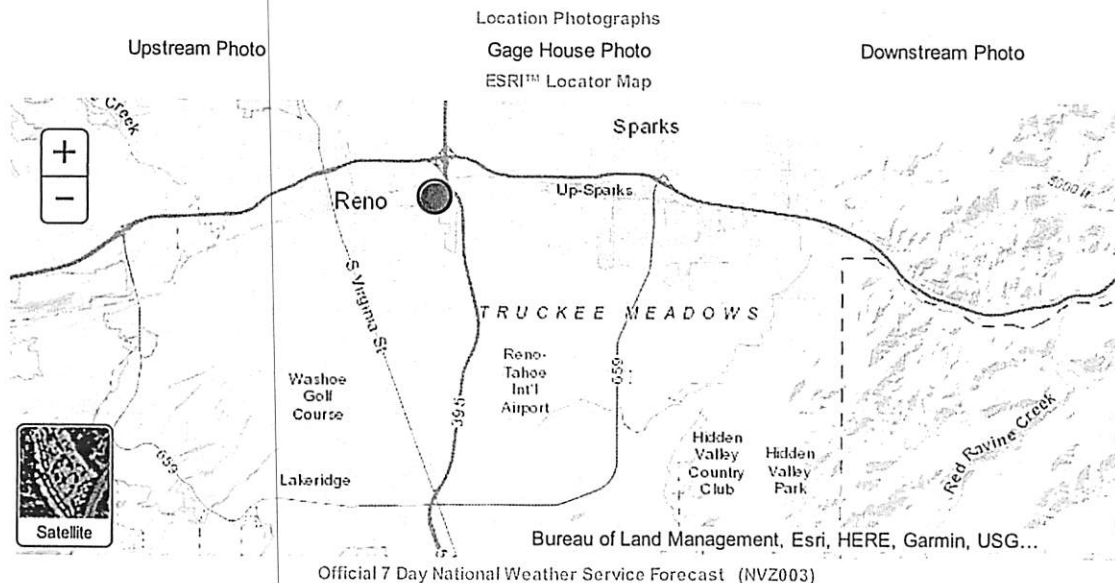
Padgett ROA - 2139

2015*	2,060	6.98	Feb 9, 2015
2014*	1,430	6.31	Feb 9, 2014
Historical High Stage/Flow Events (Period of Record - March 1907** to Present)			
1956*	20,800	13.63***	Dec 23, 1955
1951*	19,900	13.83***	Nov 21, 1950
1963*	18,400	13.28***	Feb 1, 1963
1997*	18,200	14.94***	Jan 2, 1997
2006*	16,400	13.38	Dec 31, 2005

* Discharge affected to unknown degree by regulation or diversion

** Most recent continuous record back to Oct 1947 with segmented periods back to Mar 1907

*** Datum and location change on 10/1/1998, and not directly relatable to old location.



Tonight: Clear. Areas of blowing dust. Lows 34 to 44. West winds 20 to 30 mph decreasing to 10 to 20 mph after midnight. Gusts up to 45 mph.

Wednesday: Sunny. Areas of blowing dust in the morning. Highs 51 to 56. North winds 10 to 15 mph. Gusts up to 30 mph in the morning.

Wednesday Night: Clear. Lows 24 to 29. Northeast winds 10 to 15 mph.

Thursday: Sunny. Highs 50 to 55. Light winds becoming east around 10 mph in the afternoon.

Thursday Night: Clear. Lows 26 to 31. East winds around 10 mph in the evening becoming light.

Friday: Sunny. Highs 60 to 65.

Friday Night: Partly cloudy in the evening then clearing. Lows 31 to 36.

Saturday through Sunday: Clear. Highs 66 to 71. Lows 35 to 40.

Sunday Night through Tuesday: Clear. Lows 33 to 43. Highs 68 to 73.




Impacts - E19 Information

10.0 Feet	Monitor Stage, No flooding from Mogul to Greg Street Bridge in Reno. Significant preparations to riverside parks begin in advance of this level. Releases from flood control reservoirs (Prosser, Stampede and Boca) are cut slightly in advance of this level. Similar to high flow of 4/7/2008.
11.0 Feet	Very high flows with some inconvenience flooding of riverside parks and bike path.
11.5 Feet	Near maximum safe flow from Mogul to Greg Street Bridge in Reno, minor flooding of bike path and riverside parks. Close monitoring is necessary as debris build up or bank erosion could easily lead to flooding. Similar to 2/10/2017 flood event.
12.0 Feet	Flood stage. Minor flooding with bank full conditions from Mogul to Reno with significant inundation to Truckee River Walk, riverside parks and damage to park infrastructure. Impacts to transportation, as many downtown Reno bridges may be closed for public safety and to facilitate debris removal. Overtopping of river bank near Booth Street in Reno is possible.
12.5 Feet	Minor flooding from Mogul to Reno. River flooding low areas, parks, and trails between Mogul and Reno. Out of bank flow near Booth Street and 1st Street is possible. Arlington, Sierra, Center, and Lake Street Bridges likely closed. Debris accumulation or bank erosion may lead to expanded impacts. Similar to 1/9/2017 flood event.
13.0 Feet	Moderate flooding from Mogul to Reno. Only I-80, Keystone, Virginia street, Wells Ave and Highway 395 bridges likely to remain open. Flooding expected to begin impacting downtown Reno along north side of river near Booth Street and along Riverside and portions of 1st Street. Flooding may also start occurring at the Grand Sierra Resort RV Park unless protective measures are implemented.

- 13.5 Feet** Moderate flooding from Mogul to Reno. Flooding area includes downtown Reno with impacts expanding into multiple commercial and municipal buildings. Flooding may start impacting the airport. Slightly above the level of the 12/31/2005 flooding.
- 14.0 Feet** Major flooding with serious damage from Mogul to Reno. Downtown Reno and the Reno airport begin to have serious river flooding roughly between 2nd Street on the north to Court/Mill Streets on the south. Transportation severely impacted, many roads and bridges flood. Keystone Bridge likely closed near this level.
- 14.5 Feet** Major damage from Mogul to Reno. Extensive flood damage in downtown Reno and the Reno airport nearing level of January 1997 event.
- 15.0 Feet** Near Record flooding between Mogul and Reno. Extensive flood damage. Reno airport and downtown flood several feet deep. Downtown Reno floods from approximately 2nd Street on the north side of the river to Court/Mill streets on the south. Casinos, hotels, stores, post office, courthouse, phone building, bus depot, churches, museums and parks flood. Utility lines on bridges may be severed. Idlewild and Wingfield Parks flood up to 10 feet. Truckee River bridges closed except I-80, Keystone, Wells and Highway 395 Similar to or in excess of January 1997 and December 1955 events.
- 15.5 Feet** Record catastrophic flooding from Mogul to Reno. Property and infrastructure in the floodplain sustain heavy damage. Reno airport and portions of downtown under about 6 feet of water. Transportation, power, phone, water, and hospital services disrupted through region. Only Interstate 80, Wells and Highway 395 bridges likely to remain open. Downtown Reno flooded from approximately 3rd Street in north to Court/Mill Streets in south.

Product Disclaimer

This river graphic is not intended to serve as a substitute for official flood watches, warnings, advisories, or statements issued by the NWS Reno Weather Forecast Office. Observations are preliminary and subject to change. River levels identified as "forecast" should be consistent with those contained in official NWS products. River levels identified as "guidance" have significant uncertainty due to future weather or reservoir regulation and are provided for planning purposes only.

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National Oceanic and Atmospheric Administration
National Weather Service
California Nevada River Forecast Center
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Truckee River At Lake Tahoe at Tahoe City (THLC1)

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Flood Stage: 6229.1 Feet Latest Stage: 6227.77

Current Warnings/Statements/Advisories: None currently.

Complete information about the Truckee River at Lake Tahoe at Tahoe City available from NWS Reno, NV

Reliability of the Forecast:

Based on current and forecast river, weather and reservoir conditions

NOTE: Forecasts for the Truckee River at Lake Tahoe at Tahoe City are issued routinely year-round.

Flood Categories (in feet)

Flood Stage: 6229.1

Action Stage: 6228.7

Low Stage (in feet): 0

Historic Crests

(P): Preliminary values subject to further review.

Recent Crests

(P): Preliminary values subject to further review.

Truckee River At Tahoe City (TRTC1)

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NOTE: Gauge reading may be affected by ice during freezing weather from November to April.

Flood Stage: 8 Feet Latest Stage: 2.88

Current Warnings/Statements/Advisories: None currently.

Complete information about the Truckee River at Tahoe City available from NWS Reno, NV

NOTE: Forecasts are not available for the Truckee River at Tahoe City. Only observed stages are available for this point.

Flood Categories (in feet)

Major Flood Stage: 9.5

Moderate Flood Stage: 9

Flood Stage: 8

Action Stage: 7

Low Stage (in feet): 0

Historic Crests

(P): Preliminary values subject to further review.

Recent Crests

(P): Preliminary values subject to further review.

Truckee River Near Truckee (TRCC1)

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NOTE: Gauge reading may be affected by ice during freezing weather from November to April.

Flood Stage: 5.5 Feet Latest Stage: 1.85

Current Warnings/Statements/Advisories: None currently.

Complete information about the Truckee River near Truckee available from NWS Reno, NV

NOTE: Forecasts for the Truckee River near Truckee are issued routinely year-round.

Flood Categories (in feet)

Major Flood Stage: 7.5

Moderate Flood Stage: 6.5

Flood Stage: 5.5

Action Stage: 4.5

Low Stage (in feet): 0

Historic Crests

(1) 9.97 ft on 01/02/1997

(2) 9.25 ft on 02/01/1963

(3) 7.98 ft on 12/23/1955

(4) 7.28 ft on 11/20/1950

(5) 7.02 ft on 12/31/2005

[Show More Historic Crests](#)

(P): Preliminary values subject to further review.

Recent Crests

(1) 5.32 ft on 04/07/2018

(2) 4.82 ft on 05/06/2017

(3) 5.24 ft on 02/09/2017

(4) 6.43 ft on 01/09/2017

(5) 4.72 ft on 12/11/2016

[Show More Recent Crests](#)

(P): Preliminary values subject to further review.

Truckee River At Farad (FARC1)

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NOTE: Gauge reading may be affected by ice during freezing weather from November to April.

Flood Stage: 11 Feet Latest Stage: 3.95

Current Warnings/Statements/Advisories: None currently.

Complete information about the Truckee River at Farad available from NWS Reno, NV

Reliability of the Forecast:

Based on current and forecast river, weather and reservoir conditions

NOTE: Forecasts for the Truckee River at Farad are issued routinely year-round.

Flood Categories (in feet)

Major Flood Stage: 13

Moderate Flood Stage: 12

Flood Stage: 11

Action Stage: 10

Historic Crests

(1) 14.37 ft on 11/21/1950

(2) 13.43 ft on 12/11/1937

(3) 13.34 ft on 03/18/1907

(4) 13.13 ft on 01/02/1997

(5) 12.90 ft on 12/23/1955

Show More Historic Crests

Recent Crests

(1) 10.75 ft on 12/31/2005

(2) 13.13 ft on 01/02/1997

(3) 8.99 ft on 05/18/1996

(4) 7.95 ft on 05/01/1995

(5) 10.46 ft on 03/08/1986

Show More Recent Crests

(P): Preliminary values subject to further review.

(P): Preliminary values subject to further review.

Low Water Records

(1) 2.08 ft on 11/20/1977

(2) 2.08 ft on 09/15/1933

(3) 2.11 ft on 01/20/1925

Show More Low Water Records

Truckee River Near Mogul (MOGN2)

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NOTE: Gauge reading may be affected by ice during freezing weather from November to April.

Flood Stage: 12.5 Feet Latest Stage: 5.78

Current Warnings/Statements/Advisories: None currently.

Complete information about the Truckee River near Mogul available from NWS Reno, NV

NOTE: Forecasts are not available for the Truckee River near Mogul. Only observed stages are available for this point.

Flood Categories (in feet)

Major Flood Stage: 14

Moderate Flood Stage: 13.5

Flood Stage: 12.5

Action Stage: 10

Historic Crests

(1) 15.85 ft on 01/02/1997

(2) 13.15 ft on 12/31/2005

(3) 12.58 ft on 01/09/2017

(4) 10.94 ft on 05/01/1995

(5) 9.63 ft on 03/24/1998

Show More Historic Crests

Recent Crests

(1) 12.58 ft on 01/09/2017

(2) 13.15 ft on 12/31/2005

(3) 9.50 ft on 05/27/1999

(4) 9.63 ft on 03/24/1998

(5) 15.85 ft on 01/02/1997

Show More Recent Crests

(P): Preliminary values subject to further review.

(P): Preliminary values subject to further review.

Low Water Records

(1) 4.04 ft on 10/30/1994

Truckee River At Reno (TRRN2)

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NOTE: Gauge reading may be affected by ice during freezing weather from November to April.

NOTE: Reported historic crests have been estimated using recent ratings due to previous channel, location and/or datum changes. For observed crests please go to: waterdata.usgs.gov/nwis/rt

Flood Stage: 12 Feet Latest Stage: 4.31

Current Warnings/Statements/Advisories: None currently.

Complete information about the Truckee River at Reno available from NWS Reno, NV

Reliability of the Forecast:

Based on current and forecast river, weather and reservoir conditions

NOTE: Forecasts for the Truckee River at Reno are issued routinely year-round.

Flood Categories (in feet)

Major Flood Stage: 14

Moderate Flood Stage: 13

Flood Stage: 12

Action Stage: 10

Low Stage (in feet): 0

Historic Crests

(1) 14.63 ft on 12/23/1955

(2) 14.42 ft on 11/21/1950

(3) 14.05 ft on 02/01/1963

(4) 14.00 ft on 01/02/1997

(5) 13.52 ft on 12/31/2005

Show More Historic Crests

Recent Crests

(1) 10.24 ft on 04/07/2018

(2) 11.65 ft on 02/10/2017

(3) 12.45 ft on 01/09/2017

(4) 13.52 ft on 12/31/2005

(5) 14.00 ft on 01/02/1997

Show More Recent Crests

(P): Preliminary values subject to further review.

(P): Preliminary values subject to further review.

Truckee River At Vista (VISN2)

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NOTE: Gauge reading may be affected by ice during freezing weather from November to April.

Padgett ROA - 2143

Flood Stage: 17 Feet Latest Stage: 4.08
Current Warnings/Statements/Advisories: None currently.

Complete information about the Truckee River at Vista available from NWS Reno, NV

Reliability of the Forecast:

Based on current and forecast river, weather and reservoir conditions

NOTE: Forecasts for the Truckee River at Vista are issued routinely year-round.

Flood Categories (in feet)
Major Flood Stage: 21
Moderate Flood Stage: 18.5
Flood Stage: 17
Action Stage: 15
Low Stage (in feet): 0

Historic Crests
(1) 23.46 ft on 02/01/1963
(2) 23.26 ft on 01/02/1997
(3) 22.48 ft on 03/18/1907
(4) 22.00 ft on 02/18/1986
(5) 20.62 ft on 12/31/2005
Show More Historic Crests

Recent Crests
(1) 18.07 ft on 02/10/2017
(2) 15.84 ft on 01/11/2017
(3) 19.63 ft on 01/09/2017
(4) 20.62 ft on 12/31/2005
(5) 23.26 ft on 01/02/1997
Show More Recent Crests

(P): Preliminary values subject to further review.

(P): Preliminary values subject to further review.

Truckee River Near Tracy (TNTN2)

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NOTE: Gauge reading may be affected by ice during freezing weather from November to April.

Flood Stage: 14 Feet Latest Stage: 6.97
Current Warnings/Statements/Advisories: None currently.

Complete information about the Truckee River near Tracy available from NWS Reno, NV

NOTE: Forecasts are not available for the Truckee River near Tracy. Only observed stages are available for this point.

Flood Categories (in feet)
Flood Stage: 14
Action Stage: 13
Low Stage (in feet): 0

Historic Crests
(1) 17.39 ft on 12/31/2005
(2) 13.60 ft on 03/24/1998
(3) 12.05 ft on 05/27/1999
(4) 11.77 ft on 05/19/2005
(5) 10.03 ft on 01/04/2008
Show More Historic Crests

Recent Crests
(1) 10.03 ft on 01/04/2008
(2) 8.50 ft on 02/11/2007
(3) 17.39 ft on 12/31/2005
(4) 11.77 ft on 05/19/2005
(5) 8.72 ft on 03/24/2004
Show More Recent Crests

(P): Preliminary values subject to further review.

(P): Preliminary values subject to further review.

Truckee River Below Derby Dam (TBDN2)

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NOTE: Gauge reading may be affected by ice during freezing weather from November to April.

Flood Stage: 11 Feet Latest Stage: 2.85
Current Warnings/Statements/Advisories: None currently.

Complete information about the Truckee River below Derby Dam available from NWS Reno, NV

NOTE: Forecasts are not available for the Truckee River below Derby Dam. Only observed stages are available for this point.

Flood Categories (in feet)
Flood Stage: 11
Action Stage: 10
Low Stage (in feet): 0

Historic Crests
(1) 14.14 ft on 01/09/2017
(2) 12.37 ft on 02/10/2017

Recent Crests
(1) 12.37 ft on 02/10/2017
(2) 14.14 ft on 01/09/2017

(P): Preliminary values subject to further review.

(P): Preliminary values subject to further review.

Truckee River At Wadsworth (WADN2)

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NOTE: Gauge reading may be affected by ice during freezing weather from November to April.

Flood Stage: 15 Feet Latest Stage: 5.14
Current Warnings/Statements/Advisories: None currently.

Complete information about the Truckee River at Wadsworth available from NWS Reno, NV

Reliability of the Forecast:

Based on current and forecast river, weather and reservoir conditions

NOTE: Forecasts for the Truckee River at Wadsworth are issued routinely year-round.

Flood Categories (in feet)
Major Flood Stage: 19
Moderate Flood Stage: 17
Flood Stage: 15
Action Stage: 13
Low Stage (in feet): 0

Historic Crests
(1) 19.51 ft on 01/03/1997
(2) 18.38 ft on 02/19/1986
(3) 17.33 ft on 12/31/2005
(4) 17.23 ft on 01/09/2017
(5) 15.22 ft on 02/10/2017
[Show More Historic Crests](#)

Recent Crests
(1) 15.22 ft on 02/10/2017
(2) 13.80 ft on 01/11/2017
(3) 17.23 ft on 01/09/2017
(4) 17.33 ft on 12/31/2005
(5) 19.51 ft on 01/03/1997
[Show More Recent Crests](#)

(P): Preliminary values subject to further review.

(P): Preliminary values subject to further review.

Truckee River Near Nixon (NIXN2)

[Return to Top](#)

NOTE: Gauge reading may be affected by ice during freezing weather from November to April.

Flood Stage: 10.5 Feet Latest Stage: 4.02

Current Warnings/Statements/Advisories: None currently.

Complete information about the Truckee River near Nixon available from NWS Reno, NV

NOTE: Forecasts are not available for the Truckee River near Nixon. Only observed stages are available for this point.

Flood Categories (in feet)
Major Flood Stage: 13
Moderate Flood Stage: 11.5
Flood Stage: 10.5
Action Stage: 9
Low Stage (in feet): 0

Historic Crests
(1) 12.78 ft on 01/10/2017
(2) 11.58 ft on 02/11/2017
(3) 10.71 ft on 01/12/2017

Recent Crests
(1) 11.58 ft on 02/11/2017
(2) 10.71 ft on 01/12/2017
(3) 12.78 ft on 01/10/2017

(P): Preliminary values subject to further review.

(P): Preliminary values subject to further review.

Collaborative Agencies

[Collapse](#)

The National Weather Service prepares its forecasts and other services in collaboration with agencies like the US Geological Survey, US Bureau of Reclamation, US Army Corps of Engineers, Natural Resource Conservation Service, National Park Service, ALERT Users Group, Bureau of Indian Affairs, and many state and local emergency managers across the country. For details, please [click here](#).

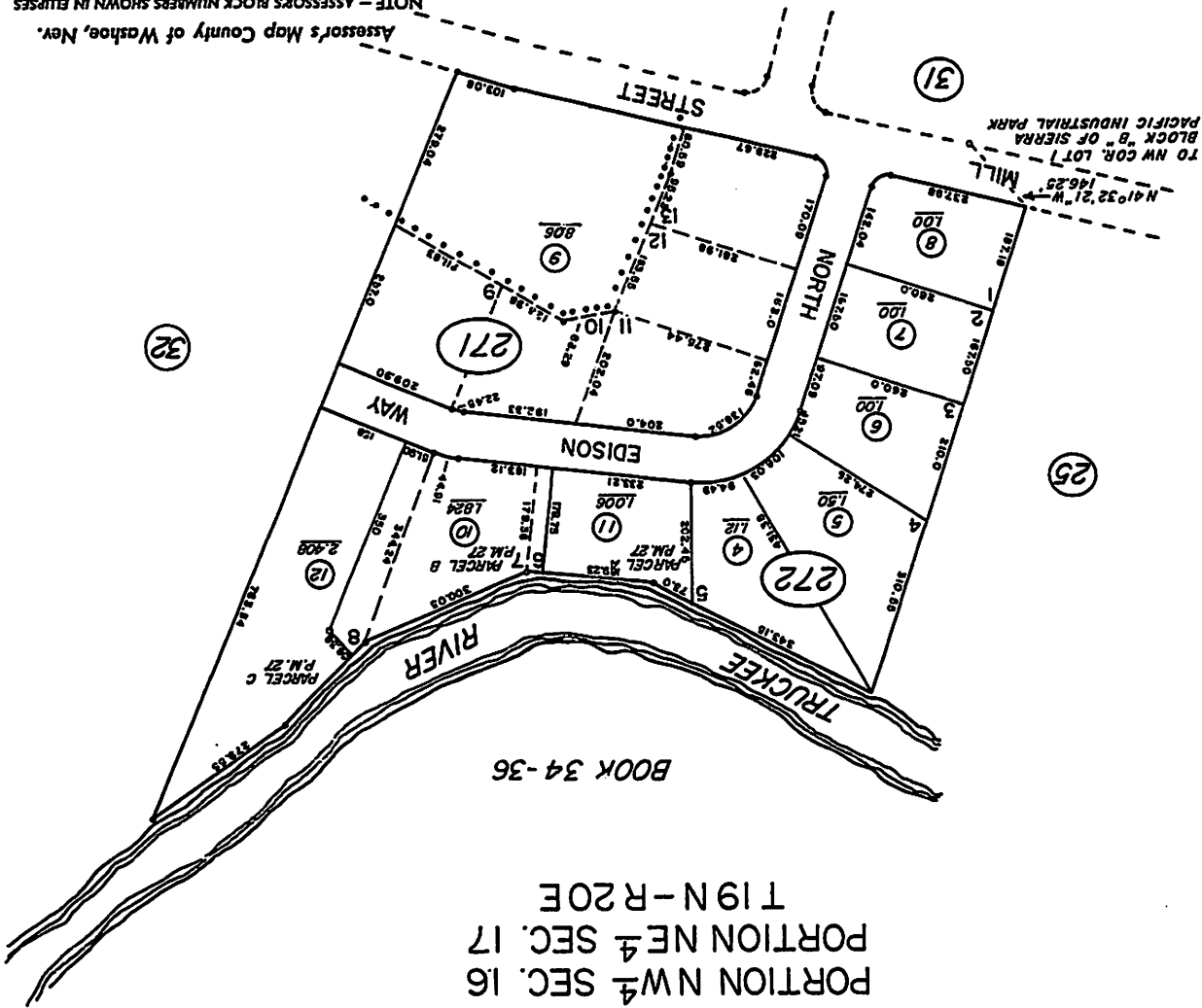
NWS Information

National Weather Service
Reno Weather Forecast Office
2350 Raggio Parkway
Reno, NV 89512-3900
(775) 673-5100
[Ask Questions/Webmaster](#)
Page last modified: 4-Mar-2019 11:27 PM

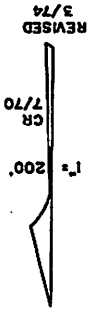
[Disclaimer](#)
[Credits](#)
[Glossary](#)

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[About Us](#)
[Career Opportunities](#)

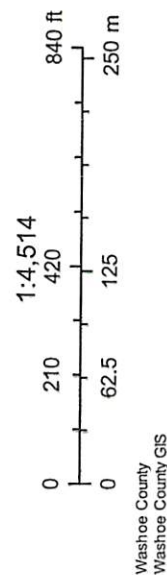
EDISON INDUSTRIAL SUB. 8
 PORTION NW 1/4 SEC. 16
 PORTION NE 1/4 SEC. 17
 T 19 N - R 20 E
 BOOK 34 - 36



Assessor's Map County of Washoe, Nev.
 NOTE - ASSESSOR'S BLOCK NUMBERS SHOWN IN ELLIPSES
 ASSESSOR'S PARCEL NUMBERS SHOWN IN CIRCLES



Difrancesco Property



This information for illustrative purposes only. Not be used for boundary resolution or location and not intended to be used for measurement, calculation, or delineation.

October 8, 2019

APN

Padgett Road - 2147

EXHIBIT 16

EXHIBIT 16

WASHOE COUNTY ASSESSOR PROPERTY DATA

10/7/2019

Owner Information

APN	012-272-10	Card 1 of 1
Situs 1	65 N EDISON WAY	Bld # 1
Owner 1	DIFRANCESCO TRUST, JOHN	TRUST AND ETAL OWNERSHIP
Owner 2 or Trustee	DIFRANCESCO TRUSTEE, JOHN	TRUSTEE
Owner 3 or Trustee	FERON FAMILY TRUST, ROBERT & JACALYN	FAMILY TRUST
Mail Address	PO BOX 7116 RENO NV 89510	

Parcel Info & Legal Description

Keyline Desc	PM 27 LT B		
Subdivision	_UNSPECIFIED		
Lot B Block		Section Township 19 Range 20	
Record of Survey Map : Parcel Map# 27 : Sub Map#			
	Special Property Code		
2019 Tax District	1000	Prior APN	
2018 Tax District	1000	Tax Cap Status	NFM - Use does not qualify for Low Cap, High Cap Applied
	PERMITS	WJ 04/14/2017	

Building Information

XFOB SUBAREA

Bld #1 Situs	65 N EDISON WAY	Property Name	
Quality	C15 Commercial 1.5 (Fair)	Building Type	Industrial Flex Building
Stories	1	2nd Occupancy	
Year Built	1974	WAY	1974
Bedrooms	0	Square Feet	13136
Full Baths	0	Finished Bsmt	0
Half Baths	0	Unfin Bsmt	
Fixtures	0	Basement Type	
Fireplaces	0	Gar Conv Sq Feet	0
Heat Type	SPACE HEATER	Total Garage Area	0
2nd Heat Type	PACKAGE UNIT	Garage Type	
Exterior Walls	CONCRETE, TILT-UP	Detached Garage	0
2nd Ext Walls		Basement Gar Door	0
Roof Cover		Sub Floor	
% Complete	100	Frame	MASONRY BRNG
Obso/Bldg Adj		Units/Bldg	15

Construction Modifier		Units/Parcel	15
-----------------------	--	--------------	----

Land Information

LAND DETAILS

Land Use	400	DOR Code	400	Sewer	Municipal	Neighborhood	NCEU NC Neighborhood Map
Size	79,453 SqFt	Size	1.824 Acres	Street	Paved	Zoning Code	IB
				Water	Muni		

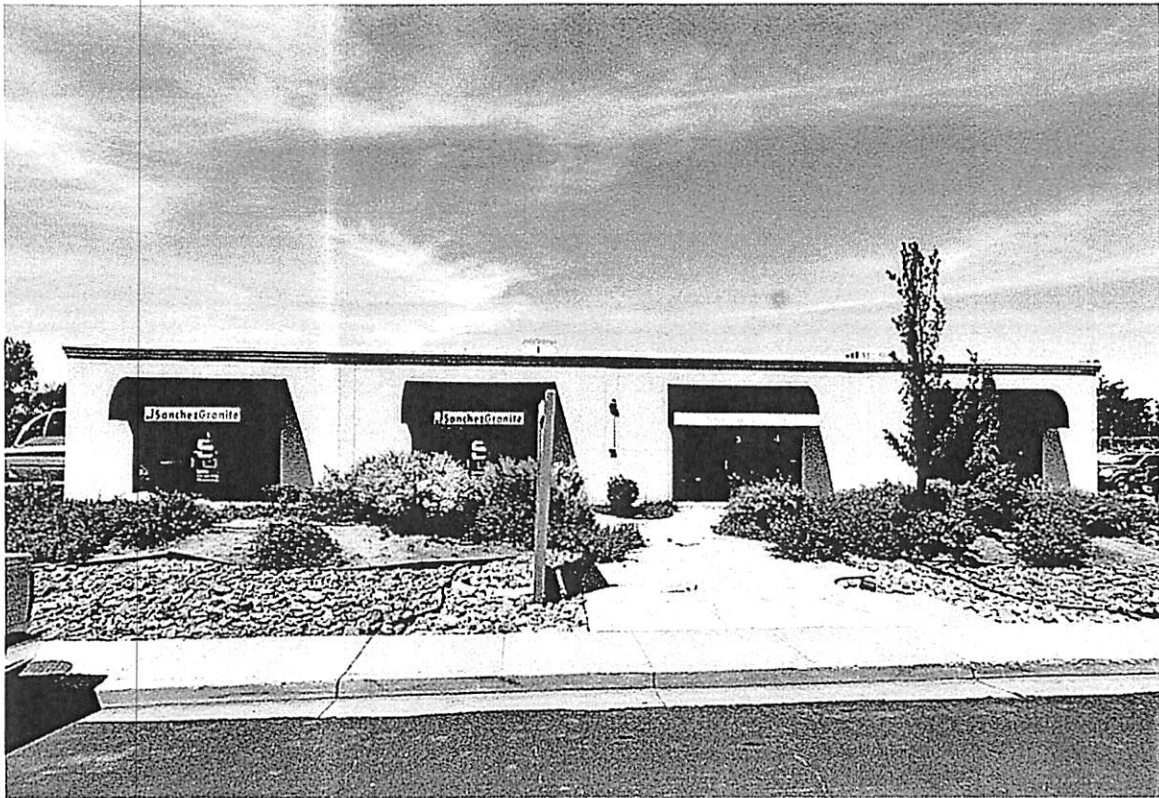
Sales and Transfer Records

RECORDER SEARCH

Grantor	Grantee	Doc #	Doc Type	Doc Date	DOR Code	Value/Sale Price	Sale Code	Note
DIFRANCESCO, JOHN	DIFRANCESCO TRUST, JOHN	3412784	DEED	07-13-2006	400	0	3BGG	
	DIFRANCESCO, JOHN	2090539		04-21-1997		0		
		CHK		12-01-1990	400	2,076,000	2MQC	
		CHK		08-01-1977		551,061		

Valuation Information

	Taxable Land	New Value	Taxable Imps	Tax Cap Value	Taxable Total	Land Assessed	Imps Assessed	OBSO	Total Assessed	Exe Vali
2019/20 FV	278,086	0	232,475	484,731	510,560	97,330	81,366	0	178,696	



012-272-10 05/11/2016

All parcel data on this page is for use by the Washoe County Assessor for assessment purposes only. Zoning information should be verified with the appropriate planning agency. Summary data may not be a complete representation of the parcel. All Parcels are reappraised each year. This is a true and accurate copy of the records of the Washoe County Assessor's Office as of 10-06-2019

WASHOE COUNTY ASSESSOR PROPERTY DATA

10/7/2019

Owner Information

APN	012-272-12	Card 1 of 1
Situs 1	35 N EDISON WAY	Bld # 1
Owner 1	DIFRANCESCO TRUST, JOHN	TRUST AND ETAL OWNERSHIP
Owner 2 or Trustee	DIFRANCESCO TRUSTEE, JOHN	TRUSTEE
Owner 3 or Trustee	FERON FAMILY TRUST, ROBERT & JACALYN	FAMILY TRUST
Mail Address	PO BOX 7116 RENO NV 89510	

Parcel Info & Legal Description

Keyline Desc	PM 27 LT C		
Subdivision	UNSPECIFIED		
Lot C	Block	Section	Township 19 Range 20
Record of Survey Map : Parcel Map# 27 : Sub Map#			
		Special Property Code	
2019 Tax District	1000	Prior APN	
2018 Tax District	1000	Tax Cap Status	NFM - Use does not qualify for Low Cap, High Cap Applied
PERMITS		TAO 06/11/2015	

Building Information

XFOB SUBAREA

Bld #1 Situs	35 N EDISON WAY	Property Name	
Quality	C15 Commercial 1.5 (Fair)	Building Type	Industrial Flex Building
Stories	1	2nd Occupancy	
Year Built	1975	WAY	1975
Bedrooms	0	Square Feet	49296
Full Baths	0	Finished Bsmt	0
Half Baths	0	Unfin Bsmt	
Fixtures	0	Basement Type	
Fireplaces	0	Gar Conv Sq Feet	0
Heat Type	SPACE HEATER	Total Garage Area	0
2nd Heat Type	PACKAGE UNIT	Garage Type	
Exterior Walls	CONCRETE, TILT-UP	Detached Garage	0
2nd Ext Walls		Basement Gar Door	0
Roof Cover		Sub Floor	
% Complete	100	Frame	MASONRY BRNG
Obso/Bldg Adj		Units/Bldg	1

Construction Modifier		Units/Parcel	1
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Land Information

LAND DETAILS

Land Use	500	DOR Code	500	Sewer	Municipal	Neighborhood	NCEUNC Neighborhood Map
Size	104,892.48 SqFt	Size	2.408 Acres	Street	Paved	Zoning Code	IB
				Water	Muni		

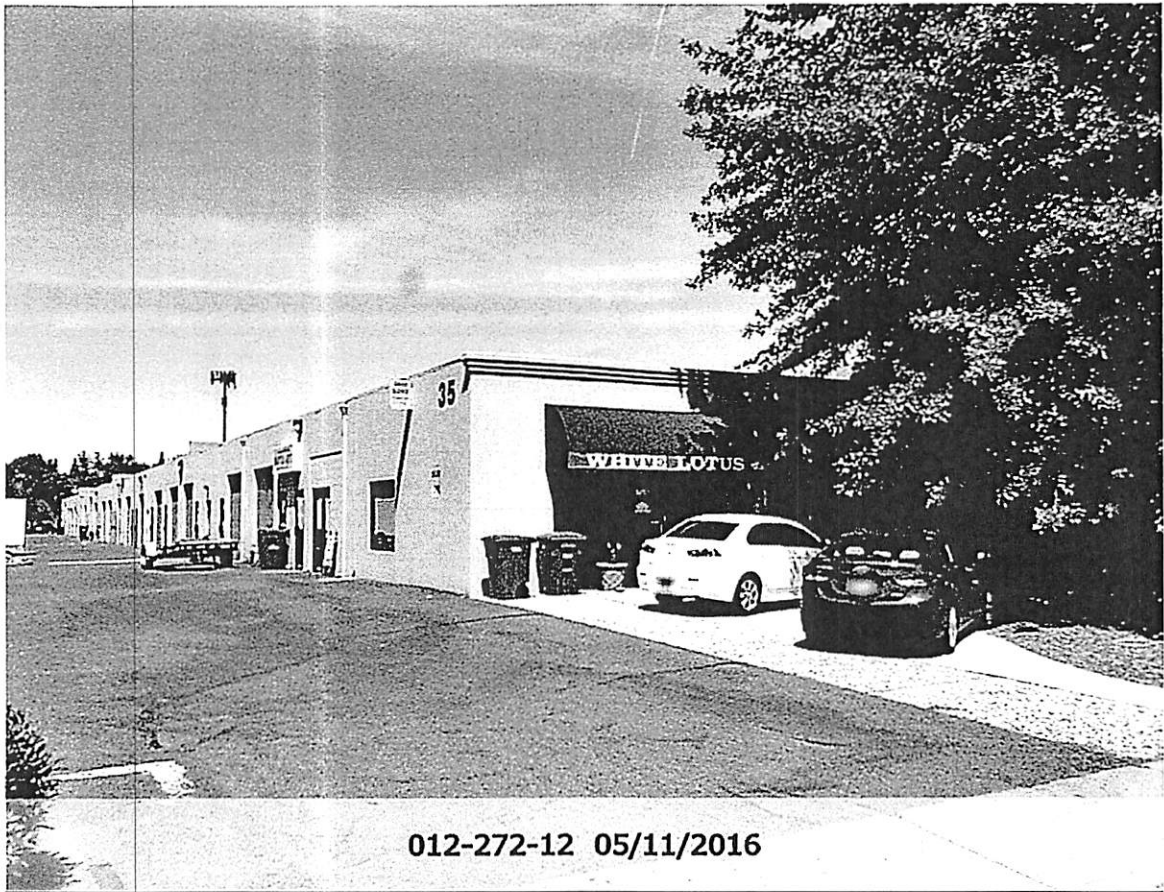
Sales and Transfer Records

RECORDER SEARCH

Grantor	Grantee	Doc #	Doc Type	Doc Date	DOR Code	Value/Sale Price	Sale Code	Note
DIFRANCESCO, JOHN	DIFRANCESCO TRUST, JOHN	3412784	DEED	07-13-2006	500	0	3BGG	
	DIFRANCESCO, JOHN	2090539		04-21-1997		0		
		CHK		12-01-1990	400	2,076,000	2MQC	
		CHK		08-01-1978		786,733		

Valuation Information

	Taxable Land	New Value	Taxable Imps	Tax Cap Value	Taxable Total	Land Assessed	Imps Assessed	OBSO	Total Assessed	Exe Vali
2019/20 FV	367,122	0	714,930	1,082,052	1,082,051	128,492	250,225	0	378,718	



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Date	Record Number	Record Type
4/17/2018	BLD18-08368	Building/Commercial/Telecommunications Equipment/NA
10/18/2017	BLD18-03337	Building/Commercial/Plumbing/NA
10/13/2017	BLD18-03207	Building/Commercial/Remodel & Addition/NA
9/29/2017	BLD18-02768	Building/Commercial/Fire/Alarm
8/21/2017	BLD18-01564	Building/Commercial/Roofing/NA
7/13/2017	BLD18-00363	Building/Commercial/Structure Damage/Structure Damage Repair
6/6/2017	BLD17-08454	Building/Commercial/Structure Damage/Structure Damage Repair
3/23/2017	BLD17-06199	Building/Commercial/Structure Damage/Structure Damage Repair
3/20/2017	BLD17-06081	Building/Commercial/Structure Damage/Structure Damage Repair
3/8/2017	BLD17-05778	Building/Commercial/Structure Damage/Structure Damage Demo
3/8/2017	BLD17-05781	Building/Commercial/Structure Damage/Structure Damage Demo
1/12/2017	BLD17-04665	Building/Commercial/Remodel & Addition/NA

Project Name	Address	Status	Agency
	35 N EDISON WAY RENO NV 89502	Active/Permit Issued	RENO
MULTIPLE (3)	35 N EDISON WAY RENO NV 89502	Active/Permit Issued	RENO
	65 N EDISON WAY RENO NV 89502	Active/Permit Issued	RENO
	35 N EDISON WAY RENO NV 89502	Active/Permit Issued	RENO
	35 N EDISON WAY NV 89502	Active/Permit Issued	RENO
	35 N EDISON WAY RENO NV 89502	Active/Permit Issued	RENO
	35 N EDISON WAY 3,4,5 RENO NV 89502	Active/Permit Issued	RENO
	65 N EDISON WAY 3,4,5 RENO NV 89502	Closed	RENO
	35 N EDISON WAY 3, 4, 5 RENO NV 89502	Closed	RENO
	65 N EDISON WAY 3,4, 5 RENO NV 89502	Closed	RENO
2 SET	35 N EDISON WAY RENO NV 89502	Active/Permit Issued	RENO

Description

MANOMETER.REPAIR GAS LEAK -HI PRESSURE AND MANOMETER LINE TO SATISFY NV ENERC
REMODEL.CUT 12FTX10FT HOLE INSTALL NEW GARAGE DOOR.

