

1  
2 7. That new address I gave to the State Bar was 1672 Liege Drive, Henderson, NV  
3 89012.

Electronically Filed  
Aug 10 2021 03:37 p.m.

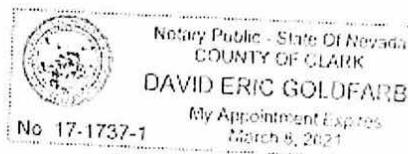
4  
5 I declare under penalty of perjury under the laws of the State of Nevada that the  
6 foregoing statements are true and correct to the best of my knowledge.

7 Executed this 14 day of October, 2020.

8  
9  
10   
CONNIE P. LITTLE

11 SUBSCRIBED AND SWORN BEFORE ME  
12 this 14 day of October, 2020.

13   
14  
15 NOTARY PUBLIC



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This is a look  
Certificate for  
an Affidavit Date  
10-14-20

# **EXHIBIT B**

1  
2 STATE OF NEVADA )  
3 ) ss:  
4 COUNTY OF CLARK )

5 I, LAUREL DE LA CRUZ, being first duly sworn, do hereby swear under penalty of  
6 perjury to the following:

- 7 1. I am a resident of the State of Nevada.
- 8 2. I am an independent contractor and have worked on projects for the Law Offices of
- 9 Brian C. Padgett beginning in 2018.
- 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 server
- 12 without the Firm's knowledge.
- 13 4. By the time the breach was discovered, the emails were unable to be recovered.
- 14 5. Because of the breach and irregular email service subsequent to the breach it was
- 15 recommended by a security expert that the Law Firm work out of Mr. Padgett's home
- 16 office at 1672 Liege Drive in Henderson, Nevada until the server could be secured
- 17 and certain cases involving Mr. Padgett were concluded.
- 18 6. The Firm's server was breached again in February 2020 and the decision was then
- 19 made for Mr. Padgett to work primarily at of his home office.
- 20 7. Shortly thereafter, in March 2020, the Firm's office email stopped delivering mail to
- 21 the Law Firm address.
- 22 8. After Mr. Padgett began working primarily from his home office, I was in touch with
- 23 an IT firm to review and resolve the Firm's server and email issues.
- 24 9. As a result of COVID-19, it became extremely difficult to book tech support service
- 25 which had to be done at both Mr. Padgett's home and the law office.
- 26
- 27
- 28

- 1  
2 10. I was told by the IT companies I spoke with that it could take an "undetermined"  
3 amount of time to receive service as many companies were attempting to establish  
4 "work from home" capabilities for their employees.  
5  
6 11. When demand for IT service began to settle down, the technician that was scheduled  
7 to perform service came into contact with someone that was diagnosed with COVID-  
8 19.  
9  
10 12. A decision was then made by Mr. Padgett to wait for the technician to recover before  
11 scheduling him to come to the office for assistance.  
12  
13 13. Mr. Padgett got sick after that.  
14  
15 14. It wasn't until September 2020 before the Firm could safely get IT service and email  
16 restored.  
17  
18 15. I am aware that the Firm sent a notice of change of address to the State Bar of Nevada  
19 on or about February 28, 2020.  
20  
21 16. Between March – September 2020, I am aware that Mr. Padgett has received mail  
22 from clients and accepted service of process at his home office address.  
23  
24 17. Between March – September, 2020, no postal mail was received by the Firm from the  
25 State Bar of Nevada.  
26  
27 18. Between March – September 2020, no electronic mail was received by the Firm from  
28 the State Bar of Nevada until the Firm's email was restored.  
29  
30 19. Between March – September 2020 no personal service was had upon any member of  
31 the Firm by the State Bar of Nevada.

32 / / /

33 / / /

20. As such, I was not aware the State Bar had proceeded forward with disciplinary proceedings against Mr. Padgett until I was notified by a third party very recently.

I declare under penalty of perjury under the laws of the State of Nevada that the foregoing statements are true and correct to the best of my knowledge.

Executed this 14<sup>th</sup> day of October, 2020.

Laurel Amy Delacruz  
Signed on 2020/10/14 22:23:30 -8:00

LAUREL DE LA CRUZ

SUBSCRIBED AND SWORN BEFORE ME  
this 14<sup>th</sup> day of October, 2020.

MC

NOTARY PUBLIC

M CARMEN TREVINO  
NOTARY PUBLIC  
STATE OF NEVADA  
Commission # 15-3033-1  
My Appt. Expires September 11, 2023

Notary Stamp 2020/10/14 22:23:30 PST

DOE680063718



## Affidavit - Laurel Amy De La Cruz

DocVerify ID: E2A4CC0C-2874-441A-9852-459C245488DF

Created: October 14, 2020 22:06:43 -8:00

Pages: 3

Electronic Notary: Yes / State: NV - Notarial act performed by means of audio-communication

This document is a DocVerify VeriVaulted protected version of the document named above. It was created by a notary or on the behalf of a notary and it is also a DocVerify E-Sign document, which means this document was created for the purposes of Electronic Signatures and/or Electronic Notary. Tampered or altered documents can be easily verified and validated with the DocVerify veriCheck system.

