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Aug 23 2021 02:51 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

11 *Attorneys for Vincent T. Schettler*

12 **DISTRICT COURT**

13 **CLARK COUNTY, NEVADA**

14 PACIFIC WESTERN BANK, a California  
15 corporation,

Case No.: A-14-710645-B  
Dept.: 16

16 Plaintiff/Judgment Creditor,

17 v.

18 JOHN A. RITTER, an individual; DARREN  
19 D. BADGER, an individual; VINCENT T.  
20 SCHETTLER, an individual; and DOES 1  
21 through 50,

22 Defendants/Judgment Debtors.

23 **NOTICE OF APPEAL**

24 Please take notice that Vincent T. Schettler, Defendant/Judgment Debtor in the above-  
25 captioned matter, hereby appeals to the Supreme Court of Nevada from the Order (1) Appointing  
26 Receiver Over Judgment Debtor Vincent T. Schettler's Assets and (2) Denying Countermotion  
27 for Special Master entered on August 16, 2021, attached hereto as **Exhibit A**.

28 DATED this 19<sup>th</sup> day of August, 2021.

SOLOMON DWIGGINS FREER & STEADMAN, LTD.

*/s/ Alexander G. LeVeque*

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*Attorneys for Vincent T. Schettler*

**CERTIFICATE OF SERVICE**

PURSUANT to NRCP 5(b), I HEREBY CERTIFY that on August 19<sup>th</sup>, 2021, I served a true and correct copy of **NOTICE OF APPEAL** to the following in the manner set forth below:

**Via:**

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

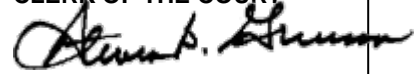
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*Attorney for Plaintiff*

*/s/ Alexandra T. Carnival*

\_\_\_\_\_  
An employee of SOLOMON DWIGGINS FREER & STEADMAN, LTD.

# **EXHIBIT “A”**



**NEO**  
Dan R. Waite, Bar No. 4078  
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*Attorneys for Plaintiff Pacific Western Bank,  
a California corporation*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

PACIFIC WESTERN BANK, a California  
corporation,

Plaintiff,

v.

JOHN A. RITTER, an individual; DARREN D.  
BADGER, an individual; VINCENT T.  
SCHETTLER, an individual; and DOES 1  
through 50,

Defendants.

Case No. A-14-710645-B

Dept. No. 16

**NOTICE OF ENTRY OF ORDER (1)  
APPOINTING RECEIVER OVER  
JUDGMENT DEBTOR VINCENT T.  
SCHETTLER'S ASSETS and  
(2) DENYING COUNTERMOTION FOR  
SPECIAL MASTER**

PLEASE TAKE NOTICE that an Order (1) Appointing Receiver Over Judgment  
Debtor Vincent T. Schettler's Assets and (2) Denying Countermotion for Special Master was  
entered on August 16, 2021. A copy of the Order is attached hereto.

Dated this 16th day of August, 2021.

**LEWIS ROCA ROTHGERBER CHRISTIE LLP**

By: /s/ Dan R. Waite

Dan R. Waite (State Bar No.: 4078)  
3993 Howard Hughes Parkway, Suite 600  
Las Vegas, Nevada 89169-5996

*Attorneys for Plaintiff  
Pacific Western Bank, a California corporation*

**CERTIFICATE OF SERVICE**

Pursuant to NRCP 5(b), I certify that I am an employee of Lewis Roca Rothgerber Christie LLP, and that on this day, I caused a true and correct copy of ***“Notice of Entry of Order (1) Appointing Receiver Over Judgment Debtor Vincent T. Schettler’s Assets and (2) Denying Countermotion for Special Master”*** to be E-Filed and Served through the Court’s electronic filing system.

Alexander G. LeVeque  
Alan D. Freer  
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10777 West Twain Avenue, Suite 300  
Las Vegas, Nevada 89135  
*Attorney for Vincent Schettler*

Dated this 16th day of August, 2021

/s/ Luz Horvath

An Employee of Lewis Roca Rothgerber Christie LLP

*Heather S. Smith*  
CLERK OF THE COURT

**ORD**

Dan R. Waite, State Bar No. 4078

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Attorneys for Plaintiff

*Pacific Western Bank, a California corporation*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

PACIFIC WESTERN BANK, a California  
corporation,

Plaintiff/Judgment Creditor,

v.

JOHN A. RITTER, an individual; DARREN D.  
BADGER, an individual; VINCENT T.  
SCHETTLER, an individual; and DOES 1  
through 50,

Defendants/Judgment Debtors.

Case No. A-14-710645-B

Dept. No. XVI

**ORDER (1) APPOINTING RECEIVER  
OVER JUDGMENT DEBTOR VINCENT  
T. SCHETTLER'S ASSETS and  
(2) DENYING COUNTERMOTION FOR  
SPECIAL MASTER**

**Date of Hearing: April 28, 2021**

**Time of Hearing: 9:00 a.m.**

On April 28, 2021, at 9:00 a.m. in Department XVI of the above-captioned Court,  
(1) Plaintiff/Judgment Creditor PACIFIC WESTERN BANK's (hereinafter "PacWest") Motion  
for Appointment of a Receiver Over Judgment Debtor Vincent T. Schettler's Assets ("Motion"),  
and (2) Defendant/Judgment Debtor VINCENT T. SCHETTLER's (hereinafter "Schettler")  
Counter-motion for Appointment of Special Master ("Counter-motion"), came on for hearing. Dan  
R. Waite of Lewis Roca Rothgerber Christie LLP appeared on behalf of PacWest. J. Rusty Graf  
of Black & Wadhams and Alexander G. LeVeque of Solomon Dwiggin Freer & Steadman, Ltd.,  
appeared on behalf of Defendant/Judgment Debtor VINCENT T. SCHETTLER.<sup>1</sup> Based on the

<sup>1</sup> As used throughout this Order, the term "Schettler" shall mean the judgment debtor, Vincent T. Schettler, in his individual capacity.