FIRE ALARM SYSTEM.REPLACE FAILED FACP.

RE-ROOF.RE-ROOF SPRAY FOAM ROOF APPLICATION.

WATER DAMAGE REPAIR.REPLACING FLOOD CUTS OF SHEET ROCK REMOVED WITH BLD17-0

WATER DAMAGE REPAIR.DEMO FLOOD CUTS OF 4' HIGH OF WATER DAMAGED DRYWALL AN

WATER DAMAGE REPAIR.REPLACE SHEETROCK REMOVED TO CORRECT WATER DAMAGE, RE

WATER DAMAGE REPAIR.PUT BACK SHEETROCK 4FT CUTS 5/8. WATER DAMAGE.

WATER DAMAGE DEMO.DEMO DRYWALL 4' UP.

WATER DAMAGE DEMO.DEMO DRY WALL 4' UP.

REMODEL.INSTALL 8' X 8' OPENING IN TWO SUITES BETWEEN STEs 11 & 12 AND STEs 21 & 2:

Expiration Date

Short Notes

5Y HAZ NOTICE

DIFRANCESCO TRUST

DIFRANCESCO

DIFRANCESCO TRUST

DIFRANCESCO

DIFRANCESCO TRUST

DIFRANCESCO TRUST

8454

JD REPLACE AFTER INSPECTION

ACCELLENCE

PLACE CARPET, REPAIR DOORS AS NEEDEDDEMO WITH BLD17-05778

DIFRANCESCO

ACCELLENCE

POSTAL WORNER UNION

2; FRAMING AND DRYWALL

DIFRANCESCO TRUSTEE

Show

Download results

<u>Date</u>	<u>Record Number</u>	<u>Record Type</u>	<u>Project Name</u>
10/18/2017	<u>BLD18-03337</u>	Building/Commercial/Plumbing/NA	
10/13/2017	<u>BLD18-03207</u>	Building/Commercial/Remodel & Addition/NA	MULTIPLE (3)
9/29/2017	<u>BLD18-02768</u>	Building/Commercial/Fire/Alarm	
8/21/2017	<u>BLD18-01564</u>	Building/Commercial/Roofing/NA	
7/13/2017	<u>BLD18-00363</u>	Building/Commercial/Structure Damage/Structure Damage Repair	
6/6/2017	<u>BLD17-08454</u>	Building/Commercial/Structure Damage/Structure Damage Repair	
3/23/2017	<u>BLD17-06199</u>	Building/Commercial/Structure Damage/Structure Damage Repair	
3/20/2017	<u>BLD17-06081</u>	Building/Commercial/Structure Damage/Structure Damage Repair	
3/8/2017	<u>BLD17-05778</u>	Building/Commercial/Structure Damage/Structure Damage Demo	
3/8/2017	<u>BLD17-05781</u>	Building/Commercial/Structure Damage/Structure Damage Demo	

┌

1/12/2017

BLD17-04665

Building/Commercial/Remodel &
Addition/NA

2 SET

<u>Address</u>	<u>Status</u>	<u>Action</u>	<u>Agency</u>	<u>Description</u>
35 N EDISON WAY RENO NV 89502	Active/Permit Issued		RENO	MANOMETER. REPAIR GAS LEAK - HI PRESSURE AND MANOMETER LINE TO SATISFY NV ENERGY HAZ NOTICE
35 N EDISON WAY RENO NV 89502	Active/Permit Issued		RENO	REMODEL. CUT 12FTX10FT HOLE INSTALL NEW GARAGE DOOR.
65 N EDISON WAY RENO NV 89502	Active/Permit Issued		RENO	FIRE ALARM SYSTEM. REPLACE FAILED FACP.
35 N EDISON WAY RENO NV 89502	Active/Permit Issued		RENO	RE-ROOF. RE-ROOF SRAY FOAM ROOF APPLICATION.
35 N EDISON WAY NV 89502	Active/Permit Issued		RENO	WATER DAMAGE REPAIR. REPLACING FLOOD CUTS OF SHEET ROCK REMOVED WITH BLD17-08454
35 N EDISON WAY RENO NV 89502	Active/Permit Issued		RENO	WATER DAMAGE REPAIR. DEMO FLOOD CUTS OF 4' HIGH OF WATER DAMAGED DRYWALL AND REPLACE AFTER INSPECTION
35 N EDISON WAY 3,4,5 RENO NV 89502	Active/Permit Issued		RENO	WATER DAMAGE REPAIR. REPLACE SHEETROCK REMOVED TO CORRECT WATER DAMAGE, REPLACE CARPET, REPAIR DOORS AS NEEDED DEMO WITH BLD17- 05778
65 N EDISON WAY 3,4,5 RENO NV 89502	Closed		RENO	WATER DAMAGE REPAIR. PUT BACK SHEETROCK 4FT CUTS 5/8. WATER DAMAGE.
35 N EDISON WAY 3, 4, 5 RENO NV 89502	Closed		RENO	WATER DAMAGE DEMO. DEMO DRYWALL 4' UP.
65 N EDISON WAY 3,4, 5 RENO NV 89502	Closed		RENO	WATER DAMAGE DEMO. DEMO DRY WALL 4' UP.

35 N EDISON WAY
RENO NV 89502

Active/Permit Issued

RENO

REMODEL. INSTALL 8' X 8'
OPENING IN TWO SUITES
BETWEEN STEs 11 & 12 AND STEs
21 & 22; FRAMING AND DRYWALL

<u>Expiration</u>	<u>Short Notes</u>
<u>Date</u>	

DIFRANCESCO
TRUST

DIFRANCESCO

DIFRANCESCO
TRUST

DIFRANCESCO

DIFRANCESCO
TRUST

DIFRANCESCO
TRUST

ACCELLENCE

DIFRANCESCO

ACCELLENCE

POSTAL
WORNER
UNION

DIFRANCESCO
TRUSTEE

EXHIBIT 17

EXHIBIT 17

9:58 AM

08/07/19

Accrual Basis

Law Offices of Brian C. Padgett Find Report

January 2013 through December 2018

Type	Date	Num	Name	Memo	Account	Clr	Split	Amount	Balance
Jan '13 - Dec 18									
Check	12/28/2018	1564	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-6,272.68	-6,272.68
Check	12/14/2018	1533	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-6,228.23	-12,500.91
Check	11/30/2018	1498	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-5,769.23	-18,270.14
Check	11/30/2018	1529	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-33,262.86	-51,533.00
Check	11/22/2018	1491	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-16,631.43	-68,164.43
Check	11/21/2018	1490	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-16,631.43	-84,795.86
Check	11/20/2018	1489	ACE LEGAL CORP.	VOID: Indepe...	LOBCP/BOA-7178	X	Independent C...	0.00	-84,795.86
Check	11/16/2018	1488	ACE LEGAL CORP.	VOID: Indepe...	LOBCP/BOA-7178	X	Independent C...	0.00	-84,795.86
Check	11/02/2018	1480	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-6,261.23	-91,057.09
Check	10/24/2018	1443	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-18,944.46	-110,001.55
Check	10/05/2018	1413	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-13,069.44	-123,070.99
Check	09/21/2018	ACH	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-6,273.50	-129,344.49
Check	09/07/2018	1377	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-11,904.42	-141,248.91
Check	08/24/2018	1356	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-5,883.46	-147,132.37
Check	08/10/2018	1325	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-5,819.23	-152,951.60
Check	07/27/2018	1307	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-5,992.46	-158,944.06
Check	07/13/2018	1271	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-5,844.90	-164,788.96
Check	06/29/2018	1245	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-6,464.06	-171,253.02
Check	06/28/2018	1265	ACE LEGAL CORP.	RE: SANCHEZ	LOBCP/BOA-7178		LOBCP/indepe...	-44,463.00	-215,716.02
Check	06/15/2018	1218	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-5,993.71	-221,709.73
Check	06/01/2018	1198	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		Independent C...	-6,140.25	-227,849.98
Check	05/18/2018	ACH	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-7,021.58	-234,871.56
Check	05/04/2018	ACH	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-6,959.08	-241,830.64
Check	04/20/2018	ACH	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-6,288.89	-248,119.53
Check	04/06/2018	ACH	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-13,040.19	-261,159.72
Check	03/23/2018	ACH	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-10,322.21	-271,481.93
Check	03/09/2018	ACH	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-9,597.01	-281,078.94
Check	02/23/2018	ACH	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-6,179.98	-287,258.92
Check	02/09/2018	ACH	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-5,769.23	-293,028.15
Check	01/26/2018	ACH	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-5,997.23	-299,025.38
Check	01/12/2018	9278	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-5,901.36	-304,926.74
Check	12/29/2017	9262	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-6,122.14	-311,048.88
Check	12/13/2017	9234	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-6,003.96	-317,052.84
Check	12/01/2017	9224	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-5,821.43	-322,874.27
Check	11/17/2017	9210	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-5,769.23	-328,643.50
Check	11/03/2017	9196	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-5,962.08	-334,605.58
Check	10/26/2017	9192	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-23,612.75	-358,218.33
Check	10/20/2017	9169	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-5,884.29	-364,102.62
Check	10/06/2017	9153	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-5,835.43	-369,938.05
Check	09/22/2017	9116	ACE LEGAL CORP.	VOID: Indepe...	City National Checki...	X	Independent C...	0.00	-369,938.05
Check	09/21/2017	9131	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,942.19	-375,880.24
Check	09/08/2017	9096	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-5,769.23	-381,649.47
Check	08/25/2017	9089	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,947.14	-387,596.61
Check	08/18/2017	9088	ACE LEGAL CORP.	RE: O'ROURKE	City National Checki...		Independent C...	-37,500.00	-425,096.61
Check	08/11/2017	9065	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-5,842.66	-430,939.27
Check	08/09/2017	9064	ACE LEGAL CORP.	RE: Ferris	City National Checki...		LOBCP/indepe...	-4,132.62	-435,071.89
Check	07/28/2017	ACH	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-5,842.66	-440,914.55
Check	07/14/2017	9047	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-5,879.90	-446,794.45
Check	07/05/2017	9045	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-3,668.46	-450,462.91
Check	06/30/2017	9035	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-6,049.98	-456,512.89
Check	06/16/2017	9025	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,892.61	-462,405.50
Check	06/02/2017	9007	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,812.77	-468,218.27
Check	05/26/2017	9004	ACE LEGAL CORP.	RE: Roberts	City National Checki...		Independent C...	-9,995.00	-478,213.27
Check	05/19/2017	9000	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,769.23	-483,982.50
Check	05/05/2017	8975	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,919.48	-489,901.98
Check	04/21/2017	8947	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,870.77	-495,772.75
Check	04/07/2017	8942	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-6,091.07	-501,863.82
Check	03/24/2017	8918	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,769.23	-507,633.05
Check	03/10/2017	ACH	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-6,302.94	-513,935.99
Check	02/23/2017	8886	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,834.31	-519,770.30
Check	02/10/2017	ACH	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-6,164.38	-525,934.68
Check	01/31/2017	ACH	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,828.30	-531,762.98
Check	01/18/2017	8776	ACE LEGAL CORP.	RE: HQ Metro	City National Checki...		LOBCP/indepe...	-4,432.58	-536,195.56
Check	01/13/2017	8838	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-8,096.47	-544,292.03
Check	12/29/2016	8781	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,635.70	-549,927.73
Check	12/16/2016	8703	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-6,574.09	-556,501.82
Check	12/02/2016	8655	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,642.91	-562,144.73
Check	11/18/2016	8597	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,745.65	-567,890.38
Check	11/04/2016	8548	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-10,638.72	-578,529.10
Check	10/21/2016	8538	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-7,523.82	-586,052.92
Check	10/07/2016	8488	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,672.84	-591,725.76
Check	09/23/2016	8418	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,615.32	-597,341.08
Check	09/09/2016	8328	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,574.09	-602,915.17
Check	08/26/2016	8305	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,589.06	-608,504.23
Check	08/12/2016	8298	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,574.09	-614,078.32
Check	07/29/2016	8264	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,574.09	-619,652.41
Check	07/15/2016	8240	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,574.09	-625,226.50
Check	07/01/2016	8231	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,574.09	-630,800.59
Check	06/17/2016	8214	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,574.09	-636,374.68
Check	06/03/2016	8197	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-5,690.66	-642,065.34
Check	05/20/2016	8181	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,660.09	-647,725.43
Check	05/06/2016	8150	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-5,468.95	-653,194.38
Check	04/22/2016	8137	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-5,769.23	-658,963.61
Check	04/08/2016	8109	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,861.12	-664,824.73
Check	03/25/2016	8075	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-5,834.12	-670,658.85
Check	03/11/2016	8056	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-5,931.18	-676,590.03
Check	02/25/2016	8029	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,769.23	-682,359.26
Check	02/12/2016	7996	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-5,794.65	-688,153.91
Check	01/28/2016	7962	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-5,769.23	-693,923.14
Check	01/15/2016	7928	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,787.86	-699,711.00

9:58 AM

08/07/19

Accrual Basis

Law Offices of Brian C. Padgett Find Report

January 2013 through December 2018

Type	Date	Num	Name	Memo	Account	Clr	Split	Amount	Balance
Check	12/30/2015	7911	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,769.23	-705,480.23
Check	12/18/2015	7905	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,769.23	-711,249.46
Check	12/04/2015	7871	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,769.23	-717,018.69
Check	11/20/2015	7857	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,921.56	-722,940.25
Check	11/06/2015	7853	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,769.23	-728,709.48
Check	10/23/2015	7808	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,921.56	-734,631.04
Check	10/06/2015	7806	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,769.23	-740,400.27
Check	09/28/2015	7793	ACE LEGAL CORP.	Reimbursement	City National Checki...		Office Supplies	-639.00	-741,039.27
Check	09/25/2015	7789	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,769.23	-746,808.50
Check	09/11/2015	7752	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-6,984.79	-753,793.29
Check	08/28/2015	7731	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,769.23	-759,562.52
Check	08/07/2015	7699	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,769.23	-765,331.75
Check	07/31/2015	7682	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-5,790.10	-771,121.85
Check	07/20/2015	7650	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-5,898.49	-777,020.34
Check	07/06/2015	7630	ACE LEGAL CORP.	VOID: Indepe...	City National Checki...	X	Independent C...		-777,020.34
Check	07/06/2015	7632	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-9,538.46	-786,558.80
Check	06/18/2015	7613	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-788,558.80
Check	06/05/2015	7584	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-10,786.61	-799,345.41
Check	05/09/2015	7550	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-801,345.41
Check	04/24/2015	7530	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-10,322.50	-811,667.91
Check	04/17/2015	7489	ACE LEGAL CORP.	Robarts, Bohlen	City National Checki...		Independent C...	-248.18	-811,916.09
Check	04/09/2015	7441	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-813,916.09
Check	03/26/2015	7421	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-7,825.00	-821,741.09
Check	03/12/2015	7400	ACE LEGAL CORP.	Reimburseme...	City National Checki...		Independent C...	-383.06	-822,124.15
Check	03/12/2015	7403	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-824,124.15
Check	02/27/2015	7381	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-8,575.00	-832,699.15
Check	02/12/2015	7358	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-834,699.15
Check	01/29/2015	7337	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-6,887.50	-841,586.65
Check	01/13/2015	7318	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-9,132.20	-850,718.85
Check	01/05/2015	7297	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-2,000.00	-852,718.85
Check	12/04/2014	7262	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-854,718.85
Check	11/25/2014	7259	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,837.50	-860,556.35
Check	11/07/2014	7220	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-862,556.35
Check	11/07/2014	7221	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-3,947.50	-866,503.85
Check	10/07/2014	7183	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-868,503.85
Check	10/03/2014	7171	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,590.00	-874,093.85
Check	09/12/2014	7323	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-3,131.31	-877,225.16
Check	08/28/2014	7104	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,722.29	-882,947.45
Check	08/03/2014	7322	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-9,771.96	-892,719.41
Check	07/18/2014	7050	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-894,719.41
Check	07/03/2014	6954	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-4,772.50	-899,491.91
Check	06/05/2014	6905	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-901,491.91
Check	05/29/2014	6900	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-9,917.50	-911,409.41
Check	05/08/2014	7321	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-2,375.00	-913,784.41
Check	04/30/2014	6851	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-8,605.00	-922,389.41
Check	04/11/2014	6809	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-924,389.41
Check	03/28/2014	6799	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-8,635.00	-933,024.41
Check	03/14/2014	3759	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-935,024.41
Check	02/27/2014	3741	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-7,652.50	-942,676.91
Check	02/14/2014	3712	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-944,676.91
Check	01/29/2014	3693	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-7,757.50	-952,434.41
Check	01/17/2014	7320	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-2,254.80	-954,689.21
Check	01/03/2014	7319	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-7,180.24	-961,869.45
Check	12/05/2013	3608	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-963,869.45
Check	12/04/2013	3588	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-7,187.50	-971,056.95
Check	11/08/2013	3534	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-2,000.00	-973,056.95
Check	10/29/2013	3519	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-9,091.00	-982,147.95
Check	10/11/2013	3475	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-2,015.99	-984,163.94
Check	10/01/2013	3467	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-9,735.50	-993,899.44
Check	09/12/2013	3432	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-995,899.44
Check	08/29/2013	3407	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-8,397.56	-1,004,297.00
Check	08/15/2013	3383	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-2,603.80	-1,006,900.80
Check	07/31/2013	3338	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-2,642.50	-1,009,543.30
Check	07/01/2013	3294	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-2,000.00	-1,011,543.30
Check	06/28/2013	3276	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,125.00	-1,016,668.30
Check	06/07/2013	3255	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-1,018,668.30
Check	05/29/2013	3225	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,702.50	-1,024,370.80
Check	05/06/2013	3206	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-1,026,370.80
Check	04/23/2013	3166	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-1,990.00	-1,028,360.80
Check	04/08/2013	3160	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-1,030,360.80
Check	03/14/2013	3112	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-1,032,360.80
Check	02/28/2013	3074	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-3,167.50	-1,035,528.30
Check	02/14/2013	3054	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-1,037,528.30
Check	02/01/2013	3012	ACE LEGAL CORP.	INDEPENDEN...	City National Checki...		Independent C...	-2,317.50	-1,039,845.80
								-1,039,845.80	-1,039,845.80

Jan '13 - Dec 18



 - paid Twice
 - paid 1^{time}
 - paid 1^{time}

2018

January						
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2017

January

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March

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April

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June

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July

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August

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September

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October

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November

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December

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2016

January							February							March							April						
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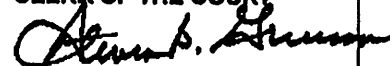
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EXHIBIT 18

EXHIBIT 18

HOLLEY DRIGGS
WALCH FINE PUZEY STEIN THOMPSON



NOTC
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JOHN J. SAVAGE, ESQ.
Nevada Bar No. 11455
E-mail: jsavage@nevadafirm.com
HOLLEY DRIGGS WALCH
FINE PUZEY STEIN & THOMPSON
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Las Vegas, Nevada 89101
Telephone: 702/791-0308
Facsimile: 702/791-1912

Attorneys for Dotan Y. Melech, Receiver

DISTRICT COURT
CLARK COUNTY, NEVADA

ACE LEGAL CORP, a Nevada corporation,

Plaintiff,

v.

BRIAN C. PADGETT, an individual,

Defendant.

Case No.: A-19-798940-C
Dept. No.: 18

AMENDED NOTICE OF APPOINTMENT OF RECEIVER IN
EIGHTH JUDICIAL DISTRICT COURT CASE NO. A-17-755479-C

TO THE HONORABLE COURT, ALL PARTIES AND THEIR COUNSEL OF RECORD

Please take notice that on the 10th day of July 2019, an Order Appointing Receiver ("Receiver Order") over CWNevada, LLC ("CWNEVADA") was entered in Department 32 of the Eighth Judicial District Court in case A-17-755479-C. The Receiver Order provides all pending court actions and litigation activity brought by or against CWNEVADA shall be stayed during the Receiver's appointment.

Section 19 of the Receiver Order provides, in pertinent part, the following:

All pending or potential court actions and litigation or other adversarial action brought by or against CWNevada shall be stayed from entry of this Order, unless the Court, upon a motion brought by the Receiver or other interested party (providing notice and an opportunity for interested parties to be heard) orders the stay lifted, extended, or otherwise modified upon a showing of good cause (the "Litigation Stay"). Pursuant to the Litigation Stay...(iv) **no individual or entity**

1 may sue the Receiver or bring an action with respect to the Receivership Estate
2 without first obtaining the permission of this Court...”

3 A copy of the Effective Receiver Order is attached hereto as Exhibit “1”.

4 Dated this 30th day of September 2019.

5 **HOLLEY DRIGGS WALCH**
6 **FINE PUZEY STEIN & THOMPSON**

7 /s/ John J. Savage

8 RICHARD F. HOLLEY, ESQ.

9 Nevada Bar No. 3077

10 JOHN J. SAVAGE, ESQ.

11 Nevada Bar No. 11455

12 400 South Fourth Street, Third Floor

13 Las Vegas, Nevada 89101

14 *Attorneys for Dotan Y. Melech, Receiver*

EXHIBIT 19

EXHIBIT 19

Las Vegas lists all medical marijuana applicants

By JANE ANN MORRISON LAS VEGAS REVIEW-JOURNAL

July 28, 2014 - 6:24 pm



Don't miss the big stories. Like us on Facebook.

Like 210K

The full list of applicants hoping to win approval to open medical marijuana establishments within the City of Las Vegas is listed below. The address is the site they plan to use. Some have filed for multiple dispensary sites and some are seeking a dispensary, a cultivation site and a production site.

DISPENSARIES

Medmen, 2908 S. Highland Dr. Members Carrie Richardson, Cary Richardson, David Thomas, Tanisha Patterson, James Green, Barbara Allen, Dawn McAuliffe, Adam Bierman, George Bochanis, Glenda White and Ted Green. Managing members Kathy Gillespie, Dominick Prudenti and Andrew Modlin. CEO Duke Fu.

Acres Medical LLC, 2320 Western Ave. CEO Michael Morton, vice presidents Jenna Morton, Paris Balaouras and Matthew Kavanaugh, and CFO John Mueller.

Nevada Wellness Center LLC, 3200 S. Valley View Blvd. Managers Frank Hawkins and Andre Rhodes and member Luther Mack.

MMJ America, 900 S. 4th St. Members Bruce Herischfeld, Elaine Sanchez, Luis Felipe Valera, Padgett ROA - 2178

Otto Merida, Richard Perkins, Kelly Sullivan, Scott Sibley, Richard Crighton, Ryan Welch and Chris Shelton.

Desert Aire of Las Vegas, 420 E Sahara Ave. Owner Michael Sudekamp and managers Brenda Gunsallus, Susan Lera, Paula Newman, Stacey Nunn and Darlene Davis.

Compassionate Care of Las Vegas, 2601 Highland Dr. Manager/member Shahrom Paul Mashouf, members Margareth Mashouf, Daniel Simon and Francine Sanchez.

Natural Medicine LLC, 2411 Western Ave. Managers Ze'ev Yacobovsky, Elad Yerushalmi and Donald Forman Jr. Members Olive Branch Consulting, Lili Enterprises LLC, Mordechai Yerushalmi, and DF Investment LLC.

Boulevard Medical LLC, 1600 Las Vegas Blvd., suite 150 and 160. Managing member Mark James, CEO D. Neal Tomlison, COO Douglas Kuperman, GM Craig O'Loughlin, assistant GM, Darci Buswell.

Commerce Park Medical, 1112 S. Commerce St. Owners Phillip Peckman, Edward Findlay and Julie Murray.

Premium Produce City LLC, 215 N. Third St. Managers/members Priscilla Vilchis, Stephen Silverman, Sharon Poon. members Paul Nowak, Courtney Hunt, Michael Spriggs and Peter Maheu.

Premium Produce City LLC, 707 N. Main St. Managers/members Priscilla Vilchis, Stephen

Silverman, Sharon Poon. Members Paul Nowak, Courtney Hunt, Michael Spriggs and Peter Maheu.

GB Sciences, 921 Las Vegas Blvd., suite 100. Managing members James Hammer, John Beuchat, James Meservey, Michael Viellion, Craig Ellins, manager Steve Weldon and officer Andrea Small-Howard.

GB Sciences, 1040 S. Rainbow Blvd., suite 102. Managing members James Hammer, John Beuchat, James Meservey, Michael Viellion, Craig Ellins, manager Steve Weldon and officer Andrea Small-Howard.

Diversified Modalities Retail LTD, 5350 W Charleston Blvd. Managers Vuu Luu, David Snipper, Stephen Dubin, owners Robert Bien, Anh Ngo, Kevin Trinh and Jerome Washington.

Cannabis Renaissance, 2706 S Highland Dr. Managing members Mohit Asnani, Jay Jacobs, Pradipkumar Patel, Sheraz Warraich, Hiram Sedano and Matthey Neely.

Qualcan of Las Vegas, 546 N Eastern Ave., suite 155-160. Managing members Lorenzo Barracco, Anthony DeCarla, member Daniel Perla.

GreenMart of Nevada LLC, 721 N. Rancho Dr. Managing members Joel Laub and Elizabeth Staviola and member Christine Flores.

GreenMart of Nevada Charleston LLC, 1925 W Charleston Blvd. Managing members Joel Laub and Elizabeth Staviola, members John DiBella and Christine Flores.

GreenMart of Nevada LLC, 1512 S. Main St. Managing members Joel Laub and Elizabeth Staviola, member Christine Flores.

Nevada Wellness Project, 823 South Third St. Managing members Ted Loh, James Vanas and David Cohen, member James Slatic.

Naturex, 1860 Western Ave. General manager Robert Frey, managing member Michael Frey, member Brian Kessler and assistant manager Kyle Wyloge.

Green Leaf Medical LLC, 3190 W Sahara Ave. CEO Mark Bradley, vice president Michael Berk, CMO Dr. Andrew Jones, chief security officer Steven Rybar, chief compliance officer Mark Terbeek, director Kathryn Peterson and vice chief security officer Joel Logan.

Las Vegas Releaf, 2242-2246 Paradise Road. CEO/COO Edward Bernstein, operations manager Alfred Fasano, CFO Frank Gard Jameson, CMO Florence Jameston, members Ross Goodman, Dipti Shah, Thomas Boeckle and Philip Boeckle.

Serenity Wellness Center, 1800 S Industrial Road Suite 102. Executive director Todd Swanson, director of operations Debra Freeman, director of finance Benjamin Sillitoe and director of legal affairs Gary Schnitzer.

Physis One, 231 W. Charleston Blvd., suites 110 and 120. Sole members MS One LLC, Altern8 LLC. Stephen Yoken, Battle Born NV LLC, Binker LLC, and Quequechan LLC, manager Michael Stein, and member/managers Omar Nagy, M. Nafees Nagy, Stephen Yoken and Tina

Eschweller.

Red Rock Wellness LLC, 604 N. Main St. Members Etrica Jo Justis, Kerry Simon, John Williams, Ariel Farah, James Campos, Michael Politz, Guadalupe McNulty, Cecilia Strieber, Rahmeen Farudi, Cyrus Farudi, Andrew Berman and manager Sohrob Farudi.

TopPharm LLC, 7580 W. Sahara Ave. Managing member Anthony DeLuca.

TopPharm LLC, 1615 Las Vegas Blvd. Managing member Anthony DeLuca.

Buffalo Center Medical Advocates, 1591 N. Buffalo Dr., suite 130. Owners Amy Hooks, Robert Hasman, Mark Kanter, Peter Rozok and Susan Paulson Rozok.

NuVeda, 1320 S. Third St. CEO Pejman, COO Shane Terry, CMO Pouya Mohajer, general counsel Jennifer Goldstein, CFO Joseph Kennedy and senior security advisors John Penders and Ryan Winmill.

Blossum Group LLC, 810 S. Fourth St. Member managers Bahram Danesh and Kaivan Kermani. Members Andrew Hagopian, Bobby Williams and Bryan Gonzales.

Great Basin Care, 2307 S. Las Vegas Blvd. Owners Unified, LLC; KHOD Holdings, LLC; and CC Nevada, LLC. Managers are Camille Ruvo, Armen Yemenidjian and Micheal Abbot.

Samantha's Remedies, 3500 W. Sahara Ave., President/director Erminia Drobkin.
Secretary/treasurer and director Bill Drobkin.

Primo Dispensary, 3120 S Valley View Blvd., suite B. Director Paul Andres, secretary/treasurer/director Mark Destephano and president director T.J. Jesky.

Encanto Green Cross, 5310 W. Sahara Ave., suite B. President Nicholas Kriaris, vice president Christopher Kriaris, treasurer Tammy Nguyen and secretary Taryn Nguyen.

Green Light, 815 S 3rd St. President Yasaman Temraz.

Natural Apothecary LLC, 5801 W Craig Road, suite 110. Members John Carnesale, Bryan Williams, Henry Lichtenberger and Barry Lindermann.

Welleaf, 1800 Western Ave. Members Allen Puliz, Amy Sugden, Steven Rosen, David Thomas and Danny Thomas.

Herbal Choice Inc., 5243 W. Charleston Blvd. Owners Noel Pontell, Nadine Morton, Kenneth Green, Raymond Flynn, and Francis Abrao.

NuLeaf CLV Dispensary, 4500 W Charleston Blvd. CEOs Timothy Schick and Sean Luse, CPO Etienne Fontan, CFO Benjamin Sabouri, development director Kenneth Kuykendall, investors Jeff and Paulette Carpoff and Michael Paglia.

Blum LV, 1921 Western Ave. Owners Terra Tech Corp., Camden Goorjian, Richard Vonfeldt, manager/CFO Derek Peterson. Directors Martin Kaufman, Michael Betts. President Salwa Ibrahim, COO Ken Vande Vrede, CFO Michael James, directors Mike Nahass, Steven Ross, Mike Vande Vrede and Steve Vande Vrede, treasurer Amy Oppedisano.

Releaf Retail LLC, 601 N. Main St., suite 100. Managing member Gregory Pike, members Jacquelyn Lavin and Sigal Chattah.

Silver Sage Wellness, 4626 W. Charleston Blvd. Owners James Blasco, Pamela Blasco, Christopher Sarrett and Kayvan Khalatbari.

Greenbox, 2200 S. Rainbow Blvd., suite 2212 and 2214. Owners Daniel Brasov and Chad Christensen.

Over the Rainbow, 2300 N. Rainbow Blvd., suite 122. CEO William Mason, CFO James Mason, COO Sam Sadis, board members Philip Gosch, Michael Schaeman, Dustin Charapata and Jeff Montgomery.

99 High Desert Healing, 827 Las Vegas Blvd. Owners Yvonne Green, Sam Boyer, Bernalyn Gutierrez, Josephine Griffin and Mitch Griffin.

Boulevard Wellness, 1340 S. Las Vegas Blvd. Managing members Howard Schwartz, Drew Gennuso and Michael Vu. Members Antonio Estandiari and Brett Ottolenghi.

Main Street Wellness, 319 S. Main St. Managing members Howard Schwartz, Drew Gennuso and Michael Vu. Members Antonio Estandiari and Brett Ottolenghi.

M'Life Wellness LLC, 2800 Highland Dr. Managing member Darvin Gomez, owners Daniel Lutz and Pasquale Laurito.

CULTIVATION

Compassionate Team of Las Vegas LLC, 2601 Highland Dr. Manager/member Shahrom Paul Mashouf, members Margareth Mashouf, Daniel Simon and Jose Mario Sanchez.

Highland Medical, 1916 S Highland Ave. Richard Gnocchi.

Acres Medical LLC, 2320 Western Ave. CEO Michael Morton, vice presidents Jenna Morton, Paris Balaouras and Matthew Kavanaugh and CFO John Mueller.

Nuleaf CLV Cultivation, 1018 S. Commerce St. CEOs Timothy Schick and Sean Luse, CPO Etienne Fontan, CFO Benjamin Sabouri, development director Kenneth Kuykendall, investors Jeff and Paulette Carpoft, Michael Paglia and John Sande III.

ReLeaf Cultivation LLC, 601 N Main St., suite 100. Managing member Gregory Pike, members Jacquelyn Lavin and Sigal Chattah.

Medmen, 2908 S. Highland Dr. Members Carrie Richardson, Cary Richardson, David Thomas, Tanisha Patterson, James Green, Barbara Allen, Dawn McAuliffe, Adam Bierman, George Bochanis, Glenda White and Ted Green. Managing members Kathy Gillespie, Dominick Prudenti and Andrew Modlin. CEO Duke Fu.

Cannabis Renaissance, 2702 S Highland Dr. Managing members Mohit Asnani, Jay Jacobs, Pradipkumar Patel, Sheraz Warraich, Hiram Sedano and Matthey Neely.

Infinite Wellness Incorporate, 2750 Highland Drive, unit E. CEO/President Jonathan William Herda.

Boulevard Medical LLC, 2900 Highland Dr., building 20. Managing member Mark James, CEO D. Neal Tomlison, COO Douglas Kuperman, GM Craig O'Loughlin and assistant GM Darci Buswell.

PRODUCTION

Acres Medical LLC, 2320 Western Ave. CEO Michael Morton, vice presidents Jenna Morton, Paris Balaouras and Matthew Kavanaugh, CFO John Mueller.

Natural Baked Goods LLC, 5801 W. Craig Road, suite 120. Members listed are John Carnesale, Bryan Williams, Henry Lichtenberger and Barry Lindermann.

Cannabis Renaissance, 2706 S Highland Dr. Managing members Mohit Asnani, Jay Jacobs, Pradipkumar Patel, Sheraz Warraich, Hiram Sedano and Matthey Neely.