Go to [www.docverify.com](http://www.docverify.com) at any time to verify or validate the authenticity and integrity of this or any other DocVerify VeriVaulted document.

### E-Signature Summary

#### E-Signature 1: Laurel Amy Delacruz (LDC)

October 14, 2020 22:23:30 -8:00 [26D6352FDDF2] [70.189.215.170]  
laurel.delacruz3@gmail.com (Principal)

#### E-Signature Notary: M Carmen Trevino (MCT)

October 14, 2020 22:23:30 -8:00 [D0E6B0263716] [70.189.215.170]  
info@ReliableMobileNotaryLV.com  
I, M Carmen Trevino, did witness the participants named above electronically sign this document.



# Exhibit 47

# Exhibit 47



RECEIVED BY  
FEB 26 2020  
STATE BAR OF NEVADA

RECEIVED  
FEB 26 2020  
OFFICE OF BAR COUNSEL

February 24, 2020

Gerard Gosioco  
Office of Bar Counsel  
State Bar of Nevada  
3100 W. Charleston Blvd., Ste. 100  
Las Vegas, NV 89102

Re: Grievance File No. OBC19-0604/Bruce Familian  
Grievance File No. OBC19-0798/Ian Ritchie

Dear Mr. Gosioco:

I am the majority owner of a privileged license cannabis firm CWNevada, LLC. I am also the owner of the Law Offices of Brian C. Padgett and have been defending Nevada Landowners in eminent domain proceedings for eighteen years.

During that time I have had only one Bar complaint filed against me – early in my career - and after I responded to questions from Bar Counsel the case was closed in my favor. Therefore, I was surprised this summer when I learned there had been three (3) Bar complaints filed against me at roughly the same time period. I don't believe in coincidences.

At that same time these complaints were filed, my cannabis company was in the midst of a hostile, fraudulent corporate take-over as orchestrated by investors, disgruntled partners, and possible overt and covert assistance from members of certain State agencies. That battle remains ongoing.

The conspiratorial behavior of the parties to this scheme was designed to take over the company, seriously diminish the value of CWNevada, LLC and then offer the weakened and degraded company for sale with the initial offer being substantially below market value so they can acquire the company for themselves.

This has necessitated hiring a retired FBI Special Agent with more than 20 years of federal law enforcement service to launch an investigation and then coordinate with local and state law enforcement agencies. This individual is also a Certified Fraud Examiner, certified by the Association of Certified Fraud Examiners.



As this investigation has been ongoing, there is now concern that the complainants and/or other actors may be involved in these Grievances. For example, all cases in issue herein were handled by attorney Amy Sugden who had been an employee of my law office for nine (9) years before termination and is believed to have engaged in corporate espionage to assist in the takeover of CWNevada which includes damaging my standing in the practice of law.

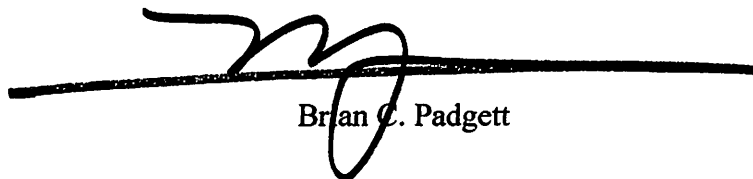
As a further example, one of the complainants, Ian Ritchie, was the Director of Security for CWNevada who was also terminated for conduct detrimental to the company. Amy Sugden represented Mr. Ritchie on a pro-bono basis until such time as it became clear that Mr. Ritchie was in the employ of the certain company investors that were trying to take over the company. Thereafter, I demanded she withdraw herself and my office as counsel in the case. I believe she silently prepared and filed the Bar complaint on behalf of Mr. Ritchie.

Both of these individuals were named as co-conspirators to illegal conduct in the CWNevada case for the first time this morning. I have attached the filed pleading for your review.

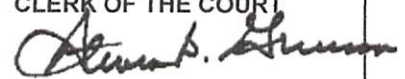
I have been directed by the retired FBI Special Agent to refrain from filing an Answer in this matter until such time as the investigation is concluded as he has significant concern regarding these Grievances and the underlying motivations for prosecution.

Mr. Gosioco, if you have any further questions let's schedule time for a call so we can discuss next steps.

Very truly yours,

A handwritten signature in black ink, appearing to be "Brian C. Padgett", is written over a horizontal line. The signature is stylized with a large, looping initial "B".

Brian C. Padgett



OST  
BRIAN C. PADGETT, ESQ.  
Nevada Bar No. 7474  
**LAW OFFICES OF BRIAN C. PADGETT**  
611 South 6<sup>th</sup> Street  
Las Vegas, Nevada 89101  
Telephone: (702) 304-0123  
Facsimile: (702) 368-0123  
Email: [brian@briancpadgett.com](mailto:brian@briancpadgett.com)

*Attorneys for Intervener*  
**MAJORITY OWNER OF**  
**CWNEVADA, BRIAN C. PADGETT**

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

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

Case No.: A-17-755479-C  
Dept. No.: 32

Plaintiff,

vs.

