

Electronically Filed  
Aug 23 2021 11:46 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**NOAS**  
JOSEPH A. GUTIERREZ, ESQ.  
Nevada Bar No. 9046  
DANIELLE J. BARRAZA, ESQ.  
Nevada Bar No. 13822  
**MAIER GUTIERREZ & ASSOCIATES**  
8816 Spanish Ridge Avenue  
Las Vegas, Nevada 89148  
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*Attorneys for Plaintiffs*

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

SPANISH HEIGHTS ACQUISITION  
COMPANY, LLC, a Nevada Limited Liability  
Company; SJC VENTURES HOLDING  
COMPANY, LLC, d/b/a SJC VENTURES, LLC,  
a Delaware Limited Liability Company,

Plaintiffs,

vs.

CBC PARTNERS I, LLC, a foreign Limited  
Liability Company; CBC PARTNERS, LLC, a  
foreign Limited Liability Company; 5148  
SPANISH HEIGHTS, LLC, a Nevada Limited  
Liability Company; KENNETH ANTOS AND  
SHEILA NEUMANN-ANTOS, as Trustees of  
the Kenneth & Sheila Antos Living Trust and the  
Kenneth M. Antos & Sheila M. Neumann-Antos  
Trust; DACIA, LLC, a foreign Limited Liability  
Company; DOES I through X; and ROE  
CORPORATIONS I through X, inclusive,

Defendants.

AND RELATED CLAIMS.

Case No.: A-20-813439-B  
Dept. No.: XI

**NOTICE OF APPEAL**

NOTICE IS HEREBY given that plaintiff Spanish Heights Acquisition Company, LLC and  
SJC Ventures Holding Company, LLC d/b/a SJC Ventures, LLC (collectively "Plaintiffs"), by and

1 through their attorneys of record, the law firm MAIER GUTIERREZ & ASSOCIATES, appeal to the  
2 Supreme Court of Nevada from the Order Appointing Receiver, notice of entry of which was filed on  
3 August 11, 2021, a copy of which is attached hereto as **Exhibit 1**.

4 DATED this 18th day of August, 2021.

5 Respectfully submitted,

6 **MAIER GUTIERREZ & ASSOCIATES**

7 /s/ Danielle J. Barraza

8 JOSEPH A. GUTIERREZ, ESQ.

9 Nevada Bar No. 9046

DANIELLE J. BARRAZA, ESQ.

10 Nevada Bar No. 13822

8816 Spanish Ridge Avenue

Las Vegas, Nevada 89148

11 *Attorneys for Plaintiffs*

## CERTIFICATE OF SERVICE

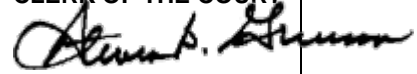
Pursuant to Administrative Order 14-2, a copy of the **NOTICE OF APPEAL** was electronically filed on the 18th day of August, 2021, and served through the Notice of Electronic Filing automatically generated by the Court's facilities to those parties listed on the Court's Master Service List, as follows:

Michael R. Mushkin, Esq.  
MUSHKIN & COPPEDGE  
6070 South Eastern Avenue, Suite 270  
Las Vegas, Nevada 89119  
*Attorneys for Defendants/Counterclaimants  
CBC Partners I, LLC and 5148 Spanish Heights, LLC  
Defendants Dacia LLC and CBC Partners, LLC*

*/s/ Natalie Vazquez*  
An Employee of MAIER GUTIERREZ & ASSOCIATES

# **EXHIBIT 1**

# **EXHIBIT 1**



Michael R. Mushkin, Esq.  
Nevada Bar No. 2421  
L. Joe Coppedge, Esq.  
Nevada Bar No. 4954  
MUSHKIN & COPPEDGE  
6070 South Eastern Ave Ste 270  
Las Vegas, NV 89119  
Telephone: 702-454-3333  
Facsimile: 702-386-4979  
Michael@mccnvlaw.com  
jcoppedge@mccnvlaw.com

*Attorneys for Defendant and Counterclaimants*  
*5148 Spanish Heights, LLC and*  
*CBC Partners I, LLC*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

SPANISH HEIGHTS ACQUISITION  
COMPANY, LLC, a Nevada Limited Liability  
Company; SJC VENTURES HOLDING  
COMPANY, LLC, d/b/a SJC VENTURES,  
LLC, a Delaware Limited Liability Company,

Plaintiffs,

v.

CBC PARTNERS I, LLC, a foreign Limited  
Liability Company; CBC PARTNERS, LLC, a  
foreign Limited Liability Company; 5148  
SPANISH HEIGHTS, LLC, a Nevada Limited  
Liability Company; KENNETH ANTOS AND  
SHEILA NEUMANN-ANTOS, as Trustees of  
the Kenneth & Sheila Antos Living Trust and the  
Kenneth M. Antos & Sheila M. Neumann-Antos  
Trust; DACIA, LLC, a foreign Limited Liability  
Company; DOES I through X; and ROE  
CORPORATIONS I through X, inclusive,

Defendants.

Case No. A-20-813439-B

Dept. No.: 11

**NOTICE OF ENTRY OF ORDER**

CAPTION CONTINUES BELOW

1 5148 SPANISH HEIGHTS, LLC, a Nevada  
2 limited liability company; and CBC PARTNERS  
3 I, LLC, a Washington limited liability company,

4 Counterclaimants,

5 v.

6 SPANISH HEIGHTS ACQUISITION  
7 COMPANY, LLC, a Nevada Limited Liability  
8 Company; SJC VENTURES, LLC, a Delaware  
9 limited liability company; SJC VENTURES  
10 HOLDING COMPANY, LLC, a Delaware  
11 limited liability company; JAY BLOOM,  
individually and as Manager, DOE  
DEFENDANTS 1-10; and ROE DEFENDANTS  
11-20,

12 Counterdefendants.

13 **NOTICE OF ENTRY OF ORDER**

14 PLEASE TAKE NOTICE that an Order Appointing Receiver was entered in the above-  
15 entitled action on August 10, 2021, a copy of which is attached hereto.

16 DATED this 11<sup>th</sup> day of August, 2021.

17 MUSHKIN & COPPEDGE

18  
19 /s/Michael R. Mushkin  
MICHAEL R. MUSHKIN, ESQ.  
20 Nevada State Bar No. 2421  
L. JOE COPPEDGE, ESQ.  
21 Nevada Bar No. 4954  
22 6070 South Eastern Ave Ste 270  
Las Vegas, NV 89119  
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/s/Kimberly C. Yoder  
An Employee of  
MUSHKIN & COPPEDGE

Michael R. Mushkin, Esq.  
Nevada Bar No. 2421  
L. Joe Coppedge, Esq.  
Nevada Bar No. 4954  
MUSHKIN & COPPEDGE  
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Michael@mccnvlaw.com  
jcoppedge@mccnvlaw.com

*Attorneys for Defendant and Counterclaimants*  
*5148 Spanish Heights, LLC and*  
*CBC Partners I, LLC*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

SPANISH HEIGHTS ACQUISITION  
COMPANY, LLC, a Nevada Limited Liability  
Company; SJC VENTURES HOLDING  
COMPANY, LLC, d/b/a SJC VENTURES,  
LLC, a Delaware Limited Liability Company,

Plaintiffs,

v.

CBC PARTNERS I, LLC, a foreign Limited  
Liability Company; CBC PARTNERS, LLC, a  
foreign Limited Liability Company; 5148  
SPANISH HEIGHTS, LLC, a Nevada Limited  
Liability Company; KENNETH ANTOS AND  
SHEILA NEUMANN-ANTOS, as Trustees of  
the Kenneth & Sheila Antos Living Trust and  
the Kenneth M. Antos & Sheila M. Neumann-  
Antos Trust; DACIA, LLC, a foreign Limited  
Liability Company; DOES I through X; and  
ROE CORPORATIONS I through X, inclusive,

Defendants.

AND RELATED MATTERS

Case No. A-20-813439-B

Dept. No.: 11

**ORDER APPOINTING RECEIVER**



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THE COURT FINDS that a receiver over SJC Ventures, LLC (“SJCv”) is appropriate at this time given the evidence presented during the trial of this matter, as well as Judge Denton’s findings in the *TGC/Farkas Funding, LLC v. First 100, LLC* matter before the Eighth Judicial District Court (Case No. A-20-822273-C).

THEREFORE, IT IS HEREBY ORDERED THAT:

- Page 2 of 4

1 authorities, or responsibilities aside from those explicitly stated in this Order.

2 7. Counterdefendant Bloom is specifically ordered to cooperate with the Receiver in  
3 providing the business records of SJCV and any subsidiary and affiliated entities in which SJCV  
4 has an ownership interest, specifically First 100, LLC and Spanish Heights Acquisition Company,  
5 LLC;

6 8. The Receiver shall be the agent of the Court and shall be accountable directly to  
7 this Court. This Court hereby asserts exclusive jurisdiction The Receiver is authorized to perform  
8 a review and accounting of all of SJCV's assets, holdings, and interests. The Receiver is  
9 empowered to use any and all lawful means to identify the assets, rights, holdings, and interests  
10 of SJCV and any subsidiary and affiliated entities in which SJCV has an ownership interest,  
11 specifically First 100, LLC and Spanish Heights Acquisition Company, LLC; The Receiver is  
12 acting solely in its capacity as a court-appointed Receiver and the debts of the Receiver are solely  
13 the debts of the Receivership Estate. In no event shall the Receiver or its personnel have any  
14 personal liability or obligation for the proper debts of the Receiver and/or the Receivership Estate.

15 9. The Receiver and the interested parties to the Receivership Estate may petition this  
16 Court for instructions in connection with this Order and any further orders which this Court may  
17 make.

18 10. Unless expressly limited herein, the Receiver shall be further granted all powers  
19 given to an equity receiver, provided by N.R.S. Chapter 32 and/or common law.

20 11. Larry Bertsch is acting solely in his capacity as Receiver and no risk, obligation  
21 or expense incurred shall be the personal risk, obligation, or expense of Larry Bertsch.

22 12. No individual or entity may sue the Receiver without first obtaining the permission  
23 of this Court.

24 ///

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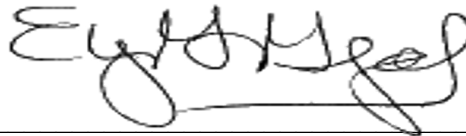
26 ///

1           13.     Individuals or entities interested in the Receivership Estate may contact the  
2 Receiver directly by and through the following individual:

3  
4           Larry Bertsch  
5           265 E. Warm Springs Road Suite 104  
6           Las Vegas, Nevada 89119  
7           (702) 471-7223

8           **IT IS SO ORDERED**

9           **Dated this 10th day of August, 2021**

10             
11           \_\_\_\_\_

12           **E9A D44 3F77 4620**  
13           **Elizabeth Gonzalez**  
14           **District Court Judge**

15           Respectfully Submitted by:  
16           MUSHKIN & COPPEDGE

17           Read and Approved:  
18           MAIER GUTIERREZ & ASSOCIATES

19           /s/Michael R. Mushkin  
20           MICHAEL R. MUSHKIN, ESQ.,  
21           Nevada Bar No. 2421  
22           L. JOE COPPEDGE, ESQ.,  
23           Nevada Bar. No. 4954  
24           6070 S. Eastern Ave., Suite 270  
25           Las Vegas, Nevada 89119

26           Did Not Approve  
27           JOSEPH A. GUTIERREZ, ESQ.  
28           Nevada Bar No. 9046  
              DANIELLE J. BARRAZA, ESQ.  
              Nevada Bar No. 13822  
              8816 Spanish Ridge Avenue  
              Las Vegas, Nevada 89148

*Attorneys for*  
              *Defendants/Counterclaimants*

*Attorneys for Plaintiffs/Counterdefendants*

1 **CSERV**

2  
3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

5  
6 Spanish Heights Acquisition  
7 Company LLC, Plaintiff(s)

CASE NO: A-20-813439-B

8 vs.

DEPT. NO. Department 11

9 CBC Partners I LLC,  
10 Defendant(s)

11 **AUTOMATED CERTIFICATE OF SERVICE**

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

15 Service Date: 8/10/2021

16 MGA Docketing

docket@mgalaw.com

17 Karen Foley

kfoley@mccnvlaw.com

18 Michael Mushkin

michael@mccnvlaw.com

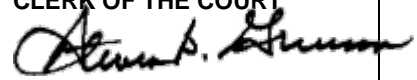
19 Kimberly Yoder

kyoder@mccnvlaw.com

20 Jady Hayes

jhayes@mccnvlaw.com

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**ASTA**  
JOSEPH A. GUTIERREZ, ESQ.  
Nevada Bar No. 9046  
DANIELLE J. BARRAZA, ESQ.  
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[djb@mgalaw.com](mailto:djb@mgalaw.com)

*Attorneys for Plaintiffs*

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

SPANISH HEIGHTS ACQUISITION  
COMPANY, LLC, a Nevada Limited Liability  
Company; SJC VENTURES HOLDING  
COMPANY, LLC, d/b/a SJC VENTURES, LLC,  
a Delaware Limited Liability Company,

Plaintiffs,

vs.

CBC PARTNERS I, LLC, a foreign Limited  
Liability Company; CBC PARTNERS, LLC, a  
foreign Limited Liability Company; 5148  
SPANISH HEIGHTS, LLC, a Nevada Limited  
Liability Company; KENNETH ANTOS AND  
SHEILA NEUMANN-ANTOS, as Trustees of  
the Kenneth & Sheila Antos Living Trust and the  
Kenneth M. Antos & Sheila M. Neumann-Antos  
Trust; DACIA, LLC, a foreign Limited Liability  
Company; DOES I through X; and ROE  
CORPORATIONS I through X, inclusive,

Defendants.

AND RELATED CLAIMS.

Case No.: A-20-813439-B  
Dept. No.: XI

**CASE APPEAL STATEMENT**

Plaintiff Spanish Heights Acquisition Company, LLC and SJC Ventures Holding Company,  
LLC d/b/a SJC Ventures, LLC (collectively "Plaintiffs"), by and through their attorneys of record, the

1 law firm MAIER GUTIERREZ & ASSOCIATES, submits this case appeal statement:

2 1. Name of appellant filing this case appeal statement:

3 Spanish Heights Acquisition Company, LLC and SJC Ventures Holding Company, LLC d/b/a  
4 SJC Ventures, LLC.

5 2. Identify the judge issuing the decision, judgment or order appealed from:

6 Honorable District Court Judge Elizabeth Gonzalez; Order Appointing Receiver, entered on  
7 August 10, 2021, notice of entry entered on August 11, 2021.

8 3. Identify each appellant and the name and address of counsel for each appellant:

9 Spanish Heights Acquisition Company, LLC and SJC Ventures Holding Company, LLC d/b/a  
10 SJC Ventures, LLC, c/o Joseph A. Gutierrez, Esq. and Danielle J. Barraza, Esq. of the law firm MAIER  
11 GUTIERREZ & ASSOCIATES located at 8816 Spanish Ridge Avenue, Las Vegas, Nevada 89148.

12 4. Identify each respondent and the name and address of appellate counsel, if known, for  
13 each respondent (if the name of a respondent's appellate counsel is unknown, indicate as much and  
14 provide the name and address of that respondent's trial counsel):

15 5148 Spanish Heights, LLC and CBC Partners I, LLC, c/o Michael R. Mushkin, Esq. and L.  
16 Joe Coppedge, Esq. of the law firm MUSHKIN & COPPEDGE located at 6070 S. Eastern Ave, Ste. 270,  
17 Las Vegas, Nevada 89119.

18 5. Indicate whether any attorney identified above in response to question 3 or 4 is not  
19 licensed to practice law in Nevada and, if so, whether the district court granted that attorney  
20 permission to appear under SCR 42 (attach a copy of any district court order granting such  
21 permission):

22 N/A.

23 6. Indicate whether appellant was represented by appointed or retained counsel in the  
24 district court:

25 Yes, Appellants were represented by retained counsel in the district court.

26 7. Indicate whether appellant is represented by appointed or retained counsel on appeal:

27 Appellants are represented by retained counsel on appeal.

28 Yes, Appellants are represented by retained counsel on appeal.

1           8.       Indicate whether appellant was granted leave to proceed in forma pauperis, and the  
2 date of entry of the district court order granting such leave:

3           Not applicable. Appellant did not apply for and was not granted leave to proceed in forma  
4 pauperis in the district court.

5           9.       Indicate the date the proceedings commenced in the district court (e.g., date complaint,  
6 indictment, information, or petition was filed):

7           Complaint was filed on April 9, 2020.

8           10.      Provide a brief description of the nature of the action and result in the district court,  
9 including the type of judgment or order being appealed and the relief granted by the district court:

10          This action involves the residential property located at 5148 Spanish Heights Drive, Las  
11 Vegas, Nevada 89148, with Assessor's Parcel Number 163-29-615-007 ("Property"). The Property  
12 is owned by plaintiff Spanish Heights Acquisition Company, LLC ("SHAC") pursuant to a recorded  
13 deed, and leased by plaintiff SJC Ventures pursuant to a valid lease agreement. Defendants CBC  
14 Partners I, LLC and 5148 Spanish Heights, LLC ("Defendants") claim to hold an interest in the  
15 Property purportedly secured by a third-position Deed of Trust.

16          On April 6, 2021, following a non-jury trial on legal issues surrounding certain claims and  
17 counterclaims, this Court issued its FFCL, which made certain findings involving the interpretation  
18 of various contractual agreements executed by the parties. Before the trial was complete, SHAC filed  
19 for bankruptcy through the Bankruptcy Court, which triggered the automatic stay of litigation as to  
20 the causes of action being adjudicated against SHAC. Nevertheless, the trial was allowed to continue  
21 despite Plaintiffs' objections.

22          It is undisputed that the Bankruptcy Court has determined that the Defendants violated the  
23 bankruptcy stay by moving forward with the trial on February 3, 2021 and March 15, 2021 despite  
24 the fact that SHAC had filed bankruptcy by that time.

25          Defendants tried to get around violating the bankruptcy stay by filing a motion seeking the  
26 appointment of a non-neutral receiver of SJC Ventures. That motion was based on the void portions  
27 of the Court's 4/6/2021 FFCL. That motion was also based on misrepresentations that Defendants  
28 made claiming that Judge Denton had found Jay Bloom to be the alter ego of SJC Ventures in the case

1 styled as *TGC/Farkas Funding, LLC v. First 100, LLC et al*, Case No. A-20-822273-C (the  
2 “TGC/Farkas Matter”).

3 The district court relied on Defendants’ misrepresentations, and in granting the motion for  
4 receiver without a hearing, explicitly held in its order that it was doing so given “Judge Denton’s  
5 findings in the *TGC/Farkas Funding, LLC v. First 100, LLC* matter before the Eighth Judicial District  
6 Court (Case No. A-20-822273-C).”

7 11. Indicate whether the case has previously been the subject of an appeal to or original  
8 writ proceeding in the Supreme Court and, if so, the caption and Supreme Court docket number of the  
9 prior proceeding:

10 *Spanish Heights Acquisition Company, LLC, et al. v. CBC Partners I, LLC, et al.*, Supreme  
11 Court Case No. 82868;

12 *Spanish Heights Acquisition Company, LLC, et al. v. Eighth Judicial District Court of the*  
13 *State of Nevada et al. and CBC Partners I, LLC, et al.*, Supreme Court Case No. 83373.

14 12. Indicate whether this appeal involves child custody or visitation:

15 This appeal does not involve child custody or visitation.

16 13. If this is a civil case, indicate whether this appeal involves the possibility of settlement:

17 Appellants are not opposed to settlement discussions.

18 DATED this 18th day of August, 2021.

19 Respectfully submitted,

20 **MAIER GUTIERREZ & ASSOCIATES**

21 /s/ Danielle J. Barraza

22 JOSEPH A. GUTIERREZ, ESQ.

23 Nevada Bar No. 9046

24 DANIELLE J. BARRAZA, ESQ.

25 Nevada Bar No. 13822

26 8816 Spanish Ridge Avenue

27 Las Vegas, Nevada 89148

28 *Attorneys for Plaintiffs*



## **CERTIFICATE OF SERVICE**

Pursuant to Administrative Order 14-2, a copy of the foregoing **CASE APPEAL STATEMENT** was electronically filed on the 18th day of August, 2021, and served through the Notice of Electronic Filing automatically generated by the Court's facilities to those parties listed on the Court's Master Service List:

Michael R. Mushkin, Esq.  
MUSHKIN & COPPEDGE  
6070 South Eastern Avenue, Suite 270  
Las Vegas, Nevada 89119  
*Attorneys for Defendants/Counterclaimants  
CBC Partners I, LLC and 5148 Spanish Heights, LLC  
Defendants Dacia LLC and CBC Partners, LLC*

/s/ Natalie Vazquez

An Employee of MAIER GUTIERREZ & ASSOCIATES

## EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY****CASE NO. A-20-813439-B**

Spanish Heights Acquisition Company LLC, Plaintiff(s)  
 vs.  
 CBC Partners I LLC, Defendant(s)

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Location: **Department 11**  
 Judicial Officer: **Gonzalez, Elizabeth**  
 Filed on: **04/09/2020**  
 Case Number History:  
 Cross-Reference Case Number: **A813439**  
 Supreme Court No.: **82868**








**CASE INFORMATION**Case Type: **NRS Chapters 78-89**Case Status: **04/09/2020 Open****DATE****CASE ASSIGNMENT****Current Case Assignment**

Case Number A-20-813439-B  
 Court Department 11  
 Date Assigned 04/14/2020  
 Judicial Officer Gonzalez, Elizabeth

**PARTY INFORMATION**

		<i>Lead Attorneys</i>
<b>Plaintiff</b>	<b>SJC Ventures Holdings Company LLC</b>	<b>Gutierrez, Joseph A.</b> <i>Retained</i> 702-629-7900(W)
	<b>Spanish Heights Acquisition Company LLC</b>	<b>Gutierrez, Joseph A.</b> <i>Retained</i> 702-629-7900(W)
<b>Defendant</b>	<b>5148 Spanish Heights LLC</b>	<b>Mushkin, Michael R.</b> <i>Retained</i> 702-454-3333(W)
	<b>CBC Partners I LLC</b>	<b>Mushkin, Michael R.</b> <i>Retained</i> 702-454-3333(W)
	<b>CBC Partners LLC</b>	<b>Mushkin, Michael R.</b> <i>Retained</i> 702-454-3333(W)
	<b>Dacia LLC</b>	
	<b>Kenneth &amp; Sheila Antos Living Trust</b>	<b>Mushkin, Michael R.</b> <i>Retained</i> 702-454-3333(W)
	<b>Kenneth M. Antos &amp; Sheila M. Neumann-Antos Trust</b>	<b>Mushkin, Michael R.</b> <i>Retained</i> 702-454-3333(W)
<b>Counter Claimant</b>	<b>5148 Spanish Heights LLC</b>	<b>Mushkin, Michael R.</b> <i>Retained</i> 702-454-3333(W)
	<b>Antos, Kenneth</b>	<b>Mushkin, Michael R.</b> <i>Retained</i> 702-454-3333(W)

**CASE SUMMARY****CASE NO. A-20-813439-B****CBC Partners I LLC****Mushkin, Michael R.**  
*Retained*  
702-454-3333(W)**Neumann-Antos, Sheila****Mushkin, Michael R.**  
*Retained*  
702-454-3333(W)**Counter  
Defendant****Bloom, Jay****Gutierrez, Joseph A.**  
*Retained*  
702-629-7900(W)**SJC Ventures Holdings Company LLC****Gutierrez, Joseph A.**  
*Retained*  
702-629-7900(W)**SJC Ventures Holdings Company LLC****Gutierrez, Joseph A.**  
*Retained*  
702-629-7900(W)**Spanish Heights Acquisition Company LLC****Gutierrez, Joseph A.**  
*Retained*  
702-629-7900(W)**Third Party  
Plaintiff****5148 Spanish Heights LLC****Mushkin, Michael R.**  
*Retained*  
702-454-3333(W)**Trustee****Antos, Kenneth****Mushkin, Michael R.**  
*Retained*  
702-454-3333(W)**Neumann-Antos, Sheila****Mushkin, Michael R.**  
*Retained*  
702-454-3333(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
	<b><u>EVENTS</u></b>	
04/09/2020	 Complaint <i>[1] Complaint</i>	
04/09/2020	 Initial Appearance Fee Disclosure <i>[2] Initial Appearance Fee Disclosure</i>	
04/09/2020	 Summons Electronically Issued - Service Pending <i>[3] Summons</i>	
04/09/2020	 Exhibits <i>[4] Exhibit 14</i>	
04/10/2020	 Motion Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[5] Plaintiff's Application for Temporary Restraining Order and Motion for Preliminary Injunction on Order Shortening Time</i>	
04/10/2020	 Notice of Entry of Order <i>[6] Notice of Entry of Order</i>	
04/10/2020	 Clerk's Notice of Hearing	

# CASE SUMMARY

CASE NO. A-20-813439-B

*[7] Notice of Hearing*

04/13/2020



Request to Transfer to Business Court

*[8] Request for Business Court*

04/13/2020



Initial Appearance Fee Disclosure

Filed By: Counter Claimant CBC Partners I LLC

*[9] Initial Appearance Fee Disclosure*

04/14/2020



Notice of Department Reassignment

*[10] Notice of Department Reassignment*

04/14/2020



Opposition to Motion

*[11] Opposition to Plaintiffs' Application for Temporary Restraining Order and Motion for Preliminary Injunction*

04/21/2020



Reply in Support

Filed By: Counter Defendant Spanish Heights Acquisition Company LLC

*[12] Plaintiff's Reply in Support of Application for Temporary Restraining Order and Motion for Preliminary Injunction*

04/23/2020



Errata

Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC

*[13] Errata to Plaintiffs' Reply in Support of Application for Temporary Restraining Order and Motion for Preliminary Injunction*

04/24/2020



Notice of Posting Bond

Filed By: Counter Defendant Spanish Heights Acquisition Company LLC

*[14] Notice of Posting Bond*

04/27/2020



Errata

Filed By: Counter Claimant CBC Partners I LLC

*[15] Errata to Opposition to Plaintiffs Application for Temporary Restraining Order and Preliminary Injunction*

04/27/2020



Answer and Counterclaim

Filed By: Counter Claimant CBC Partners I LLC

*[16] Defendant CBC Partners I, LLC S Answer to Complaint and Counterclaimants 5148 Spanish Heights, LLC and CBC partners I, LLC Counterclaim Against Spanish Heights Acquisition Company, LLC, SJC Ventures, LLC, SJC Ventures Holding Company, LLC, and Jay Bloom*

04/27/2020



Initial Appearance Fee Disclosure

Filed By: Third Party Plaintiff 5148 Spanish Heights LLC

*[17] Initial Appearance Fee Disclosure*

04/27/2020



Summons Electronically Issued - Service Pending

*[18] Summons SJC Ventures*

04/27/2020



Summons Electronically Issued - Service Pending

*[19] Summons - SJC Ventures Holding*

04/27/2020
















Summons Electronically Issued - Service Pending

*[20] Summons - Jay Bloom*
















# CASE SUMMARY

CASE NO. A-20-813439-B

05/06/2020	 Demand for Jury Trial <i>[21] Demand For Jury Trial</i>
05/06/2020	 Trial Subpoena Filed by: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[22] Subpoena - Civil</i>
05/11/2020	 Trial Subpoena Filed by: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[23] Subpoena - Civil</i>
05/13/2020	 Motion for Protective Order <i>[24] Motion for Protective Order</i>
05/13/2020	 Request for Judicial Notice <i>[25] Request for Judicial Notice in Support of Motions for Protective Order and Opposition for Preliminary Injunction</i>
05/13/2020	 Motion to Quash Filed By: Third Party Plaintiff 5148 Spanish Heights LLC <i>[26] Motion to Quash Subpoena and for Protective Order</i>
05/13/2020	 Declaration Filed By: Counter Claimant CBC Partners I LLC; Third Party Plaintiff 5148 Spanish Heights LLC <i>[27] Declaration of Taiwan Davis</i>
05/13/2020	 Declaration Filed By: Counter Claimant CBC Partners I LLC; Third Party Plaintiff 5148 Spanish Heights LLC <i>[28] Declaration of David Hodgman</i>
05/13/2020	 Declaration Filed By: Counter Claimant CBC Partners I LLC; Third Party Plaintiff 5148 Spanish Heights LLC <i>[29] Declaration of Jeffrey K. Waldo</i>
05/13/2020	 Affidavit Filed By: Counter Claimant CBC Partners I LLC; Third Party Plaintiff 5148 Spanish Heights LLC <i>[30] Affidavit of Nicole Guralny, Esq.</i>
05/14/2020	 Affidavit of Service Filed By: Counter Claimant CBC Partners I LLC; Third Party Plaintiff 5148 Spanish Heights LLC <i>[31] Affidavit of Service Re: - SJC Ventures LLC, A Delaware Limited Liability Holding Company</i>
05/14/2020	 Affidavit of Service <i>[32] Affidavit of Service - SJC Ventures</i>
05/14/2020	 Proof of Service