ReLeaf Edibles, 601 N. Main St. Managing member Gregory Pike, members Jacquelyn Lavin and Sigal Chattah.

Boulevard Medical LLC, 2900 Highland Dr., building 20. Managing member Mark James, CEO D. Neal Tomlison, COO Douglas Kuperman, GM Craig O'Loughlin and assistant GM Darci Buswell.

EXHIBIT 20

EXHIBIT 20

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN RE:

DISCIPLINE OF
BRIAN C. PADGETT, ESQ.
STATE BAR NO. 7474

Electronically Filed
Aug 10 2021 03:36 p.m.
Case No. 2021-0009
Elizabeth A. Brown
Clerk of Supreme Court

Volume X

RECORD OF DISCIPLINARY PROCEEDINGS,
PLEADINGS
AND TRANSCRIPT OF HEARINGS

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Assistant Bar Counsel
Nevada Bar #14371
3100 West Charleston Blvd., Ste. 100
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Attorney for State Bar of Nevada

Brian C. Padgett, Esq.
1672 Liege Drive
Henderson, NV 89012

Respondent

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Amended Complaint (Filed October 27, 2020)	87-99	I
Amended Scheduling Order (Filed February 19, 2021)	350-354	II
Certificate of Service	2314	X
Complaint and First Designation of Formal Hearing Panel Members (Filed May 13, 2020)	1-12	I
Declaration of Service According to SCR 109(1) In Support of Entry of Default (Filed July 10, 2020)	23-37	I
Defendant's Rule 60(b) Motion to Set Aside Order Granting State's Motion to Compel (Filed April 28, 2021)	431-437	II
Entry of Default (Filed July 13, 2020)	38-43	I
Entry of Default (Filed January 5, 2021)	205-210	I
Findings of Fact, Conclusions of Law and Recommendation After Formal Hearing (Filed August 5, 2021)	1228-1237	VI
Motion for Leave to File Amended Complaint (Filed October 22, 2020)	63-81	I
Motion to Set Aside Orders and Dismiss Case (Filed June 16, 2021)	1204-1213	VI

1	Motion to Vacate Filings, Orders and Decisions –	100-137	I
2	Including the Amended Complaint; Motion to Dismiss		
3	Amended Complaint		
	(Filed November 17, 2020)		
4	Notice of Hearing	55	I
5	(Filed September 15, 2020)		
6	Notice of Intent to Enter Default	15-19	I
7	(Filed June 9, 2020)		
8	Notice of Intent to Enter Default	138-141	I
9	(Filed November 17, 2020)		
10	Notice of Telephonic Initial Case Conference	44-46	I
	(Filed July 15, 2020)		
11	Objection to Complainant’s Initial Disclosures of	363-366	II
12	Witnesses and Documents		
13	(Filed April 6, 2021)		
14	Order Appointing Formal Hearing Panel Chair	20-22	I
15	(Filed July 8, 2020)		
16	Order Appointing Formal Hearing Panel	47-49	I
	(Filed August 4, 2020)		
17	Order Denying Motion to Vacate Filings,	201-204	I
18	Orders and Decisions – Including the Amended		
19	Complaint; Motion to Dismiss Amended Complaint		
	(Filed December 14, 2020)		
20	Order Denying Respondent’s Motion to Remove	1189-1193	V
21	Associate Bar Counsel Gosioco from Case No.		
22	OBC19-1111		
	(Filed May 28, 2021)		
23	Order Denying Respondent’s Motion to Set Aside	1224-1227	VI
24	Orders and Dismiss Case		
25	(Filed August 5, 2021)		

1	Order Granting in Part and Denying in Part Respondent's	1194-1199	V
2	Objection to Complainant's Initial Disclosures of		
3	Witnesses and Documents		
4	(Filed May 28, 2021)		
5	Order Granting Motion for Leave to File	82-86	I
6	Amended Complaint		
6	(Filed October 27, 2020)		
7	Order Granting State Bar's Motion to Compel	367-373	II
8	(Filed April 15, 2021)		
9	Order Granting State Bar's Motion to Compel	1164-1172	V
10	(Filed May 24, 2021)		
11	Order Regarding Respondent's Motion for	347-349	II
12	Extension of Time to File Answer, Verified Response,		
13	And Informal Request to Stay Proceedings		
13	(Filed February 9, 2021)		
14	Reply to Procedural Issues Raised by Panel Chair	355-359	II
15	(Filed February 8, 2021)		
16	Respondent's Motion for Extension of Time	195-200	I
17	To File Answer and Verified Response		
17	(Filed December 11, 2020)		
18	Respondent's Motion to Remove Associate Bar	520-555	III
19	Counsel Gosioco from Case No. OBC19-1111		
20	(Filed April 30, 2021)		
21	Respondent's Reply to Motion to Vacate	189-194	I
22	Filing, Orders and Decisions – Including the Amended		
23	Complaint; Motion to Dismiss Amended Complaint		
24	(Filed December 10, 2020)		
25	Respondent's Verified Response to Amended Complaint	360-362	II
25	(Filed February 17, 2021)		
25	Scheduling Order	50-54	I
25	(Filed August 19, 2020)		

1	State Bar of Nevada’s Comprehensive Response to	211-234	I
2	Procedural Issues Raised by Panel Chair	235-346	II
3	(Filed January 28, 2021)		
4	State Bar of Nevada’s DRP 24 Trial Brief	819-961	IV
5	(Filed May 14, 2021)	962-1163	V
6	State Bar’s Final Disclosures	56-62	I
7	of Documents and Witnesses		
8	(Filed September 15, 2020)		
9	State Bar of Nevada’s Notice of Hearing	438-439	II
10	(Filed April 28, 2021)		
11	State Bar of Nevada’s Summary of Evidence;	440-446	II
12	Final Designation of Documents and Witnesses		
13	(Filed April 28, 2021)		
14	State Bar of Nevada’s Notice of Continuation of Hearing	1200-1203	V
15	(Filed June 4, 2021)		
16	State Bar of Nevada’s Memorandum of Costs	1214-1223	VI
17	(Filed July 20, 2021)		
18	State Bar of Nevada’s Opposition to Respondent’s	374-430	II
19	Objection to Complainant’s Initial Disclosures of		
20	Witnesses and Documents		
21	(April 19, 2021)		
22	State Bar of Nevada’s Opposition to Respondent’s	556-720	III
23	Motion to Remove Associate Bar Counsel Gosioco	721-818	IV
24	from Case No. OBC19-1111		
25	(Filed May 5, 2021)		
	State Bar of Nevada’s Opposition to Respondent’s	148-188	I
	Motion to Vacate Filings, Orders and Decisions –		
	Including the Amended Complaint; Motion to Dismiss		
	Amended Complaint and Supplement		
	(Filed December 2, 2020)		

1	State Bar of Nevada’s Opposition to Respondent’s	447-476	II
2	Rule 60(b) Motion to Set Aside Order Granting	477-519	III
3	State’s Motion to Compel		
4	(Filed April 29, 2021)		
5	State Bar of Nevada’s Peremptory Challenges	13-14	I
6	(Filed May 13, 2020)		
7	State Bar of Nevada’s Supplemental Final Disclosure	1173-1188	V
8	Of Documents and Witnesses		
9	(Filed May 24, 2021)		
10	Supplement to Motion to Vacate Filings, Orders and	142-147	I
11	Decisions – Including the Amended Complaint; Motion		
12	To Dismiss Amended Complaint		
13	(Filed November 18, 2020)		
14	Transcript – 10/15/20	1239-1254	VI
15	(Hearing Held November 13, 2019)		
16	Transcript – 5/28/21	1255-1401	VI
17	Transcript – 6/16/21	1402-1444	VI
18		1445-1507	VII
19	Hearing Exhibits	1508-1673	VII
20		1674-1903	VIII
21		1904-2136	IX
22		2137-2313	X

EXHIBIT 15

EXHIBIT 15



WEATHER ALERT

Critical Fire Weather
SEE MORE

A year later: What Nevada emergency officials learned from January 2017 floods

by Ben Margiott

Friday, January 5th 2018

January 2017 flooding

RENO, Nev. (News 4 & Fox 11) — Nearly one year has passed since most of Northern Nevada was bracing for widespread flooding in January 2017.

The Truckee River was projected to hit major flood stage in some places, which would've submerged the Sparks Industrial Park under 7 feet of water. Some were forecasting a 100-year flood event.

Ultimately, the floodwaters came, but rivers rose not nearly as much as initially expected.

"The January event was ... a set piece. It was almost a textbook reaction to flooding in our region," said Aaron Kenneston, Washoe County's emergency manager.

Kenneston said that in the weeks and months that followed, emergency officials met to debrief and improve systems to do better next time.

Officials are currently updating the regional flood response action plan and the regional mitigation plan, Kenneston said.

News 4-Fox 11 asked what, if anything, they would do differently if faced with a similar flooding event in the near future.

"I believe that we would be reacting much quicker to some of the identified (flood-prone) areas ... the North Valleys and those closed basins that do not have any place for the water to drain," Kenneston said.



CALIFORNIA NEVADA RIVER FORECAST CENTER

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION



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TRUCKEE RIVER - RENO (TRRN2)

Latitude: 39.53° N

Longitude: 119.79° W

Elevation: 4445 Feet

Location: Washoe County in Nevada

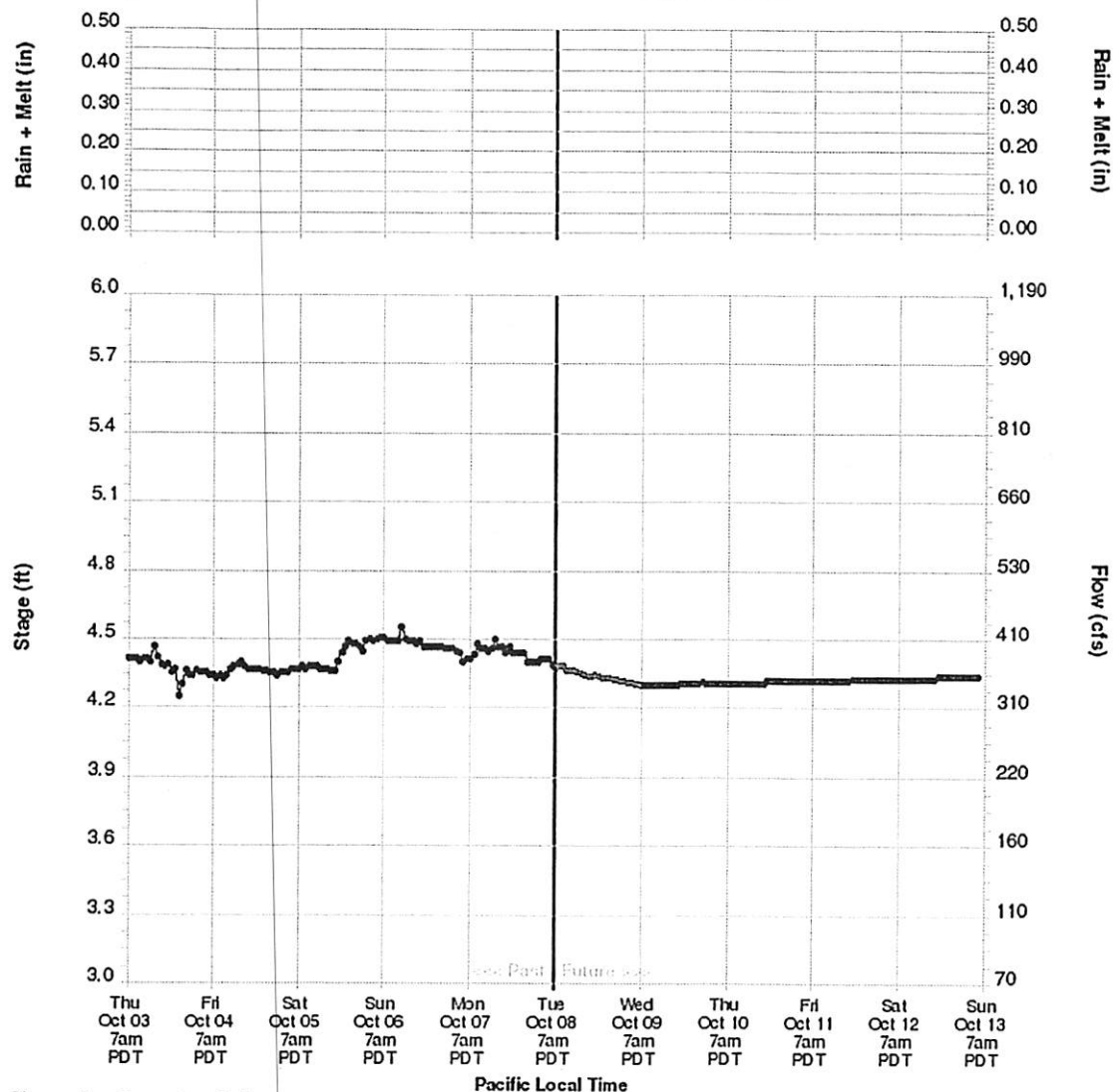
River Group: Eastern Sierra

Issuance Time: Oct 08 2019 at 7:47 AMPDT

Next Issuance: Oct 09 2019 at 9:00 AMPDT

Monitor Stage: 10.0 Feet

Flood Stage: 12.0 Feet



California Department of Water Resources
NOAA / NWS / California Nevada River Forecast Center



Raw streamflow data is provided by the US Geological Survey (USGS).
[View USGS Data for this station location.](#)

Verification - Historical Graphical RVF

Month:

Day:

Year:

Cycle:

[Fetch](#)

To view other verification locations, use our [Historical Graphical River Forecast Interface](#).

Historical Stage/Flow Data

Water Year	Peak Discharge (cfs)	Stage (foot)	Date
Most Recent 5 Years			
2018*	6,690	10.24	Apr 7, 2018
2017*	12,800	12.45	Jan 9, 2017
2016*	3,320	8.00	Jan 30, 2016

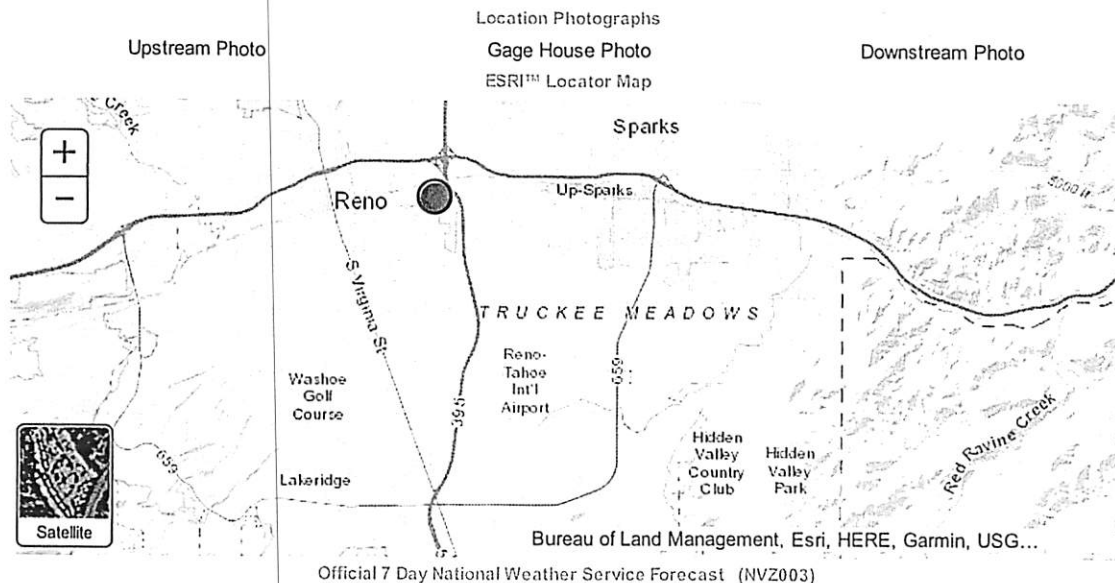
Padgett ROA - 2139

2015*	2,060	6.98	Feb 9, 2015
2014*	1,430	6.31	Feb 9, 2014
Historical High Stage/Flow Events (Period of Record - March 1907** to Present)			
1956*	20,800	13.63***	Dec 23, 1955
1951*	19,900	13.83***	Nov 21, 1950
1963*	18,400	13.28***	Feb 1, 1963
1997*	18,200	14.94***	Jan 2, 1997
2006*	16,400	13.38	Dec 31, 2005

* Discharge affected to unknown degree by regulation or diversion

** Most recent continuous record back to Oct 1947 with segmented periods back to Mar 1907

*** Datum and location change on 10/1/1998, and not directly relatable to old location.



Official 7 Day National Weather Service Forecast (NVZ003)

Tonight: Clear. Areas of blowing dust. Lows 34 to 44. West winds 20 to 30 mph decreasing to 10 to 20 mph after midnight. Gusts up to 45 mph.

Wednesday: Sunny. Areas of blowing dust in the morning. Highs 51 to 56. North winds 10 to 15 mph. Gusts up to 30 mph in the morning.

Wednesday Night: Clear. Lows 24 to 29. Northeast winds 10 to 15 mph.

Thursday: Sunny. Highs 50 to 55. Light winds becoming east around 10 mph in the afternoon.

Thursday Night: Clear. Lows 26 to 31. East winds around 10 mph in the evening becoming light.

Friday: Sunny. Highs 60 to 65.

Friday Night: Partly cloudy in the evening then clearing. Lows 31 to 36.

Saturday through Sunday: Clear. Highs 66 to 71. Lows 35 to 40.

Sunday Night through Tuesday: Clear. Lows 33 to 43. Highs 68 to 73.




Impacts - E19 Information

10.0 Feet	Monitor Stage, No flooding from Mogul to Greg Street Bridge in Reno. Significant preparations to riverside parks begin in advance of this level. Releases from flood control reservoirs (Prosser, Stampede and Boca) are cut slightly in advance of this level. Similar to high flow of 4/7/2008.
11.0 Feet	Very high flows with some inconvenience flooding of riverside parks and bike path.
11.5 Feet	Near maximum safe flow from Mogul to Greg Street Bridge in Reno, minor flooding of bike path and riverside parks. Close monitoring is necessary as debris build up or bank erosion could easily lead to flooding. Similar to 2/10/2017 flood event.
12.0 Feet	Flood stage. Minor flooding with bank full conditions from Mogul to Reno with significant inundation to Truckee River Walk, riverside parks and damage to park infrastructure. Impacts to transportation, as many downtown Reno bridges may be closed for public safety and to facilitate debris removal. Overtopping of river bank near Booth Street in Reno is possible.
12.5 Feet	Minor flooding from Mogul to Reno. River flooding low areas, parks, and trails between Mogul and Reno. Out of bank flow near Booth Street and 1st Street is possible. Arlington, Sierra, Center, and Lake Street Bridges likely closed. Debris accumulation or bank erosion may lead to expanded impacts. Similar to 1/9/2017 flood event.
13.0 Feet	Moderate flooding from Mogul to Reno. Only I-80, Keystone, Virginia street, Wells Ave and Highway 395 bridges likely to remain open. Flooding expected to begin impacting downtown Reno along north side of river near Booth Street and along Riverside and portions of 1st Street. Flooding may also start occurring at the Grand Sierra Resort RV Park unless protective measures are implemented.

- 13.5 Feet** Moderate flooding from Mogul to Reno. Flooding area includes downtown Reno with impacts expanding into multiple commercial and municipal buildings. Flooding may start impacting the airport. Slightly above the level of the 12/31/2005 flooding.
- 14.0 Feet** Major flooding with serious damage from Mogul to Reno. Downtown Reno and the Reno airport begin to have serious river flooding roughly between 2nd Street on the north to Court/Mill Streets on the south. Transportation severely impacted, many roads and bridges flood. Keystone Bridge likely closed near this level.
- 14.5 Feet** Major damage from Mogul to Reno. Extensive flood damage in downtown Reno and the Reno airport nearing level of January 1997 event.
- 15.0 Feet** Near Record flooding between Mogul and Reno. Extensive flood damage. Reno airport and downtown flood several feet deep. Downtown Reno floods from approximately 2nd Street on the north side of the river to Court/Mill streets on the south. Casinos, hotels, stores, post office, courthouse, phone building, bus depot, churches, museums and parks flood. Utility lines on bridges may be severed. Idlewild and Wingfield Parks flood up to 10 feet. Truckee River bridges closed except I-80, Keystone, Wells and Highway 395 Similar to or in excess of January 1997 and December 1955 events.
- 15.5 Feet** Record catastrophic flooding from Mogul to Reno. Property and infrastructure in the floodplain sustain heavy damage. Reno airport and portions of downtown under about 6 feet of water. Transportation, power, phone, water, and hospital services disrupted through region. Only Interstate 80, Wells and Highway 395 bridges likely to remain open. Downtown Reno flooded from approximately 3rd Street in north to Court/Mill Streets in south.

Product Disclaimer

This river graphic is not intended to serve as a substitute for official flood watches, warnings, advisories, or statements issued by the NWS Reno Weather Forecast Office. Observations are preliminary and subject to change. River levels identified as "forecast" should be consistent with those contained in official NWS products. River levels identified as "guidance" have significant uncertainty due to future weather or reservoir regulation and are provided for planning purposes only.

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National Oceanic and Atmospheric Administration
National Weather Service
California Nevada River Forecast Center
3310 El Camino Avenue, Room 227
Sacramento, CA 95821-6373
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Truckee River At Lake Tahoe at Tahoe City (THLC1)

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Flood Stage: 6229.1 Feet Latest Stage: 6227.77

Current Warnings/Statements/Advisories: None currently.

Complete information about the Truckee River at Lake Tahoe at Tahoe City available from NWS Reno, NV

Reliability of the Forecast:

Based on current and forecast river, weather and reservoir conditions

NOTE: Forecasts for the Truckee River at Lake Tahoe at Tahoe City are issued routinely year-round.

Flood Categories (in feet)

Flood Stage: 6229.1

Action Stage: 6228.7

Low Stage (in feet): 0

Historic Crests

(P): Preliminary values subject to further review.

Recent Crests

(P): Preliminary values subject to further review.

Truckee River At Tahoe City (TRTC1)

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NOTE: Gauge reading may be affected by ice during freezing weather from November to April.

Flood Stage: 8 Feet Latest Stage: 2.88

Current Warnings/Statements/Advisories: None currently.

Complete information about the Truckee River at Tahoe City available from NWS Reno, NV

NOTE: Forecasts are not available for the Truckee River at Tahoe City. Only observed stages are available for this point.

Flood Categories (in feet)

Major Flood Stage: 9.5

Moderate Flood Stage: 9

Flood Stage: 8

Action Stage: 7

Low Stage (in feet): 0

Historic Crests

(P): Preliminary values subject to further review.

Recent Crests

(P): Preliminary values subject to further review.

Truckee River Near Truckee (TRCC1)

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NOTE: Gauge reading may be affected by ice during freezing weather from November to April.

Flood Stage: 5.5 Feet Latest Stage: 1.85

Current Warnings/Statements/Advisories: None currently.

Complete information about the Truckee River near Truckee available from NWS Reno, NV

NOTE: Forecasts for the Truckee River near Truckee are issued routinely year-round.

Flood Categories (in feet)

Major Flood Stage: 7.5

Moderate Flood Stage: 6.5

Flood Stage: 5.5

Action Stage: 4.5

Low Stage (in feet): 0

Historic Crests

(1) 9.97 ft on 01/02/1997

(2) 9.25 ft on 02/01/1963

(3) 7.98 ft on 12/23/1955

(4) 7.28 ft on 11/20/1950

(5) 7.02 ft on 12/31/2005

[Show More Historic Crests](#)

(P): Preliminary values subject to further review.

Recent Crests

(1) 5.32 ft on 04/07/2018

(2) 4.82 ft on 05/06/2017

(3) 5.24 ft on 02/09/2017

(4) 6.43 ft on 01/09/2017

(5) 4.72 ft on 12/11/2016

[Show More Recent Crests](#)

(P): Preliminary values subject to further review.

Truckee River At Farad (FARC1)

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NOTE: Gauge reading may be affected by ice during freezing weather from November to April.

Flood Stage: 11 Feet Latest Stage: 3.95

Current Warnings/Statements/Advisories: None currently.

Complete information about the Truckee River at Farad available from NWS Reno, NV

Reliability of the Forecast:

Based on current and forecast river, weather and reservoir conditions

NOTE: Forecasts for the Truckee River at Farad are issued routinely year-round.

Flood Categories (in feet)

Major Flood Stage: 13

Moderate Flood Stage: 12

Flood Stage: 11

Action Stage: 10

Historic Crests

(1) 14.37 ft on 11/21/1950

(2) 13.43 ft on 12/11/1937

(3) 13.34 ft on 03/18/1907

(4) 13.13 ft on 01/02/1997

(5) 12.90 ft on 12/23/1955

Show More Historic Crests

Recent Crests

(1) 10.75 ft on 12/31/2005

(2) 13.13 ft on 01/02/1997

(3) 8.99 ft on 05/18/1996

(4) 7.95 ft on 05/01/1995

(5) 10.46 ft on 03/08/1986

Show More Recent Crests

(P): Preliminary values subject to further review.

(P): Preliminary values subject to further review.

Low Water Records

(1) 2.08 ft on 11/20/1977

(2) 2.08 ft on 09/15/1933

(3) 2.11 ft on 01/20/1925

Show More Low Water Records

Truckee River Near Mogul (MOGN2)

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NOTE: Gauge reading may be affected by ice during freezing weather from November to April.

Flood Stage: 12.5 Feet Latest Stage: 5.78

Current Warnings/Statements/Advisories: None currently.

Complete information about the Truckee River near Mogul available from NWS Reno, NV

NOTE: Forecasts are not available for the Truckee River near Mogul. Only observed stages are available for this point.

Flood Categories (in feet)

Major Flood Stage: 14

Moderate Flood Stage: 13.5

Flood Stage: 12.5

Action Stage: 10

Historic Crests

(1) 15.85 ft on 01/02/1997

(2) 13.15 ft on 12/31/2005

(3) 12.58 ft on 01/09/2017

(4) 10.94 ft on 05/01/1995

(5) 9.63 ft on 03/24/1998

Show More Historic Crests

Recent Crests

(1) 12.58 ft on 01/09/2017

(2) 13.15 ft on 12/31/2005

(3) 9.50 ft on 05/27/1999

(4) 9.63 ft on 03/24/1998

(5) 15.85 ft on 01/02/1997

Show More Recent Crests

(P): Preliminary values subject to further review.

(P): Preliminary values subject to further review.

Low Water Records

(1) 4.04 ft on 10/30/1994

Truckee River At Reno (TRRN2)

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NOTE: Gauge reading may be affected by ice during freezing weather from November to April.

NOTE: Reported historic crests have been estimated using recent ratings due to previous channel, location and/or datum changes. For observed crests please go to: waterdata.usgs.gov/nwis/rt

Flood Stage: 12 Feet Latest Stage: 4.31

Current Warnings/Statements/Advisories: None currently.

Complete information about the Truckee River at Reno available from NWS Reno, NV

Reliability of the Forecast:

Based on current and forecast river, weather and reservoir conditions

NOTE: Forecasts for the Truckee River at Reno are issued routinely year-round.

Flood Categories (in feet)

Major Flood Stage: 14

Moderate Flood Stage: 13

Flood Stage: 12

Action Stage: 10

Low Stage (in feet): 0

Historic Crests

(1) 14.63 ft on 12/23/1955

(2) 14.42 ft on 11/21/1950

(3) 14.05 ft on 02/01/1963

(4) 14.00 ft on 01/02/1997

(5) 13.52 ft on 12/31/2005

Show More Historic Crests

Recent Crests

(1) 10.24 ft on 04/07/2018

(2) 11.65 ft on 02/10/2017

(3) 12.45 ft on 01/09/2017

(4) 13.52 ft on 12/31/2005

(5) 14.00 ft on 01/02/1997

Show More Recent Crests

(P): Preliminary values subject to further review.

(P): Preliminary values subject to further review.

Truckee River At Vista (VISN2)

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NOTE: Gauge reading may be affected by ice during freezing weather from November to April.

Padgett ROA - 2143

Flood Stage: 17 Feet Latest Stage: 4.08
Current Warnings/Statements/Advisories: None currently.

Complete information about the Truckee River at Vista available from NWS Reno, NV

Reliability of the Forecast:

Based on current and forecast river, weather and reservoir conditions

NOTE: Forecasts for the Truckee River at Vista are issued routinely year-round.

Flood Categories (in feet)
Major Flood Stage: 21
Moderate Flood Stage: 18.5
Flood Stage: 17
Action Stage: 15
Low Stage (in feet): 0

Historic Crests
(1) 23.46 ft on 02/01/1963
(2) 23.26 ft on 01/02/1997
(3) 22.48 ft on 03/18/1907
(4) 22.00 ft on 02/18/1986
(5) 20.62 ft on 12/31/2005
Show More Historic Crests

Recent Crests
(1) 18.07 ft on 02/10/2017
(2) 15.84 ft on 01/11/2017
(3) 19.63 ft on 01/09/2017
(4) 20.62 ft on 12/31/2005
(5) 23.26 ft on 01/02/1997
Show More Recent Crests

(P): Preliminary values subject to further review.

(P): Preliminary values subject to further review.

Truckee River Near Tracy (TNTN2)

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NOTE: Gauge reading may be affected by ice during freezing weather from November to April.

Flood Stage: 14 Feet Latest Stage: 6.97
Current Warnings/Statements/Advisories: None currently.

Complete information about the Truckee River near Tracy available from NWS Reno, NV

NOTE: Forecasts are not available for the Truckee River near Tracy. Only observed stages are available for this point.

Flood Categories (in feet)
Flood Stage: 14
Action Stage: 13
Low Stage (in feet): 0

Historic Crests
(1) 17.39 ft on 12/31/2005
(2) 13.60 ft on 03/24/1998
(3) 12.05 ft on 05/27/1999
(4) 11.77 ft on 05/19/2005
(5) 10.03 ft on 01/04/2008
Show More Historic Crests

Recent Crests
(1) 10.03 ft on 01/04/2008
(2) 8.50 ft on 02/11/2007
(3) 17.39 ft on 12/31/2005
(4) 11.77 ft on 05/19/2005
(5) 8.72 ft on 03/24/2004
Show More Recent Crests

(P): Preliminary values subject to further review.

(P): Preliminary values subject to further review.

Truckee River Below Derby Dam (TBDN2)

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NOTE: Gauge reading may be affected by ice during freezing weather from November to April.

Flood Stage: 11 Feet Latest Stage: 2.85
Current Warnings/Statements/Advisories: None currently.

Complete information about the Truckee River below Derby Dam available from NWS Reno, NV

NOTE: Forecasts are not available for the Truckee River below Derby Dam. Only observed stages are available for this point.

Flood Categories (in feet)
Flood Stage: 11
Action Stage: 10
Low Stage (in feet): 0

Historic Crests
(1) 14.14 ft on 01/09/2017
(2) 12.37 ft on 02/10/2017

Recent Crests
(1) 12.37 ft on 02/10/2017
(2) 14.14 ft on 01/09/2017

(P): Preliminary values subject to further review.

(P): Preliminary values subject to further review.

Truckee River At Wadsworth (WADN2)

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NOTE: Gauge reading may be affected by ice during freezing weather from November to April.

Flood Stage: 15 Feet Latest Stage: 5.14
Current Warnings/Statements/Advisories: None currently.

Complete information about the Truckee River at Wadsworth available from NWS Reno, NV

Reliability of the Forecast:

Based on current and forecast river, weather and reservoir conditions

NOTE: Forecasts for the Truckee River at Wadsworth are issued routinely year-round.

Flood Categories (in feet)
Major Flood Stage: 19
Moderate Flood Stage: 17
Flood Stage: 15
Action Stage: 13
Low Stage (in feet): 0

Historic Crests
(1) 19.51 ft on 01/03/1997
(2) 18.38 ft on 02/19/1986
(3) 17.33 ft on 12/31/2005
(4) 17.23 ft on 01/09/2017
(5) 15.22 ft on 02/10/2017
[Show More Historic Crests](#)

Recent Crests
(1) 15.22 ft on 02/10/2017
(2) 13.80 ft on 01/11/2017
(3) 17.23 ft on 01/09/2017
(4) 17.33 ft on 12/31/2005
(5) 19.51 ft on 01/03/1997
[Show More Recent Crests](#)

(P): Preliminary values subject to further review.

(P): Preliminary values subject to further review.

Truckee River Near Nixon (NIXN2)

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NOTE: Gauge reading may be affected by ice during freezing weather from November to April.

Flood Stage: 10.5 Feet **Latest Stage:** 4.02

Current Warnings/Statements/Advisories: None currently.

Complete information about the Truckee River near Nixon available from NWS Reno, NV

NOTE: Forecasts are not available for the Truckee River near Nixon. Only observed stages are available for this point.

Flood Categories (in feet)
Major Flood Stage: 13
Moderate Flood Stage: 11.5
Flood Stage: 10.5
Action Stage: 9
Low Stage (in feet): 0

Historic Crests
(1) 12.78 ft on 01/10/2017
(2) 11.58 ft on 02/11/2017
(3) 10.71 ft on 01/12/2017

Recent Crests
(1) 11.58 ft on 02/11/2017
(2) 10.71 ft on 01/12/2017
(3) 12.78 ft on 01/10/2017

(P): Preliminary values subject to further review.

(P): Preliminary values subject to further review.

Collaborative Agencies

 Collapse

The National Weather Service prepares its forecasts and other services in collaboration with agencies like the US Geological Survey, US Bureau of Reclamation, US Army Corps of Engineers, Natural Resource Conservation Service, National Park Service, ALERT Users Group, Bureau of Indian Affairs, and many state and local emergency managers across the country. For details, please [click here](#).