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

Defendants,

**INTERVENER'S OPPOSITION TO RECEIVER'S MOTION**

**FOR APPROVAL OF BIDDING PROCEDURE OF NYE COUNTY AND CLARK**

**COUNTY, NEVADA ASSETS ON ORDER SHORTENING TIME**

Intervener CWNevada, LLC, Majority Owner Brian Padgett, (hereinafter "CWMO"  
or "BCP") by and through its undersigned counsel, the LAW OFFICES OF BRIAN C.  
PADGETT, hereby submits this INTERVENER'S OPPOSITION TO RECEIVER'S  
MOTION FOR APPROVAL OF BIDDING PROCEDURE OF NYE COUNTY AND  
CLARK COUNTY, NEVADA ASSETS ON ORDER SHORTENING TIME  
("Opposition").

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**MEMORANDUM OF POINTS AND AUTHORITIES**

**STATEMENT OF FACTS**

12/6/18: CWNevada settled litigation with note holders via mediation before Judge Glass. Any breach of contract issues to be heard in arbitration before Judge Glass.

2/28/19: Judge Bare domesticates 4Front arbitration award against CW and appoints a receiver to pay 4Front award and send note holders back to Judge Glass.

6/13/19: Doltan Melech (Doltan) appointed receiver of CWNevada - a company recently appraised at more than \$100 MILLION - for a \$5MM arbitration award!

7/10/19 Permanent Receiver Order: Submitted and approved with NO INPUT from BCP or his counsel A. William Maupin.

At the time Doltan is appointed, CW has enough standing inventory to sell and pay off the 4Front arbitration award *with room to spare*:

CW Cultivation (Nye): \$6.0MM in wholesale inventory<sup>1</sup>

CW Production (Clark): \$14.0MM in wholesale inventory

CW Fixed Assets/Equipment: \$11M-12MM.

Doltan failed to open CWNevada for business in the 9 months since his appointment.

During this time, CW inventory was never tested so it could be sold to pay off the 4Front award and the company returned to its owners.

7/22/19: Immediately upon appointment Doltan started taking investment in CW in the form of "certificates" even though he never opened the company for business.<sup>2</sup>

---

<sup>1</sup> This does not include more than \$10MM in exotic Cannabis seeds and Mother Plants owned by the company and held in company valuts.

<sup>2</sup> Note Holder Clandestine Investment in CW

7/22/19 \$750K TRC-Evolution, a Michigan LLC

7/22/19 \$100K Ed Cochran, an individual

7/22/19 \$150K Rich Lashley, an individual

7/22/19 \$250K TRC-Evolution, a Michigan LLC

8/19/19 \$250K Fiore Management, a California LLC

9/17/19 \$600K TRC-Evolution, a Michigan LLC

9/23/19 \$350K Highland Partners, LLC, a Nevada LLC

9/25/19 \$150k Highland Partners, LLC, a Nevada LLC

11/6/19 \$350K Highland Partners, LLC, a Nevada LLC

11/6/19 \$150K Highland Partners, LLC, a Nevada LLC

11/6/19 \$500K Highland Partners, LLC, a Nevada LLC

The note holders fund ALL certificate money Doltan has taken in through dummy LLC's.

Neither Doltan nor the note holders disclosed this blatant conflict of interest.

Doltan is not impartial.

He works for the note holders.

They pay his \$50,000 per month salary.

Doltan can also receive a "reimbursement" of similar "costs" on a monthly basis from the note holders via Certificate money.

The certificates allow him to vault his employers to the head of his claims line and squeeze out others at any Trustee Sale he controls. This is straight from the lead note holder's Playbook which also calls for the receiver to try and wind up the company and get it positioned for sale within 6 months of the receiver's appointment.

7/23/19:

Once his fees and costs were settled Doltan filed an OST Motion the very next day which brazenly states he is going to create a new cannabis company for **himself and creditors** at the expense of CW owners:

"At this time, the Receiver anticipates that NewCo 1 will be owned 100% by Melech in trust as trustee of a liquidating trust for the benefit of the creditors of CWNevada that elect to exchange their claims for interests in NewCo 1.

CWNevada and NewCo 1 will enter into an asset purchase agreement whereby CWNevada will sell the licenses, intellectual property and assets of CWNevada.

The initial start-up costs pf NewCo and its subsidiaries will be funded through loans from the Receivership Estate to NewCo 1 from funds raised through the issuance of Receiver Certificates from creditors of CWNevada. As of this writing, the Receiver has received loan commitments of \$5 million."

*Doltan was never tasked with starting his own company and taking CW's licenses. He was only tasked with paying off a \$5 million arbitration award and sending Highland Partners back to Judge Glass for arbitration.*

9/3/19:

Doltan filed a Notice of Closure for CW's Oakridge Cultivation Facility. This was CW's only operating facility and our biggest profit center.

Doltan will claim he closed Oakridge because he did not have a marijuana Agent card to sell cultivation product. However, he had staff with Agent cards – many were staff that CW and BCP had previously fired for actions detrimental to the company. When this matter was broached with Doltan's lawyers they instantly rebuffed the request of BCP to step down in favor of a receiver who already had

an Agent card.

Doltan will also claim that the annual cost of security (approximately \$250K/year) and storage (approximately \$250k/year) were too high to continue to operations at Oakridge. That couldn't be further from the truth. The facility grosses approximately \$1MM from cannabis plants it grows *per month*.