# CASE SUMMARY

CASE NO. A-20-813439-B

	<i>[33] Proof of Service - Jay Bloom</i>
05/14/2020	 Clerk's Notice of Hearing <i>[34] Notice of Hearing</i>
05/14/2020	 Clerk's Notice of Hearing <i>[35] Notice of Hearing</i>
05/15/2020	 Amended Complaint Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[36] Amended Complaint</i>
05/15/2020	 Summons Electronically Issued - Service Pending Party: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[37] Summons</i>
05/15/2020	 Summons Electronically Issued - Service Pending <i>[38] Summons</i>
05/15/2020	 Summons Electronically Issued - Service Pending <i>[39] Summons</i>
05/15/2020	 Summons Electronically Issued - Service Pending <i>[40] Summons</i>
05/15/2020	 Summons Electronically Issued - Service Pending <i>[41] Summons</i>
05/15/2020	 Summons Electronically Issued - Service Pending <i>[42] Summons</i>
05/26/2020	 Summons <i>[43] Summons</i>
05/26/2020	 Summons <i>[44] Summons</i>
05/26/2020	 Summons <i>[45] Summons</i>
05/26/2020	 Summons <i>[46] Summons</i>
05/28/2020	 Transcript of Proceedings <i>[47] Transcript of Proceedings: Hearing on Plaintiffs' Application for Temporary Restraining Order and Motion for Preliminary Injunction</i>
05/29/2020	 Order Granting Motion Filed By: Counter Defendant Spanish Heights Acquisition Company LLC <i>[48] Order Granting Plaintiffs' Motion for Preliminary Injunction on a Limited Basis</i>

# CASE SUMMARY

CASE NO. A-20-813439-B

05/29/2020	 Motion to Dismiss Filed By: Counter Claimant CBC Partners I LLC; Defendant 5148 Spanish Heights LLC <i>[49] Motion to Dismiss First Amended Complaint as to Dacia, LLC</i>
05/29/2020	 Clerk's Notice of Hearing <i>[50] Notice of Hearing</i>
05/29/2020	 Notice of Entry of Order Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[51] Notice of Entry of Order</i>
06/04/2020	 Summons <i>[52] Summons</i>
06/04/2020	 Summons Filed by: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[53] Summons</i>
06/08/2020	 Business Court Order <i>[54] Business Court Order</i>
06/10/2020	 Answer to Amended Complaint Filed By: Counter Claimant CBC Partners I LLC <i>[55] Defendants CBC Partners I, LLC, CBC Partners, LLC, and 5148 Spanish Heights, LLC Answer to First Amended Complaint</i>
06/12/2020	 Opposition to Motion to Dismiss Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[56] PLAINTIFFS' OPPOSITION TO DACIA, LLC'S MOTION TO DISMISS FIRST AMENDED COMPLAINT</i>
06/16/2020	 Motion for Order to Show Cause <i>[57] Defendants/Counterclaimants CBC Partners 1, LLC and 5148 Spanish Heights, LLC's Motion for Order to Show Cause on Order Shortening Time</i>
06/16/2020	 Notice of Intent Filed By: Counter Claimant CBC Partners I LLC <i>[58] Counterclaimants Notice of Intent to Default</i>
06/16/2020	 Notice of Intent Filed By: Counter Claimant CBC Partners I LLC <i>[59] Counterclaimants Notice of Intent to Default</i>
06/19/2020	 Opposition Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[60] PLAINTIFFS OPPOSITION TO DEFENDANTS CBC PARTNERS I, LLC AND 5148 SPANISH HEIGHTS, LLC S MOTION FOR ORDER TO SHOW CAUSE ON ORDER SHORTENING TIME AND COUNTERMOTION FOR SANCTIONS</i>
06/19/2020	 Objection Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter

# CASE SUMMARY

CASE NO. A-20-813439-B

Defendant SJC Ventures Holdings Company LLC

*[61] PLAINTIFFS OBJECTION TO THE NOTICES OF INTENT TO DEFAULT FILED ON JUNE 16, 2020*

06/22/2020



Reply in Support

*[62] Reply in Support of Defendants/Counterclaimants CBC Partners I, LLC and 5148 Spanish Heights, LLC Motion for Order to Show Cause On Order Shortening Time*

06/22/2020



Supplement

Filed by: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC

*[63] Plaintiffs' Supplemental Exhibit to Opposition to Defendants CBC Partners I, LLC and 5148 Spanish Heights, LLC's Motion for Order to Show Cause on Order Shortening Time and Countermotion for Sanctions*

06/23/2020



Reply in Support

*[64] Reply in Support of Motion to Dismiss First Amended Complaint as to Dacia, LLC*

06/24/2020



Motion

*[65] CBC Partners I, LLC, and 5148 Spanish Heights, LLC's, Emergency Motion for Approval to Issue Subpoenas Duces Tecum on Order Shortening Time*

06/26/2020



Reply

Filed by: Counter Claimant CBC Partners I LLC; Defendant 5148 Spanish Heights LLC

*[66] Reply to Plaintiffs' Objection to the Notices of Intent to Default and Request to Strike Objection*

06/29/2020



Opposition

Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC

*[67] Plaintiffs Opposition To Defendants CBC Partners I, LLC And 5148 Spanish Heights, LLC's Emergency Motion For Approval To Issue Subpoenas Duces Tecum On Order Shortening Time And Countermotion For Protective Order*

06/30/2020



Scheduling and Trial Order

*[68] Business Court Scheduling Order and Order Setting Civil Jury Trial, Pretrial Conference, and Calendar Call*

07/02/2020



Transcript of Proceedings

*[69] Transcript of Proceedings: Hearing on Defendant's Motion to Dismiss First Amended Complaint as to Dacia, LLC, and Evidentiary Hearing*

07/10/2020



Transcript of Proceedings

*[70] Transcript of Proceedings: Hearing on CBC Partners I's Motion for Order to Show Cause 6/22/2020*

07/10/2020



Answer to Counterclaim

Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC; Counter Defendant Bloom, Jay

*[71] Spanish Heights Acquisition Company, LLC, SJC Ventures LLC, SJC Ventures Holding Company, LLC, and Jay Bloom's Answer To Counterclaim*

07/11/2020



Order













Filed By: Counter Claimant CBC Partners I LLC; Third Party Plaintiff 5148 Spanish Heights LLC; Defendant CBC Partners LLC; Defendant 5148 Spanish Heights LLC

*[72] Order of Contempt*



# CASE SUMMARY

CASE NO. A-20-813439-B

07/14/2020	 Notice of Entry of Order Filed By: Counter Claimant CBC Partners I LLC <i>[73] Notice of Entry of Order</i>
07/20/2020	 Filing Fee Remittance Filed By: Counter Defendant Bloom, Jay <i>[74] Initial Appearance Fee Disclosure</i>
07/27/2020	 Motion for Appointment of Receiver Filed By: Defendant 5148 Spanish Heights LLC <i>[75] Motion for Appointment of Receiver</i>
07/27/2020	 Motion for Partial Summary Judgment Filed By: Counter Claimant CBC Partners I LLC; Third Party Plaintiff 5148 Spanish Heights LLC <i>[76] 5148 Spanish Heights, LLC and CBC Partners I LLC, Motion for Partial Summary Judgment</i>
07/27/2020	 Motion for Order Filed By: Counter Claimant CBC Partners I LLC; Third Party Plaintiff 5148 Spanish Heights LLC; Defendant CBC Partners LLC; Defendant 5148 Spanish Heights LLC <i>[77] Defendants/ Counterclaimant's Motion for Order Determining Jay Bloom to be a Vexatious Litigant</i>
07/27/2020	 Motion Filed By: Counter Claimant CBC Partners I LLC; Third Party Plaintiff 5148 Spanish Heights LLC; Defendant CBC Partners LLC; Defendant 5148 Spanish Heights LLC <i>[78] 5148 Spanish Heights, LLC and CBC Partners I, LLC Motion for Determination of Unlawful Detainer</i>
07/27/2020	 Motion for Sanctions Filed By: Counter Claimant CBC Partners I LLC; Third Party Plaintiff 5148 Spanish Heights LLC; Defendant CBC Partners LLC; Defendant 5148 Spanish Heights LLC <i>[79] Motion for Sanctions Pursuant to NRCP Rule 11</i>
07/29/2020	 Clerk's Notice of Hearing <i>[80] Notice of Hearing</i>
07/29/2020	 Clerk's Notice of Hearing <i>[81] Notice of Hearing</i>
07/29/2020	 Clerk's Notice of Hearing <i>[82] Notice of Hearing</i>
08/10/2020	 Opposition to Motion For Summary Judgment Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[83] Plaintiffs' Opposition to Defendants CBC Partners I, LLC and 5148 Spanish Heights, LLC's Defective Motion for Partial Summary Judgment</i>
08/10/2020	 Opposition to Motion Filed By: Counter Defendant Bloom, Jay <i>[84] Jay Bloom's Opposition to Defendant CBC Partners I, LLC and 5148 Spanish Heights, LLC's Motion for Order Determining Jay Bloom to be Vexatious Litigant</i>

# CASE SUMMARY

CASE NO. A-20-813439-B

08/10/2020



## Opposition and Countermotion

Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC  
*[85] Plaintiffs' Opposition to Defendants CBC Partners I, LLC and 5148 Spanish Heights, LLC's Rogue Motion for Sanctions and Countermotion for Sanctions*

08/10/2020



## Opposition to Motion

Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC  
*[86] Plaintiffs Opposition To Defendants CBC Partners I, LLC And 5148 Spanish Heights, LLC's Motion For Appointment Of Adverse Receiver*

08/10/2020



## Opposition to Motion

Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC; Counter Defendant Bloom, Jay  
*[87] Plaintiffs And Jay Blooms Opposition To Defendants CBC Partners I, LLC And 5148 Spanish Heights, LLCs Motion For Unlawful Detainer*

08/19/2020



## Motion for Protective Order

Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC  
*[88] Plaintiffs Objection And Motion For Protective Order Regarding Defendant/Counterclaimants 5148 Spanish Heights, LLC And CBC Partners I, LLC S Notice Of Intent To Serve Subpoenas*

08/20/2020



## Clerk's Notice of Hearing

*[89] Notice of Hearing*

08/24/2020



## Reply in Support

*[90] Reply in Support of Motion for Appointment of Receiver*

08/24/2020



## Reply in Support

Filed By: Counter Claimant CBC Partners I LLC; Third Party Plaintiff 5148 Spanish Heights LLC; Defendant 5148 Spanish Heights LLC  
*[91] Reply in Support of Motion for Determination of Unlawful Detainer*

08/24/2020



## Reply in Support

*[92] 5148 Spanish Heights, LLC and CBC Partners I, LLC Reply in Support of Motion For Partial Summary Judgment*

08/25/2020



## Reply in Support

Filed By: Counter Claimant CBC Partners I LLC; Third Party Plaintiff 5148 Spanish Heights LLC; Defendant CBC Partners LLC; Defendant 5148 Spanish Heights LLC  
*[93] Reply in Support of Motion for Order Determining Jay Bloom to Be a Vexatious Litigant*

08/25/2020



## Reply in Support

Filed By: Counter Claimant CBC Partners I LLC; Third Party Plaintiff 5148 Spanish Heights LLC; Defendant CBC Partners LLC; Defendant 5148 Spanish Heights LLC  
*[94] Reply in Support of Motion for Sanctions Pursuant to NRCP 11*

08/27/2020















## Notice of Intent to Take Default

Party: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC  
*[95] Seven-Day Notice of Intent to Take Default*













# CASE SUMMARY

CASE NO. A-20-813439-B

08/27/2020	 Notice of Intent to Take Default Party: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[96] Seven-Day Notice of Intent to Take Default</i>
09/03/2020	 Initial Appearance Fee Disclosure Filed By: Counter Claimant Antos, Kenneth; Counter Claimant Neumann-Antos, Sheila <i>[97] Initial Appearance Fee Disclosure</i>
09/03/2020	 Answer and Counterclaim Filed By: Counter Claimant Antos, Kenneth; Counter Claimant Neumann-Antos, Sheila <i>[98] Defendants Sheila Antos and Kenneth Antos, as Trustees of the Kenneth &amp; Sheila Antos Living Trust and the Kenneth M. Antos &amp; Sheila M. Neumann-Antos Trust Answer to First Amended Complaint and Counterclaim</i>
09/08/2020	 Opposition and Countermotion Filed By: Counter Claimant CBC Partners I LLC; Third Party Plaintiff 5148 Spanish Heights LLC <i>[99] Opposition and Countermotion For Protective Order</i>
09/08/2020	 Clerk's Notice of Hearing <i>[100] Notice of Hearing</i>
09/14/2020	 Reply in Support Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[101] Plaintiff's Reply in Support of Motion for Protective Order Regarding Defendant/Counterclaimants 5148 Spanish Heights, LLC and CBC Partners I, LLC's Notice of Intent to Serve Subpoenas and Opposition to Defendant/Counterclaimants 5148 Spanish Heights, LLC and CBC Partners I, LLC's Countermotion for Protective Order</i>
09/17/2020	 Reply in Support Filed By: Defendant CBC Partners LLC; Defendant 5148 Spanish Heights LLC <i>[102] Reply in Support of Countermotion for Protective Order</i>
09/22/2020	 Order Denying Motion Filed By: Counter Defendant SJC Ventures Holdings Company LLC <i>[103] Order Denying CBC Partners I, LLC and 5148 Spanish Heights, LLC s Motion for Order Determining Jay Bloom to be a Vexatious Litigant</i>
09/22/2020	 Order Denying Motion Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[104] Order Denying CBC Partners I, LLC and 5148 Spanish Heights, LLC s Motion for Sanctions Pursuant to NRCP Rule 11 and Denying Plaintiffs Countermotion for Sanctions</i>
09/24/2020	 Notice of Entry of Order Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[105] Notice of Entry of Order</i>
09/24/2020	 Notice of Entry of Order Filed By: Counter Defendant Spanish Heights Acquisition Company LLC <i>[106] Notice of Entry of Order</i>
09/28/2020	 Order

# CASE SUMMARY

CASE NO. A-20-813439-B

	<p>Filed By: Counter Defendant Spanish Heights Acquisition Company LLC  <i>[107] Interim Discovery Plan</i></p>
09/28/2020	<p> Answer to Counterclaim            Filed By: Counter Defendant SJC Ventures Holdings Company LLC  <i>[108] SJC Ventures Holding Company, LLC, d/b/a SJC Ventures, LLC'S Answer to Counterclaim Filed by Kenneth Antos and Sheila Neumann-Antos, as Trustees of The Kenneth &amp; Sheila Antos Living Trust and The Kenneth M. Antos &amp; Sheila M Neumann - Antos Trust</i></p>
09/29/2020	<p> Order Denying Motion            Filed By: Defendant 5148 Spanish Heights LLC  <i>[109] ORDER DENYING MOTION FOR UNLAWFUL DETAINER WITHOUT PREJUDICE</i></p>
09/29/2020	<p> Order  <i>[110] Order Granting in Part and Denying in Part Motion to Dismiss as to Dacia, LLC</i></p>
10/02/2020	<p> Notice of Entry of Order            Filed By: Third Party Plaintiff 5148 Spanish Heights LLC  <i>[111] Notice of Entry of Order</i></p>
10/02/2020	<p> Notice of Entry of Order            Filed By: Third Party Plaintiff 5148 Spanish Heights LLC  <i>[112] Notice of Entry of Order</i></p>
10/02/2020	<p> Supplement to Opposition            Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC  <i>[113] Plaintiffs' Supplemental Opposition to Defendants CBC Partners I, LLC and 5148 Spanish Heights, LLC's Defective Motion for Partial Summary Judgment</i></p>
10/07/2020	<p> Motion for Preliminary Injunction            Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC  <i>[114] Plaintiffs' Renewed Application for Temporary Restraining Order and Motion for Preliminary Injunction</i></p>
10/08/2020	<p> Clerk's Notice of Hearing  <i>[115] Notice of Hearing</i></p>
10/09/2020	<p> Reply in Support            Filed By: Counter Claimant CBC Partners I LLC; Third Party Plaintiff 5148 Spanish Heights LLC; Defendant 5148 Spanish Heights LLC  <i>[116] Supplemental Reply in Support of 5148 Spanish Heights, LLC and CBC Partners I, LLC's Motion For Partial Summary Judgment</i></p>
10/10/2020	<p> Order Denying Motion            Filed By: Defendant 5148 Spanish Heights LLC  <i>[117] Order Denying Motion for Protective Orders</i></p>
10/12/2020	<p> Notice of Entry of Order            Filed By: Third Party Plaintiff 5148 Spanish Heights LLC; Defendant 5148 Spanish Heights LLC  <i>[118] Notice of Entry of Order</i></p>
10/13/2020	<p> Notice</p>

# CASE SUMMARY

CASE NO. A-20-813439-B

Filed By: Counter Claimant CBC Partners I LLC; Defendant 5148 Spanish Heights LLC  
[119] Notice of Issuance of Subpoenas Duces Tecum to Bank of America

10/19/2020



Opposition

[120] Defendants Counterclaimants Opposition To Plaintiffs Renewed Application for Temporary Restraining Order and Motion for Preliminary Injunction

10/19/2020



Appendix

[121] Appendix to Defendants/Counterclaimants Opposition To Plaintiffs Renewed Application for Temporary Restraining Order and Motion for Preliminary Injunction

10/27/2020



Objection

Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC  
[122] PLAINTIFFS OBJECTION TO DEFENDANTS UNILATERAL NOTICE OF TAKING DEPOSITION OF PLAINTIFF/COUNTERDEFENDANT JAY BLOOM

10/27/2020



Objection

[123] PLAINTIFFS OBJECTION TO DEFENDANTS UNILATERAL NOTICE OF TAKING DEPOSITION OF PLAINTIFF/COUNTERDEFENDANT SPANISH HEIGHTS ACQUISITION COMPANY, LLC S PERSON MOST KNOWLEDGEABLE

10/27/2020



Objection

[124] PLAINTIFFS OBJECTION TO DEFENDANTS UNILATERAL NOTICE OF TAKING DEPOSITION OF PLAINTIFF/COUNTERDEFENDANT SJC VENTURES HOLDING COMPANY, LLC d/b/a SJC VENTURES, LLC S PERSON MOST KNOWLEDGEABLE

11/02/2020



Reply

Filed by: Counter Defendant Spanish Heights Acquisition Company LLC  
[125] PLAINTIFFS REPLY IN SUPPORT OF RENEWED APPLICATION FOR TEMPORARY RESTRAINING ORDER AND MOTION FOR PRELIMINARY INJUNCTION

11/03/2020



Order

[126] Order Denying CBC and 5148 Spanish Height's Motion for Partial Summary Judgment and Motion for Appointment of Receiver

11/03/2020



Notice of Entry of Order

Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC  
[127] Notice of Entry of Order

11/09/2020



Declaration

[128] Declaration of Kenneth M. Antos in Support of Defendants/Counterclaimants Opposition to Plaintiffs Renewed Application for Temporary Restraining Order and Motion For Preliminary Injunction

11/09/2020



Notice of Intent

Filed By: Counter Claimant CBC Partners I LLC; Defendant CBC Partners LLC; Defendant 5148 Spanish Heights LLC  
[129] Notice of Intent to Serve Subpoena

11/13/2020



Objection

Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC  
[130] PLAINTIFFS OBJECTION TO DEFENDANTS/COUNTERCLAIMANTS FOURTH SUPPLEMENTAL LIST OF WITNESSES AND PRODUCTION OF DOCUMENTS

# CASE SUMMARY

CASE NO. A-20-813439-B

11/13/2020	 Objection <i>[131] PLAINTIFFS OBJECTION TO DEFENDANTS NOTICE OF INTENT TO SERVE DEPOSITION SUBPOENA DUCES TECUM</i>
11/13/2020	 Motion <i>[132] Plaintiffs Motion for an Order to Show Cause as to Why Defendant Dacia, LLC Should Not Be Held In Contempt for Failing to Abide By This Court S 10/10/2020 Order Denying Motion For Protective Orders</i>
11/16/2020	 Clerk's Notice of Hearing <i>[133] Notice of Hearing</i>
11/16/2020	 Motion for Protective Order Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[134] Plaintiffs' Motion for Protective Order Regarding Defendants/Counterclaimants' Notice of Intent to Serve Subpoena Upon Plaintiffs' Counsel</i>
11/17/2020	 Clerk's Notice of Hearing <i>[135] Notice of Hearing</i>
11/24/2020	 Opposition to Motion <i>[136] Opposition to Motion for Order to Show Cause and Countermotion for Protective Order</i>
11/30/2020	 Motion to Quash Filed By: Counter Claimant CBC Partners I LLC; Third Party Plaintiff 5148 Spanish Heights LLC; Defendant CBC Partners LLC; Defendant 5148 Spanish Heights LLC; Counter Claimant Antos, Kenneth <i>[137] Motion to Quash Subpoena to First Savings Bank and for Protective Order</i>
12/01/2020	 Clerk's Notice of Hearing <i>[138] Notice of Hearing</i>
12/07/2020	 Opposition to Motion <i>[139] Opposition to Plaintiffs' Motion for Protective Order Regarding Notice of Intent to Serve Subpoena Upon Plaintiffs' Counsel</i>
12/10/2020	 Motion to Dismiss <i>[140] Renewed Motion to Dismiss First Amended Complaint as to Dacia, LLC or in the Alternative Motion for Summary Judgment</i>
12/10/2020	 Exhibits <i>[141] Exhibits to Renewed Motion to Dismiss First Amended Complaint as to Dacia, LLC or in the Alternative Motion for Summary Judgment</i>
12/10/2020	 Clerk's Notice of Hearing <i>[142] Clerk's Notice of Hearing</i>
12/11/2020	 Notice of Change of Hearing <i>[143] Notice of Change of Hearing</i>
12/11/2020	 Reply Filed by: Counter Defendant Spanish Heights Acquisition Company LLC

# CASE SUMMARY

CASE NO. A-20-813439-B

*[144] PLAINTIFFS REPLY IN SUPPORT OF MOTION FOR PROTECTIVE ORDER REGARDING DEFENDANTS/COUNTERCLAIMANTS NOTICE OF INTENT TO SERVE SUBPOENA UPON PLAINTIFFS COUNSEL*

12/14/2020



Order Shortening Time

Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC

*[145] Plaintiffs Renewed Application for Temporary Restraining Order and Motion for Preliminary Injunction on an Order Shortening Time*

12/15/2020



Exhibits

Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC

*[146] EXHIBITS IN SUPPORT OF PLAINTIFFS RENEWED APPLICATION FOR TEMPORARY RESTRAINING ORDER AND MOTION FOR PRELIMINARY INJUNCTION ON AN ORDER SHORTENING TIME*

12/18/2020



Status Report

Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC

*[147] Joint Status Report*

12/21/2020



Opposition to Motion

Filed By: Counter Defendant Spanish Heights Acquisition Company LLC

*[148] Plaintiff's Opposition to the Untimely Motion to Quash Subpoena to First Savins Bank and for Protective Order*

12/22/2020



Order Shortening Time

Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC

*[149] Plaintiffs Motion to Advance the January 11, 2021 Hearing on Plaintiffs Renewed Application for Temporary Restraining Order and Motion for Preliminary Injunction on an Order Shortening Time*

12/22/2020



Reply in Support

Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC

*[150] Plaintiffs' Reply in Support of Motion for an Order to Show Cause as to Why Defendant Dacia, LLC Should Not be Held in Contempt for Failing to Abide By This Court's 10/10/20 Order Denying Motion for Protective Orders*

12/23/2020



Notice of Intent to Take Default

Party: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC

*[151] Seven-Day Notice of Intent to Take Default*

12/24/2020



Opposition to Motion

*[152] Defendants/Counterclaimants Opposition To Plaintiffs Renewed Application for Temporary Restraining Order and Motion for Preliminary Injunction on an Order Shortening Time*

12/24/2020



Declaration

*[153] Declaration of Alan Hallberg in Support of Defendants/Counterclaimants Opposition to Plaintiffs Renewed Application for Temporary Restraining Order and Motion For Preliminary Injunction On An Order Shortening Time*

12/24/2020



Declaration

# CASE SUMMARY

CASE NO. A-20-813439-B

*[154] Declaration of Kenneth M. Antos in Support of Defendants/Counterclaimants Opposition to Plaintiffs Renewed Application for Temporary Restraining Order and Motion For Preliminary Injunction On An Order Shortening Time*

12/24/2020



Appendix

*[155] Appendix of Exhibits Defendants/Counterclaim-ants Opposition To Plaintiffs Renewed Application for Temporary Restraining Order and Motion for Preliminary Injunction on an Order Shortening Time*

12/24/2020



Opposition

Filed By: Counter Defendant Spanish Heights Acquisition Company LLC

*[156] Plaintiffs' Opposition to Renewed Motion to Dismiss First Amended Complaint as to Dacia LLC or in the Alternative Motion for Summary Judgment*

12/29/2020



Objection

*[157] Dacia, LLC's Objection to Plaintiffs' Seven-Day Notice of Intent to Default*

12/30/2020



Order

*[158] Order Granting in Part Plaintiffs Motion for Protective Order Regarding Defendants-Counterclaimants Notice of Intent to Serve Subpoena upon Plaintiffs Counsel*

12/30/2020



Notice of Entry of Order

Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC

*[159] Notice of Entry of Order*

12/31/2020



Motion for Summary Judgment

*[160] Kenneth Antos and Sheila Neumann-Antos Motion For Summary Judgment*

12/31/2020



Appendix

*[161] Appendix to Kenneth Antos and Sheila Neumann-Antos Motion For Summary Judgment*

01/01/2021



Reply in Support

Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC

*[162] Plaintiff's Reply in Support of Renewed Application for Temporary Restraining Order and Motion for Preliminary INjunction on an Order Shortening Time*

01/04/2021



Declaration

*[163] Declaration of Kenneth M. Antos in Support of Motion For Summary Judgment*

01/05/2021



Temporary Restraining Order

*[164] Temporary Restraining Order*

01/05/2021



Clerk's Notice of Hearing

*[165] Clerk's Notice of Hearing*

01/05/2021



Notice of Entry of Order

Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC

*[166] Notice of Entry of Order*

01/05/2021














Reply in Support

*[167] Reply in Support of Renewed Motion to Dismiss First Amended Complaint as to Dacia, LLC or in the Alternative Motion for Summary Judgment*