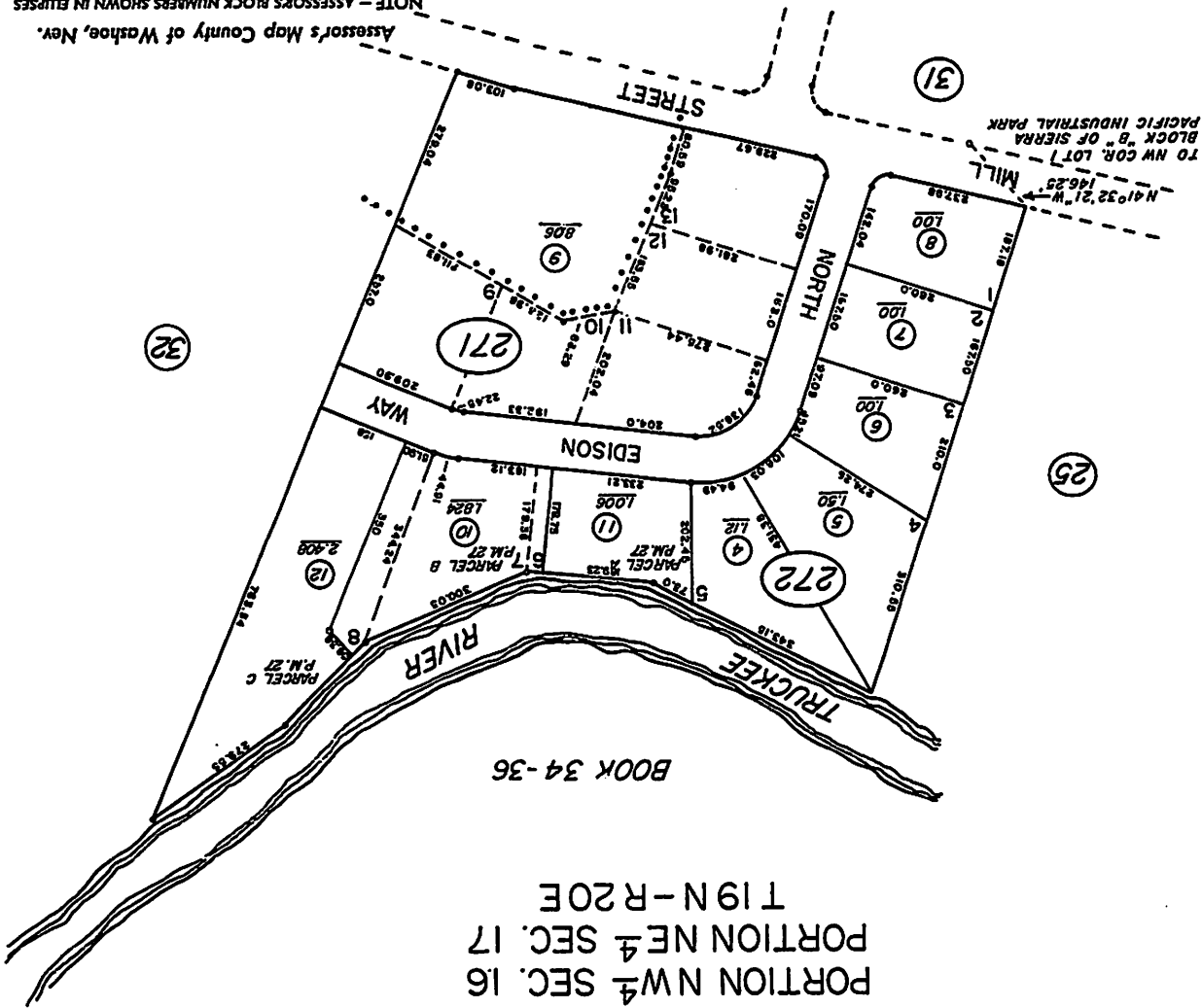
NWS Information

National Weather Service
Reno Weather Forecast Office
2350 Raggio Parkway
Reno, NV 89512-3900
(775) 673-5100
[Ask Questions/Webmaster](#)
Page last modified: 4-Mar-2019 11:27 PM

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[About Us](#)
[Career Opportunities](#)

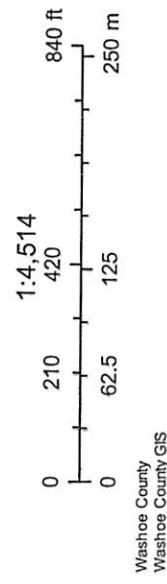
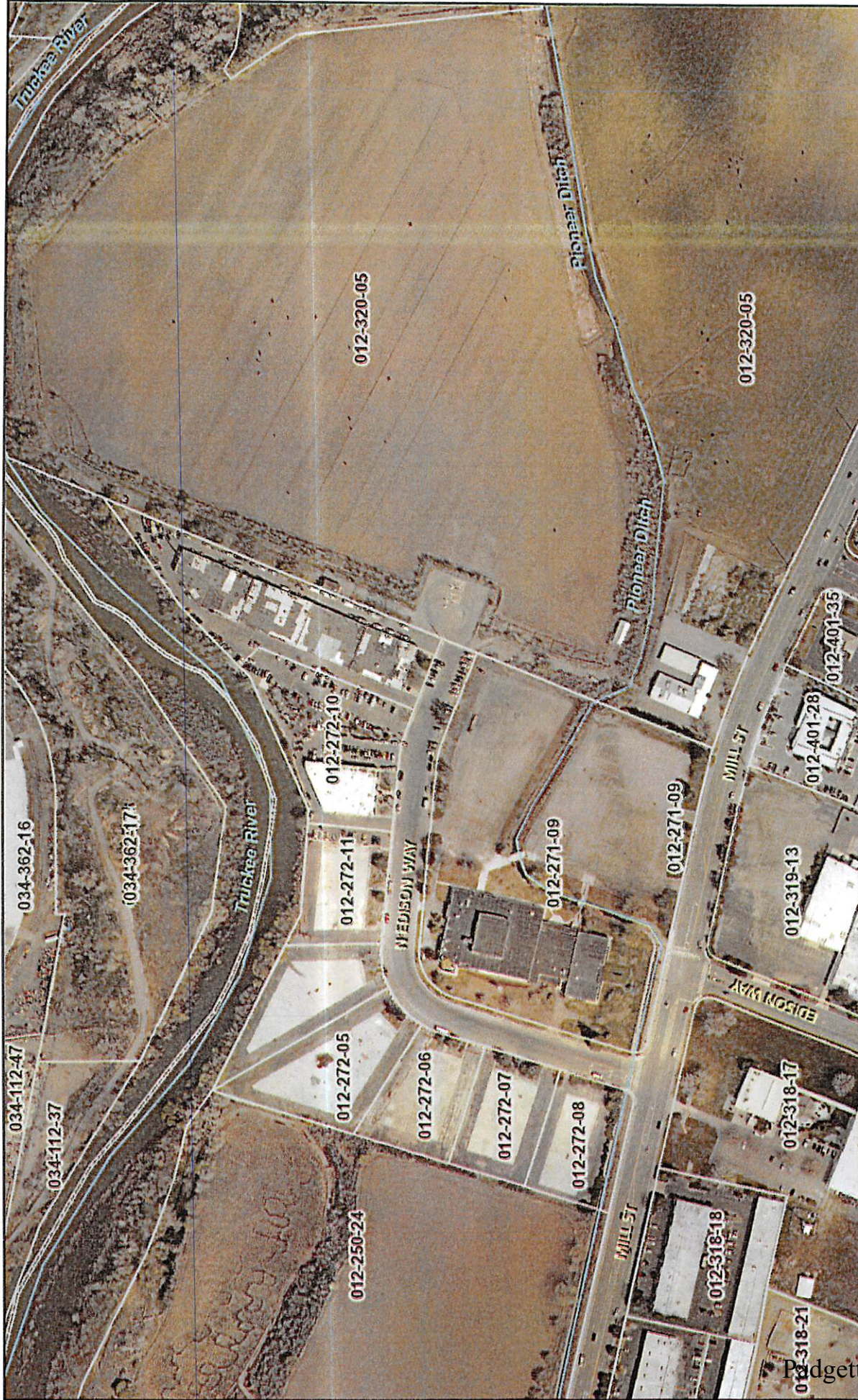
EDISON INDUSTRIAL SUB. 8
 PORTION NW 1/4 SEC. 16
 PORTION NE 1/4 SEC. 17
 T 19 N - R 20 E
 BOOK 34 - 36



Assessor's Map County of Washoe, Nev.
 NOTE - ASSESSOR'S BLOCK NUMBERS SHOWN IN ELLIPSES
 ASSESSOR'S PARCEL NUMBERS SHOWN IN CIRCLES

NOTE: This Map is prepared for the use of the Washoe County Assessor, for Assessment and illustrative purposes only. It does not represent survey of the Property. No liability is assumed as to the sufficiency or accuracy of the Data delineated hereon.

Difrancesco Property



This information for illustrative purposes only. Not to be used for boundary resolution or location and not intended to be used for measurement, calculation, or delineation.

October 8, 2019

APN

Padgett Road - 2147

EXHIBIT 16

EXHIBIT 16

WASHOE COUNTY ASSESSOR PROPERTY DATA

10/7/2019

Owner Information

APN	012-272-10	Card 1 of 1
Situs 1	65 N EDISON WAY	Bld # 1
Owner 1	DIFRANCESCO TRUST, JOHN	TRUST AND ETAL OWNERSHIP
Owner 2 or Trustee	DIFRANCESCO TRUSTEE, JOHN	TRUSTEE
Owner 3 or Trustee	FERON FAMILY TRUST, ROBERT & JACALYN	FAMILY TRUST
Mail Address	PO BOX 7116 RENO NV 89510	

Parcel Info & Legal Description

Keyline Desc	PM 27 LT B		
Subdivision	_UNSPECIFIED		
Lot B Block		Section Township 19 Range 20	
Record of Survey Map : Parcel Map# 27 : Sub Map#			
	Special Property Code		
2019 Tax District	1000	Prior APN	
2018 Tax District	1000	Tax Cap Status	NFM - Use does not qualify for Low Cap, High Cap Applied
	PERMITS	WJ 04/14/2017	

Building Information

XFOB SUBAREA

Bld #1 Situs	65 N EDISON WAY	Property Name	
Quality	C15 Commercial 1.5 (Fair)	Building Type	Industrial Flex Building
Stories	1	2nd Occupancy	
Year Built	1974	WAY	1974
Bedrooms	0	Square Feet	13136
Full Baths	0	Finished Bsmt	0
Half Baths	0	Unfin Bsmt	
Fixtures	0	Basement Type	
Fireplaces	0	Gar Conv Sq Feet	0
Heat Type	SPACE HEATER	Total Garage Area	0
2nd Heat Type	PACKAGE UNIT	Garage Type	
Exterior Walls	CONCRETE, TILT-UP	Detached Garage	0
2nd Ext Walls		Basement Gar Door	0
Roof Cover		Sub Floor	
% Complete	100	Frame	MASONRY BRNG
Obso/Bldg Adj		Units/Bldg	15

Construction Modifier		Units/Parcel	15
-----------------------	--	--------------	----

Land Information

LAND DETAILS

Land Use	400	DOR Code	400	Sewer	Municipal	Neighborhood	NCEU NC Neighborhood Map
Size	79,453 SqFt	Size	1.824 Acres	Street	Paved	Zoning Code	IB
				Water	Muni		

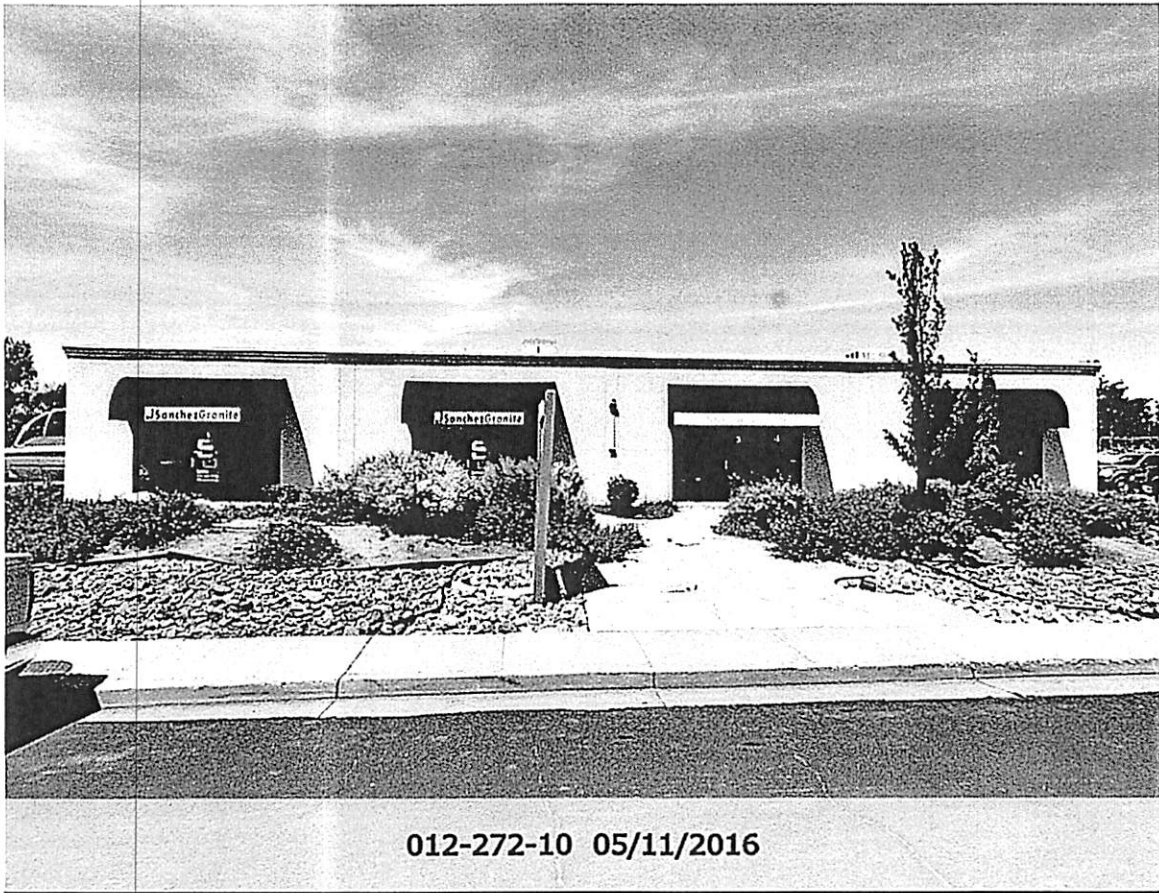
Sales and Transfer Records

RECORDER SEARCH

Grantor	Grantee	Doc #	Doc Type	Doc Date	DOR Code	Value/Sale Price	Sale Code	Note
DIFRANCESCO, JOHN	DIFRANCESCO TRUST, JOHN	3412784	DEED	07-13-2006	400	0	3BGG	
	DIFRANCESCO, JOHN	2090539		04-21-1997		0		
		CHK		12-01-1990	400	2,076,000	2MQC	
		CHK		08-01-1977		551,061		

Valuation Information

	Taxable Land	New Value	Taxable Imps	Tax Cap Value	Taxable Total	Land Assessed	Imps Assessed	OBSO	Total Assessed	Exe Vali
2019/20 FV	278,086	0	232,475	484,731	510,560	97,330	81,366	0	178,696	



012-272-10 05/11/2016

All parcel data on this page is for use by the Washoe County Assessor for assessment purposes only. Zoning information should be verified with the appropriate planning agency. Summary data may not be a complete representation of the parcel. All Parcels are reappraised each year. This is a true and accurate copy of the records of the Washoe County Assessor's Office as of 10-06-2019

WASHOE COUNTY ASSESSOR PROPERTY DATA

10/7/2019

Owner Information

APN	012-272-12	Card 1 of 1
Situs 1	35 N EDISON WAY	Bld # 1
Owner 1	DIFRANCESCO TRUST, JOHN	TRUST AND ETAL OWNERSHIP
Owner 2 or Trustee	DIFRANCESCO TRUSTEE, JOHN	TRUSTEE
Owner 3 or Trustee	FERON FAMILY TRUST, ROBERT & JACALYN	FAMILY TRUST
Mail Address	PO BOX 7116 RENO NV 89510	

Parcel Info & Legal Description

Keyline Desc	PM 27 LT C		
Subdivision	UNSPECIFIED		
Lot C	Block	Section	Township 19 Range 20
Record of Survey Map : Parcel Map# 27 : Sub Map#			
		Special Property Code	
2019 Tax District	1000	Prior APN	
2018 Tax District	1000	Tax Cap Status	NFM - Use does not qualify for Low Cap, High Cap Applied
PERMITS		TAO 06/11/2015	

Building Information

XFOB SUBAREA

Bld #1 Situs	35 N EDISON WAY	Property Name	
Quality	C15 Commercial 1.5 (Fair)	Building Type	Industrial Flex Building
Stories	1	2nd Occupancy	
Year Built	1975	WAY	1975
Bedrooms	0	Square Feet	49296
Full Baths	0	Finished Bsmt	0
Half Baths	0	Unfin Bsmt	
Fixtures	0	Basement Type	
Fireplaces	0	Gar Conv Sq Feet	0
Heat Type	SPACE HEATER	Total Garage Area	0
2nd Heat Type	PACKAGE UNIT	Garage Type	
Exterior Walls	CONCRETE, TILT-UP	Detached Garage	0
2nd Ext Walls		Basement Gar Door	0
Roof Cover		Sub Floor	
% Complete	100	Frame	MASONRY BRNG
Obso/Bldg Adj		Units/Bldg	1

Construction Modifier		Units/Parcel	1
-----------------------	--	--------------	---

Land Information

LAND DETAILS

Land Use	500	DOR Code	500	Sewer	Municipal	Neighborhood	NCEUNC Neighborhood Map
Size	104,892.48 SqFt	Size	2.408 Acres	Street	Paved	Zoning Code	IB
				Water	Muni		

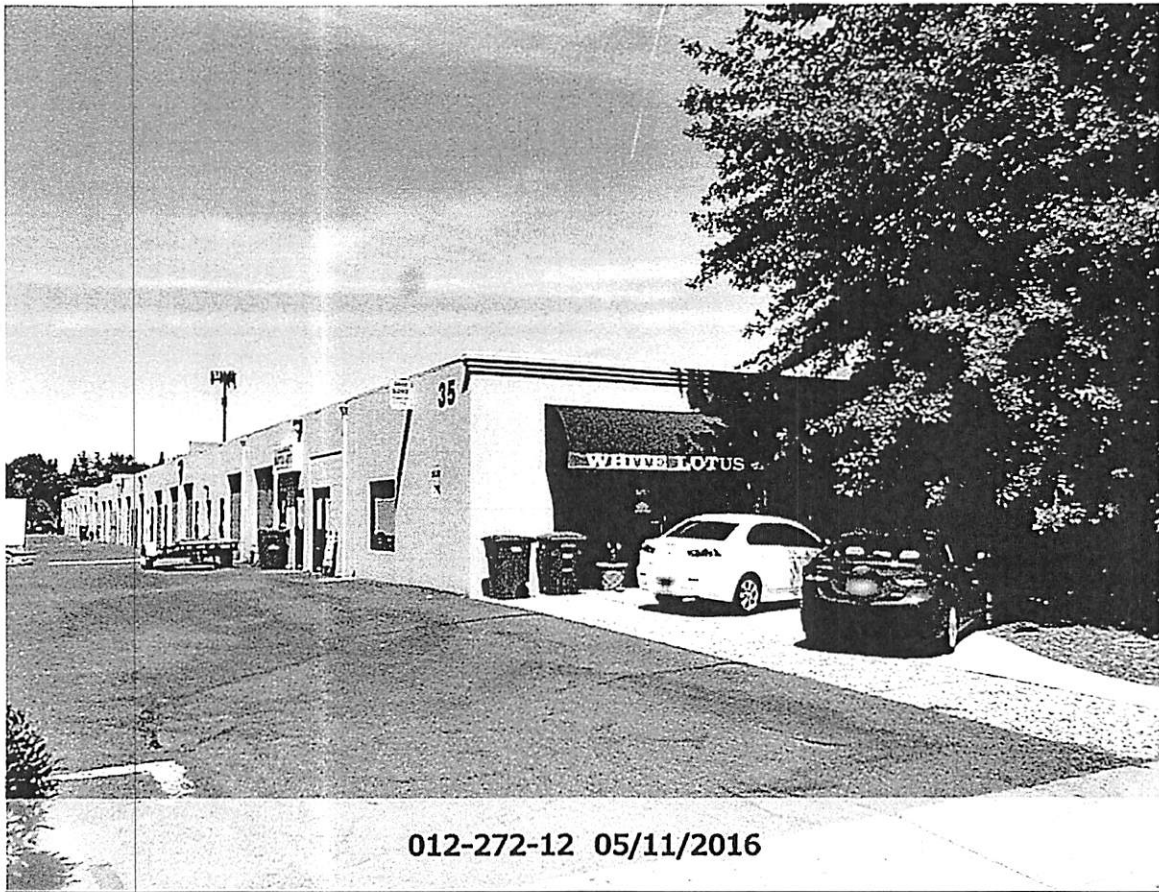
Sales and Transfer Records

RECORDER SEARCH

Grantor	Grantee	Doc #	Doc Type	Doc Date	DOR Code	Value/Sale Price	Sale Code	Note
DIFRANCESCO, JOHN	DIFRANCESCO TRUST, JOHN	3412784	DEED	07-13-2006	500	0	3BGG	
	DIFRANCESCO, JOHN	2090539		04-21-1997		0		
		CHK		12-01-1990	400	2,076,000	2MQC	
		CHK		08-01-1978		786,733		

Valuation Information

	Taxable Land	New Value	Taxable Imps	Tax Cap Value	Taxable Total	Land Assessed	Imps Assessed	OBSO	Total Assessed	Exe Vali
2019/20 FV	367,122	0	714,930	1,082,052	1,082,051	128,492	250,225	0	378,718	



012-272-12 05/11/2016

All parcel data on this page is for use by the Washoe County Assessor for assessment purposes only. Zoning information should be verified with the appropriate planning agency. Summary data may not be a complete representation of the parcel. All Parcels are reappraised each year. This is a true and accurate copy of the records of the Washoe County Assessor's Office as of 10-06-2019

Date	Record Number	Record Type
4/17/2018	BLD18-08368	Building/Commercial/Telecommunications Equipment/NA
10/18/2017	BLD18-03337	Building/Commercial/Plumbing/NA
10/13/2017	BLD18-03207	Building/Commercial/Remodel & Addition/NA
9/29/2017	BLD18-02768	Building/Commercial/Fire/Alarm
8/21/2017	BLD18-01564	Building/Commercial/Roofing/NA
7/13/2017	BLD18-00363	Building/Commercial/Structure Damage/Structure Damage Repair
6/6/2017	BLD17-08454	Building/Commercial/Structure Damage/Structure Damage Repair
3/23/2017	BLD17-06199	Building/Commercial/Structure Damage/Structure Damage Repair
3/20/2017	BLD17-06081	Building/Commercial/Structure Damage/Structure Damage Repair
3/8/2017	BLD17-05778	Building/Commercial/Structure Damage/Structure Damage Demo
3/8/2017	BLD17-05781	Building/Commercial/Structure Damage/Structure Damage Demo
1/12/2017	BLD17-04665	Building/Commercial/Remodel & Addition/NA

Project Name	Address	Status	Agency
	35 N EDISON WAY RENO NV 89502	Active/Permit Issued	RENO
MULTIPLE (3)	35 N EDISON WAY RENO NV 89502	Active/Permit Issued	RENO
	65 N EDISON WAY RENO NV 89502	Active/Permit Issued	RENO
	35 N EDISON WAY RENO NV 89502	Active/Permit Issued	RENO
	35 N EDISON WAY NV 89502	Active/Permit Issued	RENO
	35 N EDISON WAY RENO NV 89502	Active/Permit Issued	RENO
	35 N EDISON WAY 3,4,5 RENO NV 89502	Active/Permit Issued	RENO
	65 N EDISON WAY 3,4,5 RENO NV 89502	Closed	RENO
	35 N EDISON WAY 3, 4, 5 RENO NV 89502	Closed	RENO
	65 N EDISON WAY 3,4, 5 RENO NV 89502	Closed	RENO
2 SET	35 N EDISON WAY RENO NV 89502	Active/Permit Issued	RENO

Description

MANOMETER.REPAIR GAS LEAK -HI PRESSURE AND MANOMETER LINE TO SATISFY NV ENERC
REMODEL.CUT 12FTX10FT HOLE INSTALL NEW GARAGE DOOR.

FIRE ALARM SYSTEM.REPLACE FAILED FACP.

RE-ROOF.RE-ROOF SPRAY FOAM ROOF APPLICATION.

WATER DAMAGE REPAIR.REPLACING FLOOD CUTS OF SHEET ROCK REMOVED WITH BLD17-0

WATER DAMAGE REPAIR.DEMO FLOOD CUTS OF 4' HIGH OF WATER DAMAGED DRYWALL AN

WATER DAMAGE REPAIR.REPLACE SHEETROCK REMOVED TO CORRECT WATER DAMAGE, RE

WATER DAMAGE REPAIR.PUT BACK SHEETROCK 4FT CUTS 5/8. WATER DAMAGE.

WATER DAMAGE DEMO.DEMO DRYWALL 4' UP.

WATER DAMAGE DEMO.DEMO DRY WALL 4' UP.

REMODEL.INSTALL 8' X 8' OPENING IN TWO SUITES BETWEEN STEs 11 & 12 AND STEs 21 & 2:

Expiration Date

Short Notes

5Y HAZ NOTICE

8454

JD REPLACE AFTER INSPECTION

PLACE CARPET, REPAIR DOORS AS NEEDED DEMO WITH BLD17-05778

2; FRAMING AND DRYWALL

DIFRANCESCO TRUST

DIFRANCESCO

DIFRANCESCO TRUST

DIFRANCESCO

DIFRANCESCO TRUST

DIFRANCESCO TRUST

ACCELLENCE

DIFRANCESCO

ACCELLENCE

POSTAL WORNER UNION

DIFRANCESCO TRUSTEE

Show

Download results

<u>Date</u>	<u>Record Number</u>	<u>Record Type</u>	<u>Project Name</u>
10/18/2017	<u>BLD18-03337</u>	Building/Commercial/Plumbing/NA	
10/13/2017	<u>BLD18-03207</u>	Building/Commercial/Remodel & Addition/NA	MULTIPLE (3)
9/29/2017	<u>BLD18-02768</u>	Building/Commercial/Fire/Alarm	
8/21/2017	<u>BLD18-01564</u>	Building/Commercial/Roofing/NA	
7/13/2017	<u>BLD18-00363</u>	Building/Commercial/Structure Damage/Structure Damage Repair	
6/6/2017	<u>BLD17-08454</u>	Building/Commercial/Structure Damage/Structure Damage Repair	
3/23/2017	<u>BLD17-06199</u>	Building/Commercial/Structure Damage/Structure Damage Repair	
3/20/2017	<u>BLD17-06081</u>	Building/Commercial/Structure Damage/Structure Damage Repair	
3/8/2017	<u>BLD17-05778</u>	Building/Commercial/Structure Damage/Structure Damage Demo	
3/8/2017	<u>BLD17-05781</u>	Building/Commercial/Structure Damage/Structure Damage Demo	

┌

1/12/2017

BLD17-04665

Building/Commercial/Remodel &
Addition/NA

2 SET

<u>Address</u>	<u>Status</u>	<u>Action</u>	<u>Agency</u>	<u>Description</u>
35 N EDISON WAY RENO NV 89502	Active/Permit Issued		RENO	MANOMETER. REPAIR GAS LEAK - HI PRESSURE AND MANOMETER LINE TO SATISFY NV ENERGY HAZ NOTICE
35 N EDISON WAY RENO NV 89502	Active/Permit Issued		RENO	REMODEL. CUT 12FTX10FT HOLE INSTALL NEW GARAGE DOOR.
65 N EDISON WAY RENO NV 89502	Active/Permit Issued		RENO	FIRE ALARM SYSTEM. REPLACE FAILED FACP.
35 N EDISON WAY RENO NV 89502	Active/Permit Issued		RENO	RE-ROOF. RE-ROOF SRAY FOAM ROOF APPLICATION.
35 N EDISON WAY NV 89502	Active/Permit Issued		RENO	WATER DAMAGE REPAIR. REPLACING FLOOD CUTS OF SHEET ROCK REMOVED WITH BLD17-08454
35 N EDISON WAY RENO NV 89502	Active/Permit Issued		RENO	WATER DAMAGE REPAIR. DEMO FLOOD CUTS OF 4' HIGH OF WATER DAMAGED DRYWALL AND REPLACE AFTER INSPECTION
35 N EDISON WAY 3,4,5 RENO NV 89502	Active/Permit Issued		RENO	WATER DAMAGE REPAIR. REPLACE SHEETROCK REMOVED TO CORRECT WATER DAMAGE, REPLACE CARPET, REPAIR DOORS AS NEEDED DEMO WITH BLD17- 05778
65 N EDISON WAY 3,4,5 RENO NV 89502	Closed		RENO	WATER DAMAGE REPAIR. PUT BACK SHEETROCK 4FT CUTS 5/8. WATER DAMAGE.
35 N EDISON WAY 3, 4, 5 RENO NV 89502	Closed		RENO	WATER DAMAGE DEMO. DEMO DRYWALL 4' UP.
65 N EDISON WAY 3,4, 5 RENO NV 89502	Closed		RENO	WATER DAMAGE DEMO. DEMO DRY WALL 4' UP.

35 N EDISON WAY
RENO NV 89502

Active/Permit Issued

RENO

REMODEL. INSTALL 8' X 8'
OPENING IN TWO SUITES
BETWEEN STEs 11 & 12 AND STEs
21 & 22; FRAMING AND DRYWALL

<u>Expiration</u>	<u>Short Notes</u>
<u>Date</u>	

DIFRANCESCO
TRUST

DIFRANCESCO

DIFRANCESCO
TRUST

DIFRANCESCO

DIFRANCESCO
TRUST

DIFRANCESCO
TRUST

ACCELLENCE

DIFRANCESCO

ACCELLENCE

POSTAL
WORNER
UNION

DIFRANCESCO
TRUSTEE

EXHIBIT 17

EXHIBIT 17

9:58 AM

08/07/19

Accrual Basis

Law Offices of Brian C. Padgett Find Report

January 2013 through December 2018

Type	Date	Num	Name	Memo	Account	Clr	Split	Amount	Balance
Jan '13 - Dec 18									
Check	12/28/2018	1564	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-6,272.68	-6,272.68
Check	12/14/2018	1533	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-6,228.23	-12,500.91
Check	11/30/2018	1498	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-5,769.23	-18,270.14
Check	11/30/2018	1529	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-33,262.86	-51,533.00
Check	11/22/2018	1491	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-16,631.43	-68,164.43
Check	11/21/2018	1490	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-16,631.43	-84,795.86
Check	11/20/2018	1489	ACE LEGAL CORP.	VOID: Indepe...	LOBCP/BOA-7178	X	Independent C...	0.00	-84,795.86
Check	11/16/2018	1488	ACE LEGAL CORP.	VOID: Indepe...	LOBCP/BOA-7178	X	Independent C...	0.00	-84,795.86
Check	11/02/2018	1480	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-6,261.23	-91,057.09
Check	10/24/2018	1443	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-18,944.46	-110,001.55
Check	10/05/2018	1413	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-13,069.44	-123,070.99
Check	09/21/2018	ACH	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-6,273.50	-129,344.49
Check	09/07/2018	1377	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-11,904.42	-141,248.91
Check	08/24/2018	1356	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-5,883.46	-147,132.37
Check	08/10/2018	1325	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-5,819.23	-152,951.60
Check	07/27/2018	1307	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-5,992.46	-158,944.06
Check	07/13/2018	1271	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-5,844.90	-164,788.96
Check	06/29/2018	1245	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-6,464.06	-171,253.02
Check	06/28/2018	1265	ACE LEGAL CORP.	RE: SANCHEZ	LOBCP/BOA-7178		LOBCP/indepe...	-44,463.00	-215,716.02
Check	06/15/2018	1218	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-5,993.71	-221,709.73
Check	06/01/2018	1198	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		Independent C...	-6,140.25	-227,849.98
Check	05/18/2018	ACH	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-7,021.58	-234,871.56
Check	05/04/2018	ACH	ACE LEGAL CORP.	Independent ...	LOBCP/BOA-7178		LOBCP/indepe...	-6,959.08	-241,830.64
Check	04/20/2018	ACH	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-6,288.89	-248,119.53
Check	04/06/2018	ACH	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-13,040.19	-261,159.72
Check	03/23/2018	ACH	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-10,322.21	-271,481.93
Check	03/09/2018	ACH	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-9,597.01	-281,078.94
Check	02/23/2018	ACH	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-6,179.98	-287,258.92
Check	02/09/2018	ACH	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-5,769.23	-293,028.15
Check	01/26/2018	ACH	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-5,997.23	-299,025.38
Check	01/12/2018	9278	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-5,901.36	-304,926.74
Check	12/29/2017	9262	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-6,122.14	-311,048.88
Check	12/13/2017	9234	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-6,003.96	-317,052.84
Check	12/01/2017	9224	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-5,821.43	-322,874.27
Check	11/17/2017	9210	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-5,769.23	-328,643.50
Check	11/03/2017	9196	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-5,962.08	-334,605.58
Check	10/26/2017	9192	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-23,612.75	-358,218.33
Check	10/20/2017	9169	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-5,884.29	-364,102.62
Check	10/06/2017	9153	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-5,835.43	-369,938.05
Check	09/22/2017	9116	ACE LEGAL CORP.	VOID: Indepe...	City National Checki...	X	Independent C...	0.00	-369,938.05
Check	09/21/2017	9131	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,942.19	-375,880.24
Check	09/08/2017	9096	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-5,769.23	-381,649.47
Check	08/25/2017	9089	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,947.14	-387,596.61
Check	08/18/2017	9088	ACE LEGAL CORP.	RE: O'ROURKE	City National Checki...		Independent C...	-37,500.00	-425,096.61
Check	08/11/2017	9065	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-5,842.66	-430,939.27
Check	08/09/2017	9064	ACE LEGAL CORP.	RE: Ferris	City National Checki...		LOBCP/indepe...	-4,132.62	-435,071.89
Check	07/28/2017	ACH	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-5,842.66	-440,914.55
Check	07/14/2017	9047	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-5,879.90	-446,794.45
Check	07/05/2017	9045	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-3,668.46	-450,462.91
Check	06/30/2017	9035	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-6,049.98	-456,512.89
Check	06/16/2017	9025	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,892.61	-462,405.50
Check	06/02/2017	9007	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,812.77	-468,218.27
Check	05/26/2017	9004	ACE LEGAL CORP.	RE: Roberts	City National Checki...		Independent C...	-9,995.00	-478,213.27
Check	05/19/2017	9000	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,769.23	-483,982.50
Check	05/05/2017	8975	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,919.48	-489,901.98
Check	04/21/2017	8947	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,870.77	-495,772.75
Check	04/07/2017	8942	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-6,091.07	-501,863.82
Check	03/24/2017	8918	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,769.23	-507,633.05
Check	03/10/2017	ACH	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-6,302.94	-513,935.99
Check	02/23/2017	8886	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,834.31	-519,770.30
Check	02/10/2017	ACH	ACE LEGAL CORP.	Independent ...	City National Checki...		LOBCP/indepe...	-6,164.38	-525,934.68
Check	01/31/2017	ACH	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,828.30	-531,762.98
Check	01/18/2017	8776	ACE LEGAL CORP.	RE: HQ Metro	City National Checki...		LOBCP/indepe...	-4,432.58	-536,195.56
Check	01/13/2017	8838	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-8,096.47	-544,292.03
Check	12/29/2016	8781	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,635.70	-549,927.73
Check	12/16/2016	8703	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-6,574.09	-556,501.82
Check	12/02/2016	8655	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,642.91	-562,144.73
Check	11/18/2016	8597	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,745.65	-567,890.38
Check	11/04/2016	8548	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-10,638.72	-578,529.10
Check	10/21/2016	8538	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-7,523.82	-586,052.92
Check	10/07/2016	8488	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,672.84	-591,725.76
Check	09/23/2016	8418	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,615.32	-597,341.08
Check	09/09/2016	8328	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,574.09	-602,915.17
Check	08/26/2016	8305	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,589.06	-608,504.23
Check	08/12/2016	8298	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,574.09	-614,078.32
Check	07/29/2016	8264	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,574.09	-619,652.41
Check	07/15/2016	8240	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,574.09	-625,226.50
Check	07/01/2016	8231	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,574.09	-630,800.59
Check	06/17/2016	8214	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,574.09	-636,374.68
Check	06/03/2016	8197	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-5,690.66	-642,065.34
Check	05/20/2016	8181	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,660.09	-647,725.43
Check	05/06/2016	8150	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-5,468.95	-653,194.38
Check	04/22/2016	8137	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-5,769.23	-658,963.61
Check	04/08/2016	8109	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,861.12	-664,824.73
Check	03/25/2016	8075	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-5,834.12	-670,658.85
Check	03/11/2016	8056	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-5,931.18	-676,590.03
Check	02/25/2016	8029	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,769.23	-682,359.26
Check	02/12/2016	7996	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-5,794.65	-688,153.91
Check	01/28/2016	7962	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-5,769.23	-693,923.14
Check	01/15/2016	7928	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,787.86	-699,711.00