9/12/19: Doltan files a Motion for Order Establishing Bar Date and Related Procedures (for winding up the company).

10/2/19: Doltan files a Motion to Modify Receiver Certificates to include Debt for Equity Swap.

11/22/19: Without advising the Court or BCP, Doltan moves an unknown number of cannabis seeds and 55 cannabis mother plants to a third party cultivation facility on 11/22/19.

12/23/19: Receiver files a Notice of Intent to Destroy Inventory

This is \$20 MILLION of wholesale value in cannabis inventory.

There is no reason to do this except to:

Prevent BCP from using the inventory to sell and pay off the award; and/or

Hide a loss of inventory (via illegal use, theft and/or illicit sale) by destroying what is left of the inventory to make it impossible to determine how much was stolen; or

Destroy a small portion of inventory, claim **all** inventory is actually destroyed and then wipe METRC records of this inventory going forward which will leave it undetectable to state officials when selling it on the black market.

1/17/20: BCP files OST Motion to Count Inventory and Equipment and Test Inventory

2/3-2/6/20: Lab Team inspects CWNevada Cultivation, Production facilities and collects representative testing samples of CWNevada inventory.

### ARGUMENT

The Lab Inspection report provided by Dr. Tung and published to the Court on Friday, February 21, 2020 shows there may be substantial ongoing **theft and fraud** of CW's cannabis inventory being perpetrated by the Receiver and his team in concert with the note holders/Highland Partners, Edgar Jannotta, Jr., Green Pastures, LLC, Jon Fenn, Jakal

Invenstments, LLC, Paul Lapping, Brandon Kanitz, Timothy Smits Van Oyen, Victoria Smits Van Oyen, Ian Ritchie, Diana Ritchie, Pejman Bady, Amy L. Sugden, Steven Barket, and more.

It is hereby requested that this Court deny the receiver's motions for approval of bidding procedures or hold them in abeyance until such time as the Court has an opportunity to review the investigative report being prepared for the Intervener and the Court on this matter which will be published on or before March 6, 2020.

It is also requested that the Court confirm and ensure that the video cameras and all video backup be preserved for the prior 45 days at all CWNevada facilities and from now going forward until such time as this matter is resolved.

### CONCLUSION

Based on the foregoing, BCP respectfully requests this Court deny the Receiver's Motion for Approval of Bidding Procedures in Nye and Clark Counties or hold them in abeyance until such time as the Court has an opportunity to review the investigative report being prepared for the Intervener and the Court on this matter which will be published on or before March 6, 2020.

It is also requested that the Court confirm and ensure that the video cameras and all video backup be preserved for the prior 45 days at all CWNevada facilities and from now going forward until such time as this matter is resolved.

Dated this 24<sup>nd</sup> day of February, 2020.

By: \_\_\_\_/s/ Brian C. Padgett\_\_\_\_\_

BRIAN C. PADGETT, #7474  
611 South 6<sup>th</sup> Street  
Las Vegas, Nevada 89101

*Attorneys for Intervener  
MAJORITY OWNER OF  
CWNEVADA, BRIAN C. PADGETT*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 24<sup>th</sup> day of February, 2020, a true and correct copy of the

**INTERVENER'S OPPOSITION TO RECEIVER'S MOTION**  
**FOR APPROVAL OF BIDDING PROCEDURE OF NYE COUNTY AND CLARK**  
**COUNTY, NEVADA ASSETS ON ORDER SHORTENING TIME**

was served electronically to all parties listed on the master service list in accordance with the electronic service and filing order created in this matter.

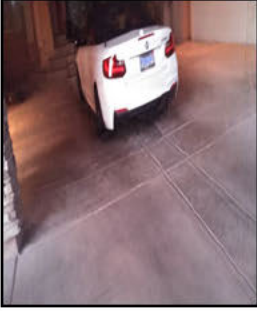
/s/ Laurel De La Cruz

An employee the Law Offices of BRIAN C. PADGETT

# Exhibit 48

# Exhibit 48



<b>Gerard Gosioco, Esq.,</b> <b>OFFICE OF BAR COUNSEL</b> 3100 W. Charleston 100 Las Vegas, NV 89102		<b>BRIAN C. PADGETT, ESQ</b>	
	<b>CASE #: OBC19-111</b>  STAT BAR OF NEVADA VS. BRIAN C. PADGETT, ESQ		<b>SUMMARY OF SERVICE</b> <b>JOB COMPLETE</b> <b>NV232113</b> <b>030 - STANDARD PROCESS (48 to 72 HRS)</b>
	<b>** NOT SERVED **</b>		<b>COMPLETED BY</b> <b>Sean Keseday</b> <b>10/3/2020 1:55 PM</b>
<b>PROOF OF DELIVERY</b>		Reference No.: <b>BRIAN C. PADGETT, ESQ</b>	

I received the within process on September 25, 2020 and that after due and diligent effort I have been unable to serve Brian C Padgett, Esq. The following itemization of the dates and times of attempts details the efforts required to effect service.