1 papers and pleadings on file, the arguments of counsel, and good cause appearing, the Court rules  
2 as follows:

3 IT IS ORDERED that PacWest's Motion is GRANTED and Schettler's Countermotion is  
4 DENIED.

5 The Court has reviewed the conditions upon which a receiver can be appointed post-  
6 judgment under (a) California law pursuant to California Civil Procedure Code § 708.620 (2019),  
7 versus (b) Nevada law as set forth pursuant to NRS 32.010(4). This appears to be a question of  
8 first impression in Nevada. Unlike California, under the Nevada statutory scheme the  
9 appointment of a receiver is not a remedy of last resort because Nevada law does not require the  
10 Court to consider the interests of both the judgment creditor and the judgment debtor, and  
11 whether the appointment of a receiver is a reasonable method to obtain the fair and orderly  
12 satisfaction of the judgment. Under the Nevada statute, "[a]fter judgment, to dispose of the  
13 property according to the judgment, . . . in proceedings in aid of execution, when an execution has  
14 been returned unsatisfied, or when the judgment debtor refuses to apply the judgment debtor's  
15 property in satisfaction of the judgment," a receiver may be appointed by the Court. *See* NRS  
16 32.010(4). In the instant action, PacWest has utilized the standard debt collection procedures as  
17 set forth in its motion, i.e., judgment debtor examination, requests for production of documents  
18 from the judgment debtor, subpoena for documents from numerous third parties, writs of  
19 garnishment, writs of execution, etc.

20 In light of the foregoing, the Court finds that it is appropriate to appoint a receiver under  
21 the circumstances presented here and makes the following Findings of Fact and Conclusions of  
22 Law:

23 **FINDINGS OF FACT**

24 1. PacWest obtained a lawful judgment against Schettler in 2014, which judgment  
25 has a current outstanding balance of approximately \$3,000,000.

26 2. Schettler lives an affluent lifestyle but has not voluntarily paid anything on the  
27 judgment in more than six years. For example:  
28

1 a. Schettler purchased a \$2,000,000 home in a gated and guarded community  
2 during the summer of 2019. Title to the home was taken in the name of the Schettler Family  
3 Trust.

4 b. Associated with the purchase of that home, Schettler qualified for a  
5 \$1,500,000 loan by representing his income was \$77,231 per month, i.e., more than \$926,000  
6 annually.

7 c. On one AMEX Centurion card (aka “Black Card”), which Schettler is  
8 individually obligated to pay, the Schettlers have a history of charging and paying more than  
9 \$40,000 per month. In December 2018, the charges exceeded \$100,000, which were paid in full  
10 the next month. In late 2019 (over a period of 50 days), Schettler used the AMEX card to pay  
11 \$206,983.72 to one of the many law firms he retains.

12 3. In November 2020, PacWest attempted to execute upon Schettler’s personal  
13 property located at his home but Schettler, upon the advice of counsel, denied access to the  
14 Constable’s agents and thwarted any satisfaction of the judgment pursuant to the writ of  
15 execution.

16 4. Schettler controls a complex network of companies and trusts in an attempt to  
17 make himself judgment proof. For example, Schettler is self-employed by Vincent T. Schettler,  
18 LLC and he goes to work every day for that company. However, Schettler decides when and how  
19 much he gets paid and he pays himself very infrequently.

20 5. Even if Schettler pays himself only infrequently, he refuses to apply any of his  
21 property towards satisfaction of PacWest’s judgment. Indeed, on two separate occasions,  
22 Schettler has represented in open court that he offered to pay PacWest \$1,000,000 in settlement of  
23 the judgment he owes PacWest. (*See* Hrg. Trans. (7/29/20) at 13:12-13, and Hrg. Trans.  
24 (10/14/20) at 13:19-20). Thus, while Schettler admits he has access to at least \$1,000,000 to pay  
25 toward the judgment, he refuses to pay anything voluntarily, i.e., in the language of NRS  
26 32.010(4), he “refuses to apply [his] property in satisfaction of the judgment.”

27 6. Schettler’s employer, Vincent T. Schettler, LLC, is an operational entity for the  
28 commission income Schettler earns as a licensed real estate broker. In other words, Schettler



1 provides valuable services as a real estate broker and he, the judgment debtor, earns the  
2 commissions. Yet, the compensation and commissions earned by Schettler are not paid to  
3 Schettler. Instead, Schettler, through his control of Vincent T. Schettler, LLC, pays his own  
4 commissions and other compensation directly to the Schettler Family Trust, which then pays  
5 Schettler's living expenses.

6 7. Since 2014, Schettler has thumbed his nose at PacWest's judgment and attempted  
7 to thwart and frustrate PacWest's collection efforts at every opportunity, forcing PacWest to incur  
8 hundreds of thousands of dollars in post-judgment collection efforts, none of which prompted  
9 Schettler to pay anything.