9:58 AM

08/07/19

Accrual Basis




Law Offices of Brian C. Padgett Find Report

January 2013 through December 2018

Type	Date	Num	Name	Memo	Account	Clr	Split	Amount	Balance
Check	12/30/2015	7911	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,769.23	-705,480.23
Check	12/18/2015	7905	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,769.23	-711,249.46
Check	12/04/2015	7871	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,769.23	-717,018.69
Check	11/20/2015	7857	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,921.56	-722,940.25
Check	11/06/2015	7853	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,769.23	-728,709.48
Check	10/23/2015	7808	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,921.56	-734,631.04
Check	10/06/2015	7806	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,769.23	-740,400.27
Check	09/28/2015	7793	ACE LEGAL CORP.	Reimbursement	City National Checki...		Office Supplies	-639.00	-741,039.27
Check	09/25/2015	7789	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,769.23	-746,808.50
Check	09/11/2015	7752	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-6,984.79	-753,793.29
Check	08/28/2015	7731	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,769.23	-759,562.52
Check	08/07/2015	7699	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,769.23	-765,331.75
Check	07/31/2015	7682	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-5,790.10	-771,121.85
Check	07/20/2015	7650	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-5,898.49	-777,020.34
Check	07/06/2015	7630	ACE LEGAL CORP.	VOID: Indepe...	City National Checki...	X	Independent C...		-777,020.34
Check	07/06/2015	7632	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-9,538.46	-786,558.80
Check	06/18/2015	7613	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-788,558.80
Check	06/05/2015	7584	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-10,786.61	-799,345.41
Check	05/09/2015	7550	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-801,345.41
Check	04/24/2015	7530	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-10,322.50	-811,667.91
Check	04/17/2015	7489	ACE LEGAL CORP.	Robarts, Bohlen	City National Checki...		Independent C...	-248.18	-811,916.09
Check	04/09/2015	7441	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-813,916.09
Check	03/26/2015	7421	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-7,825.00	-821,741.09
Check	03/12/2015	7400	ACE LEGAL CORP.	Reimburse...	City National Checki...		Independent C...	-383.06	-822,124.15
Check	03/12/2015	7403	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-824,124.15
Check	02/27/2015	7381	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-8,575.00	-832,699.15
Check	02/12/2015	7358	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-834,699.15
Check	01/29/2015	7337	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-6,887.50	-841,586.65
Check	01/13/2015	7318	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-9,132.20	-850,718.85
Check	01/05/2015	7297	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-2,000.00	-852,718.85
Check	12/04/2014	7262	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-854,718.85
Check	11/25/2014	7259	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,837.50	-860,556.35
Check	11/07/2014	7220	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-862,556.35
Check	11/07/2014	7221	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-3,947.50	-866,503.85
Check	10/07/2014	7183	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-868,503.85
Check	10/03/2014	7171	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,590.00	-874,093.85
Check	09/12/2014	7323	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-3,131.31	-877,225.16
Check	08/28/2014	7104	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,722.29	-882,947.45
Check	08/03/2014	7322	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-9,771.96	-892,719.41
Check	07/18/2014	7050	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-894,719.41
Check	07/03/2014	6954	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-4,772.50	-899,491.91
Check	06/05/2014	6905	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-901,491.91
Check	05/29/2014	6900	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-9,917.50	-911,409.41
Check	05/08/2014	7321	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-2,375.00	-913,784.41
Check	04/30/2014	6851	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-8,605.00	-922,389.41
Check	04/11/2014	6809	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-924,389.41
Check	03/28/2014	6799	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-8,635.00	-933,024.41
Check	03/14/2014	3759	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-935,024.41
Check	02/27/2014	3741	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-7,652.50	-942,676.91
Check	02/14/2014	3712	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-944,676.91
Check	01/29/2014	3693	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-7,757.50	-952,434.41
Check	01/17/2014	7320	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-2,254.80	-954,689.21
Check	01/03/2014	7319	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-7,180.24	-961,869.45
Check	12/05/2013	3608	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-963,869.45
Check	12/04/2013	3588	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-7,187.50	-971,056.95
Check	11/08/2013	3534	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-2,000.00	-973,056.95
Check	10/29/2013	3519	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-9,091.00	-982,147.95
Check	10/11/2013	3475	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-2,015.99	-984,163.94
Check	10/01/2013	3467	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-9,735.50	-993,899.44
Check	09/12/2013	3432	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-995,899.44
Check	08/29/2013	3407	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-8,397.56	-1,004,297.00
Check	08/15/2013	3383	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-2,603.80	-1,006,900.80
Check	07/31/2013	3338	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-2,642.50	-1,009,543.30
Check	07/01/2013	3294	ACE LEGAL CORP.	Independent ...	City National Checki...		-SPLIT-	-2,000.00	-1,011,543.30
Check	06/28/2013	3276	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,125.00	-1,016,668.30
Check	06/07/2013	3255	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-1,018,668.30
Check	05/29/2013	3225	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-5,702.50	-1,024,370.80
Check	05/06/2013	3206	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-1,026,370.80
Check	04/23/2013	3166	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-1,990.00	-1,028,360.80
Check	04/08/2013	3160	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-1,030,360.80
Check	03/14/2013	3112	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-1,032,360.80
Check	02/28/2013	3074	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-3,167.50	-1,035,528.30
Check	02/14/2013	3054	ACE LEGAL CORP.	Independent ...	City National Checki...		Independent C...	-2,000.00	-1,037,528.30
Check	02/01/2013	3012	ACE LEGAL CORP.	INDEPENDEN...	City National Checki...		Independent C...	-2,317.50	-1,039,845.80
								-1,039,845.80	-1,039,845.80

Jan '13 - Dec 18



 - paid Twice
 - paid 1^{time}
 - paid 1^{time}

2018

January							February							March							April							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	
	1	2	3	4	5	6					1	2	3						1	2	3	1	2	3	4	5	6	7
7	8	9	10	11	12	13	4	5	6	7	8	9	10	4	5	6	7	8	9	10	8	9	10	11	12	13	14	
14	15	16	17	18	19	20	11	12	13	14	15	16	17	11	12	13	14	15	16	17	15	16	17	18	19	20	21	
21	22	23	24	25	26	27	18	19	20	21	22	23	24	18	19	20	21	22	23	24	22	23	24	25	26	27	28	
28	29	30	31				25	26	27	28				25	26	27	28	29	30	31	29	30						

May							June							July							August						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
		1	2	3	4	5						1	2	1	2	3	4	5	6	7				1	2	3	4
6	7	8	9	10	11	12	3	4	5	6	7	8	9	8	9	10	11	12	13	14	5	6	7	8	9	10	11
13	14	15	16	17	18	19	10	11	12	13	14	15	16	15	16	17	18	19	20	21	12	13	14	15	16	17	18
20	21	22	23	24	25	26	17	18	19	20	21	22	23	22	23	24	25	26	27	28	19	20	21	22	23	24	25
27	28	29	30	31			24	25	26	27	28		30	29	30	31					26	27	28	29	30	31	

September							October							November							December						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
						1		1	2	3	4	5	6		1	2	3										1
2	3	4	5	6	7	8	7	8	9	10	11	12	13	4	5	6	7	8	9	10	2	3	4	5	6	7	8
9	10	11	12	13	14	15	14	15	16	17	18	19	20	11	12	13	14	15	16	17	9	10	11	12	13	14	15
16	17	18	19	20	21	22	21	22	23	24	25	26	27	18	19	20	21	22	23	24	16	17	18	19	20	21	22
23	24	25	26	27	28	29	28	29	30	31				25	26	27	28	29			23	24	25	26	27	28	29
30																					30	31					

2017

January

S	M	T	W	T	F	S
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15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February

S	M	T	W	T	F	S
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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

March

S	M	T	W	T	F	S
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19	20	21	22	23	24	25
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April

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23	24	25	26	27	28	29
30						

May

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21	22	23	24	25	26	27
28	29	30	31			

June

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4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

July

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23	24	25	26	27	28	29
30	31					

August

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September

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24	25	26	27	28	29	30

October

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15	16	17	18	19	20	21
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29	30	31				

November

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12	13	14	15	16	17	18
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26	27	28	29	30		

December

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					1	2
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10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

2016

January							February							March							April						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
					1	2		1	2	3	4	5	6			1	2	3	4	5					1	2	
3	4	5	6	7	8	9	7	8	9	10	11	12	13	6	7	8	9	10	11	12	3	4	5	6	7	8	9
10	11	12	13	14	15	16	14	15	16	17	18	19	20	13	14	15	16	17	18	19	10	11	12	13	14	15	16
17	18	19	20	21	22	23	21	22	23	24	25	26	27	20	21	22	23	24	25	26	17	18	19	20	21	22	23
24	25	26	27	28	29	30	28	29						27	28	29	30	31			24	25	26	27	28	29	30
31																											
May							June							July							August						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
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November

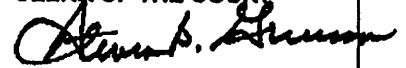
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EXHIBIT 18

EXHIBIT 18



1 NOTC
2 RICHARD F. HOLLEY, ESQ.
3 Nevada Bar No. 3077
4 E-mail: rholley@nevadafirm.com
5 JOHN J. SAVAGE, ESQ.
6 Nevada Bar No. 11455
7 E-mail: jsavage@nevadafirm.com
8 **HOLLEY DRIGGS WALCH**
9 **FINE PUZEY STEIN & THOMPSON**
10 400 South Fourth Street, Third Floor
11 Las Vegas, Nevada 89101
12 Telephone: 702/791-0308
13 Facsimile: 702/791-1912

14 *Attorneys for Dotan Y. Melech, Receiver*

15 **DISTRICT COURT**

16 **CLARK COUNTY, NEVADA**

17 ACE LEGAL CORP, a Nevada corporation,
18
19 Plaintiff,

Case No.: A-19-798940-C
Dept. No.: 18

20 v.

21 BRIAN C. PADGETT, an individual,
22
23 Defendant.

24 **AMENDED NOTICE OF APPOINTMENT OF RECEIVER IN**
25 **EIGHTH JUDICIAL DISTRICT COURT CASE NO. A-17-755479-C**

26 **TO THE HONORABLE COURT, ALL PARTIES AND THEIR COUNSEL OF RECORD**

27 Please take notice that on the 10th day of July 2019, an Order Appointing Receiver
28 (“Receiver Order”) over CWNevada, LLC (“CWNEVADA”) was entered in Department 32 of the
Eighth Judicial District Court in case A-17-755479-C. The Receiver Order provides all pending
court actions and litigation activity brought by or against CWNEVADA shall be stayed during the
Receiver’s appointment.

Section 19 of the Receiver Order provides, in pertinent part, the following:

All pending or potential court actions and litigation or other adversarial action
brought by or against CWNevada shall be stayed from entry of this Order, unless
the Court, upon a motion brought by the Receiver or other interested party
(providing notice and an opportunity for interested parties to be heard) orders the
stay lifted, extended, or otherwise modified upon a showing of good cause (the
“Litigation Stay”). Pursuant to the Litigation Stay...(iv) **no individual or entity**

1 may sue the Receiver or bring an action with respect to the Receivership Estate
2 without first obtaining the permission of this Court...”

3 A copy of the Effective Receiver Order is attached hereto as Exhibit “1”.

4 Dated this 30th day of September 2019.

5 **HOLLEY DRIGGS WALCH**
6 **FINE PUZEY STEIN & THOMPSON**

7 /s/ John J. Savage

8 RICHARD F. HOLLEY, ESQ.

9 Nevada Bar No. 3077

10 JOHN J. SAVAGE, ESQ.

11 Nevada Bar No. 11455

12 400 South Fourth Street, Third Floor

13 Las Vegas, Nevada 89101

14 *Attorneys for Dotan Y. Melech, Receiver*

EXHIBIT 19

EXHIBIT 19

Las Vegas lists all medical marijuana applicants

By JANE ANN MORRISON LAS VEGAS REVIEW-JOURNAL

July 28, 2014 - 6:24 pm



Don't miss the big stories. Like us on Facebook.

Like 210K

The full list of applicants hoping to win approval to open medical marijuana establishments within the City of Las Vegas is listed below. The address is the site they plan to use. Some have filed for multiple dispensary sites and some are seeking a dispensary, a cultivation site and a production site.

DISPENSARIES

Medmen, 2908 S. Highland Dr. Members Carrie Richardson, Cary Richardson, David Thomas, Tanisha Patterson, James Green, Barbara Allen, Dawn McAuliffe, Adam Bierman, George Bochanis, Glenda White and Ted Green. Managing members Kathy Gillespie, Dominick Prudenti and Andrew Modlin. CEO Duke Fu.

Acres Medical LLC, 2320 Western Ave. CEO Michael Morton, vice presidents Jenna Morton, Paris Balaouras and Matthew Kavanaugh, and CFO John Mueller.

Nevada Wellness Center LLC, 3200 S. Valley View Blvd. Managers Frank Hawkins and Andre Rhodes and member Luther Mack.

MMJ America, 900 S. 4th St. Members Bruce Herischfeld, Elaine Sanchez, Luis Felipe Valera, Padgett ROA - 2178

Otto Merida, Richard Perkins, Kelly Sullivan, Scott Sibley, Richard Crighton, Ryan Welch and Chris Shelton.

Desert Aire of Las Vegas, 420 E Sahara Ave. Owner Michael Sudekamp and managers Brenda Gunsallus, Susan Lera, Paula Newman, Stacey Nunn and Darlene Davis.

Compassionate Care of Las Vegas, 2601 Highland Dr. Manager/member Shahrom Paul Mashouf, members Margareth Mashouf, Daniel Simon and Francine Sanchez.

Natural Medicine LLC, 2411 Western Ave. Managers Ze'ev Yacobovsky, Elad Yerushalmi and Donald Forman Jr. Members Olive Branch Consulting, Lili Enterprises LLC, Mordechai Yerushalmi, and DF Investment LLC.

Boulevard Medical LLC, 1600 Las Vegas Blvd., suite 150 and 160. Managing member Mark James, CEO D. Neal Tomlison, COO Douglas Kuperman, GM Craig O'Loughlin, assistant GM, Darci Buswell.

Commerce Park Medical, 1112 S. Commerce St. Owners Phillip Peckman, Edward Findlay and Julie Murray.

Premium Produce City LLC, 215 N. Third St. Managers/members Priscilla Vilchis, Stephen Silverman, Sharon Poon. members Paul Nowak, Courtney Hunt, Michael Spriggs and Peter Maheu.

Premium Produce City LLC, 707 N. Main St. Managers/members Priscilla Vilchis, Stephen

Silverman, Sharon Poon. Members Paul Nowak, Courtney Hunt, Michael Spriggs and Peter Maheu.

GB Sciences, 921 Las Vegas Blvd., suite 100. Managing members James Hammer, John Beuchat, James Meservey, Michael Viellion, Craig Ellins, manager Steve Weldon and officer Andrea Small-Howard.

GB Sciences, 1040 S. Rainbow Blvd., suite 102. Managing members James Hammer, John Beuchat, James Meservey, Michael Viellion, Craig Ellins, manager Steve Weldon and officer Andrea Small-Howard.

Diversified Modalities Retail LTD, 5350 W Charleston Blvd. Managers Vuu Luu, David Snipper, Stephen Dubin, owners Robert Bien, Anh Ngo, Kevin Trinh and Jerome Washington.

Cannabis Renaissance, 2706 S Highland Dr. Managing members Mohit Asnani, Jay Jacobs, Pradipkumar Patel, Sheraz Warraich, Hiram Sedano and Matthey Neely.

Qualcan of Las Vegas, 546 N Eastern Ave., suite 155-160. Managing members Lorenzo Barracco, Anthony DeCarla, member Daniel Perla.

GreenMart of Nevada LLC, 721 N. Rancho Dr. Managing members Joel Laub and Elizabeth Staviola and member Christine Flores.

GreenMart of Nevada Charleston LLC, 1925 W Charleston Blvd. Managing members Joel Laub and Elizabeth Staviola, members John DiBella and Christine Flores.

GreenMart of Nevada LLC, 1512 S. Main St. Managing members Joel Laub and Elizabeth Staviola, member Christine Flores.

Nevada Wellness Project, 823 South Third St. Managing members Ted Loh, James Vanas and David Cohen, member James Slatic.

Naturex, 1860 Western Ave. General manager Robert Frey, managing member Michael Frey, member Brian Kessler and assistant manager Kyle Wyloge.

Green Leaf Medical LLC, 3190 W Sahara Ave. CEO Mark Bradley, vice president Michael Berk, CMO Dr. Andrew Jones, chief security officer Steven Rybar, chief compliance officer Mark Terbeek, director Kathryn Peterson and vice chief security officer Joel Logan.

Las Vegas Releaf, 2242-2246 Paradise Road. CEO/COO Edward Bernstein, operations manager Alfred Fasano, CFO Frank Gard Jameson, CMO Florence Jameston, members Ross Goodman, Dipti Shah, Thomas Boeckle and Philip Boeckle.

Serenity Wellness Center, 1800 S Industrial Road Suite 102. Executive director Todd Swanson, director of operations Debra Freeman, director of finance Benjamin Sillitoe and director of legal affairs Gary Schnitzer.

Physis One, 231 W. Charleston Blvd., suites 110 and 120. Sole members MS One LLC, Altern8 LLC. Stephen Yoken, Battle Born NV LLC, Binker LLC, and Quequechan LLC, manager Michael Stein, and member/managers Omar Nagy, M. Nafees Nagy, Stephen Yoken and Tina

Eschweller.

Red Rock Wellness LLC, 604 N. Main St. Members Etrica Jo Justis, Kerry Simon, John Williams, Ariel Farah, James Campos, Michael Politz, Guadalupe McNulty, Cecilia Strieber, Rahmeen Farudi, Cyrus Farudi, Andrew Berman and manager Sohrob Farudi.

TopPharm LLC, 7580 W. Sahara Ave. Managing member Anthony DeLuca.

TopPharm LLC, 1615 Las Vegas Blvd. Managing member Anthony DeLuca.

Buffalo Center Medical Advocates, 1591 N. Buffalo Dr., suite 130. Owners Amy Hooks, Robert Hasman, Mark Kanter, Peter Rozok and Susan Paulson Rozok.

NuVeda, 1320 S. Third St. CEO Pejman, COO Shane Terry, CMO Pouya Mohajer, general counsel Jennifer Goldstein, CFO Joseph Kennedy and senior security advisors John Penders and Ryan Winmill.

Blossum Group LLC, 810 S. Fourth St. Member managers Bahram Danesh and Kaivan Kermani. Members Andrew Hagopian, Bobby Williams and Bryan Gonzales.

Great Basin Care, 2307 S. Las Vegas Blvd. Owners Unified, LLC; KHOD Holdings, LLC; and CC Nevada, LLC. Managers are Camille Ruvo, Armen Yemenidjian and Micheal Abbot.

Samantha's Remedies, 3500 W. Sahara Ave., President/director Erminia Drobkin.
Secretary/treasurer and director Bill Drobkin.

Primo Dispensary, 3120 S Valley View Blvd., suite B. Director Paul Andres, secretary/treasurer/director Mark Destephano and president director T.J. Jesky.

Encanto Green Cross, 5310 W. Sahara Ave., suite B. President Nicholas Kriaris, vice president Christopher Kriaris, treasurer Tammy Nguyen and secretary Taryn Nguyen.

Green Light, 815 S 3rd St. President Yasaman Temraz.

Natural Apothecary LLC, 5801 W Craig Road, suite 110. Members John Carnesale, Bryan Williams, Henry Lichtenberger and Barry Lindermann.

Welleaf, 1800 Western Ave. Members Allen Puliz, Amy Sugden, Steven Rosen, David Thomas and Danny Thomas.

Herbal Choice Inc., 5243 W. Charleston Blvd. Owners Noel Pontell, Nadine Morton, Kenneth Green, Raymond Flynn, and Francis Abrao.

NuLeaf CLV Dispensary, 4500 W Charleston Blvd. CEOs Timothy Schick and Sean Luse, CPO Etienne Fontan, CFO Benjamin Sabouri, development director Kenneth Kuykendall, investors Jeff and Paulette Carpoff and Michael Paglia.

Blum LV, 1921 Western Ave. Owners Terra Tech Corp., Camden Goorjian, Richard Vonfeldt, manager/CFO Derek Peterson. Directors Martin Kaufman, Michael Betts. President Salwa Ibrahim, COO Ken Vande Vrede, CFO Michael James, directors Mike Nahass, Steven Ross, Mike Vande Vrede and Steve Vande Vrede, treasurer Amy Oppedisano.

Releaf Retail LLC, 601 N. Main St., suite 100. Managing member Gregory Pike, members Jacquelyn Lavin and Sigal Chattah.

Silver Sage Wellness, 4626 W. Charleston Blvd. Owners James Blasco, Pamela Blasco, Christopher Sarrett and Kayvan Khalatbari.

Greenbox, 2200 S. Rainbow Blvd., suite 2212 and 2214. Owners Daniel Brasov and Chad Christensen.

Over the Rainbow, 2300 N. Rainbow Blvd., suite 122. CEO William Mason, CFO James Mason, COO Sam Sadis, board members Philip Gosch, Michael Schaeman, Dustin Charapata and Jeff Montgomery.

99 High Desert Healing, 827 Las Vegas Blvd. Owners Yvonne Green, Sam Boyer, Bernalyn Gutierrez, Josephine Griffin and Mitch Griffin.

Boulevard Wellness, 1340 S. Las Vegas Blvd. Managing members Howard Schwartz, Drew Gennuso and Michael Vu. Members Antonio Estandiari and Brett Ottolenghi.

Main Street Wellness, 319 S. Main St. Managing members Howard Schwartz, Drew Gennuso and Michael Vu. Members Antonio Estandiari and Brett Ottolenghi.

M'Life Wellness LLC, 2800 Highland Dr. Managing member Darvin Gomez, owners Daniel Lutz and Pasquale Laurito.

CULTIVATION

Compassionate Team of Las Vegas LLC, 2601 Highland Dr. Manager/member Shahrom Paul Mashouf, members Margareth Mashouf, Daniel Simon and Jose Mario Sanchez.

Highland Medical, 1916 S Highland Ave. Richard Gnocchi.

Acres Medical LLC, 2320 Western Ave. CEO Michael Morton, vice presidents Jenna Morton, Paris Balaouras and Matthew Kavanaugh and CFO John Mueller.

Nuleaf CLV Cultivation, 1018 S. Commerce St. CEOs Timothy Schick and Sean Luse, CPO Etienne Fontan, CFO Benjamin Sabouri, development director Kenneth Kuykendall, investors Jeff and Paulette Carpoft, Michael Paglia and John Sande III.

ReLeaf Cultivation LLC, 601 N Main St., suite 100. Managing member Gregory Pike, members Jacquelyn Lavin and Sigal Chattah.

Medmen, 2908 S. Highland Dr. Members Carrie Richardson, Cary Richardson, David Thomas, Tanisha Patterson, James Green, Barbara Allen, Dawn McAuliffe, Adam Bierman, George Bochanis, Glenda White and Ted Green. Managing members Kathy Gillespie, Dominick Prudenti and Andrew Modlin. CEO Duke Fu.

Cannabis Renaissance, 2702 S Highland Dr. Managing members Mohit Asnani, Jay Jacobs, Pradipkumar Patel, Sheraz Warraich, Hiram Sedano and Matthey Neely.

Infinite Wellness Incorporate, 2750 Highland Drive, unit E. CEO/President Jonathan William Herda.

Boulevard Medical LLC, 2900 Highland Dr., building 20. Managing member Mark James, CEO D. Neal Tomlison, COO Douglas Kuperman, GM Craig O'Loughlin and assistant GM Darci Buswell.

PRODUCTION

Acres Medical LLC, 2320 Western Ave. CEO Michael Morton, vice presidents Jenna Morton, Paris Balaouras and Matthew Kavanaugh, CFO John Mueller.

Natural Baked Goods LLC, 5801 W. Craig Road, suite 120. Members listed are John Carnesale, Bryan Williams, Henry Lichtenberger and Barry Lindermann.

Cannabis Renaissance, 2706 S Highland Dr. Managing members Mohit Asnani, Jay Jacobs, Pradipkumar Patel, Sheraz Warraich, Hiram Sedano and Matthey Neely.

ReLeaf Edibles, 601 N. Main St. Managing member Gregory Pike, members Jacquelyn Lavin and Sigal Chattah.

Boulevard Medical LLC, 2900 Highland Dr., building 20. Managing member Mark James, CEO D. Neal Tomlison, COO Douglas Kuperman, GM Craig O'Loughlin and assistant GM Darci Buswell.

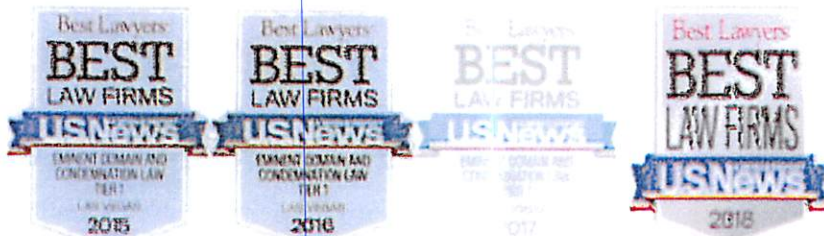
EXHIBIT 20

EXHIBIT 20

From: Brian Padgett
Sent: Wednesday, September 18, 2019 4:54 PM
To: Cathy Ramsey
Subject: FW: DiFrancesco Response

Importance: High

Brian C. Padgett
Law Offices of Brian C. Padgett
611 South 6th Street
Las Vegas, Nevada 89101
(702) 304-0123
www.briancpadgett.com



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From: Brian Padgett <brian@briancpadgett.com>
Date: Saturday, December 1, 2018 at 9:49 AM
To: John Di Francesco <nvindustrial1@yahoo.com>, "robertpferon@verizon.net" <robertpferon@verizon.net>
Cc: Amy Sugden <amy@briancpadgett.com>
Subject: Re: DiFrancesco Response

Bob and John,

As you will see below, Amy has some strong opinions on the matter.

She and I discussed the original draft below while I was in the car driving to Utah for a meeting on Thursday.

At that time I told her to remove the "or find another attorney" language because that is not the way my office works.

You are always free to find other counsel but I do not believe you will find better counsel.

And maybe that is why she is frustrated – we have been at it collectively for a long time and she knows exactly how much maneuvering can still be done and she doesn't want to see you left with less even if you can be "big pains in the ass".

Clients and lawyers are often like family, there can be scrapping and clawing but ultimately we look after each other.

Padgett ROA - 2188

Please read the most recent draft directly below. This was the one I was hoping to read and modify before sending to you.

Lets talk on Monday. I am open all day. Just give me a time that works best for you.

All the best,

Brian C. Padgett

Law Offices of Brian C. Padgett

611 South 6th Street

Las Vegas, Nevada 89101

(702) 304-0123

www.briancpadgett.com



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From: Amy Sugden <amy@briancpadgett.com>

Date: Saturday, December 1, 2018 at 8:36 AM

To: Brian Padgett <brian@briancpadgett.com>

Cc: John Di Francesco <nvindustrial1@yahoo.com>

Subject: FW: DiFrancesco Response

Can you please review and send to them (robertpferon@verizon.net; nvindustrial1@yahoo.com) I really think it will be better from you.

Dear John and Brian,

Thank you for your letter dated November 14, 2018. We understand you want to move this matter forward to a successful conclusion as swiftly as possible, as do we. We believe that we have reached a very viable opportunity to do so but strategically we need to be on the same page.

As we discussed on the phone on our last call, the defendants have agreed to appraise your properties, with two appraisers of our choosing (Kimmel and Yerke) and using a current date of value. Based on those appraisals, the defendants will work thereafter to acquire your properties in the entireties. In addition to acquiring the properties, they are also willing and able to discuss recognition of additional compensation to resolve the outstanding litigation.

This is what we believe to be the best approach to resolving the litigation and maximizing results. We understand that you have wanted to push forward with motion practice, discovery and prepare for trial to address the precondemnation

Padgett ROA - 2189

damages first and, then, separately thereafter consider the acquisition of the properties. However, there are several concerns we have with this approach.

One being that we have run past the "five year" rule in bringing this case to a trial. As such, the plaintiffs can move now at any time to dismiss the current case and the court has no choice but to dismiss it. NRCP 41(e). Thus, pushing back aggressively with motion practice will simply compel the defendants to file to dismiss based on NRCP 41(e). We can then attempt to start all over, but there is a chance that Judge Poleha could dismiss our case "with prejudice", thereby preempting us from re-filing based on the same facts we previously set forward. Conversely, we can attempt to set forth separate sets of facts that give rise to a newly stated cause of action. Under either of these scenarios, we lose the time and resources invested in the litigation (including but not limited to, the depositions taken, the extensive discovery we have propounded and responded to, the expert reports we have commissioned, etc.)

Second, with the ongoing litigation, it serves as leverage for the defendants to work to settle this matter with you. Without the ongoing litigation, the defendants will just sit and wait for us to refile and fight us all over again with motions to dismiss (in front of what will likely be a different judge) and we will be at square one all over again in litigation.

We do not want to lose the leverage we have with the current case – nor do we want to lose Judge Pohela. We do not see any downside to allowing the defendants to proceed with the appraisals, which they have agreed to also pay for in their entirety, to at least see the values that they conclude. From there, we bootstrap on additional consideration for the pending litigation and provide a much more palatable global resolution for the defendants to consider. In our goal to get you the maximum recovery, we are keenly aware that the defendants are much more susceptible to tack on additional consideration and pay premiums in exchange for acquiring your property and to resolve the ongoing litigation. This is because (1) they will actually be acquiring something of value (as opposed to just paying damages for their bad behavior but not receiving anything in exchange) and (2) they need to be able to justify any settlement before the public

Third, we have become aware that the tax ballot initiative failed at the most recent election. According to the defendants, this further handicaps their project planning and ability to move forward (arguing that there's no funding). Also, they contend there's no "immediate" need for your properties. On that note, they also want us to be cognizant of the fact that in acquiring your properties, they are required to relocate all of your tenants which is additional costs that they need to expend. We know you need to care very much about your tenants, especially the longstanding ones, and want them to receive the benefits that they should in this process. If the defendants don't voluntarily acquire your properties, the tenants will not be afforded those benefits.

We are ready, willing and able to proceed with this course of action as laid out above. There is no downside to getting your property appraised under the current date of value and seeing what we can do to resolve this globally. If that process fails, then we will proceed with more aggressive litigation tactics.

Please advise if you are agreeable and we will get it underway immediately.

Thank you,

From: Amy Sugden <amy@briancpadgett.com>
Date: Wednesday, November 28, 2018 at 5:23 PM
To: Brian Padgett <brian@briancpadgett.com>
Subject: DiFrancesco Response

DRAFT:

Padgett ROA - 2190

In response to the DiFrancesco letter, I want to send the following (I thought about it and think it's important to lay this out and then have a call if we can get on same page). Honestly, they are big pains in the ass in that they are getting in their own way/trying to tell us how to litigate the case. When it comes to strategy, we decide (at least that's my understanding) and so if they aren't ok with that, go find another attorney. We have more than enough work to do and can file an attorneys lien for the work already done.

Dear John and Brian,

Thank you for your letter dated November 14, 2018 (which we just received after the Thanksgiving holiday). We understand you want to move this matter forward to a successful conclusion as swiftly as possible, as do we. We believe that we have reached a very viable opportunity to do so but strategically we need to be on the same page.

As we discussed on the phone on our last call, the defendants have agreed to appraise your properties, with two appraisers of our choosing (Kimmel and Yerke) and using a current date of value. Based on those appraisals, the defendants will work thereafter to acquire your properties in the entireties. In addition to acquiring the properties, they are also willing and able to discuss recognition of additional compensation to resolve the outstanding litigation.

This is what we believe to be the best approach to resolving the litigation and maximizing results. We understand that you have wanted to push forward with motion practice, discovery and prepare for trial to address the precondemnation damages first and, then, separately thereafter consider the acquisition of the properties. However, there are several concerns we have with this approach.

One being that we have run past the "five year" rule in bringing this case to a trial. As such, the plaintiffs can move now at any time to dismiss the current case and the court has no choice but to dismiss it. NRCP 41(e). Thus, pushing back aggressively with motion practice will simply compel the defendants to file to dismiss based on NRCP 41(e). We can then attempt to start all over, but there is a chance that Judge Poleha could dismiss our case "with prejudice", thereby preempting us from re-filing based on the same facts we previously set forward. Conversely, we can attempt to set forth separate sets of facts that give rise to a newly stated cause of action. Under either of these scenarios, we lose the time and resources invested in the litigation (including but not limited to, the depositions taken, the extensive discovery we have propounded and responded to, the expert reports we have commissioned, etc.)

Second, with the ongoing litigation, it serves as leverage for the defendants to work to settle this matter with you. Without the ongoing litigation, the defendants will just sit and wait for us to refile and fight us all over again with motions to dismiss (in front of what will likely be a different judge) and we will be at square one all over again in litigation.

We do not want to lose the leverage we have with the current case – nor do we want to lose Judge Pohela. We do not see any downside to allowing the defendants to proceed with the appraisals, which they have agreed to also pay for in their entirety, to at least see the values that they conclude. From there, we bootstrap on additional consideration for the pending litigation and provide a much more palatable global resolution for the defendants to consider. In our goal to get you the maximum recovery, we are keenly aware that the defendants are much more susceptible to tack on additional consideration and pay premiums in exchange for acquiring your property and to resolve the ongoing litigation. This is because (1) they will actually be acquiring something of value (as opposed to just paying damages for their bad behavior but not receiving anything in exchange) and (2) they need to be able to justify any settlement before the public

Third, we have become aware that the tax ballot initiative failed at the most recent election. According to the defendants, this further handicaps their project planning and ability to move forward (arguing that there's no funding). Also, they contend there's no "immediate" need for your properties. On that note, they also want us to be cognizant of the fact that in acquiring your properties, they are required to relocate all of your tenants which is additional costs that they need to expend. We know you need do care very much about your tenants, especially the longstanding ones, and

Padgett ROA - 2191

want them to receive the benefits that they should in this process. If the defendants don't voluntarily acquire your properties, the tenants will not be afforded those benefits.

Finally, while you are potentially searching for other counsel, we want you to be happy but we also want to lead you in a way that is productive to reach maximum recovery in the most efficient way possible. Respectfully, it may be that we have a difference of opinions in how we proceed and if you want counsel to litigate this instead of working to settle this globally, we wish you the best. We certainly want to keep working with you but we want to pursue the option as laid out regarding the appraisal process first before advancing intense litigation. Please advise if you are agreeable and we will get it underway immediately.

Thank you,

On 11/28/18, 2:04 PM, "kyocera@briancpadgett.com" <kyocera@briancpadgett.com> wrote:

Please do not reply.

TASKalfa 6550ci
[00:c0:ee:86:ad:43]

EXHIBIT 21

EXHIBIT 21

From: Brian Padgett <brian@briancpadgett.com>

Date: Friday, March 15, 2019 at 8:28 PM

To: "abraudis@hotmail.com" <abraudis@hotmail.com>, Amy Sugden <amy@briancpadgett.com>

Subject: URGENT - EMERGENCY

Amy,

I am extremely concerned about the status of cases.

We lost a client today in Feron and DiFrancesco (first time in the history of this office) that you were in charge of. What happened?

We also got an order to show cause in the CIMA case because no discovery was filed.

Then, without warning at 2pm I saw a bunch of docs come flying over from you via email in that case. Are you trying to say we should know what you are trying to do and produce this plethora of documents after the fact and without detailed instruction?

We are getting run around by this Humphrey guy who is lower level lawyer and that should never happen. He's not that good and not imaginative at all. Yet Stan and Steve are still pushing back and digging out from where they took over.

These are just the first two cases issues I got hit with today. I need to know what else is out there.

Please get in touch ASAP. Your silence and departure is no longer just a personal issue - it's also an ethical one. I need your help to stabilize these matters and move forward on a solid foundation for our clients. It seems as though time is of the essence. Please contact me ASAP.

1

Thank you,

BCP

iPhone

EXHIBIT 22

EXHIBIT 22



Robison | Sharp | Sullivan | Brust

Kent R. Robison
Thomas L. Belaustegui
(Co-Founder Of Counsel)
F. DeArmond Sharp
Michael E. Sullivan
Clayton P. Brust
Stefanie T. Sharp
Frank C. Gilmore
Michael A. Burke
Therese M. Shanks
Hannah E. Winston

May 10, 2019

MAY 28 2019

VIA U.S. MAIL, CERTIFIED MAIL & EMAIL

Brian C. Padgett, Esq.
LAW OFFICES OF BRIAN C. PADGETT
611 Sixth Street
Las Vegas, NV 89101
Email: brian@briancpadgett.com

VIA U.S. MAIL & CERTIFIED MAIL

Amy L. Sugden, Esq.
SUGDEN LAW
9728 S. Gillespie St.
Las Vegas, NV 89183

**THIS FIRM IS ATTEMPTING TO COLLECT A DEBT AND
ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE**

RE: John Di Francesco and Robert A. Feron

Dear Mr. Padgett and Ms. Sugden:

On April 5, 2019, my clients (your former clients) authorized me to file a stipulation to dismiss their lawsuit with prejudice with each side to bear its own costs and attorneys fees in an effort to avoid having to pay attorneys fees to the defendant as a result of you and your firm's failure to bring this case to trial within five years of the filing of the Complaint.

As you are well aware, for reasons that have never been explained to me, your conduct fell below the standard of care when it failed to take this case to trial within the required five year rule. It was not until after the five year rule expired did you first explain to your clients that the five year statute had expired and that the defendants could file a Motion to Dismiss.

I asked each of you to provide me with any written evidence showing any explanation as to why the five year rule was violated by your office. No explanation has been provided. Accordingly, it is abundantly clear that each of you not only violated several Rules of Professional Conduct, but more importantly, failed to exercise reasonable care in the prosecution of this case. As a result, your former clients have suffered damages that could be well in excess of \$1,000,000 (see your Complaint) as well as, all of the attorneys fees and costs they expended over the seven years of representation.

71 Washington St
Reno, Nevada 89503

RSSBLAW.COM

P: 775.329.3151

F: 775.329.7941

Padgett ROA - 2196



Robison | Sharp | Sullivan | Brust

Brian C. Padgett, Esq.
Amy L. Sugden, Esq.
Demand Letter
May 10, 2019
Page 2

Mr. Di Francesco and Mr. Feron sent you \$7,500 for travel and deposition expenses that never took place. There is a series of emails between Mr. Feron and your offices requesting that Ms. Sugden move forward with the case and this did not occur.

In an effort to resolve the dispute between your former clients, and each of you and your offices, I am proposing a global settlement demand wherein you would pay \$7,500 within ten days of the receipt of this letter in exchange for a mutual release (that I will draft). The release would cover each of you and your firm from all malpractice claims and other damages and this matter would be put to rest. If we do not hear from you or if this offer is not accepted in writing by you within ten days of receipt, then it shall be withdrawn, and my clients reserve their right to pursue any and all legal remedies including a claim for malpractice and professional negligence. If you are not willing to agree to the \$7,500 demand (which in essence is really simply a repayment for the \$7,500 that was not earned for the deposition) then put your malpractice carriers on notice of this demand letter.