DOCUMENTS: Complaint;

9/29/2020 | 6:46 PM Business1672 Liege Drive, Henderson, NV 89012  
no answer, could see movement inside, 1 car in driveway

10/1/2020 | 6:11 PM Business1672 Liege Drive, Henderson, NV 89012  
no answer, no cars, guard escorted to property

10/3/2020 | 1:56 PM Business1672 Liege Drive, Henderson, NV 89012  
security escorted to property, no answer, no activity

**COURT FILINGS | SERVICE OF PROCESS | REPROGRAPHICS**  
**PDF/FAX FILINGS | MESSENGER SERVICES**

**NOT A PROOF OF SERVICE | SUMMARY OF SERVICE | NOT A PROOF OF SERVICE**

Did you know you can check status, place orders, and look up costs online?  
 Visit our secure website at <https://express.nationwideasap.com>

**PROOF OF DELIVERY**

# Exhibit 49

# Exhibit 49

AFFIDAVIT OF DUE DILIGENCE

STATE BAR OF NEVADA SOUTHERN NEVADA DISCIPLINARY BOARD  
CLARK COUNTY, STATE OF NEVADA

STATE BAR OF NEVADA,

Complainant

v.

BRIAN PADGETT, ESQ.,  
Nevada Bar No. 7474,

Respondent

Case No.: OBC19-0604; OBC19-0798  
Daniel M. Hooge, Esq. Bar No. 10620  
STATE BAR OF NEVADA  
3100 W. Charleston 100  
Las Vegas, NV 89102  
(702) 382-2200  
*Attorneys for the Complainant*

Client File# obc19-0604; obc19-0798

I, Judith Mae All, being sworn, states: That I am a licensed process server registered in Nevada. I received a copy of the Complaint; Designation Of Hearing Panel Members; State Bar Of Nevada's Peremptory Challenges; Affidavit of Mailing; First Amended Complaint; Notice Of Intent To Proceed On A Default Basis; Order Appointing Hearing Panel Chair; Notice Of Telephonic Initial Case Conference; Scheduling Order; Entry of Default; Initial Disclosure Of Witnesses and Documents; Order Appointing Formal Hearing Panel; Notice of Amended Formal Hearing Date; from STATE BAR OF NEVADA

That attempts were made to serve Brian Padgett, Esquire with Complaint; Designation Of Hearing Panel Members; State Bar Of Nevada's Peremptory Challenges; Affidavit of Mailing; First Amended Complaint; Notice Of Intent To Proceed On A Default Basis; Order Appointing Hearing Panel Chair; Notice Of Telephonic Initial Case Conference; Scheduling Order; Entry of Default; Initial Disclosure Of Witnesses and Documents; Order Appointing Formal Hearing Panel; Notice of Amended Formal Hearing Date; at:

Attempted at 611 S. 6th Street, Las Vegas, NV 89101 On 4/10/2020 at 1:11 PM

Results: Door locked. Call box at business door. Called code 210 for Brian Padgett and call went to voicemail. I checked the rear parking area no cars in lot.

Attempted at 611 S. 6th Street, Las Vegas, NV 89101 On 4/13/2020 at 11:27 AM

Results: Same results as previous attempt.

I being duly sworn, states: that all times herein, Affiant was and is over 18 years of age, not a party to or interested in the proceedings in which this Affidavit is made. I declare under penalty of perjury that the foregoing is true and correct.

Date: 4/16/2020

Judith Mae All  
Judith Mae All  
Registered Work Card# R-040570  
State of Nevada

(No Notary Per NRS 53.045)

Service Provided for:  
Nationwide Legal Nevada, LLC  
626 S. 7th Street  
Las Vegas, NV 89101  
(702) 385-5444  
Nevada Lic # 1656



Control #: nv225385

Reference: obc19-0604; obc19-0798

Padgett ROA - 2298

# Exhibit 50

# Exhibit 50

AFFIDAVIT OF DUE DILIGENCE

STATE BAR OF NEVADA SOUTHERN NEVADA DISCIPLINARY BOARD  
CLARK COUNTY, STATE OF NEVADA

STATE BAR OF NEVADA,

Complainant

v.

BRIAN PADGETT, ESQ.,  
Nevada Bar No. 7474,

Respondent

Case No.: OBC19-0604; OBC19-0798,  
Daniel M. Hooge, Esq. Bar No. 10620  
STATE BAR OF NEVADA  
3100 W. Charleston 100  
Las Vegas, NV 89102  
(702) 382-2200  
*Attorneys for the Complainant*

Client File#

I, Tyler Trewet, being sworn, states: That I am a licensed process server registered in Nevada. I received a copy of the Complaint; Designation of Hearing Panel Members; State Bar's Peremptory Challenges; Affidavit of Mailing; First Amended Complaint; Amended Complaint; Notice of Intent to Proceed on Default Basis; Order Appointing Hearing Panel Chair; Notice of Telephonic Initial Case Conference; Scheduling Order; Initial Disclosure of Witnesses and Documents; Order Appointing Formal Hearing Panel; Notice of Amended Formal Hearing Date; from STATE BAR OF NEVADA

That attempts were made to serve Brian Padgett, Esq. with Complaint; Designation of Hearing Panel Members; State Bar's Peremptory Challenges; Affidavit of Mailing; First Amended Complaint; Amended Complaint; Notice of Intent to Proceed on Default Basis; Order Appointing Hearing Panel Chair; Notice of Telephonic Initial Case Conference; Scheduling Order; Initial Disclosure of Witnesses and Documents; Order Appointing Formal Hearing Panel; Notice of Amended Formal Hearing Date; at:

Attempted at 11274 Gammila Drive Las Vegas, NV 89141 On 4/15/2020 at 4:05 PM  
Results: BAD ADDRESS: Per Mr. Magtibay subject is unknown. He stated he bought home about a month prior under Rene Magtibay's name. No answer with neighbor. Toyota Camry GK G1J8 in driveway.