10 8. Schettler is a very recalcitrant judgment debtor.

11 9. This Court has previously found that Schettler has not acted in good faith and,  
12 instead, has acted in bad faith; he's unreasonably multiplied these proceedings; has engaged in  
13 stonewalling; and has acted to delay and obfuscate as long as possible. (*See* Order (filed 9/10/20)  
14 at Findings 31-32, 38-39, 42). The Court confirms and incorporates those Findings here.

15 10. As demonstrated by Schettler's misrepresentations to his lender (where, in 2019,  
16 he misrepresented that he had no judgments against him and that he was not a party to any  
17 lawsuits), the Court finds that Schettler will falsify the truth while in the very act of  
18 acknowledging it is a federal crime to do so.

19 11. The Court finds that Schettler cannot be trusted to tell the truth. He will say and  
20 do whatever is expedient to serve his purposes in the moment and to thwart PacWest's lawful  
21 collection efforts. A receiver is needed to obtain trustworthy information.

22 12. A receiver is also needed (1) because Schettler is "a judgment debtor with direct or  
23 indirect access to substantial wealth and assets, who [has] frustrated [PacWest's] considerable  
24 efforts to collect its judgment," and (2) to "investigate and determine what assets [Schettler]  
25 possesses, whether in the LLC's or otherwise, and to determine whether the arrangements are a  
26 subterfuge for avoiding [Schettler's personal] debt." *Morgan Stanley Smith Barney LLC v.*  
27 *Johnson*, 952 F.3d 978, 983 (8th Cir. 2020) (internal quotation marks omitted); *accord, Otero v.*  
28

1 *Vito*, 2008 WL 4004979, at \*4 (M.D. Ga. 2008) (a receiver was needed to “unravel[] the  
2 complicated web of entities and transactions woven by [the judgment debtors]”).

3 13. In its Motion, PacWest suggested two receiver candidates: (a) Cordes & Company,  
4 principally by and through Bellann Raile, and (b) Stapleton Group, principally by and through  
5 Jacob Diiorio. PacWest also provided the CVs and rates for both receiver candidates in its  
6 Motion. Schettler did not oppose or otherwise object to PacWest’s receiver candidates in his  
7 opposition brief or during the April 28, 2021, hearing on PacWest’s Motion.

8 14. Nevertheless, at a status hearing on July 21, 2021, upon request from Schettler’s  
9 counsel, the Court authorized Schettler to submit names, CVs, and rates for some receiver  
10 candidates. The Court also provided PacWest with an opportunity to thereafter respond to  
11 Schettler’s proposed receiver candidates.

12 15. On July 27, 2021, Schettler filed his Notice of Production of Documents whereby  
13 he suggested three receiver candidates: (a) Judge David Barker (retired), (b) Paul Haire, Esq., and  
14 (c) Justice Nancy Saitta (retired).

15 16. On August 3, 2021, PacWest submitted its Response to Mr. Schettler’s Proposed  
16 Receivers.

17 17. Upon a review of the two receiver candidates suggested by PacWest and the three  
18 receiver candidates suggested by Schettler, it is clear that the receiver candidates suggested by  
19 Schettler have zero receiver experience whereas those suggested by PacWest have been appointed  
20 as professional receivers more than 500 times in separate court actions in multiple states and  
21 jurisdictions. This experience imbalance weighs heavily in favor of PacWest’s nominees.

22 18. Also, PacWest’s proposed receiver candidates charge a significantly lower hourly  
23 rate than those proposed by Schettler. Indeed, Schettler’s candidates charge hourly rates ranging  
24 from \$450-\$750 (David Barker), \$490-\$800 (Paul Haire), and \$590-\$900 (Nancy Saitta), but  
25 none indicated what specific rate they would charge for receiver services in this case. On the  
26 other hand, PacWest’s proposed receiver candidates charge a specific hourly rate of \$325 (Cordes  
27 & Company, Bellann Raile) and \$345 (Stapleton Group, Jacob Diiorio) to serve as a receiver in  
28 this case. The specificity and lower rates weigh heavily in favor of PacWest’s nominees.

20. Any findings of fact that are partially or completely conclusions of law shall be deemed conclusions of law.

## CONCLUSIONS OF LAW

1. NRS 1.210 provides: “Every court shall have power: . . . 3. To compel obedience to its lawful judgments . . . .”

2. NRS 32.010 provides: “A receiver may be appointed by the court in which an action is pending, . . . 4. After judgment, . . . in proceedings in aid of execution, when an execution has been returned unsatisfied, or when the judgment debtor refuses to apply the judgment debtor’s property in satisfaction of the judgment.”

3. A receiver is an officer and agent of the Court. *See U.S. Bank Nat’l Ass’n v. Palmilla Dev. Co.*, 131 Nev. 72, 77, 343 P.3d 603, 606 (2015) (“the receiver, for all intents and purposes, acts as a court’s proxy”).

4. A receiver is warranted here under NRS 32.010(4) for the following three reasons: (1) to aid PacWest’s execution rights against Schettler, (2) a writ of execution was returned unsatisfied, and (3) Schettler refuses to apply any of his property toward satisfaction of the judgment. *See Morgan Stanley Smith Barney LLC v. Johnson*, 952 F.3d 978, 981 (8th Cir. 2020) (receivership appropriate “to protect a judgment creditor’s interest in a debtor’s property when[, as here,] the debtor has shown an intention to frustrate attempts to collect the judgment.”).