I look forward to hearing from you.

Very truly yours,

MICHAEL E. SULLIVAN, ESQ.

MES/dlr

cc: Clients

71 Washington St
Reno, Nevada 89503

RSSBLAW.COM

P: 775.329.3151

F: 775.329.7941

Padgett ROA - 2197

Exhibit 38

Exhibit 38

From: [Louise Watson](#)
To: nvindustrial1@yahoo.com; robertpferon@verizon.net
Subject: Grievance File Nos. OBC19-1111 and OBC19-1104 - Brian Padgett, Esq., and Amy Sugden, Esq.
Date: Wednesday, December 4, 2019 2:39:00 PM

Mr. Di Francesco and Mr. & Mrs. Feron:

I am in the process of reviewing the file in the above-referenced matters. If you have any additional documentary evidence in support of your response, such as email communications with the attorneys, or if you want to submit any rebuttal to the attorney's responses previously provided to you, please provide **no later than December 18, 2019**.

Sincerely,

Louise Watson
Sr. Investigator/Program Manager
Office of Bar Counsel
Main: 702-382-2200
Direct: 702-317-1453
Fax: 702-382-8747
www.nvbar.org

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Exhibit 39

Exhibit 39

From: [Louise Watson](#)
To: robertpferon@verizon.net
Subject: Brian Padgett and Amy Sugden
Date: Monday, December 9, 2019 3:03:00 PM
Attachments: [2019.10.09 Sugden Response.pdf](#)
[2019.10.14 Padgett Response.pdf](#)

Mr. Feron:

Per our conversation, I have attached the responses that we received from Ms. Sugden and Mr. Padgett. Due to the size, I have not attached the exhibits. If you need the exhibits, please let me know.

Sincerely,

Louise Watson
Sr. Investigator/Program Manager
Office of Bar Counsel
Main: 702-382-2200
Direct: 702-317-1453
Fax: 702-382-8747
www.nvbar.org

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Exhibit 40

Exhibit 40

STATE BAR OF NEVADA

December 20, 2019

Sent via Regular Mail and email to brian@briancpadgett.com

Brian Padgett, Esq.
611 S. 6th Street
Las Vegas, NV 89101

RE: Grievance File No. OBC19-1111/DiFrancesco & Feron

Dear Mr. Padgett:

Additional information is needed as part of our ongoing investigation into the above-referenced matter. Please respond to the following:

1. On page 12 of your response you stated that you obtained the grievants an offer of 5.5 to 6 million dollars. Please clarify when this offer was made, and if possible provide documentation to support your response, such as communication with opposing counsel.
2. The grievants claim that following a phone conference with you on December 4, 2018, they were waiting for your office to provide them with information on having the property reappraised but didn't hear further from your office. Please clarify what happened in the case between December 4, 2018, and your termination in March 2019.
3. Provide the date of the email that Mr. Silva sent to you that was submitted as Exhibit 13 of your response.

Please give this matter your immediate attention. This is a lawful demand for information from the Office of Bar Counsel in conjunction with an investigation. If no response is received from you, Bar Counsel will ask the screening panel of the Southern Nevada Disciplinary Board to consider your failure to respond as a failure to cooperate with the State Bar in its efforts to enforce Rules of Professional Conduct, which will be considered as a separate disciplinary violation pursuant to RPC 8.1(b) (Bar Admission and Disciplinary Matters).

Thank you for your cooperation in this matter. Your response is due on or before **January 10, 2020.**

Sincerely,



Louise Watson, CP
Sr. Certified Paralegal/Investigator
Office of Bar Counsel
Direct Dial: 702-317-1453
Email: louisew@nvbar.org



3100 W. Charleston Blvd.
Suite 100
Las Vegas, NV 89102
phone 702.382.2200
toll free 800.254.2797
fax 702.385.2878

9456 Double R Blvd., Ste. B
Reno, NV 89521-5977
phone 775.329.4100
fax 775.329.0522

www.nvbar.org

Exhibit 41

Exhibit 41

From: [Louise Watson](#)
To: [Brian Padgett](#)
Subject: RE: Grievance Files
Date: Friday, January 17, 2020 9:01:00 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

Mr. Padgett:

I didn't realize that the 20th is MLK Day when we set that deadline, and our office is closed. If you want to email me the information on Monday, that's fine. If you planned to drop off a hard copy, you have until the 21st.

Sincerely,

Louise Watson
Sr. Investigator/Program Manager
Office of Bar Counsel
Main: 702-382-2200
Direct: 702-317-1453
Fax: 702-382-8747
www.nvbar.org

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From: Brian Padgett <brian@briancpadgett.com>
Sent: Thursday, January 16, 2020 4:41 PM
To: Louise Watson <LouiseW@nvbar.org>; Gerard Gosioco <gerardg@nvbar.org>
Subject: Grievance Files
Importance: High

Ms. Watson,

I will have the additional information for you on January 20, 2020. Thank you.

Mr. Gosioco,

I had requested an extension of time to answer your Complaint and I have not yet heard back. I am requesting until February 17, 2020 to file an Answer as I have a case getting ready to go to trial in March 2020 and I have been working on more than a dozen motions to file and I also have just as many to oppose

before the end of this month.

Additionally, I am not sure if the standard protocol in a Bar Complaint matter is to obtain counsel to represent me in a matter like this.

Do you have time for a call or meeting this week or early next week to discuss my questions of extension of time and retaining counsel?

Best regards,

Brian C. Padgett
Law Offices of Brian C. Padgett
611 South 6th Street
Las Vegas, Nevada 89101
(702) 304-0123
www.briancpadgett.com



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From: Louise Watson <LouiseW@nvbar.org>
Date: Tuesday, January 7, 2020 at 3:22 PM
To: Brian Padgett <brian@briancpadgett.com>
Subject: Grievance File No. OBC19-1111/Di Francesco

Mr. Padgett:

Pursuant to our conversation, I have given you an extension until January 20, 2020, to provide the additional information requested.

Padgett ROA - 2206

In regards to the formal Complaint filed, the Assistant Bar Counsel now assigned is Gerard Gosioco. He can be reached at gerardg@nvbar.org or 702-317-1433. I have passed on your request for an extension in that case.

Sincerely,

Louise Watson
Sr. Investigator/Program Manager
Office of Bar Counsel
Main: 702-382-2200
Direct: 702-317-1453
Fax: 702-382-8747
www.nvbar.org

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Exhibit 42

Exhibit 42



January 22, 2020

Louise Watson
Certified Paralegal/Investigator
Office of Bar Counsel
State Bar of Nevada
3100 W. Charleston Blvd., Ste. 100
Las Vegas, NV 89102

Re: Grievance File No. OBC19-1111/DiFrancesco-Feron

Dear Ms. Watson,

Please find herein my responses to your questions Nos. 1 – 3.

Introduction:

Ms. Sugden was terminated for conduct detrimental to the Law Firm on March 15, 2019. Just prior to termination, she deleted more than half of all of her emails held on the Law Firm's server from 2011 to present. Ms. Sugden was the lead attorney working on the DiFrancesco/Feron case at the time in question and, as a result, I am without her correspondence file.

However, the correspondence below is based upon my review of our case file, my personal notes taken with the clients present or as a result of telephonic communications with them as well as my own recollection.

Response to Question No. 1:

A condemning authority may abandon a taking at any time. In this case, during the Recession, the condemnor, Washoe County, ran out of money to stand behind their original acquisition offer of \$4.2MM and they backed away from any taking of the subject property as a result. The case laid quiet until economic conditions improved.

I recall Ms. Sugden's case updates to me via my notes: she had extensive conversations with the condemning authority's counsel Steve Silva about coming back to the negotiating table as the economy began to improve significantly.

Ms. Sugden told me that during the course of their conversations it was intimated to her that Washoe County would entertain settlement where they acquired this last remaining parcel of land in the path of their public project in exchange for \$5.5 - \$6.0MM in Just Compensation for the total taking of the property.¹ This would include any claims for prejudgment interest and pre-condemnation damages.

However, she said that before Washoe County would put an offer in writing they wanted to gauge the interest of our clients. I asked Ms. Sugden to schedule a call with the clients to bring them up to speed and get their direction.

Response to Question No. 2:

During the call, on or about December 4, 2018, the clients mentioned that their industrial/flex space property that was the subject of this case was doing great. They mentioned that due to the condemnor's acquisition of all the properties surrounding them in their industrial park they were the only game in town for this type of property close to the airport. They said they were making more money than ever. They also doubted whether they could make the same money elsewhere if they were to reinvest the \$5.5 - \$6.0MM and suggested perhaps we not pursue the matter further unless we got numbers above \$7.0MM.

Ms. Sugden told the clients \$7MM was a non-starter as that was well above Washoe's limits. The clients said they might get another appraisal of the property. Ms. Sugden advised them that time was of the essence to get back to Washoe while they retained interest. The call ended with the clients saying they might go forward and get an appraisal – on their own - and we told them to get back to us on that and direction for negotiations in the interim. They never got back to us about either item.

After that, the office was closed for the Holidays and in trial in January 2019. Thereafter, the office was handling post-trial motions and preparing for appeal through February without hearing from the clients. Thereafter, in March 2019, we received the request for substitution of counsel and subsequent request from that counsel to reimburse the client for their travel expenses or they would file a complaint with the State Bar.

Response to Question No. 3

I contacted Mr. Steve Silva (former counsel for Washoe County) for his recollection as to certain matters prior to his reply to me on Friday, October 11, 2019. He had been on vacation and was in and out of the office last fall and it took awhile to get in touch with him.

¹ Ms. Watson, please be advised this was not a formal offer as was related in the original Response Brief. That was typed up by staff from my notes in error.

Ms. Watson, if you have any further questions I am ready to assist you in any way needed.

Very truly yours,

Brian C. Padgett

Brian C. Padgett

Exhibit 43

Exhibit 43

From: [Robert Feron](#)
To: [Louise Watson](#); nvindustrial1@yahoo.com
Subject: RE: Grievance File Nos. OBC19-1111 and OBC 19-1104 - Brian Padgett, Esq. and Amy Sugden, Esq.
Date: Saturday, January 25, 2020 12:59:11 PM

Ms. Louise Watson:

Thank you for your recent email. John and I will follow up and submit additional information you requested. Again, thank you for your interest in our claim.

Bob Feron and John Di Francesco

From: Louise Watson <LouiseW@nvbar.org>
Sent: Friday, January 24, 2020 10:09 AM
To: robertpferon@verizon.net; nvindustrial1@yahoo.com
Subject: Grievance File Nos. OBC19-1111 and OBC 19-1104 - Brian Padgett, Esq. and Amy Sugden, Esq.

Mr. Di Francesco and Mr. & Mrs. Feron:

In your original grievance you indicated that you would be able to provide our office with copies of your entire file. In reviewing the file again, it would be helpful if you could provide copies of all your correspondence (letter and emails) with Ms. Sugden or Mr. Padgett from May 2017 forward, especially those referenced in your grievance that you claimed were not responded to.

Please also provide a copy of the \$7,500 payment for the depositions, and any correspondence with the firm regarding your need to submit the payment.

Please provide this information to my attention as soon as possible, but no later than February 5, 2020.

Sincerely,

Louise Watson
Sr. Investigator/Program Manager
Office of Bar Counsel
Main: 702-382-2200
Direct: 702-317-1453
Fax: 702-382-8747
www.nvbar.org

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Exhibit 44

Exhibit 44

RECEIVED BY

FEB 03 2020

STATE BAR OF NEVADA

February 1, 2020

Ms. Louise Watson
Sr. Investigator/Program Manager
Office of Bar Counsel
State Bar of Nevada
31000 W. Charleston Blvd.
Las Vegas, NV 89102

RECEIVED

FEB 03 2020

OFFICE OF BAR COUNSEL

Ms. Watson:

Thank you for your interest in our grievance with Ms. Sugden and Mr. Padgett.

We have enclosed a number of emails for your review and consideration. We have underlined certain sentences in order to draw your attention to words or phrases that indicate our frustrations and with their tardiness in responding to duties they indicated they would perform. Also enclosed are copies of three checks in the amount of \$10,000 that were sent to Ms. Sugden to prepay for their trip to Reno, for deposition costs and personal expenses. Please see email dated May 3, 2018. Also note that the trip to Reno for the above-mentioned matter never occurred. The \$10,000 was not returned.

The most serious issue is the lack of informing us that there existed a 5-year rule, NRCP 41. We had no knowledge of this rule until we were notified in an email from Ms. Sugden dated September 16, 2017. This occurred two months after the 5-year rule expired. At this time, we were certain that the Defendants were in control of the lawsuit. They had their ace in the hole. To this date, we have not received an explanation as to why this expired. This in our opinion was an absolute breach of client representation.

Another blatant omission on their part was the lack of submitting a motion of Non- Opposition that Ms. Sugden stated she would file due to the lack of a reply by the Defendant. See email dated August 27, 2018. We had checked many times with the Court Clerk and a Non-Opposition was never filed. We have enclosed a copy of the Docket, page 3 that shows no entry of a Motion of Non-Opposition. No explanation from Ms. Sugden was given.

Email dated September 4, 2017 shows that we discussed the Motion because of a constant moving date to supply financial information. It was suggested that we should request that the judge should establish a date of damages. After further discussions, a Motion in Limine was filed on June 29, 2018, approximately 10 months since that original request.

We have not discussed each enclosed email but would ask you to review each one on its merits to understand our desire to move the lawsuit forward but were upset with the numerous delays, lack of responses to our emails and telephone calls.

In closing, we asked that in light of what has transpired over the seven years of representation, you consider a just recourse against Ms. Sugden and Mr. Padgett. We sincerely hope that no other potential client will experience the lack of faith and confidence that the Di Francesco and Feron families have in Ms. Sugden and Mr. Padgett.

Again, thank you for your consideration and should you have any questions, please do not hesitate to call or email either John Di Francesco or Robert Feron.

Sincerely,



John Di Francesco and Robert Feron

Padgett ROA - 2215

Robert Feron

From: John Di Francesco <nvindustrial1@yahoo.com>
Sent: Monday, September 4, 2017 3:51 PM
To: Amy Sugden; Robert Feron
Subject: Re: Labor Day

Hi Amy,

Thanks for getting back to us. Sorry you are working this weekend and not spending time with your kids.

Believe me when I say it is not our intention to criticize you personally in our case. We have said many time over how much we appreciate your efforts and attention to the details of our case.

This is more a back handed complement of Steve's effort to avoid and obstinate our efforts to obtain evidence that would be helpful to our case and hurtful to their defense. All his efforts stays under the radar of the court and the Board of the TRFMA . It also costs them very little of his time and therefore does not draw attention to a case that has dragged on for over five years. It is hardly a footnote on the Board's agenda month after month , year after year.

Our intention is to take the offence and expose his delay tactics. It would be naive to say he ever intended to turn over full and complete records of all the training activities over the years. He already answered, that those records would be onerous and burdensome for them to produce. Which is a boldface lie. He has a track record of not turning over what we asked for and delaying his responses for months and even complaining we were not asking the right questions. If he wasn't controlling the narrative he would have responded respectfully to you and given you those records many months ago, certainly immediately after the last motion that was ruled in our behalf. Bob says that was May 4th.

Every successful enterprise, military battle, sporting event, and court case must self critique and make course corrections if results are not getting produced. Setting our egos aside for self criticism of our game plan is a show of character, strength and intelligence.

When we last spoke it was not 100% clear when the final date of damages is for the current case. If Steve wants financial records beyond the date of filing we should allow the Judge to rule on that date and whether we must produce additional financials. I would argue that if the date of damages is different and we are required to turn over additional financial the date should be May 4, 2017 the date of the last ruling to proceed. This would include a few million dollars more damages to property and business losses. Also we have a report that indicated deferred maintenance in the hundreds of thousands that offset any show of cash flow profit that may have been interpreted by Steve as evidence that we have been getting net profit from the property.

We may not win that point but we have **Nothing to Lose** either. At the same time it raises the profile of the case before the Judge and Board. At a minimum we may get more evidence into the record to support our claims.

Respectfully, thank you again.

Jackie, Bob and John

On Monday, September 4, 2017 5:45 AM, Amy Sugden <amy@briancpadgett.com> wrote:

Robert Feron

From: Amy Sugden <amy@briancpadgett.com>
Sent: Saturday, September 16, 2017 11:14 AM
To: John Di Francesco; Robert Feron
Subject: Re: Labor Day

John,

Thank you for the email. I really do appreciate your and Bob's thoughts as we have navigated what has seemed at times to be a never-ending stream of motion practice that has prolonged the ultimate goal of bringing this to trial. And I do realize that you guys are appreciative of our efforts and so thank you for the kind words.

Normally, we proceed through discovery fully, it closes and then we proceed to dispositive motions. But no two eminent domain cases are alike and this one was hit from day 1 with motions from Chapman's office trying to summarily dispose of our case. Once we defeated those, we moved to set the date of valuation for which we could proceed to prepare expert reports.

But as you guys know, while this was going on, the Ad America decision came down clarifying the Nevada Supreme Court's position that in order for a condemnor to have liability for an inverse condemnation action, there must be a total deprivation of income/use of the property – which unfortunately set the standard too high for us to meet in your case. So we agreed to dismiss that cause of action and proceeded to present expert reports for our precondemnation damages' claim. And then we got hit with our second round of motions from Steve that tried to once again summarily dispose of our precondemnation damages' claim.

Now that we have succeeded on those, we need to close discovery and prepare for trial. I understand your guys' position completely as outlined below but there is now a new issue that factors into the overall situation.

Under NRCP 41, a case shall be dismissed by the judge if it is not brought to trial UNLESS the parties otherwise agree in writing. I presented Steve with a stipulation to set the close of discovery and acquiesce to the 5-year rule. We need his consent to extend what is known as "the five year rule" under NRCP 41. Thus, while we need to deal with the discovery that's outstanding, there's a bigger issue of concern.

Here are our options/issues:

- (1) We get Steve to agree in writing to the extension of the 5-year rule
- (2) We don't get Steve to agree and he moves for dismissal with prejudice (meaning we can't file again)
Even Steve admits he doesn't think that this judge would grant his motion for dismissal with prejudice (and it would be likely without prejudice, allowing us to file again) But if that happens, and we file again, then we are stuck at evaluating the damages from 2007-2017, instead of 2007-2012 (our prior filing date). There are pros and cons to both scenarios but overall, I don't want to lose this judge and we run that risk if we have to refile.

I think Steve will agree to the extension if we agree to the simultaneous exchange of the training logs and financials.

I know you aren't keen on this and made a lot of comments about his lack of good faith and gamesmanship in not producing the logs but I see that in every case I do and we do it as well – and in this case, Steve's argument is that just as he needs to produce the training logs, we need to produce the updated financials (as there's a rule of civil procedure stating you have a duty to supplement your responses when new information becomes available and as they asked for financials, that duty is triggered). Thus, if we go to the Court on simultaneous motions to compel, where both sides will seek attorneys' fees/sanctions from the other for failure to comply, we both are arguably just doing the same thing. But there's more to gain now with a simultaneous exchange, preservation of our case in front of Judge Pohela.

Brian and I want to do what makes the most sense to us – hand over the additional financials, we get the training logs and agreement on the five year rule. THEN, I will file a motion in limine to exclude anything after the July 2012 date. I can't move for that now without losing Steve on the 5 year rule.

Thank you,
Amy

From: "nvindustrial1@yahoo.com" <nvindustrial1@yahoo.com>
Reply-To: "nvindustrial1@yahoo.com" <nvindustrial1@yahoo.com>
Date: Monday, September 4, 2017 at 3:51 PM
To: Amy Sugden <amy@briancpadgett.com>, Bob Feron <robertpferon@verizon.net>
Subject: Re: Labor Day

Hi Amy,

Thanks for getting back to us. Sorry you are working this weekend and not spending time with your kids.

Believe me when I say it is not our intention to criticize you personally in our case. We have said many times over how much we appreciate your efforts and attention to the details of our case.

This is more a backhanded complement of Steve's effort to avoid and obstruct our efforts to obtain evidence that would be helpful to our case and hurtful to their defense. All his efforts stay under the radar of the court and the Board of the TRFMA. It also costs them very little of his time and therefore does not draw attention to a case that has dragged on for over five years. It is hardly a footnote on the Board's agenda month after month, year after year.

Our intention is to take the offense and expose his delay tactics. It would be naive to say he ever intended to turn over full and complete records of all the training activities over the years. He already answered, that those records would be onerous and burdensome for them to produce. Which is a boldface lie. He has a track record of not turning over what we asked for and delaying his responses for months and even complaining we were not asking the right questions. If he wasn't controlling the narrative he would have responded respectfully to you and given you those records many months ago, certainly immediately after the last motion that was ruled in our behalf. Bob says that was May 4th.

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When we last spoke it was not 100% clear when the final date of damages is for the current case. If Steve wants financial records beyond the date of filing we should allow the Judge to rule on that date and whether we must produce additional financials. I would argue that if the date of damages is different and we are required to turn over additional financial the date should be May 4, 2017 the date of the last ruling to proceed. This would include a few million dollars more damages to property and business losses. Also we have a report that indicated deferred maintenance in the hundreds of thousands that offset any show of cash flow profit that may have been interpreted by Steve as evidence that we have been getting net profit from the property.

We may not win that point but we have **Nothing to Lose** either. At the same time it raises the profile of the case before the Judge and Board. At a minimum we may get more evidence into the record to support our claims.

Respectfully, thank you again.

Jackie, Bob and John

On Monday, September 4, 2017 5:45 AM, Amy Sugden <amy@briancpadgett.com> wrote:

Thanks John for the email. I understand the frustration but I respectfully don't think that Steve controls the narrative. Just because I relay what he says doesn't really matter as compared to the results - and we have been successful throughout every phase of the motion practice. More importantly, our case is ready to go - the training logs are important of course but we have all the evidence we need to prove the precondemnation blight.

We can certainly do more discovery to turn up their heat and make them bill more hours as we discussed.

I am in Utah for another case until Thursday but am working on the motion so it can be filed asap. I propose we talk after that is filed.

Thanks and have a nice Labor Day!

Amy

From: "nvindustrial1@yahoo.com" <nvindustrial1@yahoo.com>
Reply-To: "nvindustrial1@yahoo.com" <nvindustrial1@yahoo.com>
Date: Friday, September 1, 2017 at 10:57 PM
To: Amy Sugden <amy@briancpadgett.com>
Subject: Labor Day

Hi Amy,

Sorry about the short time line to get a new conference call going. I had forgot about the holiday weekend. I have been trying to make up for lost time when I was recuperating.

When you can, please set up another conference call so we can solidify our plan and establish a action timeline. Bob, Jackie and I met today and we are disappointed that since the ruling in May we have accomplished nothing of substance.

Steve is really a master at delay and obstruction. He seems to always control the narrative. Please don't discuss our next steps with him in advance. We want the motion prepared and ready to go. He has never offered us anything in good faith and he is disingenuous to the point of being deceitful.

Also Leo Bergin with McDonald Carano offered us the use of their conference room when we conduct our depositions. Their offices are centrally located downtown.

Thank you and have a great weekend!

John D

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Amy Sugden <amy@briancpadgett.com>

Date: 9/16/17 11:13 AM (GMT-08:00)

To: John Di Francesco <nvindustrial1@yahoo.com>, Robert Feron <robertpferon@verizon.net>

Subject: Re: Labor Day

John,

Thank you for the email. I really do appreciate your and Bob's thoughts as we have navigated what has seemed at times to be a never-ending stream of motion practice that has prolonged the ultimate goal of bringing this to trial. And I do realize that you guys are appreciative of our efforts and so thank you for the kind words.

Normally, we proceed through discovery fully, it closes and then we proceed to dispositive motions. But no two eminent domain cases are alike and this one was hit from day 1 with motions from Chapman's office trying to summarily dispose of our case. Once we defeated those, we moved to set the date of valuation for which we could proceed to prepare expert reports.

But as you guys know, while this was going on, the Ad America decision came down clarifying the Nevada Supreme Court's position that in order for a condemnor to have liability for an inverse condemnation action, there must be a total deprivation of income/use of the property – which unfortunately set the standard too high for us to meet in your case. So we agreed to dismiss that cause of action and proceeded to present expert reports for our precondemnation damages' claim. And then we got hit with our second round of motions from Steve that tried to once again summarily dispose of our precondemnation damages' claim.

Now that we have succeeded on those, we need to close discovery and prepare for trial. I understand your guys' position completely as outlined below but there is now a new issue that factors into the overall situation.

Under NRCP 41, a case shall be dismissed by the judge if it is not brought to trial UNLESS the parties otherwise agree in writing. I presented Steve with a stipulation to set the close of discovery and acquiesce to the 5-year rule. We need his consent to extend what is known as "the five year rule" under NRCP 41. Thus, while we need to deal with the discovery that's outstanding, there's a bigger issue of concern.

Here are our options/issues:

- (1) We get Steve to agree in writing to the extension of the 5-year rule *Never happened*
- (2) We don't get Steve to agree and he moves for dismissal with prejudice (meaning we can't file again) Even Steve admits he doesn't think that this judge would grant his motion for dismissal with prejudice (and it would be likely without prejudice, allowing us to file again) But if that happens, and we file again, then we are stuck at evaluating the damages from 2007-2017, instead of 2007-2012 (our prior filing date). There are pros and cons to both scenarios but overall, I don't want to lose this judge and we run that risk if we have to refile.

I think Steve will agree to the extension if we agree to the simultaneous exchange of the training logs and financials.

I know you aren't keen on this and made a lot of comments about his lack of good faith and gamesmanship in not producing the logs but I see that in every case I do and we do it as well – and in this case, Steve's argument is that just as he needs to produce the training logs, we need to produce the updated financials (as there's a rule of civil procedure stating you have a duty to supplement your responses when new information becomes available and as they asked for financials, that duty is triggered). Thus, if we go to the Court on simultaneous motions to compel, where both sides will seek attorneys' fees/sanctions from the other for failure to comply, we both are arguably just doing the same thing. But there's more to gain now with a simultaneous exchange, preservation of our case in front of Judge Pohela.

Brian and I want to do what makes the most sense to us – hand over the additional financials, we get the training logs and agreement on the five year rule. THEN, I will file a motion in limine to exclude anything after the July 2012 date. I can't move for that now without losing Steve on the 5 year rule.

Thank you,

Amy

Robert Feron

From: Amy Sugden <amy@briancpadgett.com>
Sent: Wednesday, September 20, 2017 4:22 PM
To: Robert Feron; John Di Francesco
Subject: Re: Labor Day

Steve is amenable to executing the stipulation for the extension too! We just need to get the discovery issues sorted out first.

From: Bob Feron <robertpferon@verizon.net>
Date: Wednesday, September 20, 2017 at 4:04 PM
To: Amy Sugden <amy@briancpadgett.com>, "nvindustrial1@yahoo.com" <nvindustrial1@yahoo.com>
Subject: Re: Labor Day

Thanks for the reply. What about the extension? Seems most important. When would that take place? Looks like it is something we could work with needs to be refined.

Bob

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Amy Sugden <amy@briancpadgett.com>
Date: 9/20/17 2:52 PM (GMT-08:00)
To: Robert Feron <robertpferon@verizon.net>, John Di Francesco <nvindustrial1@yahoo.com>
Subject: Re: Labor Day

Bob & John,

I have spent a number of hours working on this matter and analyzing the best course of action – as well as conferring again with Steve on our confirming the close of discovery. After a lengthy conversation with Steve, I got him to agree to the following, as long as I can just tell him I have the financials in my possession, he will release the training logs for us to review.

Meaning, I don't have to turn the financials over for him to give me the training logs but as long as I represent to him that I have them in my possession, he will give me the training logs. Then, if we approve of what is received, then we will provide the financials.

Given what you guys indicated, it behooves us to potentially include the data after 2012 as it is further evidence of damages (so filing the motion about stopping damages in 2012 doesn't make sense at this point).

This is the best way to proceed and is most efficient in moving this case forward. Accordingly, I need you to please provide me the updated financials. I will absolutely not release them until I have your express consent based upon the process I laid out above. Please be aware though, Steve has the power to subpoena the updated financials from us, and the court could order the documents be disclosed (my conversations with Steve have kept him from doing so).

We're happy to work with you as the clients to help brainstorm arguments regarding your property, the circumstances surrounding it, and the injuries it sustained. You will always have the last word on whether or not to settle (and for how much), as well as the big picture objective of the litigation. That said, our firm's intimate knowledge of the nuances involved in eminent domain law, procedural law, the court system, and motion practice is a weapon that we wield on your behalf, and we will always use our most effective means to achieve your objective. With that in mind, the strategy on how we deploy our weapons and means must stay in our control under the attorney-client relationship to assure we are maximally effective. We've scored some big wins in this case and I think we'll amass many more before we cross the finish line.

Thank you,

Amy

From: Bob Feron <robertpferon@verizon.net>

Date: Wednesday, September 20, 2017 at 12:17 PM

To: Amy Sugden <amy@briancpadgett.com>, "nvindustrial1@yahoo.com" <nvindustrial1@yahoo.com>

Subject: Re: Labor Day

Amy,

Lets set up a conference call so that we know where we are and where we are going.

Bob

Robert Feron

From: John Di Francesco <nvindustrial1@yahoo.com>
Sent: Friday, September 22, 2017 1:55 PM
To: Robert Feron

Does she plan on depositions of any of the opposition people?

What does Steve plan on giving us ? How detailed and what time periods?

I think that pretty much sums it up Bob.

On Friday, September 22, 2017, 12:36:01 PM PDT, Robert Feron <robertpferon@verizon.net> wrote:

John,

Here are some discussion items to run by Amy. Please add or eliminate as you see fit.

I appreciate your response, but I think we need to know, and iron out, some details.

{ Why was the 5-year window even an issue we had to deal with? Why was it missed, and why do we still not have a trial date even though it sounds like we have everything we need aside from the logs?

We also need to know the timeline and obligations for the planned exchange of information:

-The exchange should be contingent on the written waiver of the 5-year window

-It needs to be specified how long the waiver will last (even if it's just "until trial"), but we want to know there won't be any tricks by Steve down the line

-John can send you our financials by the end of next week, but again, they would not be conveyed until we have the training logs and the written waiver from Steve

-Can we set a timeline/deadlines for when these exchanges and steps will be made so that we can keep Steve accountable?

How can we bring discovery to a close and put some heat under Steve to fish or cut bait? One way or another we want to get this resolved, and giving him the deadline of a trial seems like a way to either get settlement talks moving, or to get this in front of a jury for a decision. Is it possible to agree to pick a trial date at some point within 30 days of the receipt/exchange of the financials and logs?

Then, with respect to the exchange of the financials, does that make it necessary for Tio to update his appraisal to 2017?

Robert Feron

From: John Di Francesco <nvindustrial1@yahoo.com>
Sent: Monday, October 2, 2017 1:16 PM
To: Amy Sugden
Cc: Robert Feron
Subject: Financials

Amy,

I'm sending you and Bob the 2014, 2015, and 2016 rent rolls and Profit and Loss statements today by Priority Mail. You should expect to receive them on Wednesday.

John

Robert Feron

From: John Di Francesco <nvindustrial1@yahoo.com>
Sent: Tuesday, December 26, 2017 2:40 PM
To: Robert Feron
Subject: Amy

Bob,

Hope you had a good Christmas. We did, the dogs had the best time.

But, the more I think of Amy the more angry I get at her. I predicted Steve doing this month's ago. She always says she will get the information through subpoenas and depositions. She hasn't done shit about depositions or taking statements.

That financial information is out of date, so is Steve going to insist on more financials?

During my deposition Steve told me to preserve all records and evidence regarding the property. That was recorded and witnessed by Mike Wohl attorney for the TMFMA. I might be wrong on his first name. I think the judge would hold Them to the same standard. I hate Steve controlling the narrative and the direction of all the actions. And that threat about the extension is bullshit! but the longer this takes to keep something active with the case our position gets weaker, in regards to this case.

Why hasn't Amy asked for depositions, or filed any motions to keep the case active with the court?

Can't we file for a summary judgement based on Steve's not response to demands for evidence?

I guess we need a conference call ASAP or after the New Year if possible. I'll call you later.

John

Robert Feron

From: Amy Sugden <amy@briancpadgett.com>
Sent: Wednesday, January 17, 2018 1:18 PM
To: Robert Feron; nvindustrial1@yahoo.com
Subject: Re: Moving Forward!
Attachments: Updated Rent Rolls (DiFrancesco).pdf

Hi Bob/John,

Couple items. First, I have identified the following people that we want to potentially depose. The first group is my 90% "for sure" list of people we are interested in deposing. The second group is dependent on how things go with the first list. Once I get them scheduled, I will be preparing deposition outlines and will work to seek input for any particular issues/correspondences/etc. that you know about with relationship to each deponent.

Deposition List:

First Round:

1. • Mimi Fujii-Strickler (TRFMA)
2. • Jay Aldean (TRFMA)
3. • Steve Harris (OPC)
4. • Naomi Duerr (TRFMA)
5. • Doug Dubois (TRFMA)
6. Becky Stock (Nevada Land Trust)
7. Patty McCleary (Nevada Land Conservancy)
8. • Charlie De St. Maurice (Reno PD)
9. • Bob Schiffmaucher (Appraiser)
10. Anthony Wren (Review Appraiser)
11. • Paul Urban (TRFMA)

Never happened!

Second Round:

1. Josh Fortmann (Kleinfelder)
2. Ron Smith (TRFMA BOD)
3. Geno Martini (TRFMA BOD)
4. Kitty Jung (TRFMA BOD)
5. David Humke (Former TRFMA Director/BOD)
6. Jessica Sferrazza (Former TRFMA Director/BOD)
7. Dave Aiazzi (Former TRFMA Director/BOD)

Second, I did speak to Steve and he's asked his client for the any training logs/responsive documents to our request for the properties located along N. Edison. I expect to get confirmation from him on that in the next week in writing as to their existence. Likewise, he had a question for me regarding the financials provided (which I'm attaching for reference). John, I received the following from you:

To: Robert Feron <robertpferon@verizon.net>; nvindustrial1@yahoo.com

Subject: Re: Moving Forward!

Yes, you are correct! Thanks Bob.

I'll work on the list and get that over to you guys.

From: Bob Feron <robertpferon@verizon.net>

Date: Friday, December 29, 2017 at 10:17 AM

To: Amy Sugden <amy@briancpadgett.com>, "nvindustrial1@yahoo.com" <nvindustrial1@yahoo.com>

Subject: RE: Moving Forward!

Amy,

Also need to schedule any remaining depositions that you believe are necessary. We would like to review that list when available.

Thanks,

Bob

From: Amy Sugden [<mailto:amy@briancpadgett.com>]

Sent: Friday, December 29, 2017 10:04 AM

To: Bob Feron <robertpferon@verizon.net>; nvindustrial1@yahoo.com

Subject: Moving Forward!

Importance: High

Hi guys,

It was really good to speak with you both yesterday. I think we are all on the same page that we want to move this forward as fast as possible.

In order to do so, the agreed upon game plan is as follows:

- (1) Turn over the updated financials to Steve
- (2) Amy and Steve finalize discovery deadlines and stipulation for waiver of the 5 year rule (or in the event we cannot, I will submit my own discovery proposal to the discovery commissioner asking to move this forward as quickly as possible)
- (3) Once discovery schedule is finalized, move to obtain trial date.

If you have any concerns, let me know ASAP as I'm turning over the financials by COB today so we can get going on #2-#3.

Thank you and Happy New Year!!

Amy L. Sugden, Esq.
Law Offices of Brian C. Padgett

Robert Feron

From: Amy Sugden <amy@briancpadgett.com>
Sent: Friday, April 20, 2018 5:19 PM
To: Bob Feron; John Di Francesco
Subject: Recap

This is what we agreed:

Proceed with depositions

Amy to file Motion (probably a motion in limine) to exclude evidence after July 2012

Consider filing a motion to bring City of Reno back in for activities related to business licenses

Make Steve work and bill bill bill

Thank you!!

Have a nice weekend.

Amy L. Sugden, Esq.
Law Offices of Brian C. Padgett
611 South 6th Street
Las Vegas, Nevada 89101
(702) 304-0123 Tel
(702) 368-0123 Fax



Robert Feron

From: John Di Francesco <nvindustrial1@yahoo.com>
Sent: Saturday, April 21, 2018 11:41 PM
To: Amy Sugden; Robert Feron
Subject: Counter Offer

Hi Amy,

Bob and I further discussed the suggestion from Steve regarding our interest in selling the Edison property and settling the Pre-Condemnation case. We would like you to present this counter proposal to Steve.