# CASE SUMMARY

CASE NO. A-20-813439-B

01/08/2021	 Reply in Support <i>[168] Reply in Support of Motion to Quash Subpoena to First Savings Bank and for Protection Order</i>
01/12/2021	 Stipulation Filed by: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[169] STIPULATION REGARDING LEGAL ISSUES TO BE DECIDED BY THE COURT AT BIFURCATED TRIAL COMMENCING FEBRUARY 1, 2021</i>
01/14/2021	 Trial Subpoena Filed by: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[170] Trial Subpoena of NRCP 30(b)(6) of CBC Partners I, LLC</i>
01/14/2021	 Trial Subpoena Filed by: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[171] Trial Subpoena to Kenneth Antos</i>
01/14/2021	 Opposition to Motion For Summary Judgment Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[172] Plaintiffs' Opposition to Defendants Kenneth Antos and Sheila Neumann-Antos' Motion For Summary Judgment</i>
01/21/2021	 Order Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[173] Order Granting Plaintiffs Motion for an Order to Show Cause as to Why Defendant Dacia should Not be Held in Contempt for Failing to Abide by this Court's 10-10-2020 Order and Denying in Part Dacia s Motion for Protective Order Following Subsequent hearing of january 4, 2021</i>
01/25/2021	 Trial Subpoena Filed by: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[174] Amended Trial Subpoena</i>
01/25/2021	 Trial Subpoena <i>[175] Amended Trial Subpoena</i>
01/25/2021	 Notice of Entry of Order Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[176] Notice of Entry of Order</i>
01/27/2021	 Application Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[177] Plaintiff's Application for Attorneys' Fees Associated with Plaintiff's Successful Motion for an Order to Show Cause</i>
01/28/2021	 Audiovisual Transmission Equipment Appearance Request <i>[178] Audiovisual Transmission Equipment Appearance Request</i>













# CASE SUMMARY

CASE NO. A-20-813439-B

02/19/2021	 Transcript of Proceedings <i>[179] Transcript of Proceedings: Preliminary Injunction Hearing and Trial - Day 1</i>
02/19/2021	 Transcript of Proceedings <i>[180] Transcript of Proceedings: Preliminary Injunction Hearing and Trial - Day 2</i>
02/19/2021	 Transcript of Proceedings <i>[181] Transcript of Proceedings: Preliminary Injunction Hearing and Trial - Day 3</i>
03/10/2021	 Reply in Support Filed By: Counter Claimant Antos, Kenneth; Counter Claimant Neumann-Antos, Sheila <i>[182] Kenneth Antos and Sheila Neumann-Antos Reply in Support of Motion For Summary Judgment</i>
03/12/2021	 Audiovisual Transmission Equipment Appearance Request <i>[183] Audiovisual Transmission Equipment Appearance Request</i>
03/16/2021	 Opposition and Countermotion Filed By: Defendant CBC Partners LLC; Defendant 5148 Spanish Heights LLC <i>[184] Opposition to Plaintiffs Application for Attorneys Fees Associated With Plaintiffs Successful Motion for an Order to Show Cause and Countermotion for Offset and Application for Fees Associated With Defendants Successful Motion for Order to Show Cause Regarding Contempt</i>
03/17/2021	 Transcript of Proceedings <i>[185] Transcript of Proceedings: Preliminary Injunction Hearing and Trial - Day 4, Volume I</i>
03/17/2021	 Transcript of Proceedings <i>[186] Transcript of Proceedings: Preliminary Injunction Hearing and Trial - Day 4, Volume II March 15, 2121</i>
04/06/2021	 Findings of Fact, Conclusions of Law and Judgment <i>[187] Findings of Fact and Conclusions of Law</i>
04/12/2021	 Scheduling and Trial Order <i>[188] 2nd Amended Business Court Scheduling Order and Order Setting Civil Jury Trial, Calendar Call and Pre-Trial Conference 06-28-21</i>
04/20/2021	 Notice of Entry of Order Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[189] Notice of Entry of Order</i>
04/29/2021	 Notice of Appeal Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[190] Notice of Appeal</i>
04/29/2021	 Case Appeal Statement Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[191] Case Appeal Statement</i>













# CASE SUMMARY

CASE NO. A-20-813439-B

05/04/2021	 Cost on Appeal Bond Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[192] Cost Bond on Appeal</i>
05/04/2021	 Motion to Reconsider Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[193] Plaintiffs' Motion to Amend the Court's Findings of Fact, Conclusions of Law, and Order, or Alternatively for Reconsideration</i>
05/04/2021	 Clerk's Notice of Hearing <i>[194] Notice of Hearing</i>
05/18/2021	 Opposition to Motion Filed By: Counter Claimant CBC Partners I LLC; Defendant CBC Partners LLC; Defendant 5148 Spanish Heights LLC; Defendant Kenneth & Sheila Antos Living Trust; Defendant Dacia LLC; Defendant Kenneth M. Antos & Sheila M. Neumann-Antos Trust <i>[195] Opposition to Plaintiffs' Motion to Amend the Court's Findings of Fact, Conclusions of Law, and Order, or Alternatively for Reconsideration</i>
05/28/2021	 Pre-Trial Disclosure Party: Counter Defendant SJC Ventures Holdings Company LLC; Counter Defendant Bloom, Jay <i>[196] Plaintiff SJC Ventures Holding Company, LLC and Counterdefendant Jay Bloom's Pretrial Disclosure</i>
05/28/2021	 Reply in Support Filed By: Counter Defendant SJC Ventures Holdings Company LLC <i>[197] Plaintiffs' Reply in Support of Motion to Amend the Court's Findings of Fact, Conclusions of Law, and Order, or Alternatively for Reconsideration</i>
06/01/2021	 Pre-Trial Disclosure <i>[198] Defendants/Counterclaimants' Pretrial Disclosures</i>
06/16/2021	 Scheduling and Trial Order <i>[199] 3rd Amended Order Setting Civil Jury Trial and Calendar Call 08-02-21</i>
06/24/2021	 Motion for Appointment of Receiver <i>[200] Motion for Appointment of Receiver of SJC Ventures Holding Company, LLC d/b/a SJC Ventures, LLC, a Delaware Limited Liability Company</i>
06/25/2021	 Clerk's Notice of Hearing <i>[201] Notice of Hearing</i>
07/08/2021	 Opposition Filed By: Counter Defendant SJC Ventures Holdings Company LLC <i>[202] OPPOSITION TO DEFENDANTS RENEWED MOTION FOR APPOINTMENT OF NON-NEUTRAL RECEIVER</i>
07/09/2021	 Pre-trial Memorandum Filed by: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[203] Plaintiffs' Pretrial Memorandum</i>

# CASE SUMMARY

CASE NO. A-20-813439-B

07/23/2021	 Scheduling and Trial Order <i>[204] 4th Amended Order Setting Civil Jury Trial, Calendar Call and Pre-Trial Conference 10-11-21</i>
07/28/2021	 Status Report <i>[205] Status Report Regarding Lifting of Bankruptcy Stay</i>
08/06/2021	 Notice Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[206] Notice of the Bankruptcy Court Finding that Defendants Violated the Stay of Litigation Resulting in Void FFCL</i>
08/10/2021	 Order Granting Motion Filed By: Counter Claimant CBC Partners I LLC; Third Party Plaintiff 5148 Spanish Heights LLC; Defendant CBC Partners LLC; Defendant 5148 Spanish Heights LLC; Defendant Kenneth & Sheila Antos Living Trust; Defendant Kenneth M. Antos & Sheila M. Neumann-Antos Trust; Counter Claimant Antos, Kenneth; Counter Claimant Neumann-Antos, Sheila <i>[207] Order Appointing Receiver</i>
08/10/2021	 Order Granting Summary Judgment Filed By: Defendant CBC Partners LLC; Defendant 5148 Spanish Heights LLC; Defendant Dacia LLC <i>[208] Order Granting in Part Antos' and Sheila Neumann-Antos Motion for Summary Judgment</i>
08/11/2021	 Notice of Entry of Order <i>[209] Notice of Entry of Order</i>
08/11/2021	 Notice of Entry of Order <i>[210] Notice of Entry of Order</i>
08/12/2021	 Order Shortening Time Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC <i>[211] Motion to Stay Proceedings and Enforcement of Order Granting Defendants Motion for Appointment of Receiver on an Order Shortening Time</i>
08/12/2021	 Notice of Posting Bond <i>[212] Notice of Posting Bond</i>
08/13/2021	 Ex Parte Filed By: Receiver Bertsch, Larry L. <i>[213] Ex Parte Motion to Employ Carlyon Cica Chtd., as Counsel to the Receiver</i>
08/13/2021	 Opposition to Motion <i>[214] Opposition to Plaintiffs' Motion to Stay Proceedings and Enforcement of Order Granting Defendants' Motion for Appointment of Receiver on an Order Shortening Time</i>
08/13/2021	 Order Filed By: Receiver Bertsch, Larry L. <i>[215] ORDER GRANTING EX PARTE MOTION TO EMPLOY CARLYON CICA CHTD. AS COUNSEL TO THE RECEIVER</i>

# CASE SUMMARY

CASE NO. A-20-813439-B

08/16/2021



**Notice of Entry**

Filed By: Receiver Bertsch, Larry L.

*[216] Notice of Entry of Order Granting Ex Parte Motion to Employ Carlyon Cica Chtd. as Counsel to the Receiver*

08/18/2021



**Notice of Appeal**

Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC

*[217] Notice of Appeal*

08/18/2021



**Case Appeal Statement**

Filed By: Counter Defendant Spanish Heights Acquisition Company LLC; Counter Defendant SJC Ventures Holdings Company LLC

*[218] Case Appeal Statement*

## DISPOSITIONS

09/29/2020

**Order of Dismissal** (Judicial Officer: Gonzalez, Elizabeth)

Debtors: Spanish Heights Acquisition Company LLC (Plaintiff), SJC Ventures Holdings Company LLC (Plaintiff)

Creditors: CBC Partners I LLC (Defendant), 5148 Spanish Heights LLC (Defendant), Dacia LLC (Defendant)

Judgment: 09/29/2020, Docketed: 09/29/2020

Comment: Certain Causes

08/10/2021

**Summary Judgment** (Judicial Officer: Gonzalez, Elizabeth)

Debtors: 5148 Spanish Heights LLC (Defendant)

Creditors: Kenneth Antos (Counter Claimant), Sheila Neumann-Antos (Counter Claimant)

Judgment: 08/10/2021, Docketed: 08/11/2021

Comment: In Part/ Certain Claims

## HEARINGS

04/28/2020



**Hearing (9:00 AM)** (Judicial Officer: Gonzalez, Elizabeth)

*Motion for Preliminary Injunction*

Granted; TRO extended without modification

Journal Entry Details:

*All parties appeared telephonically. Following arguments by counsel, COURT ORDERED, because of the Governor's Directive 008, the Court is EXTENDING the Temporary Restraining Order previously issued by Judge Crockett WITHOUT MODIFICATION. Per counsel's request, hearing set for June 8, 2020 is ADVANCED to May 14, 2020. Mr. Mushkin confirmed he intends to call witnesses for the preliminary injunction hearing and will be calling them by video under today's circumstances. COURT NOTED a few days' notice is required to set up videoconferencing. Counsel will be REQUIRED to be present in the courtroom but they must observe social distancing, and the witnesses should have the exhibits prior to their appearance. Upon counsel's inquiry, Court stated Mr. Bloom can testify in the courtroom if he observes social distancing and wears a face covering. COURT FURTHER DIRECTED counsel to email the information regarding their witnesses to the Judicial Executive Assistant, Mr. Dan Kutinac, by May 11, 2020 at noon. Following further argument by Mr. Mushkin regarding the Governor's Directive and adjusting the bond, COURT ORDERED, given the Governor's Directive 008 the Court will NOT ADJUST the bond. 5-14-20 9:30 AM PLAINTIFFS' APPLICATION FOR TEMPORARY RESTRAINING ORDER AND MOTION FOR PRELIMINARY INJUNCTION ON ORDER SHORTENING TIME;*

05/13/2020



**Minute Order (12:53 PM)** (Judicial Officer: Gonzalez, Elizabeth)

*Minute Order re: Trial Subpoenas*

Minute Order - No Hearing Held;

Journal Entry Details:

*The Court notes trial subpoenas have been filed. The Court did not authorize the issuance of trial subpoenas nor order any witness to appear. CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 5-13-20;*

# CASE SUMMARY

CASE NO. A-20-813439-B

05/14/2020



**Motion** (9:30 AM) (Judicial Officer: Gonzalez, Elizabeth)

*Plaintiffs' Application for Temporary Restraining Order and Motion for Preliminary Injunction on Order Shortening Time*

Granted;

Journal Entry Details:

*COURT NOTED a motion for protective order and a motion regarding a subpoena were filed yesterday. Opening statements by Mr. Gutierrez and Mr. Mushkin. Exclusionary rule INVOKED by Mr. Gutierrez. Mr. Mushkin noted that they previously said they would do both declarations and witnesses; he has provided the declarations to counsel; the only one that is substantive is perhaps Mr. Hodgman's, the next door neighbor, because it addresses the fireworks issue. COURT ORDERED, exclusionary rule IMPOSED; however, that does not mean a witness cannot participate as an observer. Pursuant to the parties' stipulation, COURT ORDERED, Proposed Joint Exhibits A through W ADMITTED. (See worksheet.) Parties agreed that the remainder of the exhibits is stipulated as to authenticity and counsel will only argue relevance. Testimony and exhibits presented. (See worksheets.) LUNCH RECESS. Testimony and exhibits continued. (See worksheets.) Following arguments by counsel regarding Mr. Mushkin's motion for directed verdict on the basis that the Plaintiffs have not established irreparable harm, COURT stated findings, and ORDERED, motion DENIED. Testimony and exhibits continued. At the hour of 4:02 pm, both sides RESTED. Closing arguments. COURT ORDERED, the April 3, 2020 notice to vacate is violative of Governor's Directive 008, because there is not an establishment of a serious endangerment of the public or other residents, or serious criminal activity, or significant damage to the property, which is required under section 1 for the Court to ignore the Governor's Directive 008, section 1. For that reason, the injunction is GRANTED in a LIMITED way to prevent any further action related to the notice to vacate until after the expiration of the Governor's Directive 008. With regards to a bond, COURT noted, per Mr. Gutierrez, that the Plaintiff is going to continue to pay the first and second taxes, insurance, and HOA dues during the interim. Mr. Gutierrez concurred. Argument by Mr. Mushkin in support of payments for the third. COURT ORDERED, as part of the order granting the preliminary injunction through the expiration of Governor's Directive 008, the Plaintiff is REQUIRED to continue to pay the first, second insurance, taxes, and HOA fees; the Court will NOT REQUIRE payment of the third; that is something that will be an issue that may be discussed in the near future, given the new party that has appeared, whether through intervention or the filing of a counterclaim. Following further argument by Mr. Mushkin, noting no defense to the bond, and Court's clarification of its ruling, COURT NOTED its order is strictly based on Directive 008, that the Court did not say it found there was a foreclosure proceeding but found there was a notice to vacate; the Court cannot increase the bond from \$1,000 as requested by the Defendant, not with Directive 008 in place. Counsel for Plaintiffs to prepare today's order and run it by the Defense prior to submission. COURT ORDERED, given the appearance of the new party as a counterclaimant, the Court will NOT SET a Rule 16 Conference today; however, matter will be SET for status check in 3 weeks on the chambers calendar on scheduling the Rule 16 conference; the requirements under NRCP 16(b)(2) are SUSPENDED pursuant to Administrative Order 20-01. Mr. Gutierrez noted the Plaintiff will likely be filing an amended complaint. COURT ORDERED, the motions scheduled for June 19, 2020 ("Motion for Protective Order", "Motion to Quash Subpoena and for Protective Order") are VACATED as MOOT, NOTING that a minute order was issued yesterday that Mr. Mushkin believes addresses both issues, although he may renew the motion for protective order at a later date if it becomes a discovery issue. 6-5-20 CHAMBERS STATUS CHECK: SCHEDULING RULE 16 CONFERENCE;*

06/05/2020



**Status Check** (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

*Status Check: Scheduling Rule 16 Conference*

Hearing Set;

Journal Entry Details:

*COURT ORDERED, matter SET for Rule 16 conference. 6-29-20 9:00 AM DEFENDANT'S MOTION TO DISMISS FIRST AMENDED COMPLAINT AS TO DACIA, LLC...MANDATORY RULE 16 CONFERENCE CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 6-8-20;*

06/19/2020

**CANCELED Motion** (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

*Vacated - Moot*

*Motion for Protective Order*

06/19/2020

**CANCELED Motion to Quash** (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

# CASE SUMMARY

CASE NO. A-20-813439-B

*Vacated - Moot*

*Motion to Quash Subpoena and for Protective Order*

06/22/2020



**Motion for Order to Show Cause** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Events: 06/16/2020 Motion for Order to Show Cause

*Defendants/Counterclaimants CBC Partners I, LLC Motion for Order to Show Cause on Order Shortening Time*

Hearing Set;

Journal Entry Details:

*Ms. Barraza and Mr. Bloom present in the courtroom. Mr. Mushkin appeared by telephone. Following arguments by counsel, COURT ORDERED, because cause has been shown at the time the order to show cause was issued that payments had not been timely made in accordance with the security requirements of the TRO, the Court will SET an evidentiary hearing; as part of that, a process may be reached where payments are going to be timely made in accordance with the order as they come due; the Court is NOT MAKING A FINDING related to the taxes, because the taxes were not ordered under the contract; they were ordered paid as due which is with the County Assessor's Office. COURT ORDERED, matter SET for evidentiary hearing on June 29, 2020 at 9:30 am. 6-29-20 9:00 AM MANDATORY RULE 16 CONFERENCE...DEFENDANT'S MOTION TO DISMISS FIRST AMENDED COMPLAINT AS TO DACIA, LLC 6-29-20 9:30 AM EVIDENTIARY HEARING;*

06/29/2020

**Motion to Dismiss** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

*Defendant's Motion to Dismiss First Amended Complaint as to Dacia, LLC*

Granted in Part;

06/29/2020

**Mandatory Rule 16 Conference** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Trial Date Set;

06/29/2020



**All Pending Motions** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Matter Heard;


Journal Entry Details:

*DEFENDANT'S MOTION TO DISMISS FIRST AMENDED COMPLAINT AS TO DACIA, LLC...MANDATORY RULE 16 CONFERENCE (9:00 AM SESSION)...EVIDENTIARY HEARING (9:30 AM SESSION) APPEARANCES CONTINUED: Alan Hallberg, Defendant's Client Representative, listened to the evidentiary hearing by telephone. Everyone else appeared in person. DEFENDANT'S MOTION TO DISMISS FIRST AMENDED COMPLAINT AS TO DACIA, LLC: Following arguments by counsel, COURT ORDERED, with respect to the first claim of relief in the motion to dismiss is DENIED. The declaratory relief claim as to the pursuit of the eviction and/or change in occupancy is a claim that can be claimed against Dacia. With respect to claims for relief 10, 11, and 12 are GRANTED to the extent that claims against the current owner for events that occurred prior to purchase cannot be pursued under NRS 116; however, to the extent that there are events that occurred during the ownership of Dacia, it is DENIED. EVIDENTIARY HEARING: Opening statements. Jay Bloom, SWORN and TESTIFIED. Exhibits presented. (See worksheet.) Closing arguments. COURT ORDERED, CAUSE HAS BEEN SHOWN; here, whether the FedEx dropbox used by the Plaintiffs for sending the two May 11 checks in fact occurred or occurred in a different manner is one where the Court still has significant questions, but it is undisputed that the checks that were written on May 11 were not timely sent and were late; it was surprising to the Court that they were not negotiated until after the order to show cause was filed. For that reason, the COURT ORDERS that a NEW PROCEDURE be followed related to the checks: the checks will be sent by next-day delivery by the United States Postal Service with electronic tracking information included along with the contents of the envelope provided to the Defendants at the time future payments to the 1st and 2nd are made. The HOA payments were \$830 per month were timely made for May and June on June 4th, so the Court is not making any additional ruling, but the Court would encourage counsel to send an email reminding Mr. Mushkin when those payments were made. The Court is not requiring the Plaintiffs to bring amounts current but only to pay amounts when they become due. With respect to the taxes, the Court understands what the contract says, but that is not what the Court ordered; As the Clark County Treasurer assesses taxes to be paid on a quarterly basis, they are TO BE PAID; they may either be paid by credit card or by check; if paid by credit card, an email must be sent to Mr. Mushkin saying they were paid by credit card; if they were paid by check, it needs to be sent via next-day delivery of USPS with the contents of the envelope copied and the contents of the envelope provided to Mr. Mushkin. COURT FURTHER ORDERED, fees NOT AWARDED at this time; counsel to file an application as to how much in fees were incurred, so if there is*

# CASE SUMMARY

CASE NO. A-20-813439-B

an objection the Court can make a determination as to the amount. Upon Mr. Gutierrez's inquiry, COURT CLARIFIED that the Defendant is entitled to fees related to the late payment of the 1st and 2nd which will only be a portion of what he sought to do. MANDATORY RULE 16 CONFERENCE: Court, addressing Mr. Mushkin, noted that objections to notices of default do not get calendared and counsel has not filed a motion. COURT ORDERED, initial disclosures pursuant to Rule 16.1 TO BE EXCHANGED in the next 10 days, and the answer to the counterclaim TO BE FILED in 1 week. Upon Court's inquiry, Mr. Mushkin confirmed they have answered the amended complaint. With regards to experts, Mr. Gutierrez advised they will have one on property valuation or real estate. Mr. Mushkin advised he will have a legal expert who will testify on merger and the one-action rule. Colloquy regarding discovery for a period of 90 days. COURT ORDERED as follows: Any further motions to amend pleadings or add parties TO BE FILED within 45 days; Initial expert disclosures where a party bears the burden of proof DUE by October 9, 2020; Rebuttal expert disclosures where a party does not bear the burden of proof DUE by November 13, 2020; Discovery cut-off SET for December 18, 2020; Dispositive motions and motions in limine TO BE FILED by January 22, 2021; Matter SET for trial on the stack beginning on March 15, 2021. Jury DEMANDED. Trial Setting Order will ISSUE. COURT FURTHER ORDERED, today is the parties joint case conference and the filing of the joint case conference report (JCCR) is WAIVED. Parties to file any discovery motions sooner rather than later. Both sides declined the Court's offer of a settlement conference. Court directed the parties to notify the Department if they change their mind. Both sides further advised that they do not need an ESI Protocol or Stipulated Protective Order and that they do not have any issues with the Rule on 10 depositions per side, not including custodians of records, the 7-hour limit per deposition, and no issues with the locations. Mr. Mushkin noted, however, that he may have an issue with the length of Mr. Bloom's deposition. Mr. Gutierrez objected to increasing the number of hours as the parties have already covered every contract in the preliminary injunction hearing. COURT ORDERED, the time for depositions will NOT BE INCREASED from 7 hours to 10 hours at this time; however, when it is time to take the deposition and counsel files a motion, counsel to PROVIDE more details than simply "the contracts were long" and "Mr. Bloom does not give short answers".;

06/29/2020	<b>Evidentiary Hearing</b> (9:30 AM) (Judicial Officer: Gonzalez, Elizabeth) Matter Heard; cause has been shown
06/30/2020	<b>CANCELED Motion</b> (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth) Vacated - Moot Spanish Heights, LLC's, Emergency Motion for Approval to Issue Subpoenas Duces Tecum on Order Shortening Time
08/28/2020	<b>Motion for Order</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) Defendants/ Counterclaimant's Motion for Order Determining Jay Bloom to be a Vexatious Litigant Denied;
08/28/2020	<b>Motion</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) 5148 Spanish Heights, LLC and CBC Partners I, LLC Motion for Determination of Unlawful Detainer Denied Without Prejudice;
08/28/2020	<b>Motion for Sanctions</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) Defendants/ Counterclaimant's Motion for Sanctions Pursuant to NRCP Rule 11 Denied;
08/28/2020	<b>Opposition and Countermotion</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) Plaintiffs' Opposition to Defendants CBC Partners I, LLC and 5148 Spanish Heights, LLC's Rogue Motion for Sanctions and Countermotion for Sanctions Denied;
08/28/2020	 <b>All Pending Motions</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth) Minute Order - No Hearing Held; Journal Entry Details: DEFENDANTS/ COUNTERCLAIMANTS' MOTION FOR ORDER DETERMINING JAY BLOOM TO BE A VEXATIOUS LITIGANT... ...5148 SPANISH HEIGHTS, LLC AND CBC PARTNERS I, LLC'S MOTION FOR DETERMINATION OF UNLAWFUL DETAINER...



**CASE SUMMARY****CASE No. A-20-813439-B**

...DEFENDANTS/ COUNTERCLAIMANTS' MOTION FOR SANCTIONS PURSUANT TO NRCP RULE 11... ...PLAINTIFFS' OPPOSITION TO DEFENDANTS CBC PARTNERS I, LLC AND 5148 SPANISH HEIGHTS, LLC'S ROGUE MOTION FOR SANCTIONS AND COUNTERMOTION FOR SANCTIONS DEFENDANTS/ COUNTERCLAIMANTS' MOTION FOR ORDER DETERMINING JAY BLOOM TO BE A VEXATIOUS LITIGANT...