5. NRS 32.010(4) does not require evidence of fraudulent transfers, alter ego, or post-judgment planning by the judgment debtor before the court may appoint a receiver.

6. Nevada's statutory scheme does not preclude the appointment of a receiver over an individual judgment debtor, like Schettler. *See* NRS 32.175, 32.185, 32.155, 32.160, and 32.300(2).

7. Given that Schettler has not voluntarily paid anything in more than six years since the judgment was entered against him but has somehow managed to live opulently, the receiver

1 should be given broad powers to locate and apply property of Schettler in satisfaction of the  
2 judgment, including commissions Schettler may be entitled to receive.

3 8. Given the complex network of trusts and business entities under Schettler's  
4 control, the receiver should be given broad powers to pursue alter ego and fraudulent transfer  
5 claims if the receiver determines such are warranted.

6 9. Although Schettler claims his network of business entities and trusts is legitimate  
7 business and asset protection planning, the "possibility of legitimate business coexisting with  
8 fraudulent schemes" warrants a receiver. *See U.S. v. Hoffman*, 560 F. Supp.2d 772, 777 (D.  
9 Minn. 2008). A receiver can sort out the legitimate from the fraudulent and thereby ensure  
10 legitimate business is left alone and fraudulent schemes are dismantled.

11 10. NRCP 53(a)(2) relevantly provides:

12 "(2) **Scope.** Unless a statute provides otherwise, a court may appoint a master  
13 only to:

14 "(A) perform duties consented to by the parties;

15 "(B) address pretrial or posttrial matters that cannot be effectively and  
16 timely addressed by an available judge; or

17 "(C) in actions or on issues to be decided without a jury, hold trial  
18 proceedings and recommend findings of fact, conclusions of law,  
19 and a judgment, if appointment is warranted by:

20 "(i) some exceptional condition; or

21 "(ii) the need to perform an accounting or resolve a difficult  
22 computation of damages."

23 11. With respect to NRCP 53(a)(2)(A), PacWest did not consent to a master  
24 performing any of the duties described in the Countermotion so a master cannot be appointed  
25 under NRCP 53(a)(2)(A).

26 12. With respect to NRCP 53(a)(2)(B), there has been no evidence or allegation that  
27 the Court cannot "effectively and timely" address the issues in this case, and the Court can  
28

continue to “effectively and timely” address the issues here; so a master is not warranted under NRCP 53(a)(2)(B).

13. With respect to NRCP 53(a)(2)(C), this action has not presented any “exceptional condition” that requires assistance from a master. Nor does this case present a “need to perform an accounting or resolve a difficult computation of damages.” A master is not warranted under NRCP 53(a)(2)(C).

14. A master is not warranted in this case.

15. Any conclusions of law that are partially or completely findings of fact shall be deemed findings of fact.

### **ORDER**

Therefore, IT IS ORDERED that a receiver shall be appointed over the Receivership Estate of Vincent T. Schettler. For purposes of this Order, the “Receivership Estate” shall consist of all of Vincent T. Schettler’s right, title, claims, demands and/or interest, including community property interest, in property and other assets of any kind and nature, including, but not limited to real, personal, intangible, and inchoate property and property held in trust, that Schettler currently has or may hereafter acquire, and includes “receivership property” as defined in NRS 32.185. The Court intends “Receivership Estate” and the terms of this Order to be interpreted broadly to facilitate the lawful satisfaction of PacWest’s judgment against Schettler.

IT IS FURTHER ORDERED that Cordes & Company, LLC, by and through Bellann Raile, is hereby appointed receiver in this action (the “Receiver”) over the Receivership Estate, subject to the condition that before entering upon its duties as Receiver, its shall execute a Receiver's oath and post a cash bond, or bond from an insurer, in the sum of \$5,000.00, to secure the faithful performance of its duties as Receiver herein. The Receiver’s oath and bond are to be filed with the Clerk of Court no later than August 1, 2021. Prior to the Receiver posting its bond, Plaintiff PacWest shall advance \$6,000.00 to the Receiver to cover its cost to post a bond and initial fees and expenses. This advance will be added to the judgment Schettler owes to PacWest.

IT IS FURTHER ORDERED that any distributions, commissions, payments, or other monetary consideration (collectively, “Disbursements”) Schettler is or becomes entitled to

1 receive, directly or indirectly, during the term of this receivership shall be paid and tendered to  
2 the Receiver, not Schettler, including, but not limited to, Disbursements from: (1) Vincent T.  
3 Schettler, LLC, (2) VTS Nevada, LLC, (3) Vision Commercial One, LLC, (4) S&G Partners,  
4 LLC, (5) Mosaic Commercial Advisors, LLC (6) Mosaic Development, LLC, (7) Mosaic Land  
5 Fund, (8) Mosaic Land Fund Two, LLC, (9) Mosaic Land 1 LLC, (10) Mosaic Land 2 LLC, (11)  
6 Mosaic Three, LLC, (12) Mosaic Five, LLC, (13) Mosaic Six, LLC, (14) Mosaic Seven, LLC,  
7 (15) Mosaic Hollywood 247, LLC, (16) Mosaic Simmons LLC, (17) VTS Investments LLP, (18)  
8 Vision Home Sales II LLC, (19) Investor Equity Homes, LLC, (20) West Henderson 140 LLC,  
9 (21) Multi Acquisitions, LLC, (22) HCR Unit F3 Owners LLC, (23) ND Holdings, LLC (LV  
10 series), (24) ND Holdings, LLC (Hndrsn series), and (25) Mosaic CC Mgr, LLC. Schettler shall  
11 provide a copy of this Order to any person or entity he anticipates receiving a Disbursement from  
12 and instruct them in writing that all Disbursements are to be paid and tendered to the Receiver,  
13 and Schettler shall promptly send a copy of the written instruction to the Receiver.