We would settle the ^{Pre-conv}lawsuit for \$1,000,000 plus all of your attorney fees. This offer is good for 60 days from Monday April 23, 2018. If not accepted the offer is withdrawn at the time of their rejection.

In addition we would be willing to sell the Edison property to TRFMA after August 2018. The sales price would be determined by a new Yellow Book appraisal prepared by David Yerke MAI. The appraisal will commence after August 1 and would take approximately 60 days to complete. Please convey our willingness to cooperate and sell the property as we have always been. If after the appraisal is received and reviewed; TRFMA does not proceed with the purchase they will be responsible to reimburse us for the appraisal and any other out of pocket expenses we incurred related to the preparation of the sale. This is not a free look at our expense. They must demonstrate sincerity and good faith.

Regardless of this proposal we want you to immediately continue the depositions and the filling of the Motion with the Court. We want to eliminate any downtime or stall tactics by Steve. If Steve even suggests a pause while the offer is being considered please immediately and strongly shoot down that suggestion as not acceptable to us.

Lets not take any action at this time regarding bringing the City of Reno into the suit, it would be an distraction.

If you would like to discuss this proposal or have any additional suggestions please call us Monday afternoon. Bob and I will give your call priority, just text us an approximate time. Thanks again.

John and Bob

Robert Feron

From: John Di Francesco <nvindustrial1@yahoo.com>
Sent: Thursday, May 3, 2018 5:52 PM
To: Amy Sugden
Cc: Robert Feron
Subject: Expense Check

Hi Amy,

We are sending you today a check for \$5000 for expenses^{*} related to depositions and travel. Have you gotten any feedback from Steve? In your opinion would he have to present our entire counter offer to the TRFMA?

Best Regards,

John and Bob

** See attched copies of 3 checks sent to Brian & Amy
Total \$10,000.*

[illegible]

#5096 5/15/18 \$5,000.00
 PAY TO THE ORDER OF
 DIFRANCESCO - FERON
 FERNANDEZ
 PO BOX 7116
 HO MD, MD 21046
 07/01/17-07/18
 5097
 5/4/18
 \$ 61.04
 DOLLARS
 VISA
 54 0000112
 1000015690*
 1814:

#5097	5/15/18	\$61.04
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Date: 00014 25/14/18
 BA1: 978403 CC: 31E007557
 NI: 01 CIPS: 00118 FI
 BC: 18001002-October BC NV1 1

1974-1975 1976-1977
 1970-1971
 1972-1973
 1974-1975 1976-1977
 1970-1971 1972-1973
 1974-1975 1976-1977

5/22/18 \$30.00

AIR CENTER, LLC
P.O. Box 7116
Reno, NV 89510
(775) 813 36701401 S. Virginia Street
P.O. Box 11920
Reno, Nevada 89510

3455

94 101712

4/13/2018

PAY TO THE
ORDER OF Law Offices of Brian C. Padgett

\$**2,500.00

Two Thousand Five Hundred and 00/100 DOLLARS

Law Offices of Brian C. Padgett
611 So Sixth Street
Las Vegas NV 89101

VOID AFTER 90 DAYS

MEMO DEPOSITION EXPENSES

1040005140

Seq
Sat
DatSeq 80955 05/25/18
DAT 257105 05/25/2018
W101 1725.101125 P1
05/21/2018 05/21/18

#3455 5/29/18 \$2,500.00

AIR CENTER, LLC
P.O. Box 7116
Reno, NV 89510
(775) 813 36701401 S. Virginia Street
P.O. Box 11920
Reno, Nevada 89510

3458

94 101712

4/27/2018

PAY TO THE
ORDER OF NV Energy

\$**427.55

Four Hundred Twenty Seven and 55/100 DOLLARS

NV Energy
P.O. Box 30065
Reno, NV 89520

VOID AFTER 90 DAYS

MEMO Aircenter Utilities 4910-4890 Several Accounts April

1040005140

#3458 5/01/18 \$427.55

AIR CENTER, LLC
P.O. Box 7116
Reno, NV 89510
(775) 813 36701401 S. Virginia Street
P.O. Box 11920
Reno, Nevada 89510

3459

94 101712

4/27/2018

PAY TO THE
ORDER OF Truckee Meadows Water Authority

\$**124.23

One Hundred Twenty Four and 23/100 DOLLARS

VOID AFTER 90 DAYS

Padgett ROA - 2234

6. 1. 7

PAY TO THE ORDER OF
BANK OF AMERICA
LAS VEGAS NV 89103-0016
FOR DEPOSIT ONLY
LAW OFFICES OF BRIAN C MADGITT LLC
80122397178

Sq. 62
Batch: 269155
Date: 05/25/18

0815011872
2018-05-25

MRS BARBARA J. HARRIS
87-13135 CC 1248490018
MRS JENNIFER L. HARRIS
MRS JENNIFER L. HARRIS

Box 101 West Orange, NJ
118.0000 V.A.
THOMAS BRADSHAW HALL NORTH
COSTA MESA, CALIF. 92626
1-800-750-0000

Con-Deposition Only to
 PROTECTION DEVICES INC
 PROTECTION DEVICES INC DEPT SECUR
 Deposited for \$1.00
 [] CHECKED BY OTHER
 VOTER OR REVOTE DEPOSIT DATE
 0520446385
 2011-01-02
 05/01/18
 Date: 05/01/18

Car Department
 PROTECTION DEVICES
 Department CB
☐ Call for more info
 1-800-854-2222
 Dept. 000730
 Date 07/07/18
 15575418008

Robert Feron

From: Amy Sugden <amy@briancpadgett.com>
Sent: Monday, August 27, 2018 12:10 AM
To: Robert Feron
Cc: 'John Di Francesco'
Subject: Re: Edison

Hi Bob,

We did submit a notice of non-opp. I'll follow up with my assistant re the e-filing system to double check and get you file-stamped copy!

Thanks,
Amy

From: Bob Feron <robertpferon@verizon.net>
Date: Thursday, August 23, 2018 at 11:25 AM
To: Amy Sugden <amy@briancpadgett.com>
Cc: "nvindustrial1@yahoo.com" <nvindustrial1@yahoo.com>
Subject: RE: Edison

Amy,

Just checked with the court docket and nothing filed by either Steve or you. Please give us an update on the non-opposition motion that us discussed. This seems like an opportunity we have not had in the past to move this along and get closer to a conclusion. It's been almost 30 days since Steve was required to reply and hasn't.

Thanks,

Bob

From: Robert Feron <robertpferon@verizon.net>
Sent: Thursday, August 9, 2018 6:21 AM
To: 'Amy Sugden' <amy@briancpadgett.com>
Cc: 'John Di Francesco' <nvindustrial1@yahoo.com>
Subject: RE: Edison

Sounds like a good idea. Could this be a sign of surrender? Just checked the Court Docket and no reply received from Steve. I'll talk with John later on and send you another email.

Thanks,

Bob

From: Amy Sugden <amy@briancpadgett.com>
Sent: Thursday, August 9, 2018 12:09 AM

To: Robert Feron <robertpferon@verizon.net>
Cc: 'John Di Francesco' <nvindustrial1@yahoo.com>
Subject: Re: Edison

Hi Bob,

Nothing has been filed (or at least I haven't seen it!) His opposition was due on 7/26. I can't file a reply without an opposition, but I can do a notice of "non-opposition" and hopefully the Court will then grant our request in short order 😊

Thanks,
Amy

From: Bob Feron <robertpferon@verizon.net>
Date: Tuesday, August 7, 2018 at 6:47 PM
To: Amy Sugden <amy@briancpadgett.com>
Cc: "nvindustrial1@yahoo.com" <nvindustrial1@yahoo.com>
Subject: RE: Edison

Amy,

Just wanted to follow up on the Motion. It's been over a month since you filed the Motion. If I remember correctly, Steve needs to reply within 30 days. We are wondering if he has replied or has an extension because of his move? Anyhow, please give us an update.

Thanks,

Bob

From: Amy Sugden <amy@briancpadgett.com>
Sent: Tuesday, July 3, 2018 10:05 AM
To: Robert Feron <robertpferon@verizon.net>
Cc: 'John Di Francesco' <nvindustrial1@yahoo.com>
Subject: Re: Edison

Yes, you can just dial into this number (it's our conf call line)

720.820.1245 (no pin needed)

Thank you,
Amy

From: Bob Feron <robertpferon@verizon.net>
Date: Tuesday, July 3, 2018 at 8:05 AM
To: Amy Sugden <amy@briancpadgett.com>
Cc: John Di Francesco <nvindustrial1@yahoo.com>
Subject: RE: Edison

3. NEF - Proof of Electronic Service	04/09/2019	Extra Text: Transaction 7209989 - Approved By: NOREVIEW : 04-09-2019:16:08:25
4. 3990 - Stip & Ord Dismiss W/Prejudice	04/08/2019	Extra Text: Transaction 7206093 - Approved By: NOREVIEW : 04-08-2019:11:19:16
5. NEF - Proof of Electronic Service	04/08/2019	Extra Text: Transaction 7206097 - Approved By: NOREVIEW : 04-08-2019:11:20:10
6. F120 - Stipulated Dismissal	04/08/2019	Extra Text:
7. 3860 - Request for Submission	04/05/2019	Extra Text: Transaction 7204781 - Approved By: BBLOUGH : 04-05-2019:15:43:55 DOCUMENT TITLE: STIPULATION AND ORDER FOR DISMISSAL WITH PREJUDICE (ORDER ATTACHED AS EXHIBIT 1) PARTY SUBMITTING: MICHAEL E SULLIVAN, ESQ. DATE SUBMITTED: APRIL 5, 2019 SUBMITTED BY: BBLOUGH DATE RECEIVED JUDGE OFFICE:
8. NEF - Proof of Electronic Service	04/05/2019	Extra Text: Transaction 7204904 - Approved By: NOREVIEW : 04-05-2019:15:44:55
9. NEF - Proof of Electronic Service	03/19/2019	Extra Text: Transaction 7172973 - Approved By: NOREVIEW : 03-19-2019:08:47:06
10. 4075 - Substitution of Counsel	03/18/2019	Extra Text: MICHAEL SULLIVAN ESQ - Transaction 7172393 - Approved By: CSULEZIC : 03-19-2019:08:46:10
11. NEF - Proof of Electronic Service	09/05/2018	Extra Text: Transaction 6864892 - Approved By: NOREVIEW : 09-05-2018:15:42:52
12. 4105 - Supplemental ...	09/05/2018	Extra Text: Exhibits 1-26 to Motion to Exclude Evidence After August 2012 - Transaction 6864867 - Approved By: CSULEZIC : 09-05-2018:15:41:17
13. NEF - Proof of Electronic Service	07/17/2018	Extra Text: Transaction 6780704 - Approved By: NOREVIEW : 07-17-2018:14:13:57
14. 2526 - Notice of Change of Attorney	07/17/2018	Extra Text: Notice of Change of Firm for Steven M. Silva - Transaction 6780463 - Approved By: CSULEZIC : 07-17-2018:14:12:51
15. NEF - Proof of Electronic Service	07/02/2018	Extra Text: Transaction 6756087 - Approved By: NOREVIEW : 07-02-2018:08:48:17
16. 2245 - Mtn in Limine	06/29/2018	Extra Text: PLAINTIFF'S MOTION IN LIMINE TO EXCLUDE EVIDENCE AFTER AUGUST 2012 - Transaction 6755788 - Approved By: YVILORIA : 07-02-2018:08:46:00
17. NEF - Proof of Electronic Service	05/04/2017	Extra Text: Transaction 6084998 - Approved By: NOREVIEW : 05-04-2017:14:35:25
18. NEF - Proof of Electronic Service	05/04/2017	Extra Text: Transaction 6085006 - Approved By: NOREVIEW : 05-04-2017:14:38:07

Robert Feron

From: Robert Feron <robertpferon@verizon.net>
Sent: Thursday, September 6, 2018 7:28 AM
To: Amy Sugden
Cc: John Di Francesco (nvindustrial1@yahoo.com)
Subject: Motion

Amy,

Thank you. Noticed yesterday in the Court Docket that a Motion to Suppress was listed. You indicated in an email of 8/27 that a notice of non-opposition was filed. Are these one in the same? Does the Motion to Suppress give Steve another chance or does the non-opposition prevent that. Would you please explain the difference and what effect it has.

Bob

Di Francesco - Feron

4890 Aircenter Circle, Suite 202
Reno, NV 89502

November 28, 2018

Re: Edison Current Case Status

Mr. Brian Padgett
Ms. Amy Sugden
Law Offices of Brian C. Padgett
611 South Sixth Street
Las Vegas NV 89101

Dear Brian and Amy:

We have not had a conversation with you since our conference call of September 25th. Both Bob and I have tried contacting you several times in our usual manner of phone calls, text messages and emails.

After previous long delays in your response to us Amy, you mentioned you were having health issues. Not wanting to seem insensitive, we did not press you when you didn't immediately respond to our several attempts to contact you. We certainly hope that you are well.

Our 1st question and of primary importance is: are you capable and still interested in representing us? We are at a critical point in our case that requires immediate response with pending motions before Judge Polaha. We have many questions as to the lack of response from Mr. Silva to your last two motions. We consider this an urgent request, please contact us immediately so we can plan on how we can proceed or if we need to transition the case to new legal counsel.

Sincerely,

 
John Di Francesco Bob Feron

Robert Feron

From: Brian Padgett <brian@briancpadgett.com>
Sent: Saturday, December 1, 2018 9:49 AM
To: John Di Francesco; robertpferon@verizon.net
Cc: Amy Sugden
Subject: Re: DiFrancesco Response

Importance: High

Bob and John,

As you will see below, Amy has some strong opinions on the matter.

She and I discussed the original draft below while I was in the car driving to Utah for a meeting on Thursday.

At that time I told her to remove the "or find another attorney" language because that is not the way my office works.

You are always free to find other counsel but I do not believe you will find better counsel.

And maybe that is why she is frustrated – we have been at it collectively for a long time and she knows exactly how much maneuvering can still be done and she doesn't want to see you left with less even if you can be "big pains in the ass".

Clients and lawyers are often like family, there can be scrapping and clawing but ultimately we look after each other.

Please read the most recent draft directly below. This was the one I was hoping to read and modify before sending to you.

Lets talk on Monday. I am open all day. Just give me a time that works best for you.

All the best,

Brian C. Padgett
Law Offices of Brian C. Padgett
611 South 6th Street
Las Vegas, Nevada 89101
(702) 304-0123
www.briancpadgett.com



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From: Amy Sugden <amy@briancpadgett.com>
Date: Saturday, December 1, 2018 at 8:36 AM
To: Brian Padgett <brian@briancpadgett.com>
Cc: John Di Francesco <nvindustrial1@yahoo.com>
Subject: FW: DiFrancesco Response

Can you please review and send to them (robertpferon@verizon.net; nvindustrial1@yahoo.com) I really think it will be better from you.

Dear John and Brian,

Thank you for your letter dated November 14, 2018. We understand you want to move this matter forward to a successful conclusion as swiftly as possible, as do we. We believe that we have reached a very viable opportunity to do so but strategically we need to be on the same page.

As we discussed on the phone on our last call, the defendants have agreed to appraise your properties, with two appraisers of our choosing (Kimmel and Yerke) and using a current date of value. Based on those appraisals, the defendants will work thereafter to acquire your properties in the entireties. In addition to acquiring the properties, they are also willing and able to discuss recognition of additional compensation to resolve the outstanding litigation.

This is what we believe to be the best approach to resolving the litigation and maximizing results. We understand that you have wanted to push forward with motion practice, discovery and prepare for trial to address the precondemnation damages first and, then, separately thereafter consider the acquisition of the properties. However, there are several concerns we have with this approach.

One being that we have run past the "five year" rule in bringing this case to a trial. As such, the plaintiffs can move now at any time to dismiss the current case and the court has no choice but to dismiss it. NRCP 41(e). Thus, pushing back aggressively with motion practice will simply compel the defendants to file to dismiss based on NRCP 41(e). We can then attempt to start all over, but there is a chance that Judge Poleha could dismiss our case "with prejudice", thereby preempting us from re-filing based on the same facts we previously set forward. Conversely, we can attempt to set forth separate sets of facts that give rise to a newly stated cause of action. Under either of these scenarios, we lose the time and resources invested in the litigation (including but not limited to, the depositions taken, the extensive discovery we have propounded and responded to, the expert reports we have commissioned, etc.)

Second, with the ongoing litigation, it serves as leverage for the defendants to work to settle this matter with you. Without the ongoing litigation, the defendants will just sit and wait for us to refile and fight us all over again with motions to dismiss (in front of what will likely be a different judge) and we will be at square one all over again in litigation.

We do not want to lose the leverage we have with the current case – nor do we want to lose Judge Pohela. We do not see any downside to allowing the defendants to proceed with the appraisals, which they have agreed to also pay for in their entirety, to at least see the values that they conclude. From there, we bootstrap on additional consideration for the pending litigation and provide a much more palatable global resolution for the defendants to consider. In our goal to get you the maximum recovery, we are keenly aware that the defendants are much more susceptible to tack on additional consideration and pay premiums in exchange for acquiring your property and to resolve the ongoing

litigation. This is because (1) they will actually be acquiring something of value (as opposed to just paying damages for their bad behavior but not receiving anything in exchange) and (2) they need to be able to justify any settlement before the public

Third, we have become aware that the tax ballot initiative failed at the most recent election. According to the defendants, this further handicaps their project planning and ability to move forward (arguing that there's no funding). Also, they contend there's no "immediate" need for your properties. On that note, they also want us to be cognizant of the fact that in acquiring your properties, they are required to relocate all of your tenants which is additional costs that they need to expend. We know you need to care very much about your tenants, especially the longstanding ones, and want them to receive the benefits that they should in this process. If the defendants don't voluntarily acquire your properties, the tenants will not be afforded those benefits.

We are ready, willing and able to proceed with this course of action as laid out above. There is no downside to getting your property appraised under the current date of value and seeing what we can do to resolve this globally. If that process fails, then we will proceed with more aggressive litigation tactics.

Please advise if you are agreeable and we will get it underway immediately.

Thank you,

From: Amy Sugden <amy@briancpadgett.com>
Date: Wednesday, November 28, 2018 at 5:23 PM
To: Brian Padgett <brian@briancpadgett.com>
Subject: DiFrancesco Response

DRAFT:

In response to the DiFrancesco letter, I want to send the following (I thought about it and think it's important to lay this out and then have a call if we can get on same page). Honestly, they are big pains in the ass in that they are getting in their own way/trying to tell us how to litigate the case. When it comes to strategy, we decide (at least that's my understanding) and so if they aren't ok with that, go find another attorney. We have more than enough work to do and can file an attorneys lien for the work already done.

Dear John and Brian,

Thank you for your letter dated November 14, 2018 (which we just received after the Thanksgiving holiday). We understand you want to move this matter forward to a successful conclusion as swiftly as possible, as do we. We believe that we have reached a very viable opportunity to do so but strategically we need to be on the same page.

As we discussed on the phone on our last call, the defendants have agreed to appraise your properties, with two appraisers of our choosing (Kimmel and Yerke) and using a current date of value. Based on those appraisals, the defendants will work thereafter to acquire your properties in the entireties. In addition to acquiring the properties, they are also willing and able to discuss recognition of additional compensation to resolve the outstanding litigation.

This is what we believe to be the best approach to resolving the litigation and maximizing results. We understand that you have wanted to push forward with motion practice, discovery and prepare for trial to address the precondemnation damages first and, then, separately thereafter consider the acquisition of the properties. However, there are several concerns we have with this approach.

One being that we have run past the "five year" rule in bringing this case to a trial. As such, the plaintiffs can move now at any time to dismiss the current case and the court has no choice but to dismiss it. NRCP 41(e). Thus, pushing back aggressively with motion practice will simply compel the defendants to file to dismiss based on NRCP 41(e). We can then attempt to start all over, but there is a chance that Judge Poleha could dismiss our case "with prejudice", thereby preempting us from re-filing based on the same facts we previously set forward. Conversely, we can attempt to set forth separate sets of facts that give rise to a newly stated cause of action. Under either of these scenarios, we lose the time and resources invested in the litigation (including but not limited to, the depositions taken, the extensive discovery we have propounded and responded to, the expert reports we have commissioned, etc.)

Second, with the ongoing litigation, it serves as leverage for the defendants to work to settle this matter with you. Without the ongoing litigation, the defendants will just sit and wait for us to refile and fight us all over again with motions to dismiss (in front of what will likely be a different judge) and we will be at square one all over again in litigation.

We do not want to lose the leverage we have with the current case – nor do we want to lose Judge Pohela. We do not see any downside to allowing the defendants to proceed with the appraisals, which they have agreed to also pay for in their entirety, to at least see the values that they conclude. From there, we bootstrap on additional consideration for the pending litigation and provide a much more palatable global resolution for the defendants to consider. In our goal to get you the maximum recovery, we are keenly aware that the defendants are much more susceptible to tack on additional consideration and pay premiums in exchange for acquiring your property and to resolve the ongoing litigation. This is because (1) they will actually be acquiring something of value (as opposed to just paying damages for their bad behavior but not receiving anything in exchange) and (2) they need to be able to justify any settlement before the public

Third, we have become aware that the tax ballot initiative failed at the most recent election. According to the defendants, this further handicaps their project planning and ability to move forward (arguing that there's no funding). Also, they contend there's no "immediate" need for your properties. On that note, they also want us to be cognizant of the fact that in acquiring your properties, they are required to relocate all of your tenants which is additional costs that they need to expend. We know you need do care very much about your tenants, especially the longstanding ones, and want them to receive the benefits that they should in this process. If the defendants don't voluntarily acquire your properties, the tenants will not be afforded those benefits.

Finally, while you are potentially searching for other counsel, we want you to be happy but we also want to lead you in a way that is productive to reach maximum recovery in the most efficient way possible. Respectfully, it may be that we have a difference of opinions in how we proceed and if you want counsel to litigate this instead of working to settle this globally, we wish you the best. We certainly want to keep working with you but we want to pursue the option as laid out regarding the appraisal process first before advancing intense litigation. Please advise if you are agreeable and we will get it underway immediately.

Thank you,

On 11/28/18, 2:04 PM, "kyocera@briancpadgett.com" <kyocera@briancpadgett.com> wrote:

Please do not reply.

TASKalfa 6550ci

[00:c0:ee:86:ad:43]

Exhibit 45

Exhibit 45

RECEIVED BY
MAR 11 2020
STATE BAR OF NEVADA

March 7, 2020

Ms. Louise Watson
Sr. Investigator/Program Manager
Office of Bar Counsel
State Bar of Nevada
31000 W. Charleston Blvd.
Las Vegas, NV 89102

RECEIVED
MAR 12 2020
OFFICE OF BAR COUNSEL

Ms. Watson:

Thank you for your continued interest in our grievance with Mr. Padgett and Ms. Sugden.

We have enclosed copy of the canceled check which was the payment for Padgett Invoice # 141. The final invoice we received.

When the defendant's attorney called for a deposition of me, John DiFrancesco and several of our witnesses Ms. Sugden asked us to send her a check for expenses for her travel expenses to Reno and a day of depositions and her preparation. Those depositions took place on May 28, 2015.

We had great witnesses that were very credible and personally observed the infringements, harassments and losses that they asserted in their affidavits. Their testimony held up under questioning by the defendant's attorney.

Silva filed a motion to dismiss by summary Judgement in December 2016 a copy which I have enclosed. The Judge's ruling denied the motion (copy also enclosed). That ruling came in December 2016. These ruling came before the end of the 5-year rule. We were pleading with Ms. Sugden to press forward with our own depositions and filing a motion on our behalf to determine the closing date of damages.

This was about the time we voluntarily sent four checks to Padgett in the total amount \$10,000 for expenses related to coming to Reno for several days' worth of depositions for several people who had knowledge of the negligence and hardship we experienced. These checks were not related to the previous depositions on May 28, 2015. This was before we were aware the 5-year rule was about to expire,

which would have been a moot point if the judge approved the end of discovery as we had been pushing Amy to do and keep our case moving.

The most serious issue is the lack of informing us that there existed a 5-year rule, NRCp 41. We had no knowledge of this rule until we were notified in an email from Ms. Sugden dated September 16, 2017. This occurred two months after the 5-year rule expired. At this time, we were certain that the Defendants were in control of the lawsuit. They had their ace in the hole. To this date, we have not received an explanation as to why this expired. This in our opinion was an absolute breach of client representation.

Another blatant omission on their part was the lack of submitting a motion of Non-Opposition that Ms. Sugden stated she would file to the lack of a reply by the Defendant. See email dated August 27, 2018. We had checked many times with the Court Clerk and no Non-Opposition was ever filed. We have previously enclosed a copy of the Docket, page 3 that makes no entry of a Motion of Non-Opposition. No explanation from Ms. Sugden was given.

In closing, we asked that in light of what has transpired over the past seven years, you consider a just recourse against Ms. Sugden and Mr. Padgett. We sincerely hope that no other potential client will experience the lack of faith and confidence that the Di Francesco and Feron family have in Ms. Sugden and Mr. Padgett.

Again, thank you for your consideration and should you have any questions, please do not hesitate to call or email either John Di Francesco or Robert Feron.

Sincerely,


John Di Francesco and Robert Feron

PRINT AS: Law offices of Brian C. Padgett

NO. 4434

DATE 05/31/2016

Brian C. Padgett

PAY TO THE ORDER OF

\$ 2,465.00

Two thousand four hundred sixty-five and 00/100***** DOLLARS

ADDRESS

Brian C. Padgett
611 So. Sixth St.
Las Vegas NV 89101



MEMO Inv. # 141 - 3/18/16

EXPENSES	AMOUNT	ITEMS	MEMO
	\$2,465.00		
	\$0.00		

ACCOUNT Legal Fees

Legal Fees 2,465.00 Invoice # 141

1
2
3
4
5
6 **IN THE SECOND JUDICIAL DISTRICT COURT OF**
7 **THE STATE OF NEVADA IN AND FOR THE**
8 **COUNTY OF WASHOE**

9 **JOHN DIFRANCESCO TRUST, and**
10 **ROBERT & JACALYN A. FERON FAMILY**
11 **TRUST,**

12 **Plaintiffs,**

Case No.: CV12-01788

Dep. No.: 3

13 **vs.**

14 **WASHOE COUNTY, the CITY OF RENO, the**
15 **CITY OF SPARKS, and the TRUCKEE RIVER**
16 **FLOOD MANAGEMENT AUTHORITY,**

17 **Defendants.**

18 **ORDER**

19
20 Currently before the Court is WASHOE COUNTY, the CITY OF RENO, the CITY OF
21 SPARKS, and the TRUCKEE RIVER FLOOD MANAGEMENT AUTHORITY'S (collectively
22 "Defendants") MOTION FOR JUDGMENT ON THE PLEADINGS ("Motion") filed December 7,
23 2016. JOHN DIFRANCESCO TRUST, and ROBERT & JACALYN A. FERON FAMILY TRUST
24 (collectively "Plaintiffs") filed the Opposition on January 5, 2017. Defendants filed the Reply on
25 February 13, 2017.
26

27 ///

28 ///

FACTS

This matter arises out of a Complaint alleging two causes of action against Defendants, including Inverse Condemnation and Precondemnation Damages. However, the parties stipulated to dismissal of Plaintiffs' First Cause of Action for Inverse Condemnation.

The relevant property in this action is located at North Edison Way, and consists of two parcels of land commonly known as 35 and 55 N. Edison Way ("Subject Property"). The Plaintiffs/Trusts have owned the subject property since 1989. After the 1997 flood, the Community Coalition was formed to discuss the prevention of future flood damage. In 2003, the Public approved the Early Land Acquisition Plan ("ELAP") to acquire properties from sellers through voluntary purchase agreements, in anticipation of a future flood mitigation project.

In 2005, the Flood Project Coordination Committee was formed between Washoe County, the cities of Reno and Sparks, and the University of Nevada to design and fund a flood mitigation project through local taxes and possible participation by the Army Corps of Engineers. From about May 12, 2006 through October 27, 2006, the Public purchased the properties neighboring the Subject Property. Those properties were purchased through voluntary negotiations and sales and based upon valuation obtained from appraisal prepared for the project. The Public also obtained demolition permits for flood prone structures along Edison Way. Several tenants of the Subject Property were contacted by the Truckee River Flood Management Authority ("TRFMA"), and/or Washoe County, or an agent thereof, who informed them that they were acquiring the Property and would need to relocate.

The Public permitted the use of its various owned properties, which the Public had voluntarily purchased from neighboring land owners as grey water trucking facilities, law enforcement training, and a homeless shelter. The police and/or SWAT vehicles affiliated with the

1 frequent and regular training exercises entered and blocked access to the Property, including
2 inhibiting parking and loading/unloading for tenants. Due to the overflow homeless shelter, people
3 were found urinating, smoking cigarettes, and drinking liquor on and around the Subject Property.

4 In 2006, the Public approached the Plaintiffs/Trusts to see if they were interested in selling
5 the property. From 2006 through 2010, the parties exchanged various proposals for a possible sale,
6 including offers to purchase and sell supported by appraisals. The November 17, 2011 Truckee
7 River Flood Management Authority Report provided:
8

9 "The acquisition of 36/65 Edison Way is currently on-hold pending a 3rd party confirmation
10 of previous appraisals. No offers are currently active. This property however is crucial to the
11 needs of the Flood Project. It is located within the Truckee River's floodway as designated
12 by FEMA and it further impacts this area of the river during a storm event with a hydraulic
13 constriction. It is recommended that TRFMA continue to pursue this acquisition due to the
14 eventual need of this property. If the Board decides to lower the priority of this item, the
15 tenant relocation item listed associated with the purchase of this property may be
16 reprioritized as well."

17 An appraisal dated June 29, 2016 states that the fee simple value of the Subject Property as of
18 November 7, 2007 was \$5,100,000.00 and as of July 9, 2012 was \$2,860,000.00. Therefore, the
19 resulting just compensation due to the landowners for precondemnation damages, as stated in the
20 appraisal, is \$2,240,000.00. *Id.*

21 ANALYSIS

22 I. Motion for Judgment on the Pleadings

23 NRCP 12(c) states:

24 After the pleadings are closed but within such time as not to delay the trial, any party may
25 move for judgment on the pleadings. If, on a motion for judgment on the pleadings, matters
26 outside the pleadings are presented to and not excluded by the court, the motion shall be
27 treated as one for summary judgment and disposed of as provided in Rule 56, and all parties
28 shall be given reasonable opportunity to present all material made pertinent to such a motion
by Rule 56.

1 A motion under NRCP 12(c) "is designed to provide a means of disposing of cases when material
2 facts are not in dispute and a judgment on the merits can be achieved by focusing on the content of
3 the pleadings." *Bernard v. Rockhill Dev. Co.*, 103 Nev. 132, 135, 734 P.2d 1238, 1241 (1987). A
4 motion for judgment on the pleadings should be granted when all material allegations of fact are
5 admitted in the pleadings and the movant is entitled to judgment as a matter of law. *Duff v. Lewis*,
6 114 Nev. 564, 568, 958 P.2d 82, 85 (1998). Regardless of the law applicable to a case, a defendant
7 may prevent a 12(c) motion by denials in his answer. *Bernard*, 103 Nev. at 136, 734 P.2d at 1241.
8 However, "a defendant will not succeed on a motion under Rule 12(c) if there are allegations in the
9 plaintiff's pleading that, if proved, would permit recovery." *Id.* Further, in the court's determination,
10 all well-pleaded material allegations of the opposing party's pleading are to be taken as true, and all
11 allegations of the moving party which have been denied are taken as false. *Hosp. Bldg. Co. v.*
12 *Trustees of Rex Hosp.*, 425 U.S. 738, 96 S. Ct. 1848 (1976).

15 Pursuant to the Complaint filed July 9, 2012, Plaintiffs brought causes of action for 1)
16 Inverse Condemnation of the Plaintiff's Property and 2) Precondemnation Damages. On January 25,
17 2016, Plaintiffs dismissed their Claim for Inverse Condemnation against all Defendants. Therefore,
18 the only claim subject to this Motion is Plaintiffs' claim for precondemnation damages.

20 a. Application of Sovereign Immunity to the Takings Clause and Precondemnation
21 Damages

22 NRS 41.032(2) provides complete immunity from claims based on a state employee's
23 exercise or performance of a discretionary function or duty:

24 [N]o action may be brought under NRS 41.031 ... which is:

25 2. Based upon the exercise or performance or the failure to exercise or perform a discretionary
26 function or duty on the part of the State or any of its agencies or political subdivisions or of
27 any officer, employee or immune contractor of any of these, whether or not the discretion
28 involved is abused.

1 Both parties concede that sovereign immunity is waived in actions for eminent domain because it
2 requires just compensation for a taking. This Court agrees and finds that both the Nevada and
3 United States Constitutions waive immunity for the taking of property for public use. Other
4 jurisdictions have held that sovereign immunity does not bar just compensation claims brought
5 against the state. *Manning v. N.M. Energy, Minerals & Nat. Res. Dep't.*, 140 N.M. 528, 532, 144
6 P.3d 87, 91 (2006) (citing *First English Evangelical Lutheran Church of Glendale v. Los Angeles*
7 *County*, 482 U.S. 304, 316 n. 9, 107 S. Ct. 2378 (1987)); *Benson v. State*, 710 N.W.2d 131 (S.D.
8 2006); *Boise Cascade*, 164 Or. App. 114, 991 P.2d 563 (1999); *SDDS, Inc. v. State*, 650 N.W.2d 1,
9 9 (S.D. 2002); *State ex rel. Smith v. 0.24148, 0.23831 & 0.12277 Acres of Land*, 53 Del. 439, 171
10 A.2d 228 (1961) (holding that the prohibition of the taking of private property for public use
11 without just compensation operates as a self-executing waiver of the state's sovereign immunity);
12 *Koch v. Texas Gen. Land Office*, 273 S.W.3d 451, 457 (Tex. App. 2008) (holding sovereign
13 immunity does not shield the state from a claim based on an unconstitutional taking of property
14 because the Texas Constitution itself waives immunity).

15
16 More importantly, Nevada Constitutional and statutory law support the proposition that
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18 sovereign immunity does not bar takings claims when asserted against the state for just
19
20 compensation. Both the Nevada Constitution and statutory authority require just compensation
21
22 when the state takes private property for public use. *See Nev. Const. art. 1, § 8, cl. 6* (“[p]rivate
23
24 property shall not be taken for public use without just compensation having been first made...”);
25
26 NRS § 37.120 (“[i]n all actions in eminent domain, the court shall award just compensation to the
27
28 owner of the property that is being taken”). Therefore, this Court finds that the state has waived
immunity for actions alleging the taking of property without just compensation. However, this

1 Court must further inquire as to whether precondemnation damages fall within an action for
2 eminent domain and thus not barred by sovereign immunity.

3 The parties disagree as to whether precondemnation damages fall within a tort action or an
4 eminent domain action for the taking of property. In the Motion, Defendants essentially argue that
5 Plaintiffs' claim for precondemnation damages is independent and distinct from a claim for just
6 compensation due to a taking. It is clear from Nevada's common law that a claim for
7 precondemnation damages is recognizable as a tort and not mandated by the Constitution, which
8 solely addresses takings. The Opposition asserts that precondemnation damages stem from the
9 constitutional right to just compensation, and therefore not barred by sovereign immunity. Plaintiffs
10 further state that even if this Court finds precondemnation damages to fall within tort law, the two-
11 prong test for discretionary immunity is not satisfied. In the Reply, Defendants reiterate that the
12 Constitution does not provide just compensation for anything short of a taking, and there has been
13 no taking here. Further, Plaintiffs cite to no authority for the proposition that sovereign immunity
14 does not apply to precondemnation damages in Nevada. Plaintiffs merely assert that NRS 41.035(1)
15 does not apply because it only applies to tort claims. Thus, Plaintiffs have conceded that NRS
16 41.035(1) does apply if this Court finds precondemnation damages to be an action in tort. Both
17 parties provide lengthy discussions and interpretations of Nevada case law on precondemnation
18 damages and sovereign immunity.
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23 The Takings Clause of the United States Constitution provides, "[N]or shall private property
24 be taken for public use, without just compensation." U.S. Const., Am. 5. Similarly, the Takings
25 Clause of the Nevada Constitution provides that "[p]rivate property shall not be taken for public use
26 without just compensation having been first made, or secured, except in cases of war, riot, fire, or
27 great public peril, in which case compensation shall be afterward made." Nev. Const. art. 1, § 8, cl.
28

1 6. "Private property" is plain on its face and held to be broad and apply to all types of privately
2 owned property, including personal property. *ASAP Storage, Inc. v. City of Sparks*, 123 Nev. 639,
3 646-47, 173 P.3d 734, 739 (2007). For a taking to occur, a claimant must have a stick in the bundle
4 of property rights. *McCarran Int'l Airport v. Sisolak*, 122 Nev. 645, 658, 137 P.3d 1110, 1119
5 (2006). The bundle of property rights includes all rights inherent in ownership, including the
6 inalienable right to possess, use, and enjoy the property. *Id.* A taking can occur when the
7 government physically appropriates an individual's private property or personal property, or when a
8 government regulation authorizes permanent physical invasion of private property or completely
9 deprives an owner of all economically beneficial use of her property. *Lingle v. Chevron U.S.A., Inc.*,
10 544 U.S. 528, 537-38, 125 S. Ct. 2074 (2005). Physical appropriation exists when the government
11 seizes or occupies private property or ousts owners from their private property. *Id.* A taking also
12 occurs when a government entity requires an unlawful exaction in exchange for approval of a land-
13 use permit. *See generally Koontz*, 570 U.S. —, 133 S. Ct. 2586 (2013). Nearly all other takings
14 claims turn on situation-specific factual inquiries. *Arkansas Game*, 568 U.S. —, 133 S. Ct. 511
15 (2012).