...DEFENDANTS/ COUNTERCLAIMANTS' MOTION FOR SANCTIONS PURSUANT TO NRCP RULE 11... ...PLAINTIFFS' OPPOSITION TO DEFENDANTS CBC PARTNERS I, LLC AND 5148 SPANISH HEIGHTS, LLC'S ROGUE MOTION FOR SANCTIONS AND COUNTERMOTION FOR SANCTIONS: The Court, having reviewed the MOTION FOR ORDER DETERMINING JAY BLOOM TO BE A VEXATIOUS LITIGANT, MOTION FOR SANCTIONS PURSUANT TO NRCP RULE 11, COUNTERMOTION, and the related briefing and being fully informed, DENIES the motion and request for an evidentiary hearing. Mr. Bloom (regardless of what legal entity is actually involved) does not meet the requirements for being determined to be a vexatious litigant. Counsel for Plaintiff is directed to submit a proposed order approved by opposing counsel consistent with the foregoing within ten (10) days and distribute a filed copy to all parties involved in this matter. Such order should set forth a synopsis of the supporting reasons proffered to the Court in briefing. This Decision sets forth the Court's intended disposition on the subject but anticipates further order of the Court to make such disposition effective as an order. 5148 SPANISH HEIGHTS, LLC AND CBC PARTNERS I, LLC'S MOTION FOR DETERMINATION OF UNLAWFUL DETAINER: The Court, having reviewed 5148 SPANISH HEIGHTS, LLC AND CBC PARTNERS I, LLC'S MOTION FOR DETERMINATION OF UNLAWFUL DETAINER and the related briefing and being fully informed, DENIES the motion WITHOUT PREJUDICE. The Court notes that issues needing further briefing and/or discovery include the transfer of the Antos interest, the transfer of the note, the doctrine of merger and the one action rule. Counsel to agree upon a discovery schedule related to these issues and submit a stipulation to the Court. If no agreement is reached, the Court will set a schedule. Matter SET for status check on a discovery plan regarding the unlawful detainer in three weeks. The request for a bond pending this discovery may be renewed after the discovery plan on these limited factual issues is adopted. Counsel for Movant is directed to submit a proposed order approved by opposing counsel consistent with the foregoing within ten (10) days and distribute a filed copy to all parties involved in this matter. Such order should set forth a synopsis of the supporting reasons proffered to the Court in briefing. This Decision sets forth the Court's intended disposition on the subject but anticipates further order of the Court to make such disposition effective as an order or judgment. 8-31-20 9:00 AM DEFENDANT MOTION FOR APPOINTMENT OF RECEIVER...5148 SPANISH HEIGHTS, LLC AND CBC PARTNERS I LLC'S MOTION FOR PARTIAL SUMMARY JUDGMENT 9-18-20 CHAMBERS STATUS CHECK: DISCOVERY PLAN ON UNLAWFUL DETAINER 9-21-20 9:00 AM PLAINTIFFS' OBJECTION AND MOTION FOR PROTECTIVE ORDER REGARDING DEFENDANT/COUNTERCLAIMANTS 5148 SPANISH HEIGHTS, LLC AND CBC PARTNERS I, LLC'S NOTICE OF INTENT TO SERVE SUBPOENAS 12-21-20 9:00 AM STATUS CHECK 2-18-21 9:15 AM PRE TRIAL CONFERENCE 3-9-21 9:30 AM CALENDAR CALL 3-15-21 1:30 PM JURY TRIAL CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 9-8-20;

08/31/2020

**Motion for Appointment (9:00 AM)** (Judicial Officer: Gonzalez, Elizabeth)**08/31/2020, 09/14/2020, 10/19/2020***Defendant Motion for Appointment of Receiver*

Matter Continued;

Matter Continued;

Denied;

Matter Continued;

Matter Continued;

Denied;

Matter Continued;

Matter Continued;

Denied;

08/31/2020

**Motion for Partial Summary Judgment (9:00 AM)** (Judicial Officer: Gonzalez, Elizabeth)**08/31/2020, 09/14/2020, 10/19/2020***5148 Spanish Heights, LLC and CBC Partners I LLC, Motion for Partial Summary Judgment*

Matter Continued;




Matter Continued;

Denied;

Matter Continued;

# CASE SUMMARY

CASE NO. A-20-813439-B

	<p>Matter Continued;  Denied;  Matter Continued;  Matter Continued;  Denied;</p>
08/31/2020	<p> <b>All Pending Motions</b> (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)  <i>Defendant Motion For Appointment of Receiver . . . 5148 Spanish Heights, LLC and CBC Partners I LLC, Motion for Partial Summary Judgment</i>  Matter Continued;  Journal Entry Details:  <i>DEFENDANT MOTION FOR APPOINTMENT OF RECEIVER . . . 5148 SPANISH HEIGHTS, LLC AND CBC PARTNERS I LLC, MOTION FOR PARTIAL SUMMARY JUDGMENT</i> Court noted at the request of the parties this matter would be rescheduled and ORDERED, matter CONTINUED. CONTINUED TO: 09/14/20 9:00 AM;</p>
09/14/2020	<p> <b>All Pending Motions</b> (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)  Matter Heard;  Journal Entry Details:  <i>DEFENDANTS' MOTION FOR APPOINTMENT OF RECEIVER...5148 SPANISH HEIGHTS, LLC AND CBC PARTNERS I LLC, MOTION FOR PARTIAL SUMMARY JUDGMENT</i> All parties appeared by telephone. Upon Court's inquiry, Mr. Mushkin confirmed he represents the Antoses and that he can do depositions on two days' notice. Court noted it is concerned it cannot address some of the issues in the motion until the Antoses' depositions are taken; the Court would like the depositions taken expeditiously, but if Mr. Gutierrez and Ms. Barraza are not prepared to do so the Court will hear the motion. Mr. Gutierrez advised there is pending written discovery; perhaps they can set the depositions next Monday, but he can certainly do them expeditiously; he simply needs the written discovery done first. COURT ORDERED, hearing on the motions CONTINUED; an affidavit on what was said at the deposition or a rough transcript may be submitted. Mr. Gutierrez requested the hearing be continued in 3 weeks and advised he will submit an expedited draft of the transcript. With Mr. Mushkin's agreement, COURT ORDERED, hearing on the motions CONTINUED to October 5, 2020. At counsel's request, COURT FURTHER ORDERED, the motion for protective order and the opposition and countermotion thereto ADVANCED to September 18, 2020 in chambers. 9-18-20 CHAMBERS STATUS CHECK: DISCOVERY PLAN ON UNLAWFUL DETAINER...  ...PLAINTIFFS' OBJECTION AND MOTION FOR PROTECTIVE ORDER REGARDING DEFENDANT/COUNTERCLAIMANTS 5148 SPANISH HEIGHTS, LLC AND CBC PARTNERS I, LLC'S NOTICE OF INTENT TO SERVE SUBPOENAS... ..OPPOSITION AND COUNTERMOTION FOR PROTECTIVE ORDER 10-5-20 9:00 AM DEFENDANTS' MOTION FOR APPOINTMENT OF RECEIVER...5148 SPANISH HEIGHTS, LLC AND CBC PARTNERS I LLC, MOTION FOR PARTIAL SUMMARY JUDGMENT 12-21-20 9:00 AM STATUS CHECK 2-18-21 9:15 AM PRE TRIAL CONFERENCE 3-9-21 9:30 AM CALENDAR CALL 3-15-21 1:30 PM JURY TRIAL;</p>
09/18/2020	<p><b>Motion for Protective Order</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)  <i>Plaintiffs Objection And Motion For Protective Order Regarding Defendant/Counterclaimants 5148 Spanish Heights, LLC And CBC Partners I, LLC S Notice Of Intent To Serve Subpoenas</i>  Denied;</p>
09/18/2020	<p><b>Opposition and Countermotion</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)  <i>Opposition and Countermotion For Protective Order</i>  Denied;</p>
09/18/2020	<p><b>Status Check</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)  <i>Status Check: Discovery Plan on Unlawful Detainer</i>  Off Calendar;</p>
09/18/2020	<p> <b>All Pending Motions</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)  Minute Order - No Hearing Held;  Journal Entry Details:  <i>PLAINTIFFS' OBJECTION AND MOTION FOR PROTECTIVE ORDER REGARDING DEFENDANT/COUNTERCLAIMANTS 5148 SPANISH HEIGHTS, LLC AND CBC</i></p>

# CASE SUMMARY

CASE NO. A-20-813439-B

PARTNERS I, LLC'S NOTICE OF INTENT TO SERVE SUBPOENAS... ..OPPOSITION AND COUNTERMOTION FOR PROTECTIVE ORDER... ..STATUS CHECK: DISCOVERY PLAN ON UNLAWFUL DETAINER PLAINTIFFS' OBJECTION AND MOTION FOR PROTECTIVE ORDER REGARDING DEFENDANT/COUNTERCLAIMANTS 5148 SPANISH HEIGHTS, LLC AND CBC PARTNERS I, LLC'S NOTICE OF INTENT TO SERVE SUBPOENAS...OPPOSITION AND COUNTERMOTION FOR PROTECTIVE ORDER: The Court, having reviewed the motions for protective order, countermotion, and the related briefing and being fully informed, DENIES both motions. With respect to the motion, the subpoena to Bank of America seeks relevant information related to the cash flow at issue in the payments made on the obligations. With respect to the countermotion, the discovery request related to ownership and membership interest are also relevant to the transfer of those obligations and ownership interest in the note; the request for in camera review is DENIED. Respective moving counsel is directed to submit a proposed order approved by opposing counsel consistent with the foregoing within ten (10) days and distribute a filed copy to all parties involved in this matter. Such order should set forth a synopsis of the supporting reasons proffered to the Court in briefing. This Decision sets forth the Court's intended disposition on the subject but anticipates further order of the Court to make such disposition effective as an order. STATUS CHECK: DISCOVERY PLAN ON UNLAWFUL DETAINER: COURT NOTES plan submitted. Status check OFF CALENDAR. 10-5-20 9:00 AM DEFENDANT'S MOTION FOR APPOINTMENT OF RECEIVER...5148 SPANISH HEIGHTS, LLC AND CBC PARTNERS I LLC, MOTION FOR PARTIAL SUMMARY JUDGMENT 12-21-20 9:00 AM STATUS CHECK 2-18-21 9:15 AM PRE TRIAL CONFERENCE 3-9-21 9:30 AM CALENDAR CALL 3-15-21 1:30 PM JURY TRIAL CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 9-23-20;

10/19/2020



**All Pending Motions** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Matter Heard;

Journal Entry Details:

DEFENDANT MOTION FOR APPOINTMENT OF RECEIVER...5148 SPANISH HEIGHTS, LLC AND CBC PARTNERS I LLC, MOTION FOR PARTIAL SUMMARY JUDGMENT Parties appeared by telephone. Following arguments by counsel, COURT ORDERED, given the testimony of the Antoszes, there appear to be genuine issues of material fact related to the parties and the execution of documents relied on by the Motion for Partial Summary Judgment; for that reason, the Court DENIES the motion for partial summary judgment and the motion for appointment of Receiver, because if there are issues with documents, there are issues with the appointment of a Receiver. 11-9-20 9:00 AM PLAINTIFFS' RENEWED APPLICATION FOR TEMPORARY RESTRAINING ORDER AND MOTION FOR PRELIMINARY INJUNCTION 12-21-20 9:00 AM STATUS CHECK 2-18-21 9:15 AM PRE TRIAL CONFERENCE 3-9-21 9:30 AM CALENDAR CALL 3-15-21 1:30 PM JURY TRIAL;

11/09/2020



**Motion for Preliminary Injunction** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Plaintiffs' Renewed Application for Temporary Restraining Order and Motion for Preliminary Injunction

Denied;

Journal Entry Details:

Parties appeared by telephone. Following arguments by counsel, COURT ORDERED, motion DENIED as there is not an emergent issue that requires the Court's injunctive relief; there is not a notice of sale, and without a notice of sale there is no emergency that requires the Court's intervention. Court stated it will sign an OST if there is a notice of sale. 12-21-20 9:00 AM STATUS CHECK 2-18-21 9:15 AM PRE TRIAL CONFERENCE 3-9-21 9:30 AM CALENDAR CALL 3-15-21 1:30 PM JURY TRIAL;

12/08/2020



**Minute Order** (12:29 PM) (Judicial Officer: Gonzalez, Elizabeth)

Minute Order Continuing Motion to Quash Subpoena to First Savings Bank and for Protective Order

Minute Order - No Hearing Held;

Journal Entry Details:

At request of the Court, Defendants/Counterclaimants' Motion to Quash Subpoena to First Savings Bank and for Protective Order is CONTINUED from January 4 to January 11, 2021 at 9:00 am. CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 12-9-20;

12/14/2020



**Minute Order** (4:03 PM) (Judicial Officer: Gonzalez, Elizabeth)

# CASE SUMMARY

CASE NO. A-20-813439-B

*Minute Order Requesting Status Report*

Minute Order - No Hearing Held;

Journal Entry Details:

*At request of the Court, parties to FILE a status report prior to the status check on Monday, December 21, 2020. CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 12-14-20;*

12/18/2020



**Motion for Protective Order** (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

*Plaintiffs' Motion for Protective Order Regarding Defendants/Counterclaimants' Notice of Intent to Serve Subpoena Upon Plaintiffs' Counsel*

Granted in Part;

Journal Entry Details:

*The Court, having reviewed the motion for protective order and the related briefing and being fully informed, GRANTS the motion IN LIMITED PART. As not all file materials would be protected from production under the subpoena and attorney work product protection appears limited for activities conducted pre-litigation, non-protected material is to be provided in response to the subpoena after service. Any documents for which claim of protection or privilege is made will be alphanumerically identified and placed on a privilege log. For each document or written communication, the party withholding a document on the basis of attorney client privilege or the work product doctrine, shall specifically identify the author (and their capacity) of the document; the date on which the document was created; a brief summary of the subject matter of the document; if the document is a communication -- the recipient, sender and all others (and their respective capacities) provided with a copy of the document; other individuals with access to the document (and their respective capacities); the type of document; the purpose for creation of the document; and a detailed, specific explanation as to why the document is privileged or otherwise immune from discovery.*

*Request for sanctions DENIED. Counsel for movant is directed to submit a proposed order approved by opposing counsel consistent with the foregoing within ten (10) days and distribute a filed copy to all parties involved in this matter. Such order should set forth a synopsis of the supporting reasons proffered to the Court in briefing and argument. This Decision sets forth the Court's intended disposition on the subject but anticipates further order of the Court to make such disposition effective as an order. 12-21-20 9:00 AM STATUS CHECK 12-24-20 9:00 AM PLAINTIFFS' MOTION FOR AN ORDER TO SHOW CAUSE AS TO WHY DEFENDANT DACIA, LLC SHOULD NOT BE HELD IN CONTEMPT FOR FAILING TO ABIDE BY THIS COURT'S 10/10/2020 ORDER DENYING MOTION FOR PROTECTIVE ORDERS...OPPOSITION TO MOTION FOR ORDER TO SHOW CAUSE AND COUNTERMOTION FOR PROTECTIVE ORDER 1-11-21 9:00 AM PLAINTIFFS' RENEWED APPLICATION FOR TEMPORARY RESTRAINING ORDER AND MOTION FOR PRELIMINARY INJUNCTION ON AN ORDER SHORTENING TIME...RENEWED MOTION TO DISMISS FIRST AMENDED COMPLAINT AS TO DACIA, LLC OR IN THE ALTERNATIVE MOTION FOR SUMMARY*

*JUDGMENT...DEFENDANTS/COUNTERCLAIMANTS MOTION TO QUASH SUBPOENA TO FIRST SAVINGS BANK AND FOR PROTECTIVE ORDER 2-18-21 9:15 AM PRE TRIAL CONFERENCE 3-9-21 9:30 AM CALENDAR CALL 3-15-21 1:30 PM JURY TRIAL CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 12-21-20;*

12/21/2020



**Status Check** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Minute Order - No Hearing Held;




Journal Entry Details:

*Court reviewed status report filed December 18, 2020. As the December 24, 2020 hearing will be on the pleadings only, any additional requests for relief by Plaintiff must be made by Order Shortening Time. 12-24-20 9:00 AM PLAINTIFFS' MOTION FOR AN ORDER TO SHOW CAUSE AS TO WHY DEFENDANT DACIA, LLC SHOULD NOT BE HELD IN CONTEMPT FOR FAILING TO ABIDE BY THIS COURT'S 10/10/2020 ORDER DENYING MOTION FOR PROTECTIVE ORDERS...OPPOSITION TO MOTION FOR ORDER TO SHOW CAUSE AND COUNTERMOTION FOR PROTECTIVE ORDER 1-11-21 9:00 AM PLAINTIFFS' RENEWED APPLICATION FOR TEMPORARY RESTRAINING ORDER AND MOTION FOR PRELIMINARY INJUNCTION ON AN ORDER SHORTENING TIME... ..RENEWED MOTION TO DISMISS FIRST AMENDED COMPLAINT AS TO DACIA, LLC OR IN THE ALTERNATIVE MOTION FOR SUMMARY JUDGMENT...*

*...DEFENDANTS/COUNTERCLAIMANTS MOTION TO QUASH SUBPOENA TO FIRST SAVINGS BANK AND FOR PROTECTIVE ORDER 2-18-21 9:15 AM PRE TRIAL CONFERENCE 3-9-21 9:30 AM CALENDAR CALL 3-15-21 1:30 PM JURY TRIAL CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 12-21-20;*

# CASE SUMMARY

CASE NO. A-20-813439-B

12/24/2020	<p><b>Motion for Order</b> (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)  <b>12/24/2020, 01/04/2021</b>  <i>Plaintiffs Motion for an Order to Show Cause as to Why Defendant Dacia, LLC Should Not Be Held In Contempt for Failing to Abide By This Court S 10/10/2020 Order Denying Motion For Protective Orders</i>  Matter Continued;  Granted in Part;  Matter Continued;  Granted in Part;</p>
12/24/2020	<p><b>Opposition and Countermotion</b> (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)  <i>Opposition to Motion for Order to Show Cause and Countermotion for Protective Order</i>  Denied;</p>
12/24/2020	<p> <b>All Pending Motions</b> (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)  <b>MINUTES</b>  Minute Order - No Hearing Held;  Journal Entry Details:  <b>PLAINTIFFS' MOTION FOR AN ORDER TO SHOW CAUSE AS TO WHY DEFENDANT DACIA, LLC SHOULD NOT BE HELD IN CONTEMPT FOR FAILING TO ABIDE BY THIS COURT S 10/10/2020 ORDER DENYING MOTION FOR PROTECTIVE ORDERS...OPPOSITION TO MOTION FOR ORDER TO SHOW CAUSE AND COUNTERMOTION FOR PROTECTIVE ORDER</b> The Court having reviewed the request for Order to Show Cause and the related briefing and being fully informed determines CAUSE has been SHOWN and DENIES the countermotion. The issue related to the beneficial owners of Dacia has already been addressed by the Court. Regardless of counsel's belief as to the relevance, the failure to respond appears to be a violation of the Court's prior order. Matter CONTINUED to January 4, 2021 for scheduling of contempt trial. Defendant may resolve the issue by properly responding to the discovery. Attorney's fees are warranted; movant to submit an affidavit in support of fees; an objection any be filed within 5 judicial days after service. Counsel for movant is directed to submit a proposed order approved by opposing counsel consistent with the foregoing within ten (10) days and distribute a filed copy to all parties involved in this matter. Such order should set forth a synopsis of the supporting reasons proffered to the Court in briefing. This Decision sets forth the Court s intended disposition on the subject but anticipates further order of the Court to make such disposition effective as an order. COURT ORDERED, matter SET for status check on January 15, 2021 in chambers on attorney's fees. CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 12-24-20 ;  <b>SCHEDULED HEARINGS</b>   <b>Status Check</b> (01/15/2021 at 3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)  <b>01/15/2021, 01/29/2021, 02/17/2021, 03/15/2021, 03/18/2021, 03/25/2021, 04/02/2021, 04/09/2021</b>  Status Check: Attorney's Fees  <b>Status Check</b> (01/04/2021 at 10:00 AM) (Judicial Officer: Gonzalez, Elizabeth)  Status Check: Scheduling of Contempt Trial</p>
01/04/2021	<p><b>Motion for Preliminary Injunction</b> (10:00 AM) (Judicial Officer: Gonzalez, Elizabeth)  <i>Plaintiffs Renewed Application for Temporary Restraining Order and Motion for Preliminary Injunction on an Order Shortening Time</i>  Granted; limited basis</p>
01/04/2021	<p><b>Status Check</b> (10:00 AM) (Judicial Officer: Gonzalez, Elizabeth)  Status Check: Scheduling of Contempt Trial  Hearing Set;</p>
01/04/2021	<p> <b>All Pending Motions</b> (10:00 AM) (Judicial Officer: Gonzalez, Elizabeth)  Matter Heard;  Journal Entry Details:  Parties appeared by telephone. Following arguments by counsel, COURT ORDERED as follows: <b>PLAINTIFFS' RENEWED APPLICATION FOR TEMPORARY RESTRAINING</b></p>

# CASE SUMMARY

CASE NO. A-20-813439-B

*ORDER AND MOTION FOR PRELIMINARY INJUNCTION ON AN ORDER SHORTENING TIME: Motion GRANTED on a limited basis that the July notice did not properly identify the current holder of the interest. Trial on the merits ADVANCED to the date of the date of Preliminary Injunction Hearing so all the factual issues raised can be put to bed. BOND LEFT at amounts currently paid by Mr. Bloom's company. Proposed findings of fact and conclusions of law due January 29, 2021 at noon. Parties estimated 3 to 4 days. Mr. Mushkin advised discovery is closed and they have responded to everything except as to the issue of Dacia. Ms. Barraza advised they are expecting responses from subpoenas and will supplement disclosures. PLAINTIFFS' MOTION FOR AN ORDER TO SHOW CAUSE AS TO WHY DEFENDANT DACIA, LLC SHOULD NOT BE HELD IN CONTEMPT FOR FAILING TO ABIDE BY THIS COURT'S 10/10/2020 ORDER DENYING MOTION FOR PROTECTIVE ORDERS: Motion GRANTED IN PART; information will be provided on an attorney's eyes only basis and can only be reviewed by Ms. Barraza and Mr. Mushkin -- no consultants, no staff members, no Mr. Bloom -- within 5 days of execution of a limited attorney's eyes only provision. Mr. Mushkin advised that regarding the sale he will issue a new notice today. Court suggested parties enter into a stipulation on those issues covered in the pleadings that will be tried on February 1st; if unable to, the Court will need competing versions within one week, or January 8th. STATUS CHECK: SCHEDULING OF CONTEMPT TRIAL: COURT ORDERED, preliminary injunction hearing and trial SET for Monday, February 1st at 1 pm. 1-11-21 9:00 AM RENEWED MOTION TO DISMISS FIRST AMENDED COMPLAINT AS TO DACIA, LLC OR IN THE ALTERNATIVE MOTION FOR SUMMARY JUDGMENT...DEFENDANTS/COUNTERCLAIMANTS MOTION TO QUASH SUBPOENA TO FIRST SAVINGS BANK AND FOR PROTECTIVE ORDER 1-15-21 CHAMBERS STATUS CHECK: ATTORNEY'S FEES 2-1-21 1:00 PM PRELIMINARY INJUNCTION HEARING AND TRIAL 2-18-21 9:15 AM PRE TRIAL CONFERENCE 3-9-21 9:30 AM CALENDAR CALL 3-15-21 1:30 PM JURY TRIAL ;*

01/11/2021



**Motion to Quash** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

*Defendants/Counterclaimants Motion to Quash Subpoena to First Savings Bank and for Protective Order*

Granted;

Journal Entry Details:

*Pursuant to Administrative Order 20-01, the Court decides this matter without the necessity of oral argument. The Court, having reviewed the motion to quash/protective order and the related briefing and being fully informed, GRANTS the motion. The nature of the account records sought is one which contains information relating to multiple clients and by the nature of such transactions is confidential. Plaintiff has not made a showing that other sources of information do not exist from which they could obtain this information. Counsel for Defendant is directed to submit a proposed order approved by opposing counsel consistent with the foregoing within ten (10) days and distribute a filed copy to all parties involved in this matter. Such order should set forth a synopsis of the supporting reasons proffered to the Court in briefing. This Decision sets forth the Court's intended disposition on the subject but anticipates further order of the Court to make such disposition effective as an order. CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 1-21-21;*

01/11/2021



**Motion to Dismiss** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

*Renewed Motion to Dismiss First Amended Complaint as to Dacia, LLC or in the Alternative Motion for Summary Judgment*

Denied;

Journal Entry Details:

*Pursuant to Administrative Order 21-01 the Court decides this matter without the necessity of oral argument. The Court, having reviewed the motion to dismiss and the related briefing and being fully informed, DENIES the motion. The Court declines to address the motion as a Motion for Summary Judgment. The Motion to Dismiss is DENIED as the claims are adequately plead. Counsel for Plaintiff is directed to submit a proposed order approved by opposing counsel consistent with the foregoing within ten (10) days and distribute a filed copy to all parties involved in this matter. Such order should set forth a synopsis of the supporting reasons proffered to the Court in briefing. This Decision sets forth the Court's intended disposition on the subject but anticipates further order of the Court to make such disposition effective as an order. CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 2-1-21;*

01/11/2021



**All Pending Motions** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Minute Order - No Hearing Held;

**CASE NO. A-20-813439-B**

*See separate minute orders entered for the motion to dismiss and motion to quash both on January 11, 2021.;*

Journal Entry Details:

Printed on 08/20/2021 at 10:45 AM

# CASE SUMMARY

CASE No. A-20-813439-B

CALL 3-15-21 9:00 AM KENNETH ANTO'S AND SHEILA NEUMANN-ANTOS MOTION FOR SUMMARY JUDGMENT 3-15-21 10:00 AM PRELIMINARY INJUNCTION HEARING AND TRIAL...STATUS CHECK: ATTORNEY'S FEES 3-15-21 1:30 PM JURY TRIAL  
CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 2-17-21 ;

Matter Continued;

Matter Continued;

Matter Continued;

Matter Continued;

Matter Continued;

Matter Continued;

Matter Continued;

Under Advisement;

Journal Entry Details:

COURT ORDERED, status check CONTINUED to Friday, February 19, 2021 in chambers.

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 2-16-21;

Matter Continued;

Matter Continued;

Matter Continued;

Matter Continued;

Matter Continued;

Matter Continued;

Matter Continued;

Under Advisement;

Journal Entry Details:

COURT ORDERED, matter CONTINUED for 2 weeks. ...1-29-21 - CHAMBERS CLERK'S

NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 1-21-21;

02/01/2021



**Hearing** (1:00 PM) (Judicial Officer: Gonzalez, Elizabeth)

**02/01/2021-02/03/2021, 03/15/2021**

*Preliminary Injunction Hearing and Trial*

Hearing Continued;

Hearing Continued;

Stayed;

Decision Pending;

Hearing Continued;

Hearing Continued;

Stayed;

Decision Pending;

Journal Entry Details:

DAY 3 Mr. Gutierrez advised SHAC LLC filed for bankruptcy today under case no. 21-10501, and the attorney is James Greene from Greene Infuso. Upon review, COURT NOTED that with respect to Spanish Heights Acquisition Company the bankruptcy stay will apply. Mr. Gutierrez requested to stay today's proceeding because SJC is intertwined with SHAC. Mr. Mushkin noted that the Court is correct and the matter is stayed only as to SHAC; the stay of foreclosure he agrees relates to SHAC; there are legal issues related to SJC and the Court can make findings without affecting the bankruptcy. COURT ORDERED, because SHAC is a party to the forbearance agreement but apparently not a signatory as previously discussed it would appear it is appropriate to STAY the action at this time; the Court is STAYING the action because the limited stipulated issues that the Court is being asked to decide ask the Court to decide documents to which the entity who had filed bankruptcy is a party as well as the other parties; while the Court does not believe the entire case is stayed, and there may be other issues everyone can proceed on, the limited issues on the one action rule, the merger, the validity of the promissory notes which preexists SHAC's involvement in the deed of trust which preexists SHAC's involvement and the 2017 forbearance agreement and amendments the Court believes, reluctantly, it is appropriate to stay the matter at this time; however, the Court does believe the bankruptcy sometimes trumps it. The matter is STAYED for 30 days while the parties try to figure out what claims are appropriate to remain and proceed. Mr. Mushkin advised he will immediately seek relief from bankruptcy court and get back with the Court; with Mr. Bloom he estimates 2 hours or a day's worth left of questioning. COURT NOTED the matter is STAYED ONLY for 30 days; new hearing date SET for March 15, 2021 at 9:00 am.;

Hearing Continued;



# CASE SUMMARY

CASE NO. A-20-813439-B

Hearing Continued;

Stayed;

Decision Pending;

Journal Entry Details:

*DAY 2 Testimony and exhibits presented. (See worksheet.) Following arguments by Mr. Mushkin and Mr. Gutierrez regarding Mr. Mushkin's motion under 50(a), COURT ORDERED, while there is significant evidence to support the argument of Mr. Mushkin, it would force the Court to weigh the credibility and evidence at this time; the Court cannot do it under 50(a); the Court is DENYING the motion for counsel to finish the case first. LUNCH RECESS. Testimony and exhibits continued. COURT ORDERED, hearing / trial CONTINUED. 2-3-21 9:30 AM PRELIMINARY INJUNCTION HEARING AND TRIAL 2-8-2 9:00 AM KENNETH ANTOS' AND SHEILA NEUMANN-ANTOS' MOTION FOR SUMMARY JUDGMENT 2-18-21 9:15 AM PRE TRIAL CONFERENCE 3-9-21 9:30 AM CALENDAR CALL 3-15-21 1:30 PM JURY TRIAL;*

Hearing Continued;

Hearing Continued;

Stayed;

Decision Pending;

Journal Entry Details:

*DAY 1 COURT NOTED that the parties have STIPULATED to a trial on the following legal issues surrounding the claims and counterclaims: 1) Contractual interpretation and/or validity of the underlying Secured Promissory Note between CBC Partners I, LLC and KCI Investments, LLC and all modifications thereto; 2) Interpretation and/or validity of the claimed third-position Deed of Trust and all modifications thereto, and determination as to whether any consideration was provided in exchange for the Deed of Trust; 3) Contractual interpretation and/or validity of the Forbearance Agreement, Amended Forbearance Agreement and all associated documents/contracts; 4) Whether the Doctrine of Merger applies to the claims at issue; and 5) Whether the One Action Rule applies to the claims at issue. There being no objection, COURT ORDERED, Proposed Joint Exhibits 1 through 129, except 114, are ADMITTED; 132 through 145 are also ADMITTED. Opening statements by Mr. Gutierrez and Mr. Mushkin. Testimony and exhibits presented. (See worksheet.) COURT ORDERED, hearing / trial CONTINUED. 2-2-21 10:00 AM PRELIMINARY INJUNCTION HEARING AND TRIAL 2-8-2 9:00 AM KENNETH ANTOS' AND SHEILA NEUMANN-ANTOS' MOTION FOR SUMMARY JUDGMENT 2-18-21 9:15 AM PRE TRIAL CONFERENCE 3-9-21 9:30 AM CALENDAR CALL 3-15-21 1:30 PM JURY TRIAL;*

02/18/2021



**Pre Trial Conference (9:15 AM)** (Judicial Officer: Gonzalez, Elizabeth)

Matter Heard;

Journal Entry Details:

*Parties appeared by telephone. Court inquired as to what Bankruptcy Court has told the parties. Mr. Mushkin advised that the matter is in front of the Bankruptcy Court judge on March 8 and requested that they be bumped here. Court stated it will not bump the trial date but will talk to the parties about scheduling. 3-9-21 9:30 AM CALENDAR CALL 3-15-21 9:00 AM KENNETH ANTOS' AND SHEILA NEUMANN-ANTOS' MOTION FOR SUMMARY JUDGMENT 3-15-21 10:00 AM PRELIMINARY INJUNCTION HEARING AND TRIAL..STATUS CHECK: ATTORNEY'S FEES 3-15-21 1:30 PM JURY TRIAL;*

03/09/2021



**Minute Order (3:00 AM)** (Judicial Officer: Gonzalez, Elizabeth)

*Minute Order Vacating March 15, 2021 Jury Trial and Setting Status Check*

Minute Order - No Hearing Held;

Journal Entry Details:

*COURT ORDERED, March 15, 2021 Jury Trial setting VACATED and status check SET on March 26, 2021 in chambers regarding resetting that trial. 3-15-21 9:00 AM KENNETH ANTO'S AND SHEILA NEUMANN-ANTOS MOTION FOR SUMMARY JUDGMENT 3-15-21 10:30 AM PRELIMINARY INJUNCTION HEARING AND TRIAL..STATUS CHECK: ATTORNEY'S FEES 3-26-21 CHAMBERS STATUS CHECK: RESET JURY TRIAL CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 3-9-21 ;*

03/09/2021



**Calendar Call (9:30 AM)** (Judicial Officer: Gonzalez, Elizabeth)

Matter Heard;

Journal Entry Details:

*Parties appeared by telephone. Mr. Mushkin advised the matter is being heard at 9:30 am in bankruptcy court and they should have a ruling this morning; his expectation is that they can*

# CASE SUMMARY

CASE NO. A-20-813439-B

go forward on the 15th at the very least on the issues not related to bankruptcy. COURT ORDERED, the STAY on SJC Ventures Holdings Company LLC and Mr. Bloom is LIFTED. The Court will wait on Spanish Heights Acquisition Company LLC and complete the bench trial that it is in progress, beginning on March 15, 2021 at 10:30 am.;

03/15/2021



**All Pending Motions (3:00 AM)** (Judicial Officer: Gonzalez, Elizabeth)

Matter Heard;

Journal Entry Details:

*DAY 4 OF PRELIMINARY INJUNCTION HEARING AND TRIAL: Testimony and exhibits presented. (See worksheet.) At the hour of 2:07 pm, BOTH SIDES RESTED. RECESS. Closing arguments. COURT ORDERED, matter will STAND SUBMITTED. Status Check on Decision SET for March 19, 2021 in chambers. Parties to notify the Judicial Executive Assistant if they get something from Bankruptcy Court. STATUS CHECK: ATTORNEY'S FEES: COURT ORDERED, matter CONTINUED also to March 19 in chambers. 3-19-21 CHAMBERS STATUS CHECK: COURT'S DECISION ON PRELIMINARY INJUNCTION HEARING & BENCH TRIAL...STATUS CHECK: ATTORNEY'S FEES 3-26-21 CHAMBERS STATUS CHECK: RESET JURY TRIAL;*

03/15/2021



**Motion for Summary Judgment (9:00 AM)** (Judicial Officer: Gonzalez, Elizabeth)

**03/15/2021, 03/18/2021, 03/25/2021, 04/02/2021, 04/09/2021**

*Kenneth Antos's and Sheila Neumann-Antos Motion for Summary Judgment*

Matter Continued;

Matter Continued;

Matter Continued;

Matter Continued;

Granted in Part;

Journal Entry Details:

*The Court having reviewed KENNETH ANTOS AND SHEILA NEUMANN-ANTOS MOTION FOR SUMMARY JUDGMENT and the related briefing and being fully informed, GRANTS the Motion IN PART. The Antos Trust as the contracting party has standing to pursue these claims despite the assignment. There has been a lack of performance by Plaintiffs under the agreement entered into with Antos. Plaintiffs/Counterdefendants and in favor of Kenneth Antos and Sheila Neumann-Antos, as Trustees of the Kenneth & Sheila Antos Living Trust and the Kenneth M. Antos & Sheila M. Neumann-Antos Trust on liability under the Breach of Contract claim (First Claim) in the counterclaim filed 9/3/20. The Court does not make any determination related to what damages are appropriate related to the granting of this relief. As no order lifting the stay has been entered by the Bankruptcy Court, nothing in this order creates any obligations or liabilities directly related to Spanish Heights; however, factual findings related to Spanish Heights are included in this decision. The term Plaintiffs as used in these Findings of fact and Conclusions of Law is not intended to imply any action by this Court against the debtor, Spanish Heights. Counsel for Movant is directed to submit a proposed order approved by opposing counsel consistent with the foregoing within ten (10) days and distribute a filed copy to all parties involved in this matter. Such order should set forth a synopsis of the supporting reasons proffered to the Court in briefing. This Decision sets forth the Court's intended disposition on the subject but anticipates further order of the Court to make such disposition effective as an order. CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. - vg/5/28/2021;*

Matter Continued;

Matter Continued;

Matter Continued;

Matter Continued;

Granted in Part;

Matter Continued;

Matter Continued;

Matter Continued;

Matter Continued;

Granted in Part;

Matter Continued;

Matter Continued;



Matter Continued;

Matter Continued;

Granted in Part;

# CASE SUMMARY

CASE NO. A-20-813439-B

	<p>Matter Continued;  Matter Continued;  Matter Continued;  Matter Continued;  Granted in Part;  Journal Entry Details:  <i>COURT ORDERED, matter CONTINUED to the chambers calendar for Friday, March 19, 2021. CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 3-15-21;</i></p>
03/15/2021	<p><b>CANCELED Jury Trial</b> (1:30 PM) (Judicial Officer: Gonzalez, Elizabeth)  <i>Vacated - per Judge</i></p>
03/18/2021	<p><b>Status Check</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)  <b>03/18/2021, 03/25/2021, 04/02/2021, 04/09/2021</b>  <i>Status Check: Court's Decision on Preliminary Injunction Hearing &amp; Bench Trial</i>  Matter Continued;  Matter Continued;  Matter Continued;  Matter Heard;  Matter Continued;  Matter Continued;  Matter Continued;  Matter Continued;  Matter Heard;  Matter Continued;  Matter Continued;  Matter Continued;  Matter Heard;  Matter Continued;  Matter Continued;  Matter Continued;  Matter Heard;</p>
03/18/2021	<p> <b>All Pending Motions</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)  Minute Order - No Hearing Held;  Journal Entry Details:  <i>STATUS CHECK: ATTORNEY'S FEES...KENNETH ANTO'S AND SHEILA NEUMANN-ANTOS MOTION FOR SUMMARY JUDGMENT...STATUS CHECK: COURT'S DECISION ON PRELIMINARY INJUNCTION HEARING &amp; BENCH TRIAL COURT ORDERED, matters CONTINUED for one week, 3-26-21 CHAMBERS STATUS CHECK: ATTORNEY'S FEES...KENNETH ANTO'S AND SHEILA NEUMANN-ANTOS MOTION FOR SUMMARY JUDGMENT...STATUS CHECK: COURT'S DECISION ON PRELIMINARY INJUNCTION HEARING &amp; BENCH TRIAL...STATUS CHECK: RESET JURY TRIAL CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 3-18-21 ;</i></p>
03/25/2021	<p><b>Status Check</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)  <b>03/25/2021, 04/02/2021, 04/09/2021</b>  <i>Status Check: Reset Jury Trial</i>  Matter Continued;  Matter Continued;  Matter Heard;  Matter Continued;  Matter Continued;  Matter Heard;  Matter Continued;  Matter Continued;  Matter Heard;</p>
03/25/2021	<p> <b>All Pending Motions</b> (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)  Minute Order - No Hearing Held;  Journal Entry Details:</p>

# CASE SUMMARY

CASE No. A-20-813439-B

STATUS CHECK: RESET JURY TRIAL... ..STATUS CHECK: COURT'S DECISION ON PRELIMINARY INJUNCTION HEARING & BENCH TRIAL... ..STATUS CHECK: ATTORNEY'S FEES... ..KENNETH ANTO'S AND SHEILA NEUMANN-ANTOS MOTION FOR SUMMARY JUDGMENT: COURT ORDERED, matters CONTINUED for one week. ...4-2-21 - CHAMBERS CLERK'S NOTE: These matters were previously on the March 26, 2021 chambers calendar. A copy of this minute order was distributed via Odyssey File and Serve. / dr 3-25-21 ;

04/02/2021



**All Pending Motions** (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Minute Order - No Hearing Held;

Journal Entry Details:

STATUS CHECK: ATTORNEY'S FEES KENNETH ANTO'S AND SHEILA NEUMANN-ANTO'S MOTION FOR SUMMARY JUDGMENT STATUS CHECK: COURT'S DECISION ON PRELIMINARY INJUNCTION HEARING & BENCH TRIAL STATUS CHECK: RESET JURY TRIAL COURT ORDERED, matters CONTINUED for one week. 04/09/2021

CHAMBERS CLERK S NOTE: A copy of this minute order was distributed via e-mail to all parties. // cbm 04/02/2021;

04/09/2021

**All Pending Motions** (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Decision Made;

06/03/2021



**Pre Trial Conference** (9:15 AM) (Judicial Officer: Gonzalez, Elizabeth)

Matter Heard;

Journal Entry Details:

Mr. Mushkin advised the case would take 3 days to try. Mr. Gutierrez request a week to try the case to which the Court agreed. Colloquy regarding trial stack and scheduling/ Court was not opposed to moving trial due to pending bankruptcy matters.;

06/04/2021



**Motion to Reconsider** (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Plaintiffs' Motion to Amend the Court's Findings of Fact, Conclusions of Law, and Order, or Alternatively for Reconsideration

Minute Order - No Hearing Held;

Journal Entry Details:

The Court having reviewed Motion to Amend FFCL or Alternatively Reconsider and the related briefing and being fully informed, states that the dilution event was not part of the scope described in footnote 1 and the issue will be decided following trial on the remaining claims or appropriate motion practice. Counsel for Movant is directed to submit a proposed order approved by opposing counsel consistent with the foregoing within ten (10) days and distribute a filed copy to all parties involved in this matter. Such order should set forth a synopsis of the supporting reasons proffered to the Court in briefing. This Decision sets forth the Court s intended disposition on the subject but anticipates further order of the Court to make such disposition effective as an order. CLERK S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. - vg/6/7/21;

07/20/2021



**Calendar Call** (9:30 AM) (Judicial Officer: Gonzalez, Elizabeth)

Trial Date Set;

Journal Entry Details:

COURT ORDERED, trial SET 10/11/2021. JURY TRIAL 10/11/2021 1:30 PM CALENDAR CALL 10/05/2021 9:30 AM PRE-TRIAL CONF. 09/16/2021 9:15 AM;

07/30/2021



**Motion** (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

Motion for Appointment of Receiver of SJC Ventures Holding Company, LLC d/b/a SJC Ventures, LLC, a Delaware Limited Liability Company

Motion Granted;

Journal Entry Details:

Court reviewed 7/28/21 status report. The Court having reviewed the Motion for Appointment of Receiver and the related briefing and being fully informed, GRANTS the motion. It is appropriate at this time given the evidence presented during the trial of this matter, as well as Judge Denton s findings for the appointment of a receiver to collect the business records of SJC ; determine the efforts made to collect upon the Judgment and report the financial condition of SJC to the Court. While Plaintiff takes issue with the neutrality of the receiver

EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY**

**CASE NO. A-20-813439-B**

	<i>proposed by moving counsel the Court s experience with Mr. Bertsch has not been similar to that outlined by Mr. Bloom. Mr. Mushkin is directed to submit a proposed order approved by opposing counsel consistent with the foregoing within ten (10) days and distribute a filed copy to all parties involved in this matter. Such order should set forth a synopsis of the supporting reasons proffered to the Court in briefing. This Decision sets forth the Court s intended disposition on the subject but anticipates further order of the Court to make such disposition effective as an order. Par 9 of the order should be modified to reflect the filing of monthly reports with the Court. CLERK S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. - vg//8/4/21;</i>
08/16/2021	<b>Motion to Stay</b> (8:30 AM) (Judicial Officer: Gonzalez, Elizabeth) <i>Motion to Stay Proceedings and Enforcement of Order Granting Defendants Motion for Appointment of Receiver on an Order Shortening Time</i>
09/16/2021	<b>Pre Trial Conference</b> (9:15 AM) (Judicial Officer: Gonzalez, Elizabeth)
10/05/2021	<b>Calendar Call</b> (9:30 AM) (Judicial Officer: Gonzalez, Elizabeth)
10/11/2021	<b>Jury Trial</b> (1:30 PM) (Judicial Officer: Gonzalez, Elizabeth)

DATE	FINANCIAL INFORMATION
	<b>Third Party Plaintiff</b> 5148 Spanish Heights LLC Total Charges 1,618.00 Total Payments and Credits 1,618.00 <b>Balance Due as of 8/20/2021 0.00</b>  <b>Counter Defendant</b> Bloom, Jay Total Charges 30.00 Total Payments and Credits 30.00 <b>Balance Due as of 8/20/2021 0.00</b>  <b>Counter Defendant</b> SJC Ventures Holdings Company LLC Total Charges 30.00 Total Payments and Credits 30.00 <b>Balance Due as of 8/20/2021 0.00</b>  <b>Counter Claimant</b> CBC Partners I LLC Total Charges 1,683.00 Total Payments and Credits 1,683.00 <b>Balance Due as of 8/20/2021 0.00</b>  <b>Defendant</b> Kenneth & Sheila Antos Living Trust Total Charges 453.00 Total Payments and Credits 453.00 <b>Balance Due as of 8/20/2021 0.00</b>  <b>Counter Defendant</b> Spanish Heights Acquisition Company LLC Total Charges 318.00 Total Payments and Credits 318.00 <b>Balance Due as of 8/20/2021 0.00</b>  <b>Counter Claimant</b> CBC Partners I LLC Interplead Funds Balance as of 8/20/2021 <b>500.00</b>  <b>Counter Defendant</b> Spanish Heights Acquisition Company LLC Temporary Restraining Order Balance as of 8/20/2021 <b>1,000.00</b>  <b>Counter Defendant</b> Spanish Heights Acquisition Company LLC Appeal Bond Balance as of 8/20/2021 <b>500.00</b>

# DISTRICT COURT CIVIL COVER SHEET

Clark County, Nevada  
 Case No. \_\_\_\_\_  
 (Assigned by Clerk's Office)

**CASE NO: A-20-813439-C**  
**Department 24**

## **I. Party Information** (provide both home and mailing addresses if different)

Plaintiff(s) (name/address/phone): SPANISH HEIGHTS ACQUISITION COMPANY, LLC, a Nevada Limited Liability Company; SJC VENTURES LLC, a Domestic Limited Liability Company	Defendant(s) (name/address/phone): CBC PARTNERS I, LLC, a foreign Limited Liability Company; DOES I through X; and ROE CORPORATIONS I through X, inclusive,
Attorney (name/address/phone): Joseph A. Gutierrez, Esq., Danielle J. Barraza, Esq., Maier Gutierrez & Associates, 8816 Spanish Ridge Avenue, Las Vegas, Nevada 89148 (702) 629-7900	Attorney (name/address/phone):

## **II. Nature of Controversy** (please select the one most applicable filing type below)

### **Civil Case Filing Types**

<b>Real Property</b> <b>Landlord/Tenant</b> <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant <b>Title to Property</b> <input type="checkbox"/> Judicial Foreclosure <input checked="" type="checkbox"/> Other Title to Property <b>Other Real Property</b> <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	<b>Negligence</b> <input type="checkbox"/> Auto <input type="checkbox"/> Premises Liability <input type="checkbox"/> Other Negligence <b>Malpractice</b> <input type="checkbox"/> Medical/Dental <input type="checkbox"/> Legal <input type="checkbox"/> Accounting <input type="checkbox"/> Other Malpractice	<b>Torts</b> <b>Other Torts</b> <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
<b>Probate</b> <b>Probate</b> (select case type and estate value) <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate <b>Estate Value</b> <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	<b>Construction Defect &amp; Contract</b> <b>Construction Defect</b> <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect <b>Contract Case</b> <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract	<b>Judicial Review/Appeal</b> <b>Judicial Review</b> <input type="checkbox"/> Foreclosure Mediation Case <input type="checkbox"/> Petition to Seal Records <input type="checkbox"/> Mental Competency <b>Nevada State Agency Appeal</b> <input type="checkbox"/> Department of Motor Vehicle <input type="checkbox"/> Worker's Compensation <input type="checkbox"/> Other Nevada State Agency <b>Appeal Other</b> <input type="checkbox"/> Appeal from Lower Court <input type="checkbox"/> Other Judicial Review/Appeal
<b>Civil Writ</b> <b>Civil Writ</b> <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrant <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ		<b>Other Civil Filing</b> <b>Other Civil Filing</b> <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters

*Business Court filings should be filed using the Business Court civil coversheet.*

April 9, 2020

Date

/s/ Danielle J. Barraza

Signature of initiating party or representative

*See other side for family-related case filings.*

# BUSINESS COURT CIVIL COVER SHEET

Clark

County, Nevada

Case No. A-20-813439-C

(Assigned by Clerk's Office)

CASE NO: A-20-813439-C

Department 24

## I. Party Information *(provide both home and mailing addresses if different)*

Plaintiff(s) (name/address/phone): <div style="text-align: center;">Spanish Heights Acquisition Company, LLC</div> <div style="text-align: center;">SJC Ventures, LLC</div>	Defendant(s) (name/address/phone): <div style="text-align: center;">CBC Partners I, LLC</div>
Attorney (name/address/phone): <div style="text-align: center;">Joesph A. Gutierrez</div> <div style="text-align: center;">8816 Spanish Ridge Avenue</div> <div style="text-align: center;">Las Vegas, NV 89148</div> <div style="text-align: center;">702-629-7900</div>	Attorney (name/address/phone): <div style="text-align: center;">Michael R. Mushkin</div> <div style="text-align: center;">6070 S. Eastern Avenue, Suite 270</div> <div style="text-align: center;">Las Vegas, NV 89119</div> <div style="text-align: center;">702-454-3333</div>

## II. Nature of Controversy *(Please check the applicable boxes for both the civil case type and business court case type)*

☐ Arbitration Requested

Civil Case Filing Types		Business Court Filing Types
<div style="text-align: center;"><b>Real Property</b></div> <div><b>Landlord/Tenant</b></div> <div><input type="checkbox"/> Unlawful Detainer</div> <div><input type="checkbox"/> Other Landlord/Tenant</div> <div><b>Title to Property</b></div> <div><input type="checkbox"/> Judicial Foreclosure</div> <div><input checked="" type="checkbox"/> Other Title to Property</div> <div><b>Other Real Property</b></div> <div><input type="checkbox"/> Condemnation/Eminent Domain</div> <div><input type="checkbox"/> Other Real Property</div>	<div style="text-align: center;"><b>Torts</b></div> <div><b>Negligence</b></div> <div><input type="checkbox"/> Auto</div> <div><input type="checkbox"/> Premises Liability</div> <div><input type="checkbox"/> Other Negligence</div> <div><b>Malpractice</b></div> <div><input type="checkbox"/> Medical/Dental</div> <div><input type="checkbox"/> Legal</div> <div><input type="checkbox"/> Accounting</div> <div><input type="checkbox"/> Other Malpractice</div> <div><b>Other Torts</b></div> <div><input type="checkbox"/> Product Liability</div> <div><input type="checkbox"/> Intentional Misconduct</div> <div><input type="checkbox"/> Employment Tort</div> <div><input type="checkbox"/> Insurance Tort</div> <div><input type="checkbox"/> Other Tort</div>	<div style="text-align: center;"><b>CLARK COUNTY BUSINESS COURT</b></div> <div><input checked="" type="checkbox"/> NRS Chapters 78-89</div> <div><input type="checkbox"/> Commodities (NRS 91)</div> <div><input type="checkbox"/> Securities (NRS 90)</div> <div><input type="checkbox"/> Mergers (NRS 92A)</div> <div><input type="checkbox"/> Uniform Commercial Code (NRS 104)</div> <div><input type="checkbox"/> Purchase/Sale of Stock, Assets, or Real Estate</div> <div><input type="checkbox"/> Trademark or Trade Name (NRS 600)</div> <div><input type="checkbox"/> Enhanced Case Management</div> <div><input type="checkbox"/> Other Business Court Matters</div>
<div style="text-align: center;"><b>Construction Defect &amp; Contract</b></div> <div><b>Construction Defect</b></div> <div><input type="checkbox"/> Chapter 40</div> <div><input type="checkbox"/> Other Construction Defect</div> <div><b>Contract Case</b></div> <div><input type="checkbox"/> Uniform Commercial Code</div> <div><input type="checkbox"/> Building and Construction</div> <div><input type="checkbox"/> Insurance Carrier</div> <div><input type="checkbox"/> Commercial Instrument</div> <div><input type="checkbox"/> Collection of Accounts</div> <div><input type="checkbox"/> Employment Contract</div> <div><input type="checkbox"/> Other Contract</div>	<div style="text-align: center;"><b>Civil Wrists</b></div> <div><input type="checkbox"/> Writ of Habeas Corpus</div> <div><input type="checkbox"/> Writ of Mandamus</div> <div><input type="checkbox"/> Writ of Quo Warrant</div> <div><input type="checkbox"/> Writ of Prohibition</div> <div><input type="checkbox"/> Other Civil Writ</div>	
<div style="text-align: center;"><b>Judicial Review/Appeal/Other Civil Filing</b></div> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <div><b>Judicial Review</b></div> <div><input type="checkbox"/> Foreclosure Mediation Case</div> <div><b>Appeal Other</b></div> <div><input type="checkbox"/> Appeal from Lower Court</div> </div> <div style="width: 45%;"> <div><b>Other Civil Filing</b></div> <div><input type="checkbox"/> Foreign Judgment</div> <div><input type="checkbox"/> Other Civil Matters</div> </div> </div>		

April 14, 2020

Date

/s/Michael R. Mushkin

Signature of initiating party or representative

Michael R. Mushkin, Esq.  
Nevada Bar No. 2421  
L. Joe Coppedge, Esq.  
Nevada Bar No. 4954  
MUSHKIN & COPPEDGE  
6070 South Eastern Ave Ste 270  
Las Vegas, NV 89119  
Telephone: 702-454-3333  
Facsimile: 702-386-4979  
Michael@mccnvlaw.com  
jcoppedge@mccnvlaw.com

*Attorneys for Defendant and Counterclaimants*  
*5148 Spanish Heights, LLC and*  
*CBC Partners I, LLC*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

SPANISH HEIGHTS ACQUISITION  
COMPANY, LLC, a Nevada Limited Liability  
Company; SJC VENTURES HOLDING  
COMPANY, LLC, d/b/a SJC VENTURES,  
LLC, a Delaware Limited Liability Company,

Plaintiffs,

v.

CBC PARTNERS I, LLC, a foreign Limited  
Liability Company; CBC PARTNERS, LLC, a  
foreign Limited Liability Company; 5148  
SPANISH HEIGHTS, LLC, a Nevada Limited  
Liability Company; KENNETH ANTOS AND  
SHEILA NEUMANN-ANTOS, as Trustees of  
the Kenneth & Sheila Antos Living Trust and  
the Kenneth M. Antos & Sheila M. Neumann-  
Antos Trust; DACIA, LLC, a foreign Limited  
Liability Company; DOES I through X; and  
ROE CORPORATIONS I through X, inclusive,

Defendants.

AND RELATED MATTERS

Case No. A-20-813439-B

Dept. No.: 11

**ORDER APPOINTING RECEIVER**



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THE COURT FINDS that a receiver over SJC Ventures, LLC (“SJCv”) is appropriate at this time given the evidence presented during the trial of this matter, as well as Judge Denton’s findings in the *TGC/Farkas Funding, LLC v. First 100, LLC* matter before the Eighth Judicial District Court (Case No. A-20-822273-C).

THEREFORE, IT IS HEREBY ORDERED THAT:

- Page 2 of 4

1 authorities, or responsibilities aside from those explicitly stated in this Order.

2 7. Counterdefendant Bloom is specifically ordered to cooperate with the Receiver in  
3 providing the business records of SJCVC and any subsidiary and affiliated entities in which SJCVC  
4 has an ownership interest, specifically First 100, LLC and Spanish Heights Acquisition Company,  
5 LLC;

6 8. The Receiver shall be the agent of the Court and shall be accountable directly to  
7 this Court. This Court hereby asserts exclusive jurisdiction The Receiver is authorized to perform  
8 a review and accounting of all of SJCVC's assets, holdings, and interests. The Receiver is  
9 empowered to use any and all lawful means to identify the assets, rights, holdings, and interests  
10 of SJCVC and any subsidiary and affiliated entities in which SJCVC has an ownership interest,  
11 specifically First 100, LLC and Spanish Heights Acquisition Company, LLC; The Receiver is  
12 acting solely in its capacity as a court-appointed Receiver and the debts of the Receiver are solely  
13 the debts of the Receivership Estate. In no event shall the Receiver or its personnel have any  
14 personal liability or obligation for the proper debts of the Receiver and/or the Receivership Estate.

15 9. The Receiver and the interested parties to the Receivership Estate may petition this  
16 Court for instructions in connection with this Order and any further orders which this Court may  
17 make.

18 10. Unless expressly limited herein, the Receiver shall be further granted all powers  
19 given to an equity receiver, provided by N.R.S. Chapter 32 and/or common law.

20 11. Larry Bertsch is acting solely in his capacity as Receiver and no risk, obligation  
21 or expense incurred shall be the personal risk, obligation, or expense of Larry Bertsch.

22 12. No individual or entity may sue the Receiver without first obtaining the permission  
23 of this Court.

24 ///

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26 ///

13. Individuals or entities interested in the Receivership Estate may contact the Receiver directly by and through the following individual:

Larry Bertsch  
265 E. Warm Springs Road Suite 104  
Las Vegas, Nevada 89119  
(702) 471-7223

**Dated this 10th day of August, 2021**

## IT IS SO ORDERED

E. H. H. H.

**E9A D44 3F77 4620**  
**Elizabeth Gonzalez**  
**District Court Judge**

Respectfully Submitted by:  
MUSHKIN & COPPEDGE

Read and Approved:  
MAIER GUTIERREZ & ASSOCIATES

/s/Michael R. Mushkin  
MICHAEL R. MUSHKIN, ESQ.,  
Nevada Bar No. 2421  
L. JOE COPPEDGE, ESQ.,  
Nevada Bar. No. 4954  
6070 S. Eastern Ave., Suite 270  
Las Vegas, Nevada 89119

**Did Not Approve**  
**JOSEPH A. GUTIERREZ, ESQ.**  
 Nevada Bar No. 9046  
**DANIELLE J. BARRAZA, ESQ.**  
 Nevada Bar No. 13822  
 8816 Spanish Ridge Avenue  
 Las Vegas, Nevada 89148

*Attorneys for  
Defendants/Counterclaimants*

Attorneys for Plaintiffs/Counterdefendants

1 **CSERV**

2  
3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

5  
6 Spanish Heights Acquisition  
7 Company LLC, Plaintiff(s)

CASE NO: A-20-813439-B

8 vs.