14 Notwithstanding the foregoing, if Schettler receives a referenced Disbursement, he shall  
15 immediately (a) advise the Receiver of such, and (b) deliver the Disbursement in full to the  
16 Receiver.

17 IT IS FURTHER ORDERED that any Disbursement Schettler is or becomes entitled to  
18 receive, directly or indirectly, during the term of this receivership from any trust, including, but  
19 not limited to, the Schettler Family Trust, including, but not limited to, payments from trust assets  
20 for the benefit of Schettler, shall be paid and tendered to the Receiver, not Schettler. Schettler  
21 shall provide a copy of this Order to the trustee(s) of any trust he anticipates receiving a  
22 Disbursement from and instruct the trustee(s) in writing that all Disbursements, for his benefit, or  
23 on his behalf, are to be paid and tendered to the Receiver, and Schettler shall promptly send a  
24 copy of the written instruction to the Receiver. Notwithstanding the foregoing, if Schettler  
25 receives a referenced trust Disbursement, he shall immediately deliver such to the Receiver.

26 IT IS FURTHER ORDERED that the Receiver is directed by this Court to do the  
27 following specific acts:  
28

1           1.       Immediately take possession, control, and management of the Receivership Estate,  
2 and shall have all power and authority of a receiver provided by law, including, but not limited to,  
3 the following powers and responsibilities:

- 4           a.       The Receiver is authorized and empowered to liquidate non-exempt assets  
5 of the Receivership Estate and/or apply the non-exempt portion of the  
6 proceeds to satisfaction of the judgment that Schettler owes to PacWest.
- 7           b.       The Receiver is authorized and empowered to seize, operate, manage,  
8 control, conduct, care for, preserve, and maintain the Receivership Estate,  
9 wherever located. In this regard, the Receiver is authorized to the fullest  
10 extent allowed by law to manage, operate and make all decisions and  
11 exercise all discretion on behalf of the Receivership Estate.
- 12          c.       The Receiver may change the locks, if any, providing access to the  
13 Receivership Estate, so long as changing the locks does not interfere with  
14 Schettler's access to his personal residence, and to do all other things  
15 which the Receiver deems necessary to protect the Receivership Estate.
- 16          d.       The Receiver is further authorized to take possession of and collect any  
17 accounts, distributions, commissions, exempt wages and bonuses, chattel  
18 paper, and general intangibles of every kind hereafter arising out of the  
19 Receivership Estate and to have full access to and, if it desires, take  
20 possession of all the books and records, ledgers, financial statements,  
21 financial reports, documents and all other records (including, but not  
22 limited to, information contained on computers and any and all software  
23 relating thereto) relating to the foregoing, wherever located, as the  
24 Receiver deems necessary for the proper administration of the Receivership  
25 Estate.
- 26          e.       The Receiver is authorized and empowered to demand any and all records  
27 from any and all banks and other financial institutions holding accounts  
28

1 which constitute part of the Receivership Estate, including past or closed  
2 accounts in existence at any time on or after January 1, 2014.

3 f. The Receiver shall preserve and protect the assets, tax records, books and  
4 records, wherever located, while it acts to operate the affairs of the  
5 Receivership Estate. Notwithstanding anything to the contrary herein,  
6 Schettler, not the Receiver, shall be responsible for preparing and filing  
7 Schettler's state and federal tax returns. However, (1) the Receiver shall  
8 timely cooperate with Schettler and his tax preparer as they may reasonably  
9 request so that they (i.e., Schettler and/or his tax preparer) can timely  
10 prepare and file Schettler's tax returns, and (2) Schettler shall provide (or  
11 cause his tax preparer to provide) a copy of each state and federal tax  
12 return to the Receiver promptly after the return is filed.

13 g. The Receiver is authorized and empowered to execute and prepare all  
14 documents and to perform all acts, either in the name of Schettler or, as  
15 applicable, in the Receiver's own name, which are necessary or incidental  
16 to preserve, protect, manage and/or control the Receivership Estate. In  
17 particular, the Receiver shall have the authority, without limitation, to  
18 immediately cancel, extend, modify or enter into any existing or new  
19 contracts or leases necessary to operate the Receivership Estate.

20 h. The Receiver is authorized and empowered to demand, collect, and receive  
21 all monies, funds, commissions, distributions, and payments arising from or  
22 in connection with any sale and/or lease of any assets of the Receivership  
23 Estate, including related to any services provided by Schettler.

24 i. The Receiver may take possession of all Receivership Estate accounts and  
25 safe deposit boxes, wherever located, and receive possession of any money  
26 or other things on deposit in said accounts or safe deposit boxes. The  
27 Receiver also has the authority to close any account(s) that the Receiver  
28 deems necessary for operation or management of the Receivership Estate.



Institutions that have provided banking or other financial services to Schettler are instructed to assist the Receiver, including by providing records that the Receiver requests. These institutions may charge their ordinary rates for providing this service.