I being duly sworn, states: that all times herein, Affiant was and is over 18 years of age, not a party to or interested in the proceedings in which this Affidavit is made. I declare under penalty of perjury that the foregoing is true and correct.

Date: 4/20/20

Tyler Trewet  
Registered Work Card# R201904184  
State of Nevada

(No Notary Per NRS 53.045)

Service Provided for:  
Nationwide Legal Nevada, LLC  
626 S. 7th Street  
Las Vegas, NV 89101  
(702) 385-5444  
Nevada Lic # 1656



Control #: NV225385NA

Reference:

Padgett ROA - 2300

# Exhibit 51

# Exhibit 51

**AFFIDAVIT OF DUE DILIGENCE**

**STATE BAR OF NEVADA SOUTHERN NEVADA DISCIPLINARY BOARD  
CLARK COUNTY, STATE OF NEVADA**

STATE BAR OF NEVADA,

Complainant

v.

BRIAN PADGETT, ESQ.,  
Nevada Bar No. 7474,

Respondent

Case No.: OBC19-0604/OBC19-0798  
Matthew R. Carlyon, Esq., Bar No. 12712  
STATE BAR OF NEVADA  
3100 W. Charleston 100  
Las Vegas, NV 89102  
(702) 382-2200  
*Attorneys for the Complainant*

Client File# obc19-0604; obc19-0798

I, Tyler Trewet, being sworn, states: That I am a licensed process server registered in Nevada. I received a copy of the Complaint; Designation of Hearing Panel Members; State Bar's Peremptory Challenges; Affidavit of Mailing 12/23/19; First Amended Complaint; Affidavit of Mailing 1/7/20; Notice of Intent to Proceed on Default Basis; Complaint; Order Appointing Hearing Panel Chair; Notice Of Telephonic Initial Case Conference; Scheduling Order; Entry of Default; Initial Disclosure Of Witnesses And Documents; Order Appointing Formal Hearing Panel; Notice Of Amended Formal Hearing Date, from STATE BAR OF NEVADA

That attempts were made to serve Brian Padgett with Complaint; Designation of Hearing Panel Members; State Bar's Peremptory Challenges; Affidavit of Mailing 12/23/19; First Amended Complaint; Affidavit of Mailing 1/7/20; Notice of Intent to Proceed on Default Basis; Complaint; Order Appointing Hearing Panel Chair; Notice Of Telephonic Initial Case Conference; Scheduling Order; Entry of Default; Initial Disclosure Of Witnesses And Documents; Order Appointing Formal Hearing Panel; Notice Of Amended Formal Hearing Date, at:

Attempted at 1672 Liege Drive, Henderson, NV 89012 On 4/24/2020 at 8:33 AM  
Results: No response. No visible activity.

Attempted at 1672 Liege Drive, Henderson, NV 89012 On 4/26/2020 at 8:00 PM  
Results: No response. BMW 328i Nevada license plate 713L51 in driveway. Security confirmed subject as current resident.

Attempted at 1672 Liege Drive, Henderson, NV 89012 On 4/29/2020 at 2:07 PM  
Results: No response. No noise.

I being duly sworn, states: that all times herein, Affiant was and is over 18 years of age, not a party to or interested in the proceedings in which this Affidavit is made. I declare under penalty of perjury that the foregoing is true and correct.

Date: 5/4/20

  
Tyler Trewet  
Registered Work Card# R201904184  
State of Nevada

(No Notary Per NRS 53.045)

Service Provided for:  
Nationwide Legal Nevada, LLC  
626 S. 7th Street  
Las Vegas, NV 89101  
(702) 385-5444  
Nevada Lic # 1656



Control #: NV225619

Reference: obc19-0604; obc19-0798

Padgett ROA - 2302

# **Exhibit 52**

# **Exhibit 52**



**AFFIDAVIT OF MARY JORGENSEN**  
**CUSTODIAN OF RECORDS**

STATE OF NEVADA )

COUNTY OF CLARK )

MARY JORGENSEN, under penalty of perjury, being first duly sworn, deposes and says as follows:

1. I am employed as the Member Services Director of the State Bar of Nevada ("State Bar"). In such capacity, I am the custodian of the membership records for the State Bar. In the regular course of my duties, I am responsible for the maintenance and updating of those records to accurately reflect those individuals who are licensed to practice law in Nevada.

2. State Bar records do not indicate receipt of a 'Notice of Change of Address', any written change of address, or electronic notification of address change in 2020.