DEPT. NO. Department 11

9 CBC Partners I LLC,  
10 Defendant(s)

11 **AUTOMATED CERTIFICATE OF SERVICE**

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

15 Service Date: 8/10/2021

16 MGA Docketing

docket@mgalaw.com

17 Karen Foley

kfoley@mccnvlaw.com

18 Michael Mushkin

michael@mccnvlaw.com

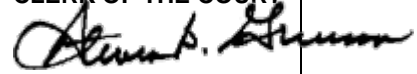
19 Kimberly Yoder

kyoder@mccnvlaw.com

20 Jady Hayes

jhayes@mccnvlaw.com

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24  
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Michael R. Mushkin, Esq.  
Nevada Bar No. 2421  
L. Joe Coppedge, Esq.  
Nevada Bar No. 4954  
MUSHKIN & COPPEDGE  
6070 South Eastern Ave Ste 270  
Las Vegas, NV 89119  
Telephone: 702-454-3333  
Facsimile: 702-386-4979  
Michael@mccnvlaw.com  
jcoppedge@mccnvlaw.com

*Attorneys for Defendant and Counterclaimants*  
*5148 Spanish Heights, LLC and*  
*CBC Partners I, LLC*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

SPANISH HEIGHTS ACQUISITION  
COMPANY, LLC, a Nevada Limited Liability  
Company; SJC VENTURES HOLDING  
COMPANY, LLC, d/b/a SJC VENTURES,  
LLC, a Delaware Limited Liability Company,

Plaintiffs,

v.

CBC PARTNERS I, LLC, a foreign Limited  
Liability Company; CBC PARTNERS, LLC, a  
foreign Limited Liability Company; 5148  
SPANISH HEIGHTS, LLC, a Nevada Limited  
Liability Company; KENNETH ANTOS AND  
SHEILA NEUMANN-ANTOS, as Trustees of  
the Kenneth & Sheila Antos Living Trust and the  
Kenneth M. Antos & Sheila M. Neumann-Antos  
Trust; DACIA, LLC, a foreign Limited Liability  
Company; DOES I through X; and ROE  
CORPORATIONS I through X, inclusive,

Defendants.

Case No. A-20-813439-B

Dept. No.: 11

**NOTICE OF ENTRY OF ORDER**

CAPTION CONTINUES BELOW

1 5148 SPANISH HEIGHTS, LLC, a Nevada  
2 limited liability company; and CBC PARTNERS  
3 I, LLC, a Washington limited liability company,

4 Counterclaimants,

5 v.

6 SPANISH HEIGHTS ACQUISITION  
7 COMPANY, LLC, a Nevada Limited Liability  
8 Company; SJC VENTURES, LLC, a Delaware  
9 limited liability company; SJC VENTURES  
10 HOLDING COMPANY, LLC, a Delaware  
11 limited liability company; JAY BLOOM,  
individually and as Manager, DOE  
DEFENDANTS 1-10; and ROE DEFENDANTS  
11-20,

12 Counterdefendants.

13 **NOTICE OF ENTRY OF ORDER**

14 PLEASE TAKE NOTICE that an Order Appointing Receiver was entered in the above-  
15 entitled action on August 10, 2021, a copy of which is attached hereto.

16 DATED this 11<sup>th</sup> day of August, 2021.

17 MUSHKIN & COPPEDGE

18  
19 /s/Michael R. Mushkin  
MICHAEL R. MUSHKIN, ESQ.  
20 Nevada State Bar No. 2421  
L. JOE COPPEDGE, ESQ.  
21 Nevada Bar No. 4954  
22 6070 South Eastern Ave Ste 270  
Las Vegas, NV 89119  
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/s/Kimberly C. Yoder  
An Employee of  
MUSHKIN & COPPEDGE

Michael R. Mushkin, Esq.  
Nevada Bar No. 2421  
L. Joe Coppedge, Esq.  
Nevada Bar No. 4954  
MUSHKIN & COPPEDGE  
6070 South Eastern Ave Ste 270  
Las Vegas, NV 89119  
Telephone: 702-454-3333  
Facsimile: 702-386-4979  
Michael@mccnvlaw.com  
jcoppedge@mccnvlaw.com

*Attorneys for Defendant and Counterclaimants*  
*5148 Spanish Heights, LLC and*  
*CBC Partners I, LLC*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

SPANISH HEIGHTS ACQUISITION  
COMPANY, LLC, a Nevada Limited Liability  
Company; SJC VENTURES HOLDING  
COMPANY, LLC, d/b/a SJC VENTURES,  
LLC, a Delaware Limited Liability Company,

Plaintiffs,

v.

CBC PARTNERS I, LLC, a foreign Limited  
Liability Company; CBC PARTNERS, LLC, a  
foreign Limited Liability Company; 5148  
SPANISH HEIGHTS, LLC, a Nevada Limited  
Liability Company; KENNETH ANTOS AND  
SHEILA NEUMANN-ANTOS, as Trustees of  
the Kenneth & Sheila Antos Living Trust and  
the Kenneth M. Antos & Sheila M. Neumann-  
Antos Trust; DACIA, LLC, a foreign Limited  
Liability Company; DOES I through X; and  
ROE CORPORATIONS I through X, inclusive,

Defendants.

AND RELATED MATTERS

Case No. A-20-813439-B

Dept. No.: 11

**ORDER APPOINTING RECEIVER**



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THE COURT FINDS that a receiver over SJC Ventures, LLC (“SJCv”) is appropriate at this time given the evidence presented during the trial of this matter, as well as Judge Denton’s findings in the *TGC/Farkas Funding, LLC v. First 100, LLC* matter before the Eighth Judicial District Court (Case No. A-20-822273-C).

THEREFORE, IT IS HEREBY ORDERED THAT:

- Page 2 of 4

1 authorities, or responsibilities aside from those explicitly stated in this Order.

2 7. Counterdefendant Bloom is specifically ordered to cooperate with the Receiver in  
3 providing the business records of SJCVC and any subsidiary and affiliated entities in which SJCVC  
4 has an ownership interest, specifically First 100, LLC and Spanish Heights Acquisition Company,  
5 LLC;

6 8. The Receiver shall be the agent of the Court and shall be accountable directly to  
7 this Court. This Court hereby asserts exclusive jurisdiction The Receiver is authorized to perform  
8 a review and accounting of all of SJCVC's assets, holdings, and interests. The Receiver is  
9 empowered to use any and all lawful means to identify the assets, rights, holdings, and interests  
10 of SJCVC and any subsidiary and affiliated entities in which SJCVC has an ownership interest,  
11 specifically First 100, LLC and Spanish Heights Acquisition Company, LLC; The Receiver is  
12 acting solely in its capacity as a court-appointed Receiver and the debts of the Receiver are solely  
13 the debts of the Receivership Estate. In no event shall the Receiver or its personnel have any  
14 personal liability or obligation for the proper debts of the Receiver and/or the Receivership Estate.

15 9. The Receiver and the interested parties to the Receivership Estate may petition this  
16 Court for instructions in connection with this Order and any further orders which this Court may  
17 make.

18 10. Unless expressly limited herein, the Receiver shall be further granted all powers  
19 given to an equity receiver, provided by N.R.S. Chapter 32 and/or common law.

20 11. Larry Bertsch is acting solely in his capacity as Receiver and no risk, obligation  
21 or expense incurred shall be the personal risk, obligation, or expense of Larry Bertsch.

22 12. No individual or entity may sue the Receiver without first obtaining the permission  
23 of this Court.

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26 ///

13. Individuals or entities interested in the Receivership Estate may contact the Receiver directly by and through the following individual:

Larry Bertsch  
265 E. Warm Springs Road Suite 104  
Las Vegas, Nevada 89119  
(702) 471-7223

**Dated this 10th day of August, 2021**

## IT IS SO ORDERED

E. H. H. H.

**E9A D44 3F77 4620**  
**Elizabeth Gonzalez**  
**District Court Judge**

Respectfully Submitted by:  
MUSHKIN & COPPEDGE

Read and Approved:  
MAIER GUTIERREZ & ASSOCIATES

/s/ Michael R. Mushkin  
MICHAEL R. MUSHKIN, ESQ.,  
Nevada Bar No. 2421  
L. JOE COPPEDGE, ESQ.,  
Nevada Bar. No. 4954  
6070 S. Eastern Ave., Suite 270  
Las Vegas, Nevada 89119

**Did Not Approve**  
JOSEPH A. GUTIERREZ, ESQ.  
Nevada Bar No. 9046  
DANIELLE J. BARRAZA, ESQ.  
Nevada Bar No. 13822  
8816 Spanish Ridge Avenue  
Las Vegas, Nevada 89148

*Attorneys for  
Defendants/Counterclaimants*

*Attorneys for Plaintiffs/Counterdefendants*

1 **CSERV**

2  
3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

5  
6 Spanish Heights Acquisition  
7 Company LLC, Plaintiff(s)

CASE NO: A-20-813439-B

8 vs.

DEPT. NO. Department 11

9 CBC Partners I LLC,  
10 Defendant(s)

11 **AUTOMATED CERTIFICATE OF SERVICE**

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

15 Service Date: 8/10/2021

16 MGA Docketing

docket@mgalaw.com

17 Karen Foley

kfoley@mccnvlaw.com

18 Michael Mushkin

michael@mccnvlaw.com

19 Kimberly Yoder

kyoder@mccnvlaw.com

20 Jady Hayes

jhayes@mccnvlaw.com

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

NRS Chapters 78-89

COURT MINUTES

April 28, 2020

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

**April 28, 2020      9:00 AM      Hearing      TRO extended  
without modification**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 03E

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

**PRESENT:** Gutierrez, Joseph A.      Attorney  
Mushkin, Michael R.      Attorney

**JOURNAL ENTRIES**

- All parties appeared telephonically. Following arguments by counsel, COURT ORDERED, because of the Governor's Directive 008, the Court is EXTENDING the Temporary Restraining Order previously issued by Judge Crockett WITHOUT MODIFICATION.

Per counsel's request, hearing set for June 8, 2020 is ADVANCED to May 14, 2020. Mr. Mushkin confirmed he intends to call witnesses for the preliminary injunction hearing and will be calling them by video under today's circumstances. COURT NOTED a few days' notice is required to set up videoconferencing. Counsel will be REQUIRED to be present in the courtroom but they must observe social distancing, and the witnesses should have the exhibits prior to their appearance. Upon counsel's inquiry, Court stated Mr. Bloom can testify in the courtroom if he observes social distancing and wears a face covering. COURT FURTHER DIRECTED counsel to email the information regarding their witnesses to the Judicial Executive Assistant, Mr. Dan Kutinac, by May 11, 2020 at noon.

Following further argument by Mr. Mushkin regarding the Governor's Directive and adjusting the bond, COURT ORDERED, given the Governor's Directive 008 the Court will NOT ADJUST the bond.

5-14-20          9:30 AM          PLAINTIFFS' APPLICATION FOR TEMPORARY RESTRAINING  
ORDER AND MOTION FOR PRELIMINARY INJUNCTION ON ORDER SHORTENING TIME

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**May 13, 2020**

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A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

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**May 13, 2020      12:53 AM      Minute Order**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** Chambers

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- The Court notes trial subpoenas have been filed. The Court did not authorize the issuance of trial subpoenas nor order any witness to appear.

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 5-13-20

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**May 14, 2020**

---

A-20-813439-B	Spanish Heights Acquisition Company LLC, Plaintiff(s)
	vs.
	CBC Partners I LLC, Defendant(s)

---

**May 14, 2020**

**9:30 AM**

**Motion**

**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** RJC Courtroom 03E

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Barraza, Danielle J.	Attorney
	Bloom, Jay	Counter Defendant
	Gutierrez, Joseph A.	Attorney
	Mushkin, Michael R.	Attorney

**JOURNAL ENTRIES**

- COURT NOTED a motion for protective order and a motion regarding a subpoena were filed yesterday. Opening statements by Mr. Gutierrez and Mr. Mushkin. Exclusionary rule INVOKED by Mr. Gutierrez. Mr. Mushkin noted that they previously said they would do both declarations and witnesses; he has provided the declarations to counsel; the only one that is substantive is perhaps Mr. Hodgman's, the next door neighbor, because it addresses the fireworks issue. COURT ORDERED, exclusionary rule IMPOSED; however, that does not mean a witness cannot participate as an observer.

Pursuant to the parties' stipulation, COURT ORDERED, Proposed Joint Exhibits A through W ADMITTED. (See worksheet.) Parties agreed that the remainder of the exhibits is stipulated as to authenticity and counsel will only argue relevance.

Testimony and exhibits presented. (See worksheets.) LUNCH RECESS.

Testimony and exhibits continued. (See worksheets.) Following arguments by counsel regarding Mr.



Mushkin's motion for directed verdict on the basis that the Plaintiffs have not established irreparable harm, COURT stated findings, and ORDERED, motion DENIED.

Testimony and exhibits continued. At the hour of 4:02 pm, both sides RESTED.

Closing arguments. COURT ORDERED, the April 3, 2020 notice to vacate is violative of Governor's Directive 008, because there is not an establishment of a serious endangerment of the public or other residents, or serious criminal activity, or significant damage to the property, which is required under section 1 for the Court to ignore the Governor's Directive 008, section 1. For that reason, the injunction is GRANTED in a LIMITED way to prevent any further action related to the notice to vacate until after the expiration of the Governor's Directive 008.

With regards to a bond, COURT noted, per Mr. Gutierrez, that the Plaintiff is going to continue to pay the first and second taxes, insurance, and HOA dues during the interim. Mr. Gutierrez concurred. Argument by Mr. Mushkin in support of payments for the third. COURT ORDERED, as part of the order granting the preliminary injunction through the expiration of Governor's Directive 008, the Plaintiff is REQUIRED to continue to pay the first, second insurance, taxes, and HOA fees; the Court will NOT REQUIRE payment of the third; that is something that will be an issue that may be discussed in the near future, given the new party that has appeared, whether through intervention or the filing of a counterclaim. Following further argument by Mr. Mushkin, noting no defense to the bond, and Court's clarification of its ruling, COURT NOTED its order is strictly based on Directive 008, that the Court did not say it found there was a foreclosure proceeding but found there was a notice to vacate; the Court cannot increase the bond from \$1,000 as requested by the Defendant, not with Directive 008 in place.

Counsel for Plaintiffs to prepare today's order and run it by the Defense prior to submission.

COURT ORDERED, given the appearance of the new party as a counterclaimant, the Court will NOT SET a Rule 16 Conference today; however, matter will be SET for status check in 3 weeks on the chambers calendar on scheduling the Rule 16 conference; the requirements under NRCP 16(b)(2) are SUSPENDED pursuant to Administrative Order 20-01. Mr. Gutierrez noted the Plaintiff will likely be filing an amended complaint.

COURT ORDERED, the motions scheduled for June 19, 2020 ("Motion for Protective Order", " Motion to Quash Subpoena and for Protective Order") are VACATED as MOOT, NOTING that a minute order was issued yesterday that Mr. Mushkin believes addresses both issues, although he may renew the motion for protective order at a later date if it becomes a discovery issue.

6-5-20      CHAMBERS      STATUS CHECK: SCHEDULING RULE 16 CONFERENCE

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**June 05, 2020**

---

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

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**June 05, 2020      3:00 AM      Status Check**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** Chambers

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- COURT ORDERED, matter SET for Rule 16 conference.

6-29-20      9:00 AM      DEFENDANT'S MOTION TO DISMISS FIRST AMENDED  
COMPLAINT AS TO DACIA, LLC...MANDATORY RULE 16 CONFERENCE

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 6-8-20

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**June 22, 2020**

---

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

---

**June 22, 2020      9:00 AM      Motion for Order to Show  
Cause**

**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** RJC Courtroom 03E

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

**PRESENT:**      Barraza, Danielle J.      Attorney  
                 Bloom, Jay      Counter Defendant  
                 Mushkin, Michael R.      Attorney

**JOURNAL ENTRIES**

- Ms. Barraza and Mr. Bloom present in the courtroom. Mr. Mushkin appeared by telephone.

Following arguments by counsel, COURT ORDERED, because cause has been shown at the time the order to show cause was issued that payments had not been timely made in accordance with the security requirements of the TRO, the Court will SET an evidentiary hearing; as part of that, a process may be reached where payments are going to be timely made in accordance with the order as they come due; the Court is NOT MAKING A FINDING related to the taxes, because the taxes were not ordered under the contract; they were ordered paid as due which is with the County Assessor's Office. COURT ORDERED, matter SET for evidentiary hearing on June 29, 2020 at 9:30 am.

6-29-20      9:00 AM      MANDATORY RULE 16 CONFERENCE...DEFENDANT'S MOTION TO  
DISMISS FIRST AMENDED COMPLAINT AS TO DACIA, LLC

6-29-20      9:30 AM      EVIDENTIARY HEARING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**June 29, 2020**

---

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

---

**June 29, 2020      9:00 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 03E

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

**PRESENT:**      Barraza, Danielle J.      Attorney  
                         Gutierrez, Joseph A.      Attorney  
                         Mushkin, Michael R.      Attorney

**JOURNAL ENTRIES**

- DEFENDANT'S MOTION TO DISMISS FIRST AMENDED COMPLAINT AS TO DACIA, LLC...MANDATORY RULE 16 CONFERENCE (9:00 AM SESSION)...EVIDENTIARY HEARING (9:30 AM SESSION)

APPEARANCES CONTINUED: Alan Hallberg, Defendant's Client Representative, listened to the evidentiary hearing by telephone.

Everyone else appeared in person.

DEFENDANT'S MOTION TO DISMISS FIRST AMENDED COMPLAINT AS TO DACIA, LLC: Following arguments by counsel, COURT ORDERED, with respect to the first claim of relief in the motion to dismiss is DENIED. The declaratory relief claim as to the pursuit of the eviction and/or change in occupancy is a claim that can be claimed against Dacia. With respect to claims for relief 10, 11, and 12 are GRANTED to the extent that claims against the current owner for events that occurred prior to purchase cannot be pursued under NRS 116; however, to the extent that there are events that occurred during the ownership of Dacia, it is DENIED.

EVIDENTIARY HEARING: Opening statements. Jay Bloom, SWORN and TESTIFIED. Exhibits presented. (See worksheet.) Closing arguments. COURT ORDERED, CAUSE HAS BEEN SHOWN; here, whether the FedEx dropbox used by the Plaintiffs for sending the two May 11 checks in fact occurred or occurred in a different manner is one where the Court still has significant questions, but it is undisputed that the checks that were written on May 11 were not timely sent and were late; it was surprising to the Court that they were not negotiated until after the order to show cause was filed. For that reason, the COURT ORDERS that a NEW PROCEDURE be followed related to the checks: the checks will be sent by next-day delivery by the United States Postal Service with electronic tracking information included along with the contents of the envelope provided to the Defendants at the time future payments to the 1st and 2nd are made. The HOA payments were \$830 per month were timely made for May and June on June 4th, so the Court is not making any additional ruling, but the Court would encourage counsel to send an email reminding Mr. Mushkin when those payments were made. The Court is not requiring the Plaintiffs to bring amounts current but only to pay amounts when they become due. With respect to the taxes, the Court understands what the contract says, but that is not what the Court ordered; As the Clark County Treasurer assesses taxes to be paid on a quarterly basis, they are TO BE PAID; they may either be paid by credit card or by check; if paid by credit card, an email must be sent to Mr. Mushkin saying they were paid by credit card; if they were paid by check, it needs to be sent via next-day delivery of USPS with the contents of the envelope copied and the contents of the envelope provided to Mr. Mushkin. COURT FURTHER ORDERED, fees NOT AWARDED at this time; counsel to file an application as to how much in fees were incurred, so if there is an objection the Court can make a determination as to the amount. Upon Mr. Gutierrez's inquiry, COURT CLARIFIED that the Defendant is entitled to fees related to the late payment of the 1st and 2nd which will only be a portion of what he sought to do.

MANDATORY RULE 16 CONFERENCE: Court, addressing Mr. Mushkin, noted that objections to notices of default do not get calendared and counsel has not filed a motion. COURT ORDERED, initial disclosures pursuant to Rule 16.1 TO BE EXCHANGED in the next 10 days, and the answer to the counterclaim TO BE FILED in 1 week. Upon Court's inquiry, Mr. Mushkin confirmed they have answered the amended complaint. With regards to experts, Mr. Gutierrez advised they will have one on property valuation or real estate. Mr. Mushkin advised he will have a legal expert who will testify on merger and the one-action rule. Colloquy regarding discovery for a period of 90 days.

COURT ORDERED as follows:

Any further motions to amend pleadings or add parties TO BE FILED within 45 days;

Initial expert disclosures where a party bears the burden of proof DUE by October 9, 2020;

Rebuttal expert disclosures where a party does not bear the burden of proof DUE by November 13, 2020;

Discovery cut-off SET for December 18, 2020;

Dispositive motions and motions in limine TO BE FILED by January 22, 2021;

Matter SET for trial on the stack beginning on March 15, 2021. Jury DEMANDED. Trial Setting Order will ISSUE.

COURT FURTHER ORDERED, today is the parties joint case conference and the filing of the joint case conference report (JCCR) is WAIVED.

Parties to file any discovery motions sooner rather than later. Both sides declined the Court's offer of a settlement conference. Court directed the parties to notify the Department if they change their mind.

Both sides further advised that they do not need an ESI Protocol or Stipulated Protective Order and that they do not have any issues with the Rule on 10 depositions per side, not including custodians of records, the 7-hour limit per deposition, and no issues with the locations. Mr. Mushkin noted, however, that he may have an issue with the length of Mr. Bloom's deposition. Mr. Gutierrez objected to increasing the number of hours as the parties have already covered every contract in the preliminary injunction hearing. COURT ORDERED, the time for depositions will NOT BE INCREASED from 7 hours to 10 hours at this time; however, when it is time to take the deposition and counsel files a motion, counsel to PROVIDE more details than simply "the contracts were long" and "Mr. Bloom does not give short answers".

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**August 28, 2020**

---

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

---

**August 28, 2020      3:00 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** Chambers

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- DEFENDANTS/ COUNTERCLAIMANTS' MOTION FOR ORDER DETERMINING JAY BLOOM TO BE A VEXATIOUS LITIGANT...  
...5148 SPANISH HEIGHTS, LLC AND CBC PARTNERS I, LLC'S MOTION FOR DETERMINATION OF UNLAWFUL DETAINER...  
...DEFENDANTS/ COUNTERCLAIMANTS' MOTION FOR SANCTIONS PURSUANT TO NRCP RULE 11...  
...PLAINTIFFS' OPPOSITION TO DEFENDANTS CBC PARTNERS I, LLC AND 5148 SPANISH HEIGHTS, LLC'S ROGUE MOTION FOR SANCTIONS AND COUNTERMOTION FOR SANCTIONS

DEFENDANTS/ COUNTERCLAIMANTS' MOTION FOR ORDER DETERMINING JAY BLOOM TO BE A VEXATIOUS LITIGANT...  
...DEFENDANTS/ COUNTERCLAIMANTS' MOTION FOR SANCTIONS PURSUANT TO NRCP RULE 11...  
...PLAINTIFFS' OPPOSITION TO DEFENDANTS CBC PARTNERS I, LLC AND 5148 SPANISH HEIGHTS, LLC'S ROGUE MOTION FOR SANCTIONS AND COUNTERMOTION FOR SANCTIONS: The Court, having reviewed the MOTION FOR ORDER DETERMINING JAY BLOOM

TO BE A VEXATIOUS LITIGANT, MOTION FOR SANCTIONS PURSUANT TO NRCP RULE 11, COUNTERMOTION, and the related briefing and being fully informed, DENIES the motion and request for an evidentiary hearing. Mr. Bloom (regardless of what legal entity is actually involved) does not meet the requirements for being determined to be a vexatious litigant. Counsel for Plaintiff is directed to submit a proposed order approved by opposing counsel consistent with the foregoing within ten (10) days and distribute a filed copy to all parties involved in this matter. Such order should set forth a synopsis of the supporting reasons proffered to the Court in briefing. This Decision sets forth the Court's intended disposition on the subject but anticipates further order of the Court to make such disposition effective as an order.

5148 SPANISH HEIGHTS, LLC AND CBC PARTNERS I, LLC'S MOTION FOR DETERMINATION OF UNLAWFUL DETAINER: The Court, having reviewed 5148 SPANISH HEIGHTS, LLC AND CBC PARTNERS I, LLC'S MOTION FOR DETERMINATION OF UNLAWFUL DETAINER and the related briefing and being fully informed, DENIES the motion WITHOUT PREJUDICE. The Court notes that issues needing further briefing and/or discovery include the transfer of the Antos interest, the transfer of the note, the doctrine of merger and the one action rule. Counsel to agree upon a discovery schedule related to these issues and submit a stipulation to the Court. If no agreement is reached, the Court will set a schedule. Matter SET for status check on a discovery plan regarding the unlawful detainer in three weeks. The request for a bond pending this discovery may be renewed after the discovery plan on these limited factual issues is adopted. Counsel for Movant is directed to submit a proposed order approved by opposing counsel consistent with the foregoing within ten (10) days and distribute a filed copy to all parties involved in this matter. Such order should set forth a synopsis of the supporting reasons proffered to the Court in briefing. This Decision sets forth the Court's intended disposition on the subject but anticipates further order of the Court to make such disposition effective as an order or judgment.

8-31-20      9:00 AM      DEFENDANT MOTION FOR APPOINTMENT OF RECEIVER...5148 SPANISH HEIGHTS, LLC AND CBC PARTNERS I LLC'S MOTION FOR PARTIAL SUMMARY JUDGMENT

9-18-20      CHAMBERS      STATUS CHECK: DISCOVERY PLAN ON UNLAWFUL DETAINER

9-21-20      9:00 AM      PLAINTIFFS' OBJECTION AND MOTION FOR PROTECTIVE ORDER REGARDING DEFENDANT/COUNTERCLAIMANTS 5148 SPANISH HEIGHTS, LLC AND CBC PARTNERS I, LLC'S NOTICE OF INTENT TO SERVE SUBPOENAS

12-21-20      9:00 AM      STATUS CHECK

2-18-21      9:15 AM      PRE TRIAL CONFERENCE

3-9-21      9:30 AM      CALENDAR CALL



**A-20-813439-B**

3-15-21      1:30 PM      JURY TRIAL

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 9-8-20

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**August 31, 2020**

---

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

---

**August 31, 2020      9:00 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 03E

**COURT CLERK:** Carolyn Jackson

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- DEFENDANT MOTION FOR APPOINTMENT OF RECEIVER . . . 5148 SPANISH HEIGHTS, LLC  
AND CBC PARTNERS I LLC, MOTION FOR PARTIAL SUMMARY JUDGMENT

Court noted at the request of the parties this matter would be rescheduled and ORDERED, matter  
CONTINUED.

CONTINUED TO: 09/14/20 9:00 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**September 14, 2020**

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A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

---

**September 14, 2020      9:00 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 03E

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

**PRESENT:**      Barraza, Danielle J.      Attorney  
Gutierrez, Joseph A.      Attorney  
Mushkin, Michael R.      Attorney

**JOURNAL ENTRIES**

- DEFENDANTS' MOTION FOR APPOINTMENT OF RECEIVER...5148 SPANISH HEIGHTS, LLC  
AND CBC PARTNERS I LLC, MOTION FOR PARTIAL SUMMARY JUDGMENT

All parties appeared by telephone.

Upon Court's inquiry, Mr. Mushkin confirmed he represents the Antoses and that he can do depositions on two days' notice. Court noted it is concerned it cannot address some of the issues in the motion until the Antoses' depositions are taken; the Court would like the depositions taken expeditiously, but if Mr. Gutierrez and Ms. Barraza are not prepared to do so the Court will hear the motion. Mr. Gutierrez advised there is pending written discovery; perhaps they can set the depositions next Monday, but he can certainly do them expeditiously; he simply needs the written discovery done first. COURT ORDERED, hearing on the motions CONTINUED; an affidavit on what was said at the deposition or a rough transcript may be submitted. Mr. Gutierrez requested the hearing be continued in 3 weeks and advised he will submit an expedited draft of the transcript. With Mr. Mushkin's agreement, COURT ORDERED, hearing on the motions CONTINUED to October 5, 2020. At counsel's request, COURT FURTHER ORDERED, the motion for protective order and the

opposition and countermotion thereto ADVANCED to September 18, 2020 in chambers.

9-18-20 CHAMBERS STATUS CHECK: DISCOVERY PLAN ON UNLAWFUL  
DETAINER...