- j. The Receiver is empowered to establish accounts at any bank or financial institution the Receiver deems appropriate in connection with the operation and management of the Receivership Estate. The Receiver is authorized to use the Defendant's tax identification number to establish such accounts. Any institutions that have accounts and/or funds that are part of the Receivership Estate shall turnover said accounts and/or funds to the custody and control of the Receiver and that institution shall not be held liable for turnover of funds.
- k. To the extent feasible, the Receiver shall, within thirty (30) days of its qualification hereunder, file in this action an inventory of all property the Receiver took possession of pursuant to this Order and file quarterly accountings thereafter.
- l. The Receiver is authorized to institute ancillary proceedings in this state or other states as necessary to obtain possession and control of assets of the Receivership Estate, including, without limitation, to pursue claims for alter ego and fraudulent transfers.
- m. The Receiver is empowered to serve subpoenas when necessary with court approval.
- n. Any entities in which Schettler holds an interest are ordered to turn over to the Receiver any funds, profits, cash flow or property that would otherwise be distributable to Schettler, which the Receiver may use in satisfaction of the judgment Schettler owes to PacWest.
- o. The Receiver is authorized to contact any of Schettler's debtors ("Accounts Receivable Debtors") in order to advise them not to send further accounts

receivable payments to Schettler and to instruct the Accounts Receivable Debtors to send any and all payments directly to the Receiver.

- p. The Receiver is authorized to borrow funds from PacWest as may be necessary to satisfy the costs and expenses of the receivership and issue Receiver's Certificates, Certificates of Indebtedness, or similar instruments (individually, a "Certificate" and collectively, the "Certificates"), up to an initial aggregate total of \$25,000, evidencing the secured obligation of the Receivership Estate (and not the Receiver individually) to repay such sums; the principal sum of each such Certificate, together with reasonable interest thereon, shall be payable out of the next available funds from any other assets subject to the Receiver's authority and control. In the event that the Receiver determines, in its reasonable business judgment, that Certificates in excess of an aggregate of \$25,000 are necessary to fund the present receivership, it may issue such Certificates to PacWest upon PacWest's written consent and agreement, and without further order of this Court.

2. Even though the Uniform Commercial Real Estate Act does not apply here, the Receiver shall exercise the powers and duties set forth in NRS 32.290, NRS 32.295, NRS 32.315, and NRS 32.320 to the extent reasonably deemed necessary to effectuate the purposes of this Order, which is the satisfaction of the judgments in favor of PacWest.

3. The Receiver is also authorized, but not obligated, to perform the following:

- a. Hire and pay (from Receivership Estate assets) the fees and costs of any professionals, including attorneys, accountants, and property managers to aid and counsel the Receiver in performing its duties.
- b. Hire contractors to evaluate and make repairs to assets of the Receivership Estate.

- 1 c. Pay (from Receivership Estate assets) such other and ordinary expenses  
2 deemed appropriate by the Receiver to carry out the Receiver's duties as  
3 specified herein.
- 4 d. Pay the Receiver's fees and costs from Receivership Estate assets.
- 5 4. Quarterly accounting of Receiver's efforts, income, expenses, and fees ("Receiver's  
6 Report"):
- 7 a. Each quarter, the Receiver shall prepare and serve on the parties a report  
8 identifying (1) the issues it is addressing, (2) an accounting of revenues  
9 received, (3) an accounting of expenses incurred, in the administration of  
10 the Receivership Estate, including an itemization of the Receiver's own  
11 fees and costs incurred for the reported period, and (4) an accounting of  
12 payments made to PacWest, if any, in full or partial satisfaction of the  
13 judgment Schettler owes to PacWest.
- 14 b. The Receiver and its attorneys, accountants, agents and consultants shall be  
15 compensated from the assets of the Receivership Estate for its normal  
16 hourly charges and for all expenses incurred in fulfilling the terms of this  
17 Order. The compensation for the Receiver's principal (Bellann Raile) shall  
18 be at the rate of \$325 per hour. Compensation for the Receiver's other  
19 personnel, agents, and consultants shall be at their customary hourly rates.  
20 The Receiver shall also be compensated for photocopying, long distance  
21 telephone, postage, travel (except travel to and from Nevada necessitated  
22 because the Receiver's office is located outside Nevada) and other  
23 expenses at actual cost. The Receiver may periodically pay itself and its  
24 attorneys, accountants, agents and consultants from the assets of the  
25 Receivership Estate, provided that the Receiver shall apply to the Court for  
26 approval of these charges quarterly.

27 IT IS FURTHER ORDERED that PacWest, Schettler, and all other parties to this action,  
28 including any of their respective agents, servants, directors, assignees, successors, representatives,

1 employees, and all persons or entities acting under, or in concert with them, or for them, are  
2 required to cooperate with the Receiver and shall immediately turn over to the Receiver  
3 possession, custody, and control of all books and records pertaining to the Receivership Estate,  
4 wherever located, whether electronic or hardcopy, as the Receiver deems necessary for the proper  
5 administration, management and/or control of the Receivership Estate, necessary to carry out any  
6 of the Receiver's duties as set forth in this Order, including but not limited to: all keys, codes,  
7 locks, usernames, passwords, security questions to access any systems / online portals, etc.  
8 necessary to operate the business, records, books of account, ledgers, and all documents and  
9 papers pertaining to the Receivership Estate.

10 IT IS FURTHER ORDERED that Schettler and his agents shall not interfere in any  
11 manner with the discharge of the Receiver's rights vested or duties imposed by this Order.