3. I hereby attest to the following address information on file at the State Bar for attorney Brian C. Padgett, Nevada Bar No. 7474:

a. On January 5, 2021 Padgett's contact information was updated via the member online account to:

Law Offices of Brian C. Padgett

1672 Liege Drive

Henderson, NV 89012

b. On August 19, 2020 the USPS stamped the Nevada Lawyer magazine as 'Unable to Forward' and returned it to the State Bar from:

11274 Gammila Drive

Las Vegas, NV 89141

c. On July 15, 2020 the USPS stamped a letter to attorney Padgett as 'Unable to Forward; Return to Sender' and returned it to the State Bar from:

11274 Gammila Drive

Henderson, NV 89141

d. On July 1, 2020 the State Bar received returned mail from USPS as 'Return to Sender; Vacant' from:

611 S. 6<sup>th</sup> Street

Las Vegas, NV 89101

e. On April 13, 2020, March 23, 2020, and March 18, 2020 the USPS stamped the Nevada Lawyer magazine as 'Unable to Forward' and returned it to the State Bar from:

The Law Offices of Brian C. Padgett

611 S. 6<sup>th</sup> Street

Las Vegas, NV 89101

4. State Bar records indicate the following addresses for attorney Padgett prior to October 10, 2014:

a. 200 S. Third Street

Las Vegas, NV 89101

b. Law Office of Brian C. Padgett

610 S. 7<sup>th</sup> Street

Las Vegas, NV 89101

c. Law Offices of Kermitt L. Waters

704 S. 9<sup>th</sup> Street

Las Vegas, NV 89101

d. 11000 S. Eastern Avenue, #1528

Henderson, NV 89012

e. 2792 Eldora Circle, Apt. D

Las Vegas, NV 89146

1 Dated this 8<sup>th</sup> day of February 2021.

2 Mary Jorgensen

3 Mary Jorgensen

4 STATE OF Nevada )

5 ) ss  
6 COUNTY OF Clark )

7 Subscribed and sworn to before me

8 this 8<sup>th</sup> day of February, 2021

9 Cathi J. Fritz  
10  
11 Notary Public



# Exhibit 53

# Exhibit 53



FILED

APR 26 2021

## AFFIDAVIT OF DUE DILIGENCE

STATE BAR OF NEVADA  
BY: B. Felix  
OFFICE OF BAR COUNSELSTATE BAR OF NEVADA SOUTHERN NEVADA DISCIPLINARY BOARD  
CLARK COUNTY, STATE OF NEVADA

STATE BAR OF NEVADA,

Complainant

v.

BRIAN C. PADGETT, ESQ.,  
Nevada Bar No. 7474,

Respondent

Case No.: OBC19-111  
Gerard Gosioco, Esq., Bar No. 14371  
OFFICE OF BAR COUNSEL  
3100 W. Charleston 100  
Las Vegas, NV 89102  
(702) 382-2200  
*Attorneys for the Plaintiff*  
Client File# BRIAN C. PADGETT, ESQ

I, Sean Keseday, being sworn, states: That I am a licensed process server registered in Nevada. I received a copy of the Complaint; Hearing Exhibit 1 & 2, from OFFICE OF BAR COUNSEL

That attempts were made to serve Brian C. Padgett, Esq. with Complaint; Hearing Exhibit 1 & 2, at:

Attempted at 1672 Liege Drive, Henderson, NV 89012 On 9/29/2020 at 6:46 PM

Results: No answer but could see movement inside. One car in driveway.

Attempted at 1672 Liege Drive, Henderson, NV 89012 On 10/1/2020 at 6:11 PM

Results: No answer. No cars. Guard escorted to property.

Attempted at 1672 Liege Drive, Henderson, NV 89012 On 10/3/2020 at 1:56 PM

Results: Security escorted to property. No answer, no activity.

I being duly sworn, states: that all times herein, Affiant was and is over 18 years of age, not a party to or interested in the proceedings in which this Affidavit is made. I declare under penalty of perjury that the foregoing is true and correct.

Date: 10/13/20

Sean Keseday  
Registered Work Card# R-065975  
State of Nevada

(No Notary Per NRS 53.045)

Service Provided for:  
Nationwide Legal Nevada, LLC  
626 S. 7th Street  
Las Vegas, NV 89101  
(702) 385-5444  
Nevada Lic # 1656



Control #: NV232113

Reference: BRIAN C. PADGETT, ESQ

Padgett, ROA-2308  
SBN 00743

# Exhibit 54

# Exhibit 54

**From:** Rich Williamson <[rich@nvlawyers.com](mailto:rich@nvlawyers.com)>  
**Sent:** Thursday, May 20, 2021 12:52 PM  
**To:** Gerard Gosioco <[gerardg@nvbar.org](mailto:gerardg@nvbar.org)>  
**Cc:** Brian Padgett <[brian.padgett@icloud.com](mailto:brian.padgett@icloud.com)>; Laura Peters <[LauraP@nvbar.org](mailto:LauraP@nvbar.org)>  
**Subject:** Re: More time needed for filing

Mr. Padgett and Mr. Gosioco,

Unfortunately, due to the lack of time and the need for both parties to be able to prepare for the formal hearing, I cannot allow any more extensions of time. Mr. Padgett, please file your motions immediately.