...PLAINTIFFS' OBJECTION AND MOTION FOR PROTECTIVE ORDER REGARDING  
DEFENDANT/COUNTERCLAIMANTS 5148 SPANISH HEIGHTS, LLC AND CBC PARTNERS I,  
LLC'S NOTICE OF INTENT TO SERVE SUBPOENAS...

...OPPOSITION AND COUNTERMOTION FOR PROTECTIVE ORDER

10-5-20 9:00 AM DEFENDANTS' MOTION FOR APPOINTMENT OF  
RECEIVER...5148 SPANISH HEIGHTS, LLC AND CBC PARTNERS I LLC, MOTION FOR PARTIAL  
SUMMARY JUDGMENT

12-21-20 9:00 AM STATUS CHECK

2-18-21 9:15 AM PRE TRIAL CONFERENCE

3-9-21 9:30 AM CALENDAR CALL

3-15-21 1:30 PM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**September 18, 2020**

---

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

---

**September 18, 2020      3:00 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** Chambers

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- PLAINTIFFS' OBJECTION AND MOTION FOR PROTECTIVE ORDER REGARDING  
DEFENDANT/COUNTERCLAIMANTS 5148 SPANISH HEIGHTS, LLC AND CBC PARTNERS I,  
LLC'S NOTICE OF INTENT TO SERVE SUBPOENAS...  
...OPPOSITION AND COUNTERMOTION FOR PROTECTIVE ORDER...  
...STATUS CHECK: DISCOVERY PLAN ON UNLAWFUL DETAINER

PLAINTIFFS' OBJECTION AND MOTION FOR PROTECTIVE ORDER REGARDING  
DEFENDANT/COUNTERCLAIMANTS 5148 SPANISH HEIGHTS, LLC AND CBC PARTNERS I,  
LLC'S NOTICE OF INTENT TO SERVE SUBPOENAS...OPPOSITION AND COUNTERMOTION  
FOR PROTECTIVE ORDER: The Court, having reviewed the motions for protective order,  
countermotion, and the related briefing and being fully informed, DENIES both motions. With  
respect to the motion, the subpoena to Bank of America seeks relevant information related to the cash  
flow at issue in the payments made on the obligations. With respect to the countermotion, the  
discovery request related to ownership and membership interest are also relevant to the transfer of  
those obligations and ownership interest in the note; the request for in camera review is DENIED.  
Respective moving counsel is directed to submit a proposed order approved by opposing counsel  
consistent with the foregoing within ten (10) days and distribute a filed copy to all parties involved in  
this matter. Such order should set forth a synopsis of the supporting reasons proffered to the Court in

briefing. This Decision sets forth the Court's intended disposition on the subject but anticipates further order of the Court to make such disposition effective as an order.

STATUS CHECK: DISCOVERY PLAN ON UNLAWFUL DETAINER: COURT NOTES plan submitted. Status check OFF CALENDAR.

10-5-20          9:00 AM          DEFENDANT'S MOTION FOR APPOINTMENT OF  
RECEIVER...5148 SPANISH HEIGHTS, LLC AND CBC PARTNERS I LLC, MOTION FOR PARTIAL  
SUMMARY JUDGMENT

12-21-20          9:00 AM          STATUS CHECK

2-18-21          9:15 AM          PRE TRIAL CONFERENCE

3-9-21          9:30 AM          CALENDAR CALL

3-15-21          1:30 PM          JURY TRIAL

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 9-23-20

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**October 19, 2020**

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A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

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**October 19, 2020      9:00 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 03E

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

**PRESENT:** Gutierrez, Joseph A.      Attorney  
Mushkin, Michael R.      Attorney

**JOURNAL ENTRIES**

- DEFENDANT MOTION FOR APPOINTMENT OF RECEIVER...5148 SPANISH HEIGHTS, LLC  
AND CBC PARTNERS I LLC, MOTION FOR PARTIAL SUMMARY JUDGMENT

Parties appeared by telephone.

Following arguments by counsel, COURT ORDERED, given the testimony of the Antoses, there appear to be genuine issues of material fact related to the parties and the execution of documents relied on by the Motion for Partial Summary Judgment; for that reason, the Court DENIES the motion for partial summary judgment and the motion for appointment of Receiver, because if there are issues with documents, there are issues with the appointment of a Receiver.

11-9-20      9:00 AM      PLAINTIFFS' RENEWED APPLICATION FOR TEMPORARY  
RESTRAINING ORDER AND MOTION FOR PRELIMINARY INJUNCTION

12-21-20      9:00 AM      STATUS CHECK

2-18-21      9:15 AM      PRE TRIAL CONFERENCE

3-9-21	9:30 AM	CALENDAR CALL
3-15-21	1:30 PM	JURY TRIAL



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**November 09, 2020**

---

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

---

**November 09, 2020      9:00 AM      Motion for Preliminary  
Injunction**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 03E

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

**PRESENT:**      Barraza, Danielle J.      Attorney  
                         Mushkin, Michael R.      Attorney

**JOURNAL ENTRIES**

- Parties appeared by telephone.

Following arguments by counsel, COURT ORDERED, motion DENIED as there is not an emergent issue that requires the Court's injunctive relief; there is not a notice of sale, and without a notice of sale there is no emergency that requires the Court's intervention. Court stated it will sign an OST if there is a notice of sale.

12-21-20      9:00 AM      STATUS CHECK  
  
2-18-21      9:15 AM      PRE TRIAL CONFERENCE  
  
3-9-21      9:30 AM      CALENDAR CALL  
  
3-15-21      1:30 PM      JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**December 08, 2020**

---

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

---

**December 08, 2020      12:29 AM      Minute Order**

**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** Chambers

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- At request of the Court, Defendants/Counterclaimants' Motion to Quash Subpoena to First Savings Bank and for Protective Order is CONTINUED from January 4 to January 11, 2021 at 9:00 am.

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 12-9-20

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**December 14, 2020**

---

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

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**December 14, 2020      4:03 PM      Minute Order**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** Chambers

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- At request of the Court, parties to FILE a status report prior to the status check on Monday, December 21, 2020.

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 12-14-20

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

NRS Chapters 78-89

COURT MINUTES

December 18, 2020

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

**December 18, 2020      3:00 AM      Motion for Protective  
Order**

**HEARD BY:** Gonzalez, Elizabeth**COURTROOM:** Chambers**COURT CLERK:** Dulce Romea**RECORDER:****REPORTER:****PARTIES****PRESENT:**

**JOURNAL ENTRIES**

- The Court, having reviewed the motion for protective order and the related briefing and being fully informed, GRANTS the motion IN LIMITED PART. As not all file materials would be protected from production under the subpoena and attorney work product protection appears limited for activities conducted pre-litigation, non-protected material is to be provided in response to the subpoena after service. Any documents for which claim of protection or privilege is made will be alphanumerically identified and placed on a privilege log. For each document or written communication, the party withholding a document on the basis of attorney client privilege or the work product doctrine, shall specifically identify the author (and their capacity) of the document; the date on which the document was created; a brief summary of the subject matter of the document; if the document is a communication -- the recipient, sender and all others (and their respective capacities) provided with a copy of the document; other individuals with access to the document (and their respective capacities); the type of document; the purpose for creation of the document; and a detailed, specific explanation as to why the document is privileged or otherwise immune from discovery. Request for sanctions DENIED. Counsel for movant is directed to submit a proposed order approved by opposing counsel consistent with the foregoing within ten (10) days and distribute a filed copy to all parties involved in this matter. Such order should set forth a synopsis of the supporting reasons proffered to the Court in briefing and argument. This Decision sets forth the Court's intended disposition on the subject but

anticipates further order of the Court to make such disposition effective as an order.

12-21-20      9:00 AM      STATUS CHECK

12-24-20      9:00 AM      PLAINTIFFS' MOTION FOR AN ORDER TO SHOW CAUSE AS TO WHY DEFENDANT DACIA, LLC SHOULD NOT BE HELD IN CONTEMPT FOR FAILING TO ABIDE BY THIS COURT'S 10/10/2020 ORDER DENYING MOTION FOR PROTECTIVE ORDERS...OPPOSITION TO MOTION FOR ORDER TO SHOW CAUSE AND COUNTERMOTION FOR PROTECTIVE ORDER

1-11-21      9:00 AM      PLAINTIFFS' RENEWED APPLICATION FOR TEMPORARY RESTRAINING ORDER AND MOTION FOR PRELIMINARY INJUNCTION ON AN ORDER SHORTENING TIME...RENEWED MOTION TO DISMISS FIRST AMENDED COMPLAINT AS TO DACIA, LLC OR IN THE ALTERNATIVE MOTION FOR SUMMARY JUDGMENT...DEFENDANTS/COUNTERCLAIMANTS MOTION TO QUASH SUBPOENA TO FIRST SAVINGS BANK AND FOR PROTECTIVE ORDER

2-18-21      9:15 AM      PRE TRIAL CONFERENCE

3-9-21      9:30 AM      CALENDAR CALL

3-15-21      1:30 PM      JURY TRIAL

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 12-21-20

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**December 21, 2020**

---

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

---

**December 21, 2020      9:00 AM      Status Check**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 03E

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Court reviewed status report filed December 18, 2020. As the December 24, 2020 hearing will be on the pleadings only, any additional requests for relief by Plaintiff must be made by Order Shortening Time.

12-24-20      9:00 AM      PLAINTIFFS' MOTION FOR AN ORDER TO SHOW CAUSE AS TO WHY DEFENDANT DACIA, LLC SHOULD NOT BE HELD IN CONTEMPT FOR FAILING TO ABIDE BY THIS COURT S 10/10/2020 ORDER DENYING MOTION FOR PROTECTIVE ORDERS...OPPOSITION TO MOTION FOR ORDER TO SHOW CAUSE AND COUNTERMOTION FOR PROTECTIVE ORDER

1-11-21      9:00 AM      PLAINTIFFS' RENEWED APPLICATION FOR TEMPORARY RESTRAINING ORDER AND MOTION FOR PRELIMINARY INJUNCTION ON AN ORDER SHORTENING TIME...  
...RENEWED MOTION TO DISMISS FIRST AMENDED COMPLAINT AS TO DACIA, LLC OR IN THE ALTERNATIVE MOTION FOR SUMMARY JUDGMENT...  
...DEFENDANTS/COUNTERCLAIMANTS MOTION TO QUASH SUBPOENA TO FIRST SAVINGS BANK AND FOR PROTECTIVE ORDER

2-18-21	9:15 AM	PRE TRIAL CONFERENCE
3-9-21	9:30 AM	CALENDAR CALL
3-15-21	1:30 PM	JURY TRIAL

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 12-21-20

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**December 24, 2020**

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A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

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**December 24, 2020      9:00 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 03E

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- PLAINTIFFS' MOTION FOR AN ORDER TO SHOW CAUSE AS TO WHY DEFENDANT DACIA, LLC SHOULD NOT BE HELD IN CONTEMPT FOR FAILING TO ABIDE BY THIS COURT S 10/10/2020 ORDER DENYING MOTION FOR PROTECTIVE ORDERS...OPPOSITION TO MOTION FOR ORDER TO SHOW CAUSE AND COUNTERMOTION FOR PROTECTIVE ORDER

The Court having reviewed the request for Order to Show Cause and the related briefing and being fully informed determines CAUSE has been SHOWN and DENIES the countermotion. The issue related to the beneficial owners of Dacia has already been addressed by the Court. Regardless of counsel's belief as to the relevance, the failure to respond appears to be a violation of the Court's prior order. Matter CONTINUED to January 4, 2021 for scheduling of contempt trial. Defendant may resolve the issue by properly responding to the discovery. Attorney's fees are warranted; movant to submit an affidavit in support of fees; an objection any be filed within 5 judicial days after service. Counsel for movant is directed to submit a proposed order approved by opposing counsel consistent with the foregoing within ten (10) days and distribute a filed copy to all parties involved in this matter. Such order should set forth a synopsis of the supporting reasons proffered to the Court in briefing. This Decision sets forth the Court s intended disposition on the subject but anticipates further order of the Court to make such disposition effective as an order.



COURT ORDERED, matter SET for status check on January 15, 2021 in chambers on attorney's fees.

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 12-24-20

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**January 04, 2021**

---

A-20-813439-B	Spanish Heights Acquisition Company LLC, Plaintiff(s)
	vs.
	CBC Partners I LLC, Defendant(s)

---

**January 04, 2021      10:00 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 03E

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Barraza, Danielle J.	Attorney
	Mushkin, Michael R.	Attorney

**JOURNAL ENTRIES**

- Parties appeared by telephone.

Following arguments by counsel, COURT ORDERED as follows:

PLAINTIFFS' RENEWED APPLICATION FOR TEMPORARY RESTRAINING ORDER AND MOTION FOR PRELIMINARY INJUNCTION ON AN ORDER SHORTENING TIME: Motion GRANTED on a limited basis that the July notice did not properly identify the current holder of the interest. Trial on the merits ADVANCED to the date of the date of Preliminary Injunction Hearing so all the factual issues raised can be put to bed. BOND LEFT at amounts currently paid by Mr. Bloom's company. Proposed findings of fact and conclusions of law due January 29, 2021 at noon. Parties estimated 3 to 4 days.

Mr. Mushkin advised discovery is closed and they have responded to everything except as to the issue of Dacia. Ms. Barraza advised they are expecting responses from subpoenas and will supplement disclosures.

PLAINTIFFS' MOTION FOR AN ORDER TO SHOW CAUSE AS TO WHY DEFENDANT DACIA,

LLC SHOULD NOT BE HELD IN CONTEMPT FOR FAILING TO ABIDE BY THIS COURT S 10/10/2020 ORDER DENYING MOTION FOR PROTECTIVE ORDERS: Motion GRANTED IN PART; information will be provided on an attorney's eyes only basis and can only be reviewed by Ms. Barraza and Mr. Mushkin -- no consultants, no staff members, no Mr. Bloom -- within 5 days of execution of a limited attorney's eyes only provision.

Mr. Mushkin advised that regarding the sale he will issue a new notice today.

Court suggested parties enter into a stipulation on those issue covered in the pleadings that will be tried on February 1st; if unable to, the Court will need competing versions within one week, or January 8th.

STATUS CHECK: SCHEDULING OF CONTEMPT TRIAL: COURT ORDERED, preliminary injunction hearing and trial SET for Monday, February 1st at 1 pm.

1-11-21 9:00 AM RENEWED MOTION TO DISMISS FIRST AMENDED COMPLAINT AS TO DACIA, LLC OR IN THE ALTERNATIVE MOTION FOR SUMMARY JUDGMENT...DEFENDANTS/COUNTERCLAIMANTS MOTION TO QUASH SUBPOENA TO FIRST SAVINGS BANK AND FOR PROTECTIVE ORDER

1-15-21 CHAMBERS STATUS CHECK: ATTORNEY'S FEES

2-1-21 1:00 PM PRELIMINARY INJUNCTION HEARING AND TRIAL

2-18-21 9:15 AM PRE TRIAL CONFERENCE

3-9-21 9:30 AM CALENDAR CALL

3-15-21 1:30 PM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**January 11, 2021**

---

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

---

**January 11, 2021      9:00 AM      Motion to Quash**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 03E

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Pursuant to Administrative Order 20-01, the Court decides this matter without the necessity of oral argument.

The Court, having reviewed the motion to quash/protective order and the related briefing and being fully informed, GRANTS the motion. The nature of the account records sought is one which contains information relating to multiple clients and by the nature of such transactions is confidential. Plaintiff has not made a showing that other sources of information do not exist from which they could obtain this information. Counsel for Defendant is directed to submit a proposed order approved by opposing counsel consistent with the foregoing within ten (10) days and distribute a filed copy to all parties involved in this matter. Such order should set forth a synopsis of the supporting reasons proffered to the Court in briefing. This Decision sets forth the Court's intended disposition on the subject but anticipates further order of the Court to make such disposition effective as an order.

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 1-21-21

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**January 11, 2021**

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A-20-813439-B	Spanish Heights Acquisition Company LLC, Plaintiff(s) vs. CBC Partners I LLC, Defendant(s)
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**January 11, 2021      9:00 AM      Motion to Dismiss**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 03E

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Pursuant to Administrative Order 21-01 the Court decides this matter without the necessity of oral argument.

The Court, having reviewed the motion to dismiss and the related briefing and being fully informed, DENIES the motion. The Court declines to address the motion as a Motion for Summary Judgment. The Motion to Dismiss is DENIED as the claims are adequately plead. Counsel for Plaintiff is directed to submit a proposed order approved by opposing counsel consistent with the foregoing within ten (10) days and distribute a filed copy to all parties involved in this matter. Such order should set forth a synopsis of the supporting reasons proffered to the Court in briefing. This Decision sets forth the Court's intended disposition on the subject but anticipates further order of the Court to make such disposition effective as an order.

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 2-1-21

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**January 11, 2021**

---

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

---

**January 11, 2021      9:00 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** RJC Courtroom 03E

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- See separate minute orders entered for the motion to dismiss and motion to quash both on January 11, 2021.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**January 15, 2021**

---

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

---

**January 15, 2021      3:00 AM      Status Check**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** Chambers

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- COURT ORDERED, matter CONTINUED for 2 weeks.

...1-29-21    -    CHAMBERS

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 1-21-21

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**January 29, 2021**

---

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

---

**January 29, 2021      3:00 AM      Status Check**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** Chambers

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- COURT ORDERED, status check CONTINUED to Friday, February 19, 2021 in chambers.

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 2-16-21



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**February 01, 2021**

---

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

---

**February 01, 2021      1:00 PM      Hearing**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 03E

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Barraza, Danielle J.	Attorney
	Bloom, Jay	Counter Defendant
	Coppedge, Linvel J	Attorney
	Gutierrez, Joseph A.	Attorney
	Mushkin, Michael R.	Attorney

**JOURNAL ENTRIES**

- DAY 1

COURT NOTED that the parties have STIPULATED to a trial on the following legal issues surrounding the claims and counterclaims:

- 1) Contractual interpretation and/or validity of the underlying Secured Promissory Note between CBC Partners I, LLC and KCI Investments, LLC and all modifications thereto;
- 2) Interpretation and/or validity of the claimed third-position Deed of Trust and all modifications thereto, and determination as to whether any consideration was provided in exchange for the Deed of Trust;
- 3) Contractual interpretation and/or validity of the Forbearance Agreement, Amended Forbearance Agreement and all associated documents/contracts;
- 4) Whether the Doctrine of Merger applies to the claims at issue; and
- 5) Whether the One Action Rule applies to the claims at issue.

There being no objection, COURT ORDERED, Proposed Joint Exhibits 1 through 129, except 114, are ADMITTED; 132 through 145 are also ADMITTED.

Opening statements by Mr. Gutierrez and Mr. Mushkin.

Testimony and exhibits presented. (See worksheet.)

COURT ORDERED, hearing / trial CONTINUED.

2-2-21      10:00 AM      PRELIMINARY INJUNCTION HEARING AND TRIAL

2-8-2      9:00 AM      KENNETH ANTOS' AND SHEILA NEUMANN-ANTOS' MOTION FOR  
SUMMARY JUDGMENT

2-18-21      9:15 AM      PRE TRIAL CONFERENCE

3-9-21      9:30 AM      CALENDAR CALL

3-15-21      1:30 PM      JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**February 02, 2021**

---

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

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**February 02, 2021      10:00 AM      Hearing**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 03E

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

**PRESENT:** Bloom, Jay      Counter Defendant  
Gutierrez, Joseph A.      Attorney  
Mushkin, Michael R.      Attorney

**JOURNAL ENTRIES**

- DAY 2

Testimony and exhibits presented. (See worksheet.) Following arguments by Mr. Mushkin and Mr. Gutierrez regarding Mr. Mushkin's motion under 50(a), COURT ORDERED, while there is significant evidence to support the argument of Mr. Mushkin, it would force the Court to weigh the credibility and evidence at this time; the Court cannot do it under 50(a); the Court is DENYING the motion for counsel to finish the case first. LUNCH RECESS.

Testimony and exhibits continued.

COURT ORDERED, hearing / trial CONTINUED.

2-3-21      9:30 AM      PRELIMINARY INJUNCTION HEARING AND TRIAL

2-8-2      9:00 AM      KENNETH ANTOS' AND SHEILA NEUMANN-ANTOS' MOTION FOR

SUMMARY JUDGMENT

2-18-21 9:15 AM PRE TRIAL CONFERENCE

3-9-21 9:30 AM CALENDAR CALL

3-15-21 1:30 PM JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

NRS Chapters 78-89

COURT MINUTES

February 03, 2021

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

**February 03, 2021      9:30 AM      Hearing**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 03E

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Bloom, Jay	Counter Defendant
	Gutierrez, Joseph A.	Attorney
	Mushkin, Michael R.	Attorney

**JOURNAL ENTRIES**

- DAY 3

Mr. Gutierrez advised SHAC LLC filed for bankruptcy today under case no. 21-10501, and the attorney is James Greene from Greene Infuso. Upon review, COURT NOTED that with respect to Spanish Heights Acquisition Company the bankruptcy stay will apply. Mr. Gutierrez requested to stay today's proceeding because SJC is intertwined with SHAC. Mr. Mushkin noted that the Court is correct and the matter is stayed only as to SHAC; the stay of foreclosure he agrees relates to SHAC; there are legal issues related to SJC and the Court can make findings without affecting the bankruptcy. COURT ORDERED, because SHAC is a party to the forbearance agreement but apparently not a signatory as previously discussed it would appear it is appropriate to STAY the action at this time; the Court is STAYING the action because the limited stipulated issues that the Court is being asked to decide ask the Court to decide documents to which the entity who had filed bankruptcy is a party as well as the other parties; while the Court does not believe the entire case is stayed, and there may be other issues everyone can proceed on, the limited issues on the one action rule, the merger, the validity of the promissory notes which preexists SHAC's involvement in the

deed of trust which preexists SHAC's involvement and the 2017 forbearance agreement and amendments the Court believes, reluctantly, it is appropriate to stay the matter at this time; however, the Court does believe the bankruptcy sometimes trumps it. The matter is STAYED for 30 days while the parties try to figure out what claims are appropriate to remain and proceed. Mr. Mushkin advised he will immediately seek relief from bankruptcy court and get back with the Court; with Mr. Bloom he estimates 2 hours or a day's worth left of questioning. COURT NOTED the matter is STAYED ONLY for 30 days; new hearing date SET for March 15, 2021 at 9:00 am.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

NRS Chapters 78-89

COURT MINUTES

February 17, 2021

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

**February 17, 2021      3:00 AM      Status Check**

**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** Chambers

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- COURT notes that per Mr. Mushkin, the matter is stayed, and once the stay is lifted he will file his reply and counter motion for fees awarded at the contempt hearing. COURT ORDERED, the status check on attorney's fees that was continued to February 19 is now CONTINUED to March 15, 2021.

2-18-21      9:15 AM      PRE TRIAL CONFERENCE

3-9-21      9:30 AM      CALENDAR CALL

3-15-21      9:00 AM      KENNETH ANTO'S AND SHEILA NEUMANN-ANTOS MOTION FOR SUMMARY JUDGMENT

3-15-21      10:00 AM      PRELIMINARY INJUNCTION HEARING AND TRIAL...STATUS CHECK: ATTORNEY'S FEES

3-15-21      1:30 PM      JURY TRIAL

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 2-17-21





**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**February 18, 2021**

---

A-20-813439-B	Spanish Heights Acquisition Company LLC, Plaintiff(s)
	vs.
	CBC Partners I LLC, Defendant(s)

---

**February 18, 2021      9:15 AM      Pre Trial Conference**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 03E

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Gutierrez, Joseph A.	Attorney
	Mushkin, Michael R.	Attorney

**JOURNAL ENTRIES**

- Parties appeared by telephone.

Court inquired as to what Bankruptcy Court has told the parties. Mr. Mushkin advised that the matter is in front of the Bankruptcy Court judge on March 8 and requested that they be bumped here. Court stated it will not bump the trial date but will talk to the parties about scheduling.

3-9-21      9:30 AM      CALENDAR CALL

3-15-21      9:00 AM      KENNETH ANTOS' AND SHEILA NEUMANN-ANTOS' MOTION FOR SUMMARY JUDGMENT

3-15-21      10:00 AM      PRELIMINARY INJUNCTION HEARING AND TRIAL..STATUS CHECK: ATTORNEY'S FEES

3-15-21      1:30 PM      JURY TRIAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**March 09, 2021**

---

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

---

**March 09, 2021      3:00 AM      Minute Order**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** Chambers

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- COURT ORDERED, March 15, 2021 Jury Trial setting VACATED and status check SET on March 26, 2021 in chambers regarding resetting that trial.

3-15-21      9:00 AM      KENNETH ANTO'S AND SHEILA NEUMANN-ANTOS MOTION FOR SUMMARY JUDGMENT

3-15-21      10:30 AM      PRELIMINARY INJUNCTION HEARING AND TRIAL...STATUS CHECK: ATTORNEY'S FEES

3-26-21      CHAMBERS      STATUS CHECK: RESET JURY TRIAL

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 3-9-21

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**March 09, 2021**

---

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

---

**March 09, 2021      9:30 AM      Calendar Call**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 03E

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

**PRESENT:**      Barraza, Danielle J.      Attorney  
Mushkin, Michael R.      Attorney

**JOURNAL ENTRIES**

- Parties appeared by telephone.

Mr. Mushkin advised the matter is being heard at 9:30 am in bankruptcy court and they should have a ruling this morning; his expectation is that they can go forward on the 15th at the very least on the issues not related to bankruptcy. COURT ORDERED, the STAY on SJC Ventures Holdings Company LLC and Mr. Bloom is LIFTED. The Court will wait on Spanish Heights Acquisition Company LLC and complete the bench trial that it is in progress, beginning on March 15, 2021 at 10:30 am.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**March 15, 2021**

---

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

---

**March 15, 2021      3:00 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** Chambers

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**      Bloom, Jay      Counter Defendant  
Gutierrez, Joseph A.      Attorney  
Mushkin, Michael R.      Attorney

**JOURNAL ENTRIES**

- DAY 4 OF PRELIMINARY INJUNCTION HEARING AND TRIAL:

Testimony and exhibits presented. (See worksheet.) At the hour of 2:07 pm, BOTH SIDES RESTED.  
RECESS.

Closing arguments. COURT ORDERED, matter will STAND SUBMITTED. Status Check on Decision SET for March 19, 2021 in chambers. Parties to notify the Judicial Executive Assistant if they get something from Bankruptcy Court.

STATUS CHECK: ATTORNEY'S FEES: COURT ORDERED, matter CONTINUED also to March 19 in chambers.

3-19-21      CHAMBERS      STATUS CHECK: COURT'S DECISION ON PRELIMINARY  
INJUNCTION HEARING & BENCH TRIAL...STATUS CHECK: ATTORNEY'S FEES

3-26-21      CHAMBERS      STATUS CHECK: RESET JURY TRIAL



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**March 15, 2021**

---

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

---

**March 15, 2021      9:00 AM      Motion for Summary  
Judgment**

**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** RJC Courtroom 03E

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- COURT ORDERED, matter CONTINUED to the chambers calendar for Friday, March 19, 2021.

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 3-15-21

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**March 18, 2021**

---

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

---

**March 18, 2021      3:00 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** Chambers

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- STATUS CHECK: ATTORNEY'S FEES...KENNETH ANTO'S AND SHEILA NEUMANN-ANTOS  
MOTION FOR SUMMARY JUDGMENT...STATUS CHECK: COURT'S DECISION ON  
PRELIMINARY INJUNCTION HEARING & BENCH TRIAL

COURT ORDERED, matters CONTINUED for one week,

3-26-21      CHAMBERS      STATUS CHECK: ATTORNEY'S FEES...KENNETH ANTO'S  
AND SHEILA NEUMANN-ANTOS MOTION FOR SUMMARY JUDGMENT...STATUS CHECK:  
COURT'S DECISION ON PRELIMINARY INJUNCTION HEARING & BENCH TRIAL...STATUS  
CHECK: RESET JURY TRIAL

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. / dr 3-18-  
21

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**March 25, 2021**

---

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

---

**March 25, 2021      3:00 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** Chambers

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- STATUS CHECK: RESET JURY TRIAL...  
...STATUS CHECK: COURT'S DECISION ON PRELIMINARY INJUNCTION HEARING & BENCH TRIAL...  
...STATUS CHECK: ATTORNEY'S FEES...  
...KENNETH ANTO'S AND SHEILA NEUMANN-ANTOS MOTION FOR SUMMARY JUDGMENT:

COURT ORDERED, matters CONTINUED for one week.