12 IT IS FURTHER ORDERED that Schettler shall not collect any debts or demands due to  
13 him, except as may be requested by or approved in advance by the Receiver in writing.

14 IT IS FURTHER ORDERED that Schettler shall not commit or permit any waste of the  
15 Receivership Estate or take any action to avoid, hinder, delay, or evade the effect of this Order.

16 IT IS FURTHER ORDERED that Schettler shall not pay out, assign, sell, convey,  
17 transfer, encumber, or deliver any of his assets to any person or entity other than the Receiver,  
18 except as may be requested by or approved in advance by the Receiver in writing.

19 IT IS FURTHER ORDERED that Schettler shall not act or fail to act in a manner that,  
20 directly or indirectly, hinders, delays, or obstructs the Receiver in the conduct of its duties or  
21 otherwise interferes in any manner with the Receiver and the performance of its rights or duties  
22 pursuant to this Order.

23 IT IS FURTHER ORDERED that this Order shall be interpreted and applied by the  
24 Receiver in a manner consistent with *Weddell v. H2O, Inc.*, 128 Nev. 94, 271 P.3d 743 (2012).

25 ////

26 ////

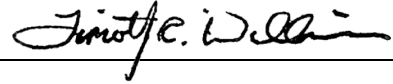
27 ////

28 ////

IT IS FURTHER ORDERED that the Receiver, or any party to this action, may apply to this Court for further orders instructing the Receiver. This Order shall remain in full force and effect until further order of this Court.

**IT IS SO ORDERED.**

Dated this 16th day of August, 2021



NS

**598 153 589B 938D**  
**Timothy C. Williams**  
**District Court Judge**

Submitted by:  
LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/ Dan R. Waite

Dan R. Waite, Esq.  
Nevada State Bar No. 4078  
3993 Howard Hughes Parkway, Suite 600  
Las Vegas, Nevada 89169  
*Attorneys for Plaintiff/Judgment Creditor*  
*Pacific Western Bank*

Agreement was not reached on the form or content of this order. PacWest's counsel understands that Mr. Schettler will submit a competing order.

1 **CSERV**

2  
3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

5  
6 Pacific Western Bank,  
7 Plaintiff(s)

CASE NO: A-14-710645-B

8 vs.

DEPT. NO. Department 16

9 John Ritter, Defendant(s)

10  
11 **AUTOMATED CERTIFICATE OF SERVICE**

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

Service Date: 8/16/2021

15 Alan Freer

afreer@sdfnvlaw.com

16 Alexander LeVeque

aleveque@sdfnvlaw.com

17 "Brittany Jones, Paralegal" .

bjones@glenlerner.com

18 "Jaimie Stilz, Esq." .

jstilz@rrblf.com

19 "Miriam Alvarez, Paralegal" .

ma@glenlerner.com

20 Bobbye Donaldson .

bdonaldson@dickinsonwright.com

21 Eric D. Hone .

ehone@dickinsonwright.com

22 Gabriel A. Blumberg .

gblumberg@dickinsonwright.com

23 Jacque Magee .

jmagee@foxrothschild.com

24 Joseph F. Schmitt .

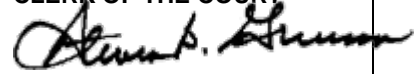
jschmitt@glenlerner.com

25 Kristee Kallas .

kkallas@rrblf.com

26  
27  
28

1	Lisa Stewart .	lstewart@dickinsonwright.com
2	Scott Bogatz .	SBogatz@rrblf.com
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6	J. Graf	Rgraf@blacklobello.law
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10	Marsha Stallsworth	mstallsworth@blacklobello.law
11	Daniel Keifer	kiefer@rlklegal.com
12	Rusty Graf	rgraf@blackwadhams.law
13	Diane Meeter	dmeeter@blackwadhams.law
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1 **NOAS**  
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2 [afreer@sdfnvlaw.com](mailto:afreer@sdfnvlaw.com)  
Alexander G. LeVeque (#11183)  
3 [aleveque@sdfnvlaw.com](mailto:aleveque@sdfnvlaw.com)  
SOLOMON DWIGGINS FREER & STEADMAN, LTD.  
4 9060 West Cheyenne Avenue  
Las Vegas, Nevada 89129  
5 Telephone: 702.853.5483  
Facsimile: 702.853.5485

6 *Attorneys for Vincent T. Schettler*

7 **DISTRICT COURT**

8 **CLARK COUNTY, NEVADA**

9  
10 PACIFIC WESTERN BANK, a California  
corporation,

11 Plaintiff/Judgment Creditor,

12 v.

13 JOHN A. RITTER, an individual; DARREN  
D. BADGER, an individual; VINCENT T.  
14 SCHETTLER, an individual; and DOES 1  
through 50,

15 Defendants/Judgment Debtors.  
16

Case No.: A-14-710645-B

Dept.: 16

17 **CASE APPEAL STATEMENT**

18 Vincent T. Schettler ("Vincent"), by and through his counsel of record, Alan Freer and  
19 Alexander LeVeque of the law firm Solomon Dwiggins Freer & Steadman, Ltd., hereby submits  
20 his Case Appeal Statement for his appeal from the Order (1) Appointing Receiver Over Judgment  
21 Debtor Vincent T. Schettler's Assets and (2) Denying Countermotion for Special Master entered  
22 on August 16, 2021, and pursuant to NRAP 3(f) states as follows:

23 **1. Name of appellant filing this case appeal statement:**

24 Vincent T. Schettler ("Vincent"), as Defendant/Judgment Debtor in the above-captioned  
25 matter.

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

27 The Honorable Timothy C. Williams of the Eighth Judicial District Court in Clark County,  
28



Nevada, issued the Order from which this appeal is taken.