Best regards,

Rich Williamson

---

Richard D. Williamson, Esq.  
Robertson, Johnson, Miller & Williamson  
[50 West Liberty Street, Suite 600](#)  
[Reno, Nevada 89501](#)  
Telephone: [\(775\) 329-5600](tel:(775)329-5600)  
Facsimile: [\(775\) 348-8300](tel:(775)348-8300)  
Email: [Rich@NVLawyers.com](mailto:Rich@NVLawyers.com)  
Please visit our Website at: [www.nvlawyers.com](http://www.nvlawyers.com)

**IMPORTANT NOTICE:**

PERSONAL AND CONFIDENTIAL. This message, and any file(s) or attachment(s) transmitted with it, is intended only for the named recipient, may be confidential, and may contain information that is a trade secret, proprietary, protected by the attorney work-product doctrine, subject to the attorney-client privilege, or is otherwise protected against unauthorized use or disclosure. All information contained in or attached to this message is transmitted based on a reasonable expectation of privacy consistent with ABA Formal Opinion No. 99-413. Any disclosure, distribution, copying, or use of this information by anyone other than the intended recipient, regardless of address or routing, is strictly prohibited. If you receive this message in error, please advise the sender by immediate reply and completely delete the original message (which includes your deleted items folder). Personal messages express only the view of the sender and are not attributable to Robertson, Johnson, Miller & Williamson. We advise you that any tax advice contained in this communication (including any attachments) is not intended to be used, and cannot be used, for purposes of (i) avoiding penalties imposed under the United States Internal Revenue Code or (ii) promoting, marketing or recommending to another person any tax-related matter addressed herein. TRANSMISSION OF THIS INFORMATION IS NOT INTENDED TO CREATE, AND RECEIPT DOES NOT CONSTITUTE, AN ATTORNEY-CLIENT RELATIONSHIP.

On May 20, 2021, at 12:06 PM, Gerard Gosioco <[gerardg@nvbar.org](mailto:gerardg@nvbar.org)> wrote:

Mr. Edwards,

The State Bar objects to Mr. Padgett's request for an extension. It was clearly stated during yesterday's PHC that any challenges to Panel members and/or opposition to the State Bar's motion to compel must be submitted by 12:00pm today. Moreover, the Order regarding Mr. Padgett's motion to set aside also clearly stated that "Respondent now has until 12:00 p.m. Pacific Time on Thursday, May 20, 2021, in which to oppose the Motion to Compel." Mr. Padgett has failed to abide by this Order. For those reasons, the State Bar respectfully requests that Mr. Padgett's request for an extension be DENIED.

Gerard Gosioco

-----Original Message-----

From: Brian Padgett <[brian.padgett@icloud.com](mailto:brian.padgett@icloud.com)>

Sent: Thursday, May 20, 2021 11:39 AM

To: Richard Williamson <[rich@nvlawyers.com](mailto:rich@nvlawyers.com)>; Gerard Gosioco <[gerardg@nvbar.org](mailto:gerardg@nvbar.org)>; Laura Peters <[LauraP@nvbar.org](mailto:LauraP@nvbar.org)>

Subject: More time needed for filing

Mr. Williamson,

The scope of the Motions to file will not allow me to get them to you by noon today.

I request that I be allowed to file the Motions by 7:00pm this evening.

Please advise.

Best regards,

Brian Padgett



# Exhibit 55

# Exhibit 55



STATE BAR OF NEVADA  
9456 Double R Blvd, Ste. B  
Reno, NV 89521-5977  
www.nvbar.org

CERTIFIED MAIL  
FIRST CLASS PERMIT NO. 1000 RENO, NV



7019 2970 0001 3885 5559

4hc

-R-T-S- 89012-RFS-IN  
RETURN TO SENDER  
UNCLAIMED  
RETURN TO FORWARD  
Henderson, NV  
05/19/21  
\* RFS \*

PRIORITY MAIL



82 1P  
US POSTAGE  
\$017.050  
APR 28 2021  
MAILED FROM ZIP CODE 89102

PS Form 3811, July 2020 PSN 7530-02-000-9053

2. Article Number (transfer from service label)  
7019 2970 0001 3885 5559

9590 9402 6384 0303 4048 94

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

3. Service Type  
☐ Registered Mail  
☐ Registered Mail Restricted Delivery  
☐ Registered Mail Signature Confirmation  
☐ Registered Mail Signature Restricted Delivery  
☐ Priority Mail Express®  
☐ Signature Confirmation™  
☐ Signature Restricted Delivery  
☐ Signature Restricted Delivery

4. Is delivery address different from item 1? ☐ Yes ☐ No  
If YES, enter delivery address below:

A. Signature  
B. Received by (Printed Name)  
C. Date of Delivery  
D. Address

COMPLETE THIS SECTION ON DELIVERY

SENDER: COMPLETE THIS SECTION

■ Complete items 1, 2, and 3.  
■ Print your name and address on the reverse so that we can return this card to you.  
■ Attach this card to the back of the mailpiece, or on the front if space permits.

Padgett ROA - 2313  
SBN00752

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I hereby certify that I electronically served a copy of the RECORD ON APPEAL, Volumes I-10, upon Brian C. Padgett, Esq. - brian.padgett@icloud.com and brian@briancpadgett.com.

Laura Peters

Padgett ROA - 2314