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19 In addition to just compensation for a "taking," a government entity may be liable for
20 precondemnation damages. The purpose of precondemnation damages is to dissuade public
21 agencies from "prematurely announcing their intent to condemn private property." *Buzz Stew,*
22 *L.L.C. v. City of N. Las Vegas*, 124 Nev. 224, 229, 181 P.3d 670, 673 (2008). Precondemnation
23 damages are recoverable if (1) the entity has taken official action amounting to an announcement of
24 its intent to condemn, (2) the entity "acted improperly" after taking such official action, and (3)
25 these actions result in damage to the landowner. *Id.* at 228-29, 181 P.3d at 672-73. The pivotal issue
26 regarding an announcement of intent is whether the "activities have gone beyond the planning stage
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1 to reach the acquiring stage.” *Id.* at 229, 181 P.3d at 673. “The acquiring stage occurs ‘when
2 condemnation has taken place, steps have been taken to commence eminent domain proceedings, or
3 there has been an official act or expression of intent to condemn.’ ” *Id.* (quoting *State ex rel. Dep’t*
4 *of Transp. v. Barsy*, 113 Nev. 712, 720, 941 P.2d 971, 977 (1997), *overruled on other grounds by*
5 *GES, Inc. v. Corbitt*, 117 Nev. 265, 268 n. 6, 21 P.3d 11, 13 n. 6 (2001)). Next, a landowner can
6 show that a government entity acted improperly if it unreasonably delayed an eminent domain
7 action after announcing its intent to condemn the landowner’s property. *Buzz Stew*, 124 Nev. at 229,
8 181 P.3d at 673. Improper conduct includes a delay or oppressive conduct that decreases the market
9 value of a property. *Id.*

11 In *Buzz Stew I*, the Nevada Supreme Court held that a landowner may “assert a cause of
12 action for precondemnation damages, independent from those resulting from the taking of its
13 property.” *Id.*; See also *State v. Eighth Jud. Dist. Ct.*, 131 Nev. Adv. Op. 41, 351 P.3d 736, 744
14 (2015). The Court further provided in *Buzz Stew II* that there needs to be no taking before a party
15 may bring a claim for precondemnation damages, recognizing that “regardless of whether property
16 has actually been taken, the just compensation provision requires compensating a landowner for a
17 lesser invasion of his property rights when a could be condemnor acts improperly following its
18 announcement of intent to condemn, such as by unreasonably delaying condemnation of the
19 property.”¹ *Buzz Stew, LLC v. City of N. Las Vegas*, 131 Nev. Adv. Op. 1, 341 P.3d 646, 647
20 (2015). However, “not every decrease in market value as a result of precondemnation activities is
21 compensable.” *Sproul Homes of Nevada v. State ex rel. Dep’t of Highways*, 96 Nev. 441, 444–45,
22 611 P.2d 620, 622 (1980) (citing *Klopping v. City of Whittier*, 8 Cal.3d 39, 104 Cal.Rptr. 1, 500
23 P.2d 1345, 1355 (1972)). “When the precondemnation activities of the government are
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28 ¹ This Court disagrees with Defendants’ contention that this passage from the *Buzz Stew II* is merely dicta and not binding.

1 unreasonable or oppressive and the affected property has diminished in market value as a result of
2 the governmental misconduct, the owner of the property may be entitled to compensation.” *Sproul*,
3 96 Nev. at 444-45, 611 P.2d at 622.

4 Based on the foregoing law, this Court finds that preconditionation damages emanate from
5 the constitution rather than tort law. It is clear that preconditionation damages are independent from
6 an award of just compensation and a taking is not required to recover preconditionation damages.
7 *See Buzz Stew*, 124 Nev. at 229, 181 P.3d at 673. However, it has also been held that damages are
8 rooted in eminent domain law. *City of N. Las Vegas v. 5th & Centennial*, 130 Nev. Adv. Op. 66,
9 331 P.3d 896 (2014) (holding that although separate from inverse condemnation claims, there is no
10 reason to apply a different statute of limitations period to preconditionation claims, which are
11 usually brought with inverse condemnation claims). The purpose of the takings clause is to prevent
12 a government taking of property before just compensation is paid. Preconditionation damages serve
13 a similar purpose to dissuade the government from prematurely announcing their intent to condemn
14 private property before eminent domain proceedings are commenced. Both causes of action provide
15 damages measured by the market value or decrease in the market value of the property, and aim to
16 protect property rights of private citizens instilled in the constitution. Finding that preconditionation
17 damages are barred would essentially gut the eminent domain exception to sovereign immunity by
18 preventing private parties from seeking relief when the value of their property decreases due to
19 improper government action. Preconditionation damages serve an important, vital purpose in
20 protecting property rights of private citizens, which both the Nevada Constitution and United States
21 Constitution aspire to safeguard and preserve. Preconditionation damages provide relief when a
22 lesser invasion of property rights occurs, and while not amounting to a “taking,” property rights are
23 infringed nonetheless. *See Buzz Stew II*, 131 Nev. Adv. Op. 1, 341 P.3d at 647. Additionally,
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1 Defendants fail to cite to any authority providing that precondemnation damages specifically fall
2 within a tort action. Therefore, this Court finds that sovereign immunity is waived in an action for
3 precondemnation damages and Defendants may be liable to Plaintiffs, subject to this Court's
4 analysis below.

5
6 b. Economic Loss Doctrine

7 "The economic loss doctrine is a judicially created rule that primarily emanates from
8 products liability jurisprudence." *Terracon Consultants W., Inc. v. Mandalay Resort Grp.*, 125 Nev.
9 66, 72, 206 P.3d 81, 85–86 (2009) (*Calloway v. City of Reno*, 116 Nev. 250, 257, 993 P.2d 1259,
10 1263 (2000), *overruled on other grounds by Olson v. Richard*, 120 Nev. 240, 241–44, 89 P.3d 31,
11 31–33 (2004)). The Nevada Supreme Court has held that the doctrine bars unintentional tort actions
12 when the plaintiff seeks to recover "purely economic losses." *Local Joint Exec. Bd. v. Stern*, 98
13 Nev. 409, 411, 651 P.2d 637, 638 (1982). However, exceptions to the doctrine apply in certain
14 categories of cases when strong countervailing considerations weigh in favor of imposing liability.
15 *Terracon Consultants*, 125 Nev. at 73, 206 P.3d at 86. The doctrine draws a legal line between
16 contract and tort liability that forbids tort compensation for "certain types of foreseeable,
17 negligently caused, financial injury." *Id.* at 75, 206 P.3d at 87 (*quoting Barber Lines A/S v. M/V*
18 *Donau Maru*, 764 F.2d 50, 52 (1st Cir.1985)). It expresses the policy that the need for useful
19 commercial economic activity and the desire to make injured plaintiffs whole is best balanced by
20 allowing tort recovery only to those plaintiffs who have suffered personal injury or property
21 damage. *Id.* (*citing Public Service Ent. Group v. Philadelphia Elec.*, 722 F.Supp. 184, 211
22 (D.N.J.1989)). Further, the application of the doctrine protects parties from unlimited economic
23 liability, which could result from negligent actions taken in commercial settings. *Halcrow, Inc. v.*
24 *Eighth Jud. Dist. Ct.*, 129 Nev. Adv. Op. 42, 302 P.3d 1148, 1152 (2013), *as corrected* (Aug. 14,
25 2013).
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1 In the Motion, Defendants argue that Plaintiffs' claim for precondemnation damages arises
2 in tort and is for purely economic loss. No physical injury or property damage has been identified.
3 In Opposition, Plaintiffs contend the economic loss doctrine is both antithetical and inapplicable to
4 precondemnation damage actions. Precondemnation damages flow from the constitutional right to
5 just compensation, therefore the economic loss doctrine cannot apply to this matter. Even if
6 precondemnation damages fall within tort law, precondemnation damages are measured by the
7 decrease in market value of the landowner's property. Nevada's jurisprudence does not require
8 physical taking of the property and recognize the landowner's right to compensation for damages
9 from the diminution in value. Defendants assert in the Reply that Plaintiffs fail to cite to any known
10 exception to the economic loss doctrine. The Complaint makes no allegation of any specific and
11 direct interference with any property right owned by the Trusts.
12


13
14 Here, the first step is to ascertain whether the damages are purely economic in nature.
15 *Terracon*, 125 Nev. at 73, 206 P.3d at 86 (citing *Arco Prods. Co. v. May*, 113 Nev. 1295, 1297, 948
16 P.2d 263, 265 (1997)). A purely economic loss is "the loss of the benefit of the user's bargain
17 including pecuniary damage for inadequate value, the cost of repair and replacement of the
18 defective product, or consequent loss of profits, without any claim of personal injury or damage to
19 other property." *Calloway v. City of Reno*, 116 Nev. 250, 993 P.2d 1259, 1263 (2000), *overruled on*
20 *other grounds by Olson v. Richard*, 120 Nev. 240, 89 P.3d 31 (2004) (en banc)). Plaintiffs' alleged
21 damages are purely economic and do not involve bodily injury or other property damage. However,
22 the second step is to determine whether the economic loss doctrine applies to Plaintiff's claims.
23
24 *Copper Sands Homeowners Ass'n, Inc. v. Copper Sands Realty, LLC*, No. 2:10-CV-00510-GMN,
25 2012 WL 1044311, at *4 (D. Nev. Mar. 27, 2012). It is clear that the economic loss doctrine is
26 intended to prevent liability when the plaintiff has suffered no personal or property damage in an
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1 action for tort, however, this Court found that precondemnation damages arise from the
2 constitution. Further, this Court agrees with Plaintiffs' contention that the economic loss doctrine is
3 antithetical to the valuation of precondemnation damages, which are measured by the decrease in
4 the market value of the landowner's property. The purpose of precondemnation damages is to
5 compensate landowners for the monetary value loss in their property, thus the economic loss
6 doctrine cannot be reconciled or applied to an action for precondemnation damages. Therefore, the
7 economic loss doctrine does not bar Plaintiffs' claim.
8

9 Accordingly, and good cause appearing,

10 IT IS HEREBY ORDERED that Defendants' Motion for Judgment on the Pleadings is
11 DENIED in its entirety.
12

13 Dated this 2nd day of May, 2017.

14 
15 JEROME POLAHA
16 DISTRICT JUDGE
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CERTIFICATE OF MAILING

I certify that I am an employee of the SECOND JUDICIAL DISTRICT COURT of the STATE OF NEVADA, COUNTY OF WASHOE; that on the 4 day of May, 2017,

I did the following:

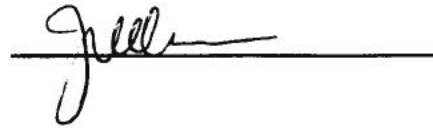
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Agreement:

BRIAN C. PADGETT, ESQ.

MICHAEL GLENN CHAPMAN, ESQ.

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10 IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA

11 IN AND FOR THE COUNTY OF WASHOE

12 JOHN DIFRANCESCO TRUST, and ROBERT & JACALYN A.
13 FERON FAMILY TRUST,

14 Plaintiff,

15 vs.

16 WASHOE COUNTY, the CITY OF RENO, the CITY OF
17 SPARKS, and the TRUCKEE RIVER FLOOD MANAGEMENT
18 AUTHORITY,

19 Defendants.

CASE NO: CV12-01788

DEPT. NO: 3

20 **MOTION FOR JUDGMENT ON THE PLEADINGS**

21 **NRCP 12(c)**

22 **I. Introduction and Background**

23 The protection of individual property rights has been a cornerstone of the common law of
24 England and America since the signing of the Magna Carta over 800 years ago. *See State v. Eighth*
25 *Jud. Dist. Ct.*, 131 Nev. ___, 351 P.2d 736, 471 (2015). Building upon that foundation, both the
26 United States and Nevada Constitutions provide that private property shall not be, "taken for public
27 use, without just compensation," being paid. U.S. Const. amend. V; Nev. Const. art. 1, § 8 cl. 6.

28 This case, though, is no longer about the taking of property.¹ Instead, it has become an
attempt by plaintiffs the JOHN DIFRANCESCO TRUST and ROBERT & JACALYN A. FERON

¹ This matter started as an inverse condemnation in which the plaintiff Trusts claimed that Public "took" property belonging to the Trusts in inverse condemnation, and further caused precondemnation damages to the property. After the Nevada Supreme Court issued its published opinion in *State v. Eighth Jud. Dist. Ct.*, 131 Nev. ___, 351 P.3d 736 (2015), a similar action with the same counsel on both sides, the Trusts and Public stipulated to dismiss the inverse condemnation cause of action.

1 FAMILY TRUST ("Trusts") to receive a windfall of public tax dollars from the public entities
2 WASHOE COUNTY and TRUCKEE RIVER FLOOD MANAGEMENT AUTHORITY ("the
3 Public") when there has been no relinquishment of any property right by the owners, nor acquisition of
4 any property rights by the public, and no public action that has deprived the property of all economic
5 use and value. The Trusts now seek recovery for alleged economic damage to their property under a
6 cause of action styled a "precondemnation damage." Having dismissed the claim for inverse
7 condemnation, this matter is now a tort claim for damages, and the Public is entitled to judgment on
8 the pleadings. The Complaint's remaining cause of action cannot survive the application of sovereign
9 immunity or the economic loss doctrine, affirmative defenses raised by the Public in their Amended
10 Answer.

11 **II. Discussion**

12 **A. Judgment on the pleadings is appropriate in this action**

13 Judgment on the pleadings under NRCP12(c) is appropriate when there are no allegations in
14 the plaintiff's pleadings, which if proved, would permit recovery. NRCP 12(c) is appropriate when a
15 matter may be decided solely as a matter of law by focusing on the content of the pleadings. Here, the
16 Trusts' factual allegations, even if proven, would not permit recovery, because they are barred as a
17 matter of law by the affirmative defenses raised in the Public's Amended Answer. As such, this
18 matter can be resolved without expanding the enquiry beyond the pleadings.

19 **1. Precondemnation damages are not mandated by the takings clause, and are** 20 **not a constitutional mandate.**

21 The Nevada Constitution states plainly that property shall not be *taken* for public use without
22 payment for just compensation having first been made or secured, and nothing more.² Unless
23 ambiguous, the courts apply the language of the Constitution according to its plain meaning. *See We*
24 *the People Nevada ex rel Angle v. Miller*, 124 Nev. 874, 192 P.3d 1166 (2008); Scalia & Garner,
25

26
27 ²"Private property shall not be taken for public use without just compensation having been first made,
28 or secured, except in cases of war, riot, fire, or great public peril, in which case compensation shall be
afterward made." Nev. Const. art. I, § 8

1 *Reading Law* 69 (2012). Here, there is no longer an allegation that any property has been “taken”,
2 consequently the requirement that just compensation be paid has not been triggered.

3 The Nevada Constitution uses the word “taken” as the triggering event mandating the payment
4 of just compensation. This is consistent with the United States Constitution. U.S. Const. amend. V.
5 The Nevada Supreme Court has noted that the Nevada takings clause is based on the United States
6 takings clause. *State (Ad America)*, 131 Nev. at ___, 351 P.3d at n. 8, citing *Official Report of the*
7 *Debates and Proceedings in the Constitutional Convention of the State of Nevada* 60–63 (July 4,
8 1864) (Eastman 1866).

9 The word “taken” was understood by the Founders to mean an “acquisition.” Indeed, the
10 original draft of what we now call the takings clause as drafted by James Madison stated that no man
11 should be required to “relinquish” his property without the payment of just compensation. *See* Gold,
12 p.194, nn.66, 69. Considering their plain meanings, it is evident that Madison intended that property
13 owner be paid just compensation when they were forced to surrender their property (“relinquish”)
14 and/or when the government acquired their property without consent (“taken”). Nothing in the text or
15 in the original understanding of the United States or the Nevada Constitution mandates the payment of
16 just compensation on other grounds.

17 Consequently, the Nevada Constitution’s Takings Clause does not mandate payment for
18 damages not arising to a taking.³ *See Sloat v. Turner*, 93 Nev. 263, 269, 563 P.2d 86, 89 (1977) (“The
19 Constitution of the State of Nevada provides for compensation based solely on a taking by the state of
20 private property, not for damage thereto.”) Rather, in *Buzz Stew I*, the Nevada Supreme Court
21 declared it would “allow a landowner to assert a cause of action for precondemnation damages,
22 independent from those resulting from the taking of its property.” *Buzz Stew, LLC v. City of N. Las*
23 *Vegas*, 124 Nev. 224, 229, 181 P.3d 670, 673 (2008) (*emphasis added*). Further, the Court explained
24 that it was expressly overruling any requirement imposed by *Barsy* that a precondemnation damages
25 claim must be paired with a taking. *Id.* at 230. Likewise, in *Buzz Stew, LLC v. City of N. Las Vegas*,

26 _____
27 ³By contrast, the California Constitution does mandate the payment of just compensation for both takings and
28 damages. The California Courts themselves expressly recognize that California’s Constitution differs from the
language of the Fifth Amendment to the United States Constitution, and is broader. *See, e.g., Shaw v. County*
of Santa Cruz, 170 Cal.App.4th 229, 259 (2008).

1 131 Nev. 1, ___, 341 P.3d 646, 651 (2015) (“*Buzz Stew II*”), the Nevada Supreme Court further
2 differentiated precondemnation damages from a takings case by noting: “While in eminent domain
3 actions [costs awarded to the public against landowners] are curtailed, Nev. Const. art. 1, § 22(7), the
4 present case was an unsuccessful action for precondemnation damages wherein the City prevailed on
5 its defense.” *See also, id.* at n.5 (Rejecting a just compensation analysis because “there need be no
6 taking before a party may bring a claim for precondemnation damages.”) It is evident that a claim for
7 precondemnation damages is separate and distinct from a claim for just compensation due to a taking.
8 *Id.*

9 Furthermore, in the more recent *Ad America* opinion, the Nevada Supreme Court reviewed its
10 opinions in *Armstrong*, *Sproul*, and *Buzz Stew I*. The Nevada Supreme Court clarified that that the
11 standards announced by *Sproul* and relied upon by *Sproul* and subsequent cases “were for claims of
12 damages related to unreasonable and oppressive precondemnation activities (now called
13 precondemnation damages), and not for *just compensation* for the fair market value of a property due
14 to a taking.” *State v. Eighth Jud. Dist. Ct. (Ad America)*, 131 Nev. Adv. Op. 41, 351 P.3d 736, 745
15 (2015).

16 To the extent that the introductory paragraph of *Buzz Stew II* states that the basis for
17 precondemnation damages liability flows from the just compensation provision of the takings clause,
18 even when no taking has occurred, that statement appears to be dicta. 131 Nev. at ___, 341 P.3d at
19 647. Neither the Nevada or United States Constitution say that just compensation is permitted or
20 required for anything less than a taking. *Buzz Stew II*’s introductory statement that precondemnation
21 damages flow from the just compensation provision of the takings clause conflicts with the Supreme
22 Court’s prior decisions, subsequent decisions, and even other parts of the selfsame decision. *Id.*, 341
23 P.3 at 651, *also Sloat v. Turner*, 93 Nev. at, 269, 563 P.2d at 89. To the extent the introduction is not
24 dicta, it misinterprets Article I, Section 8(6) of the Nevada Constitution.

25 Considering the case law as a whole, *Buzz Stew II*’s introductory paragraph is an anomaly. It is
26 clear that a claim for precondemnation damages is recognizable as a tort under Nevada’s common law,
27 but is not mandated by the Constitution, which solely addresses takings. *See, State v. Eighth Jud.*
28 *Dist. Ct. (Ad America)*, 131 Nev. Adv. Op. 41, 351 P.3d 736, 745 (2015).

1 **2. The Public is entitled to immunity.**

2 Washoe County, a political subdivision of the State of Nevada, and Truckee River Flood
3 Management Authority, a government entity, enjoy immunity from private action suits to the extent
4 that such immunity has not been waived by statute.⁴ The Nevada legislature has provided only limited
5 waiver of that immunity, and no waiver allows the instant suit. NRS 41.031.

6 Specifically, NRS 41.032(2) commands that “no action may be brought under NRS 41.031 . . .
7 which is based upon the exercise or performance or the failure to exercise or perform a discretionary
8 function or duty on the part of the State or any of its agencies or political subdivisions . . . *whether or*
9 *not the discretion involved is abused.*” (emphasis added). Here, the complained of behavior involves
10 entirely discretionary functions, namely the planning of possible flood mitigation projects, the
11 voluntary purchase of properties, and the use of government properties by the government. *See*
12 Complaint. The facts alleged by the plaintiffs in their complaint, even if proven, would not give rise to
13 recovery, in the face of the Ninth Affirmative Defense of the Amended Answer for immunity. *See*
14 Amended Answer, p.6; NRCP 12(c).

15 NRS 41.032(2) “provides *complete immunity* from claims” based on discretionary functions or
16 duties. *Martinez v. Maruszczak*, 123 Nev. 433, 442, 168 P.3d 720, 726 (2007). To determine whether
17 a function or duty is discretionary, the courts apply the *Berkovitz-Gaubert* test. *Id.* at 445-46, 168 P.3d
18 at 728 (citing *Berkovitz v. United States*, 486 U.S. 531 (1998) and *United States v. Gaubert*, 499 U.S.
19 315 (1991)). Under the first criterion of the test, “the acts alleged to be negligent must be
20 discretionary, in that they involve an ‘element of judgment or choice’”, and the second criterion is that
21 the actions taken or not taken “are susceptible to policy analysis.” *Martinez*, 123 Nev. at 445, 168
22

23 ⁴Sovereign immunity does *not* bar a suit for inverse condemnation, because the mandate that just compensation
24 be paid for a taking is fixed by the constitution and is not a matter of legislative grace or statutory or common
25 law rights. Nev. Const. art.1 § 8(6); *see, e.g., Wisconsin Retired Teachers Ass’n v. Employee Trust Funds Bd.*,
207 Wis.2d 1 (1997); Nichols on Eminent Domain 3d Ed. § 801[1]. But here, the Trusts have dismissed their
claim for inverse condemnation, and no longer allege any *taking* of property.

26 As Nevada’s constitution only mandates just compensation for a taking, the constitution does not waive or
27 nullify the doctrine of sovereign immunity as to the claim for precondemnation *damages*. Nev. Const. art.1 §
28 8(6) (“Private property shall not be taken for public use without just compensation having first been made, or
secured.”)

1 P.3d at 728. In applying the test, courts must “keep in mind the purpose of enacting the exception: to
2 prevent judicial ‘second-guessing’ of legislative and administrative decisions grounded in social,
3 economic, and political policy[.]” *Id.* at 446, 729.

4 The fact that the Public decided to buy every property that it could in the surrounding area is a
5 discretionary act. No regulation or ordinance mandated the purchase. No approved project required
6 the acquisitions as a matter of necessity. No resolution of need and necessity was ever issued.
7 Instead, in anticipation of possible projects, the Public engaged as an ordinary market participant to
8 buy property. These acquisitions were purely discretionary. Likewise, the decision to enter into
9 negotiations with the Trusts was discretionary. So too was the decision to reject the Trusts’ counter-
10 offer, and end negotiations. *See Complaint*, ¶¶ 13-21.

11 These actions meet the first criterion, as they involved choice. The Public did not have an
12 immediate need to acquire these properties through condemnation, they elected to acquire properties
13 that were available at fair prices. Likewise, the Public declined to acquire property when the
14 demanded price exceeded fair market value.

15 These choices were firmly grounded in policy decisions. As public entities, the purchase funds
16 came from the taxpayers of Nevada. The Public pursued a policy of wisely spending public funds by
17 acquiring properties when a fair price could be reached, but not acquiring properties when the price
18 was too high. The Public could have adopted a policy of buying all of the properties no matter the
19 cost. It chose a more fiscally prudent policy, and its resulting actions in this case are choices
20 stemming from that policy.

21 Sovereign immunity has never been waived by the legislature for any of the matters alleged in
22 the complaint. Likewise, other jurisdictions have concluded that a tort claim against a public entity
23 alleging an unreasonable delay in bringing a condemnation action falls squarely within the protections
24 afforded by discretionary act immunity. *City of Lewiston v. Lindsey*, 853 P.2d 596, 600 (Id. App.
25 1993); *Birge v. Linden*; ___ Ind.App. ___ (July 25, 2016); *Goddard v. D.C. Redevelopment Land*
26 *Agency*, 287 F.2d 343 (D.C. Cir. 1961). Consequently, no liability may attach for these decisions as a
27 matter of law, and judgment should be entered.

28

1 Similarly, to the extent that any damages are recoverable, they are subject to the statutory cap.
2 See Amended Answer, p.7. Again, no taking has occurred in this action, and consequently this is an
3 ordinary action for damages. See NRS 41.035(1); *Martinez*, 123 Nev. 433, 168 P.3d 720.
4 Accordingly, in the alternative, judgment should be entered that any recovery is subject to the statutory
5 cap on damages.

6 **3. The Economic Loss Doctrine bars recovery.**

7 Furthermore, the damages alleged by the Trusts are not recoverable, because they are purely
8 economic loss, with no actual injury identified. See Complaint. Even in those states that do allow for
9 just compensation based on taking *or* damage, it is only actual physical injury to the property or some
10 derogation of a right appurtenant to that property which is compensable. See *Joffe*, 201 Cal.App.4th at
11 509 (distinguishing harm from “special and direct interference” with a property right); *Bakken v. State*,
12 142 Mont. 166, 169 (1963) (applying the doctrine of *damnum absque injuria* to a precondemnation
13 damage action). Here, the claim is for purely economic loss. No physical injury is identified, and the
14 Trusts cannot identify a property right that has been derogated. See *McNamara*, 218 Cal.App.4th at
15 1208.

16 The standalone cause of precondemnation damages sounds in tort. The economic loss doctrine
17 enshrined in Nevada law states that no claim for damages can lie for purely economic loss through
18 diminution of value without specific damage to the property. See, e.g., *Terracon Consultants v.*
19 *Mandalay Resort*, 125 Nev. 66, 72–73, 206 P.3d 81, 86 (2009) (citing *Calloway v. City of Reno*, 116
20 Nev. 250, 256, 993 P.2d 1259, 1263 (2000), *overruled on other grounds by Olson v. Richard*, 120
21 Nev. 240, 241–44, 89 P.3d 31, 31–33 (2004)); *compare also Joffe*, 201 Cal.App.4th at 509
22 (distinguishing harm from “special and direct interference” with a property right). Consequently, none
23 of the facts alleged in the Complaint may withstand the application of the Twelfth Affirmative defense
24 of the Amended Answer. See Amended Answer, p.7.

25 **CONCLUSION**

26 Under Nevada law, an award of precondemnation damages is not a constitutional mandate.
27 Instead, it is a tort claim for damages. As such, the claim can only be brought against public entities
28 when sovereign immunity has been waived. Here, no such waiver has been made, as the decision of

1 whether and when to acquire properties for a future proposed public project is discretionary in nature
2 and specifically shielded by NRS 41.032(2). Accordingly, the Defendants respectfully request that
3 this Court enter an order granting judgment against the sole remaining cause of action for
4 precondemnation damages.

5 **Affirmation**

6 Pursuant to NRS 239B.030 the undersigned does hereby affirm that the preceding
7 document does not contain the social security of any person.

8
9 Respectfully submitted this 7th day of December, 2016.

10
11 /s/ Steven M. Silva
12 Michael G. Chapman, NBN 1630
13 Steven M. Silva, NBN 1249
14 *Attorneys for the Truckee River Flood*
15 *Management Authority and Washoe*
16 *County*
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CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I certify that I am an employee of Chapman Law Firm, P.C., and that on this date; I served the foregoing **Motion for Judgment on the Pleadings NRCP 12(c)** on the parties set forth below by:

_____ Placing an original or true copy thereof in a sealed envelope placed for collection and mailing with the United States mail, at Reno, NV, postage prepaid, following ordinary business practices

_____ Legally serving via CM/ECF

_____ Personal delivery

_____ Facsimile (FAX)

_____ Federal Express or other overnight delivery

_____ Messenger Service

 X Electronic Mail (via DropBox)

Brian Padgett, Esq.
Amy Sugden, Esq.
611 South Sixth Street
Las Vegas, NV 89101

DATED: December 7, 2016

 /s/ Cortney Young
Cortney Young

Exhibit 46

Exhibit 46

From: [Brian Padgett](#)
To: [Laura Peters](#); [Gerard Gosioco](#)
Subject: NV Bar Response
Date: Thursday, October 15, 2020 8:11:23 AM
Attachments: [NV Bar Response.pdf](#)

Ms. Peters and Mr. Gosioco:

Please see the attached response to recent disciplinary hearing activity.

You can reach me at this interim email address and at the physical address below:

Brian Padgett
Law Offices of Brian C. Padgett
1672 Liege Drive
Henderson, Nevada 89012

Please attention all email to this interim i-cloud address as our Law Office server is currently having a new firewall installed for the enhanced protection of the Law Office and its clients.



October 14, 2020

VIA USPS and E-MAIL: Laurap@nvbar.org

Laura Peters
State Bar of Nevada
Office of Bar Counsel
3100 W. Charleston Blvd. Ste. 100
Las Vegas, NV 89102

Re: Case Nos.: OBC19-0604; OBC19-0798; OBC19-1111

Dear Ms. Peters:

I was recently noticed that there may have been a disciplinary hearing held without my participation in the summer of 2020 and that a second disciplinary hearing is moving forward against me later this week.

Due to a lack of notice of proceedings as set forth below, I respectfully and humbly request that the State Bar of Nevada hold the upcoming hearing for case no. OBC19-1111 in abeyance and give me the opportunity to be heard on the merits as I noticed the State Bar of an address change for my law office in February 2020 and never received the Complaint for this matter nor for any subsequent filings as set forth below.

The same facts and request also apply to case nos. OBC19-0604 and OBC19-0798.

However, my recent review of the record for these two cases shows that there is an additional factor requiring that these Findings of Fact and Conclusions of Law be set aside – there is a clear and

present conflict of interest with one of the panel members that would have made it impossible to get an unbiased hearing.

In more detail, these reasons for my request for relief are set forth below:

LACK OF NOTICE OF PROCESS: Case Nos.: OBC19-0604; OBC19-0798; OBC19-1111

On October 11, 2019, I notified the State Bar that the Law Firm's server had been breached and approximately half of the Firm's archived emails were deleted from the server without our knowledge. This included many of those emails needed to respond to the State Bar's investigation.

Because of the breach and irregular email service subsequent to the breach, it was recommended by retired FBI Special Agent and Certified Fraud Investigator, Mick Elliott, that the Law Firm should work out of my home office at 1672 Liege Drive in Henderson, Nevada until the server could be secured and certain cases personally involving me were concluded. It was believed that the breach came from former employee Amy Sugden and I informed the Bar of this both in my October 11, 2019 email and my mailed February 24, 2020 response to the State Bar Complaint.

On February 24, 2020, I mailed a response to a State Bar Complaint for case nos. OBC19-0604 and OBC19-0798. At that time, I told your office that our expert investigator, Mr. Elliott, had advised me not to file an Answer and rather advise the State Bar, generally, that Mr. Elliott was investigating some of the people involved in both of these cases for conspiracy, trafficking, fraud and other crimes. The concern was that giving the State Bar more detailed information in a written response could inform some of the suspects before Mr. Elliott finished his investigation.

Our server was breached again in February 2020, and we later found that many PDF and Word documents were also stripped from our server. At that time, the decision was then made to take Mr. Elliott's direction and move full time to my home office and work from our computer hard drives.

As we made the move, my secretary, Connie P. Little mailed the State Bar a notice of change of address for USPS mail purposes: 1672 Liege Drive, Henderson, Nevada 89012. **Exhibit A.**

Shortly thereafter, in March 2020, our office email stopped delivering mail to us. We tried to restore the law office email quickly but we found, with COVID-19, it became extremely difficult to schedule tech support because they were flooded with demands from many companies to help their employees work from home.

Subsequently, and before we could receive service, our computer technician quarantined for COVID, I lost an uncle and then I got sick myself. As a result, it wasn't until September 2020, before we could safely get tech repair service and our email became operable and began to repopulate itself. **Exhibit B.** It is still not known what, if any, emails are missing and failed to repopulate.

Without proper notice of deadlines and filings I have been unable to properly defend myself. I had done my part to make sure the Bar had an avenue to reach me and yet it seems I have been "convicted in absentia" through no fault of myself or my office.

CONFLICT OF INTEREST: Case Nos.: OBC19-0604; OBC19-0798

Peter Ossowski, the layperson in the three person hearing panel for Case Nos.: OBC19-0604 and OBC19-0798 works for the Nevada Department of Transportation ("NDOT") and has worked on their "Project Neon" – a widening of the I-15.

I have made my career defending landowners in trial against NDOT when they take private property for public works projects like Project Neon. I am currently representing landowners in the path of Project Neon and NDOT may have liability for Just Compensation due and owing to several clients in excess of \$50 Million dollars.

NDOT and their employees have every reason to make sure my ability to practice law and defend landowners is hindered. For example: Between 2002-2005 NDOT was taking property in Reno, Nevada for a public project. As is my custom, I sent out notices to these landowners of their constitutional rights for the taking and damaging of their property. My first – and only – Bar Complaint (prior to the case numbers set forth herein) was filed against me by NDOT who tried to have me removed from practicing law at a time when they were in the process of taking private landowners' property for a different public works project.

Mr. Ossowski knows that I have been the biggest opponent of his employer - NDOT - in the courts over the last decade and as a result there is a clear and present conflict of interest between Mr. Ossowski, his employer – NDOT - and myself. He should not have been placed on the panel.

RELIEF REQUESTED:

Case Nos. OBC19-0604 and OBC19-0798: I request that the Findings of Fact and Conclusions of Law for these cases be set aside as I have been substantially prejudiced as a result of Mr. Ossowski's participation on the Hearing Panel for those reasons set forth above. I have also been prejudiced in an equal or greater measure by receiving no notice of filings or hearing dates in which to defend myself despite my advising the State Bar of my address change.

Prior to moving the Firm to my home office I made a written request to have the entire proceeding held in abeyance as a result of Mr. Elliott's investigation. Based upon the facts set forth above, I had no reason to believe my request had not been granted by the State Bar and that was why I received no further correspondence on these cases.

Case No. OBC19-1111: I request that the hearing scheduled for Thursday, October 15, 2020 be cancelled and the process reset as I have also been prejudiced by receiving no notice of filings or hearing dates in order to defend myself and be heard on the merits despite my advising the State Bar of my address change.

Thank you for your attention to this correspondence.

Very Truly Yours,

A handwritten signature in black ink, appearing to read "Brian C. Padgett", is written over a horizontal line. The signature is stylized with a large, sweeping loop.

Brian C. Padgett

EXHIBIT A

1 STATE OF NEVADA)
2) ss:
3 COUNTY OF CLARK)
4

5 I, CONNIE PATRICE LITTLE, being first duly sworn, do hereby swear under penalty of
6 perjury to the following:

- 7
- 8 1. I am a resident of the State of Nevada.
 - 9 2. I was employed by the Law Offices of Brian C. Padgett from July 2019 – June 2020.
 - 10 3. In the Fall of 2019 it was discovered that the Law Firm's server had been breached
11 and approximately half of the Firm's archived emails were deleted from the corporate
12 server without our knowledge.
 - 13 4. Because of the breach and the irregular email service we encountered in Fall of 2019
14 it was recommended by a security expert that the Firm should work out of Mr.
15 Padgett's home office at 1672 Liege Drive, Henderson, Nevada 89012 until the the
16 server could be better protected and Mr. Padgett's personal case, A-17-755479-B,
17 was concluded.
 - 18 5. The Firm server was breached again in February 2020 and the decision was then
19 made to move the office to Mr. Padgett's 1672 Liege Drive home office.
 - 20 6. On February 28, 2020, I mailed a notice of change of the Law Firm's address to the
21 Nevada State Bar at Mr. Padgett's request.

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