...4-2-21      -      CHAMBERS

CLERK'S NOTE: These matters were previously on the March 26, 2021 chambers calendar. A copy of this minute order was distributed via Odyssey File and Serve. / dr 3-25-21



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**April 02, 2021**

---

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

---

**April 02, 2021      3:00 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** Chambers

**COURT CLERK:** Carina Bracamontez-Munguia

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- STATUS CHECK: ATTORNEY'S FEES KENNETH ANTO'S AND SHEILA NEUMANN-ANTO'S  
MOTION FOR SUMMARY JUDGMENT STATUS CHECK: COURT'S DECISION ON  
PRELIMINARY INJUNCTION HEARING & BENCH TRIAL STATUS CHECK: RESET JURY TRIAL

COURT ORDERED, matters CONTINUED for one week.

04/09/2021 CHAMBERS

CLERK S NOTE: A copy of this minute order was distributed via e-mail to all parties. // cbm  
04/02/2021

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

NRS Chapters 78-89

COURT MINUTES

April 09, 2021

---

A-20-813439-B	Spanish Heights Acquisition Company LLC, Plaintiff(s)
	vs.
	CBC Partners I LLC, Defendant(s)

---

April 09, 2021	3:00 AM	Motion for Summary Judgment
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HEARD BY: Gonzalez, Elizabeth

COURTROOM: Chambers

COURT CLERK: Dulce Romea

RECORDER:

REPORTER:

PARTIES

PRESENT:

**JOURNAL ENTRIES**

- The Court having reviewed KENNETH ANTOS AND SHEILA NEUMANN-ANTOS MOTION FOR SUMMARY JUDGMENT and the related briefing and being fully informed, GRANTS the Motion IN PART. The Antos Trust as the contracting party has standing to pursue these claims despite the assignment. There has been a lack of performance by Plaintiffs under the agreement entered into with Antos. Plaintiffs/Counterdefendants and in favor of Kenneth Antos and Sheila Neumann-Antos, as Trustees of the Kenneth & Sheila Antos Living Trust and the Kenneth M. Antos & Sheila M. Neumann-Antos Trust on liability under the Breach of Contract claim (First Claim) in the counterclaim filed 9/3/20. The Court does not make any determination related to what damages are appropriate related to the granting of this relief. As no order lifting the stay has been entered by the Bankruptcy Court, nothing in this order creates any obligations or liabilities directly related to Spanish Heights; however, factual findings related to Spanish Heights are included in this decision. The term Plaintiffs as used in these Findings of fact and Conclusions of Law is not intended to imply any action by this Court against the debtor, Spanish Heights. Counsel for Movant is directed to submit a proposed order approved by opposing counsel consistent with the foregoing within ten (10) days and distribute a filed copy to all parties involved in this matter. Such order should set forth a synopsis of the supporting reasons proffered to the Court in briefing. This Decision sets forth the Court's intended disposition on the subject but anticipates further order of the Court to make such

disposition effective as an order.

CLERK S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. -  
vg//5/28/2021

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**June 03, 2021**

---

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

---

**June 03, 2021**

**9:15 AM**

**Pre Trial Conference**

**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** RJC Courtroom 03E

**COURT CLERK:** Valeria Guerra

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

**PRESENT:**

Gutierrez, Joseph A.  
Mushkin, Michael R.

Attorney  
Attorney

**JOURNAL ENTRIES**

- Mr. Mushkin advised the case would take 3 days to try. Mr. Gutierrez request a week to try the case to which the Court agreed. Colloquy regarding trial stack and scheduling/ Court was not opposed to moving trial due to pending bankruptcy matters.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**June 04, 2021**

---

A-20-813439-B	Spanish Heights Acquisition Company LLC, Plaintiff(s)
	vs.
	CBC Partners I LLC, Defendant(s)

---

**June 04, 2021**

**3:00 AM**

**Motion to Reconsider**

**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** Chambers

**COURT CLERK:** Valeria Guerra

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- The Court having reviewed Motion to Amend FFCL or Alternatively Reconsider and the related briefing and being fully informed, states that the dilution event was not part of the scope described in footnote 1 and the issue will be decided following trial on the remaining claims or appropriate motion practice. Counsel for Movant is directed to submit a proposed order approved by opposing counsel consistent with the foregoing within ten (10) days and distribute a filed copy to all parties involved in this matter. Such order should set forth a synopsis of the supporting reasons proffered to the Court in briefing. This Decision sets forth the Court's intended disposition on the subject but anticipates further order of the Court to make such disposition effective as an order.

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. -  
vg//6/7/21

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**July 20, 2021**

---

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

---

**July 20, 2021      9:30 AM      Calendar Call**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 03E

**COURT CLERK:** Valeria Guerra

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

**PRESENT:** Gutierrez, Joseph A.      Attorney  
Mushkin, Michael R.      Attorney

**JOURNAL ENTRIES**

- COURT ORDERED, trial SET 10/11/2021.

JURY TRIAL    10/11/2021    1:30 PM

CALENDAR CALL 10/05/2021    9:30 AM

PRE-TRIAL CONF. 09/16/2021    9:15 AM

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**July 30, 2021**

---

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

---

**July 30, 2021      3:00 AM      Motion**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** Chambers

**COURT CLERK:** Valeria Guerra

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Court reviewed 7/28/21 status report. The Court having reviewed the Motion for Appointment of Receiver and the related briefing and being fully informed, GRANTS the motion. It is appropriate at this time given the evidence presented during the trial of this matter, as well as Judge Denton's findings for the appointment of a receiver to collect the business records of SJCVC ; determine the efforts made to collect upon the Judgment and report the financial condition of SJCVC to the Court. While Plaintiff takes issue with the neutrality of the receiver proposed by moving counsel the Court's experience with Mr. Bertsch has not been similar to that outlined by Mr. Bloom. Mr. Mushkin is directed to submit a proposed order approved by opposing counsel consistent with the foregoing within ten (10) days and distribute a filed copy to all parties involved in this matter. Such order should set forth a synopsis of the supporting reasons proffered to the Court in briefing. This Decision sets forth the Court's intended disposition on the subject but anticipates further order of the Court to make such disposition effective as an order. Par 9 of the order should be modified to reflect the filing of monthly reports with the Court.

CLERK'S NOTE: A copy of this minute order was distributed via Odyssey File and Serve. -  
vg//8/4/21

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**NRS Chapters 78-89**

**COURT MINUTES**

**August 16, 2021**

---

A-20-813439-B      Spanish Heights Acquisition Company LLC, Plaintiff(s)  
vs.  
CBC Partners I LLC, Defendant(s)

---

**August 16, 2021      8:30 AM      Motion to Stay**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** Chambers

**COURT CLERK:** Valeria Guerra

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:** Gutierrez, Joseph A.      Attorney  
Mushkin, Michael R.      Attorney

**JOURNAL ENTRIES**

- Parties appeared via telephonic conference.

Mr. Gutierrez argued Defendants could cause irreparable harm should the stay not be granted adding that a \$500.00 was inadequate in the present matter. Mr. Mushkin made note the Court had previously found alter ego and argued Mr. Bloom had to disclose his finances. Mr. Gutierrez added previous sanctions had been fulfilled and there was no evidence the company would not pay. Court DENIED the motion to stay.



## EXHIBIT(S) LIST

Case No.: **A-20-813439-B**

Hearing Date: **MAY 14, 2020**

Dept. No.: **XI**

Judge: **HON. ELIZABETH GONZALEZ**

**Court Clerk: DULCE ROMEA**

Plaintiff: **SPANISH HEIGHTS ACQUISITION  
COMPANY LLC**

Recorder: JILL HAWKINS

Counsel for Plaintiff: DANIELLE BARRAZA, ESQ.  
JOSEPH GUTIERREZ, ESQ.

Defendant: **CBC PARTNERS I LLC**

Counsel for Defendant: MICHAEL MUSHKIN, ESQ.

## EVIDENTIARY HEARING

## DEMONSTRATIVE EXHIBITS

[illegible]

# EXHIBIT(S) LIST

Case No.: **A-20-813439-B**

Hearing Date: **June 29, 2020**

Dept. No.: **11**

Judge: **Honorable Elizabeth Gonzalez**

Court Clerk: **DULCE ROMERA**

Recorder: **JILL HAWKINS**

Plaintiff: **Spanish Heights Acquisition Company, LLC, et al.**

Counsel for Plaintiff: **Joseph A. Gutierrez, Esq.,  
Danielle J. Barraza, Esq.**

vs.

Defendant: **CBC Partners I, LLC, et al.**

Counsel for Defendant: **Michael Mushkin, Esq.**

## PLAINTIFFS' PROPOSED EXHIBITS FOR EVIDENTIARY HEARING

### EXHIBITS

Exhibit Number	Bates No.(s)	Exhibit Description	Date Offered	Objection	Date Admitted
1	1-001 – 1-006	Checks to City National Bank and Fed-Ex Info	6-29-20	NO	6-29-20 AB
2	2-001 – 2-008	Checks to Northern Trust and Fed-Ex Info			AB
3	3-001 – 3-002	Correspondence from Northern Trust Bank on June 18, 2020 Acknowledging Receipt of Checks			AB
4	4-001	SHAC Bank account records showing the deposit of May and June 2020 Checks to City National and Northern Trust			AB
5	5-001 – 5-002	Proof of Payment to HOA, ledger and payment screenshot			AB
6	6-001	Real Property Taxes Document from Office of the Clark County Treasurer			AB
7	7-001	SHAC Banking Info Regarding the "Returned Check"			AB
8	8-001 – 8-008	Letter from Defendants' Counsel Dated June 11, 2020	6-29-20	NO	6-29-20 AB
9	9-001 – 9-003	Correspondence from Spanish Heights Acquisition Company to City National Bank	6-29-20	OBJ	6-29-20 AB
10	10-001 – 10-024	Additional Banking Transaction Details Regarding Payments on the First and Second Mortgage	6-29-20	OBJ	6-29-20 AB

# EXHIBIT(S) LIST

Case No.: **A-20-813439-B**

Hearing Date: **June 29, 2020**

Dept. No.: **11**

Judge: **Honorable Elizabeth Gonzalez**

Plaintiff: **Spanish Heights Acquisition Company, LLC, et al.**

Court Clerk: **DULCE ROMERA**

Recorder: **JILL HAWKINS**

Counsel for Plaintiff: **Joseph A. Gutierrez, Esq.,  
Danielle J. Barraza, Esq.**

vs.

Defendant: **CBC Partners I, LLC, et al.**

Counsel for Defendant: **Michael Mushkin, Esq.**

## DEFENDANT/COUNTERCLAIMANTS' PROPOSED EXHIBITS FOR EVIDENTIARY HEARING

Exhibit	Exhibit Description	Date Offered	Obj.	Date Admitted	
A	City Nation Bank Loan Statement of June 15, 2020	6-29-20	NO	6-29-20	KB
B	Northern Trust Loan Statement as of May 15, 2020				KB
C	Fed Ex Tracking No 770437640975 Information of June 22, 2020				KB
D	Fed Ex Tracking No 770684974402 Information of June 22, 2020				KB
E	Fed Ex Tracking Nos 77043103690, 770684974402, and 770437640975 - Information of June 26, 2020				KB
F	Printout from Clark County Treasures office as of June 26, 2020				KB
G	Fed Ex Shipping Label 770719428761, Check to City National and Tracking showing delivery June 17, 2020				KB
H	Fed Ex Shipping Label 7707195185351, Check to City National and Tracking showing delivery June 17, 2020	6-29-20	NO	6-29-20	KB

# EXHIBIT(S) LIST

Case No.: **A-20-813439-B**

Hearing Date: February 1, 2021

Dept. No.: **11**

Judge: Honorable Elizabeth Gonzalez

Court Clerk: DULCE ROMERA

Plaintiff: **Spanish Heights Acquisition Company, LLC, et al.**

Recorder: JILL HAWKINS

Counsel for Plaintiff: Joseph A. Gutierrez, Esq.,  
Danielle J. Barraza, Esq.

vs.

Defendant: **CBC Partners I, LLC**

Counsel for Defendant: Michael Mushkin, Esq.

JOE COPPEDGE, ESQ.

## TRIAL/HEARING BEFORE THE COURT

### EXHIBITS

*NOTE: EXHIBITS NOT OFFERED OR ADMITTED  
WERE NOT PRINTED FROM COUNSEL'S  
ELECTRONIC SUBMISSION. JMK*

Exhibit Number	Bates No.(s)	Exhibit Description	Stipulated	Date Offered	Objection	Date Admitted
1.	5148SH 000001-25	Forbearance Agreement	Yes	2-1-21	NO	2-1-21
2.	5148SH 000026	Statement and Resignation of a Listed Member – CBC Partners	Yes			
3.	5148SH 000027	Statement and Resignation of a Listed Member – SJC Ventures Holdings	Yes			
4.	5148SH 000028-33	Articles of Organization for SHAC	Yes			
5.	5148SH 000526-561	Limited Liability Company Agreement of SHAC, LLC (executed)	Yes			
6.	5148SH 000077-78	Deed of Sale	Yes			
7.	5148SH 000079-88	Ex. B to Forbearance Agreement	Yes			
8.	5148SH 000089-97	Ex. B4 to Forbearance Agreement – Membership Pledge Agreement	Yes			
9.	5148SH 000098-100	Ex. B6 to Forbearance Agreement – Assignment of Rents	Yes			
10.	5148SH 000101-107	Ex. B8 to Forbearance Agreement – Security Agreement	Yes			
11.	5148SH 000108-112	Ex. B8a to Forbearance Agreement – Payment Direction Letter	Yes			
12.	5148SH 000113-115	Ex. B9 to Forbearance Agreement – Guaranty Agreement – Kenneth Antos	Yes			
13.	5148SH 000116-118	Ex. B10 to Forbearance Agreement – Guaranty Agreement Sheila Antos	Yes	2-1-21	NO	2-1-21

## EXHIBIT(S) LIST

14.	5148SH 000119-121	Ex. B11 to Forbearance Agreement – Guaranty Agreement Antos Trusts	Yes	2-1-21	NO	2-1-21	kg
15.	5148SH 000122-153	Lease Agreement with Exhibits	Yes				kg
16.	5148SH 000154-163	Amendment to Forbearance Agreement and Related Agreements	Yes				kg
17.	5148SH 000164-167	Recorded Grant, Bargain, Sale Deed 4/16/2007	Yes				kg
18.	5148SH 000223-240	Secured Promissory Note Dated 6/22/2012	Yes				kg
19.	5148SH 000241-251	Guaranty 6/22/2012	Yes				kg
20.	5148SH 000252-258	Security Agreement 6/22/2012	Yes				kg
21.	5148SH 000259-262	First Modification to Secured Promissory Note	Yes				kg
22.	5148SH 000263-277	Joint Resolutions of Manager and all Members of KCI Investments	Yes				kg
23.	5148SH 000278-281	Second Modification to Secured Promissory Note	Yes				kg
24.	5148SH 000282-284	Third Modification to Secured Promissory Note	Yes				kg
25.	5148SH 000285-290	Security Agreement with Respect to Economic Interest in Settlement Agreement 11/19/2013	Yes				kg
26.	5148SH 000291-298	Fourth Modification to Secured Promissory Note 11/19/2013	Yes				kg
27.	5148SH 000299-303	Fifth Modification To Secured Promissory Note 1/19/2014	Yes				kg
28.	5148SH 000304-308	KCI Investments Member Resolution 3/12/2014	Yes				kg
29.	5148SH 000309-314	Sixth Modification to Secured Promissory Note	Yes				kg
30.	5148SH 000315-316	KCI Manager Resolution 5/27/2014	Yes				kg
31.	5148SH 000317-319	Consent of Resolutions of Co- Managers of KCI Investments 5/29/2017	Yes				kg
32.	5148SH 000320	Certificate of Incumbency 10/31/2014	Yes				kg
33.	5148SH 000321-332	Seventh Modification to Secured Promissory Note	Yes				kg
34.	5148SH 000334-336	Antos Certificate of Trust Existence and Authority	Yes				kg
35.	5148SH 000337	Name Affidavit 12/17/2014	Yes				kg
36.	5148SH 000338-351	Security Agreement 12/17/2014	Yes				kg
37.	5148SH 000352	Board of Directors Meeting Minutes Dixie Foods International 12/18/2014	Yes	2-1-21	NO	2-1-21	kg

# EXHIBIT(S) LIST

38.	5148SH 000353-358	Resolution of the Board of Directors PRB fka DFI 12/18/2014	Yes	2-1-21	NO	2-1-21	AS
39.	5148SH 000359-381	Recorded Deed of Trust 12/29/2014	Yes				AS
40.	5148SH 000382-392	Title Insurance Policy	Yes				AS
41.	5148SH 000393-398	Eighth Modification to Secured Promissory Note	Yes				AS
42.	5148SH 000399-412	Security Agreement 1/23/2015	Yes				AS
43.	5148SH 000413-423	Pledge Agreement 1/23/2015	Yes				AS
44.	5148SH 000425-433	Ninth Modification to Secured Promissory Note	Yes				AS
45.	5148SH 000434-440	Recorded Correction to Deed of Trust 7/22/2015	Yes				AS
46.	5148SH 000441-449	Recorded Judgments (x3)	Yes				AS
47.	5148SH 000460-485	Debt Purchase Agreement (CBC & Southridge Partners) 12/2/2016	Yes				AS
48.	5148SH 000450-458	Assigned Debt Replacement Note 12/2/2016	Yes				AS
49.	5148SH 000459	Assignment of Debt Replacement Note 12/2/2016	Yes				AS
50.	5148SH 000486-509	Forbearance Agreement 12/2/2016	Yes				AS
51.	5148SH 000510-517	Tenth Modification to Secured Promissory Note	Yes				AS
52.	5148SH 000518-523	Recorded First Modification to Deed of Trust	Yes				AS
53.	5148SH 000565-566	Notice of Delinquent Assessment Lien 11/7/2018	Yes				AS
54.	5148SH 000567	Recorded Notice of Claim of Lien for Solid Waste Service 11/29/2018	Yes				AS
55.	5148SH 000568-571	Recorded Notice of Default and Election to Sell	Yes				AS
56.	5148SH 000572-576	Recorded Affidavit of Mailing Notice of Default	Yes				AS
57.	5148SH 000577-578	Treasurer's Deed of Reconveyance 2/14/2019	Yes				AS
58.	5148SH 000579	Recorded Notice of Claim of Lien for Solid Waste Service 5/28/2019	Yes				AS
59.	5148SH 000580-581	Recorded Notice of Rescission of Notice of Default 6/5/2019	Yes				AS
60.	5148SH 000582	Recorded Relinquishment and Satisfaction of Notice of Delinquent Assessments	Yes				AS
61.	5148SH 000583	Recorded Notice of Lien for Solid Waste Service 11/26/2019	Yes				AS
62.	5148SH 000584-617	Alternative Dispute Resolution Claim Form SHAC	Yes				AS
63.	5148SH 000628	Letter to Spanish Hills Regarding ADR	Yes	2-1-21	NO	2-1-21	AS



## EXHIBIT(S) LIST

64.	5148SH 000631-710	Homeowners Insurance Policy Documents	Yes	2-1-21	NO	2-1-21	15
65.	5148SH 000711-712	Recorded Notice of Delinquent Fines and Special Assessment Lien	Yes				15
66.	5148SH 000713-714	Notice of Default Dated 3/16/2020	Yes				15
67.	5148SH 000715	State of Nevada Real Estate Division Moratorium Request Dated 3/18/2020	Yes				15
68.	5148SH 000716-720	Email Correspondence regarding response to Notice of Default	Yes				15
69.	5148SH 000721-733	Letter Regarding No Default dated 3/23/2020	Yes				15
70.	5148SH 000734-872	Property Inspection Report Obtained by CBC Partners I, LLC	Yes				15
71.	5148SH 000875-877	Notice of Default and Demand for Payment Dated 4/1/2020	Yes				15
72.	5148SH 000878-000880	Amended Notice of Default and Demand for Payment	Yes				15
73.	5148SH 000881-886	Email Correspondence Regarding Notice of Default	Yes				15
74.	5148SH 000887-889	Notice to Exercise Rights Under Pledge Agreement	Yes				15
75.	5148SH 000890	Payment to Northern Trust from MRM IOLTA 4/1/2020	Yes				15
76.	5148SH 000891-892	SJC Ventures Rent to SHAC for 4/1/2020-12/31/2020	Yes				15
77.	5148SH 000893-901	Note Purchase and Sale Agreement	Yes				15
78.	5148SH 000902	Notice to Vacate dated 4/3/2020	Yes				15
79.	5148SH 000903-905	Letter from Plaintiffs' Counsel Dated 4/6/2020	Yes				15
80.	5148SH 000906-907	Letter from CBC Partners I, LLC's Counsel Dated 4/6/2020	Yes				15
81.	5148SH 000908	Assignment of Company and Membership Interest of SHAC by Antos Trust	Yes				15
82.	5148SH 000909-913	Correspondence from City National Bank regarding Notice of Default 4/6/2020	Yes				15
83.	5148SH 000914-915	Letter from Plaintiffs' Counsel regarding Notice of Default and Pledge Agreement Dated 4/6/2020	Yes				15
84.	5148SH 000916	Wire Transfer from MRM IOLTA to CBC Partners I	Yes				15
85.	5148SH 000917	Letter to SHAC Requesting Corporate Documents 4/7/2020	Yes				15
86.	5148SH 000918	Letter from CBC Partners I, LLC's Counsel Dated Regarding Notice of Default 4/7/2020	Yes	2-1-21	NO	2-1-21	15

## EXHIBIT(S) LIST

87.	5148SH 000919-929	Letter from CBC Partners I, LLC's Counsel to Governor Sisolak Dated 4/7/2020	Yes	2-1-21	NO	2-1-21	12
88.	5148SH 000930-938	Letter from Office of Attorney General Dated 4/8/2020	Yes				13
89.	5148SH 000939-941	Letter to Deputy Attorney General Dated 4/8/2020	Yes				14
90.	5148SH 000942	Letter to SJC Ventures Holdings regarding Request for Special Meeting of SHAC 4/9/2020	Yes				15
91.	5148SH 000943	Payment to City National Bank from MRM IOLTA	Yes				16
92.	5148SH 000944-955	Letters Regarding Scheduling Special Meeting and Recission of Notice of Default	Yes				17
93.	5148SH 000956-983	Transcript of the Special Meeting of the Members of SHAC	Yes				18
94.	5148SH 000991-1035	Correspondence from NV Attorney General's Office Closing Matter Dated 4/20/2020	Yes				19
95.	5148SH 001036-1039	Northern Trust Email Re: Jan, Feb, March, and April 2020 Past Due Bills	Yes				20
96.	5148SH 001040-1043	SHAC Payments to Northern Trust	Yes				21
97.	5148SH 001044-1047	SHAC Payments to City National Bank	Yes				22
98.	5148SH 1048-1052	Infinity Air Invoices	Yes				23
99.	5148SH 001053	HOA Payment 3/17/2020	Yes				24
100.	5148SH 001054-1055	Assignment of Interest in Deed of Trust	Yes				25
101.	5148SH 001056-1057	Recorded Notice of Breach and Election to Sell Under Deed of Trust	Yes				26
102.	5148SH 001058-1120	Bank Records for SHAC	Yes				27
103.	5148SH 001121-1218	Bank Records for SJC Ventures Holding Company	Yes				28
104.	5148SH 001220-3724	Hallberg emails with Bloom and attachments	Yes				29
105.	5148SH 003725-3767	Hallberg emails with City National Bank and attachments	Yes				30
106.	5148SH 003768-3982	Hallberg emails with Northern Trust and attachments	Yes				31
107.	5148SH 003983	Recorded Notice of Claim of Lien for Solid Waste Service 9/10/2020	Yes				32
108.	5148SH 003984-3987	Affidavit of Mailing Letters of Notice of Foreclosure Notice of Breach and Election to Sell	Yes				33
109.	5148SH 003988-3989	Affidavit of Posting Notice of Default	Yes	2-1-21	NO	2-1-21	34









# EXHIBIT(S) LIST

		Interrogatories			
135.		SHAC's Responses to Counterclaimants' First Set of Request for Production			
136.		SJCV's Responses to Counterclaimants' First Set of Interrogatories			
137.		SJCV's Responses to Counterclaimants' First Set of Request for Production			
138.	PLTFS00984-985	Front and back of check to Northern Trust dated 1/6/21			
139.	PLTFS00986-987	Front and back of check to City National Bank dated 1/3/21			
140.		Transcript of Proceedings for May 14, 2020			
141.	PLTFS00951-778	Recorded Documents for APN No. 163-615-007 from 4/16/07 - 5/28/20			
142.	PLTFS00930-944	Security Agreement dated 6/22/2012 by KCI in favor of CBCI			
143.	5148SH 001036-1039	Email from Northern Trust dated 4/20/2020			
144.		Notice of Default and Demand for Payment dated July 2, 2020			
145.		Notice of Default and Demand for Payment dated 1/4/2021			
146.	PLTFS00988-PLTFS00991	Letter from SJC Ventures LLC and Spanish Heights Acquisition Company, LLC to defendants dated 3/1/21	OFFERED 3-15-21	OBJ OBJ	ADMITTED 3-15-21
147.	PLTFS00992	Letter from Michael Mushkin, Esq. to Spanish Heights Acquisition Company, LLC dated 3/10/21	(	(	)
148.	PLTFS00993-PLTFS00994	Letter from SJC Ventures LLC and Spanish Heights Acquisition Company, LLC to defendants dated 3/11/21	3-15-21	OBJ	3-15-21
149.	PLTFS00995-PLTFS00999	Invoices #1766 and #1767 from Home Innovations dated 10/5/19	3-15-21	OBJ	



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

**JOSEPH A. GUTIERREZ, ESQ.**  
**8816 SPANISH RIDGE AVE.**  
**LAS VEGAS, NV 89148**

**DATE: August 20, 2021**  
**CASE: A-20-813439-B**

**RE CASE:** SPANISH HEIGHTS ACQUISITION COMPANY, LLC; SJC VENTURES HOLDINGS COMPANY, LLC dba SJC VENTURES, LLC vs. CBC PARTNERS I, LLC; CBC PARTNERS, LLC; 5148 SPANISH HEIGHTS, LLC; KENNETH ANTOS AND SHEILA NEUMANN-ANTOS as Trustees of the KENNETH & SHEILA ANTOS LIVING TRUST and the KENNETH M. ANTOS & SHEILA M. NEUMANN-ANTOS TRUST; DACIA, LLC

NOTICE OF APPEAL FILED: August 18, 2021

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

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

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

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

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

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

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

# Certification of Copy

State of Nevada }  
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; BUSINESS COURT CIVIL COVER SHEET; ORDER APPOINTING RECEIVED; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES; EXHIBITS LIST; NOTICE OF DEFICIENCY

SPANISH HEIGHTS ACQUISITION  
COMPANY, LLC; SJC VENTURES  
HOLDINGS COMPANY, LLC dba SJC  
VENTURES, LLC,

Plaintiff(s),

vs.

CBC PARTNERS I, LLC; CBC PARTNERS,  
LLC; 5148 SPANISH HEIGHTS, LLC;  
KENNETH ANTOS AND SHEILA  
NEUMANN-ANTOS as Trustees of the  
KENNETH & SHEILA ANTOS LIVING  
TRUST and the KENNETH M. ANTOS &  
SHEILA M. NEUMANN-ANTOS TRUST;  
DACIA, LLC,

Defendant(s),

Case No: A-20-813439-B

Dept No: XI

now on file and of record in this office.

**IN WITNESS THEREOF**, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 20 day of August 2021.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