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

Vincent T. Schettler, Appellant.  
c/o Alan D. Freer  
Alexander G. LeVeque  
SOLOMON DWIGGINS FREER & STEADMAN, LTD.  
9060 West Cheyenne Avenue  
Las Vegas, Nevada 89129

Rusty Graf, Esq.  
BLACK & WADHAMS  
10777 West Twain Avenue, 3rd Floor  
Las Vegas, Nevada 89135

Robert L. Eisenberg  
LEMONS, GRUNDY & EISENBERG  
6005 Plumas Street, Third Floor  
Reno, NV 89519

**4. Identify each respondent and the name and address of appellate counsel, if known, for each respondent (if the name of respondent's appellate counsel is unknown, indicate as much and provided the name and address of the respondent's trial counsel):**

Appellate Counsel is unknown, but counsel in the underlying proceeding is as follows:

Pacific Western Bank, Respondent.  
c/o Dan R. Waite  
LEWIS ROCA ROTHGERBER CHRISTIE LLP  
3993 Howard Hughes Parkway, Suite 600  
Las Vegas, Nevada 89169

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

All attorneys are licensed to practice law in the State of Nevada.

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

Appellant was represented by retained counsel in the district court.

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

1 Appellant is represented by retained counsel on appeal.

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

4 Appellant was not granted leave to proceed in forma pauperis.

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

7 The Application of Foreign Judgment was filed on or about December 3, 2014.

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

11 On September 26, 2014, the Superior Court of the State of California entered judgment  
12 against John Ritter (“Ritter”), Darren Badger (“Badger”), and Vincent, jointly and severally, in the  
13 amount of \$2,717,490.79, in favor of Pacific Western Bank (the “Bank”). On December 3, 2014,  
14 the Bank filed an Application for Foreign Judgment Against Ritter, Badger and Vincent in the  
15 amount of \$2,717,490.79, in the District Court. The domesticated judgment has since been partially  
16 satisfied.

17 In 2015, the Bank made several attempts to execute against Vincent’s property to apply to  
18 the judgment. However, all such attempts were either quashed by the District Court or declared to  
19 be stale. Moreover, certain assets of Vincent’s were deemed to be exempt.

20 From the end of 2015 through March of 2019, the Bank did not pursue any additional  
21 judgment collection against Vincent. Indeed, the District Court administratively closed the case in  
22 April of 2018 due to the Bank’s failure to appear at a status check. However, in April of 2019, the  
23 Bank resumed its collection efforts.

24 On March 11, 2021, the Bank filed its Motion for Appointment of Receiver over Judgment  
25 Debtor Vincent T. Schettler’s Assets (the “Motion”). Vincent filed his opposition and  
26 counter-motion for appointment of a special master on March 31, 2021. On April 28, 2021, the  
27 Honorable Judge Williams heard the Bank’s Motion and Vincent’s counter-motion.

On June 21, 2021, the Honorable Judge Williams entered its Minute Order granting the Bank's Motion and denying Vincent's countermotion (the "Minute Order"). As a question of first impression in Nevada, the Honorable Judge Williams ruled that appointing a post-judgment receiver under NRS 32.010(4) requires a different analysis than receivers appointed *pendente lite* and is not considered a harsh and extreme remedy and/or a remedy of last resort. Rather, the Honorable Judge Williams determined that the District Court need only determine that (a) an execution has been returned unsatisfied, or (b) a judgment debtor has refused to apply the judgment debtor's property in satisfaction of the judgment. Moreover, it was ruled that no evidentiary hearing was necessary to establish cause for a receiver under NRS 32.010(4), or to determine what assets are exempt, what entities are proper parties, and what judgment amount is to be collected by the receiver.

On August 13, 2021, both the Bank and Vincent submitted competing receivership orders with the District Court. On August 16, 2021, the Honorable Judge Williams entered, in its entirety, the Bank's Order (1) Appointing Receiver Over Judgment Debtor Vincent T. Schettler's Assets and (2) Denying Countermotion for Special Master (the "Order"). Despite the Honorable Judge Williams ruling that the granting of the Motion was based solely on NRS 32.010(4), the Order includes numerous findings of fact that the Court never made nor relied upon in its ruling that would otherwise require a balancing of the equities, which was explicitly deemed unnecessary by the Court.

Vincent herein appeals this Order.

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

This case has not previously been the subject of an appeal or original writ proceedings.

**12. Indicate whether this appeal involves child custody or visitation.**

This case does not involve child custody or visitation.

///

**settlement.**

This appeal does involve the possibility of settlement.

DATED this 19<sup>th</sup> day of August, 2021.

SOLOMON DWIGGINS FREER & STEADMAN, LTD.

/s/ Alexander G. LeVeque

Alexander G. LeVeque (#11183)

[aleveque@sdfnlaw.com](mailto:aleveque@sdfnlaw.com)

9060 West Cheyenne Avenue

Las Vegas, Nevada 89129

Telephone: (702) 853-5483

Facsimile: (702) 853-5485

*Attorneys for Vincent T. Schettler*

**CERTIFICATE OF SERVICE**

PURSUANT to NRCP 5(b), I HEREBY CERTIFY that on August 19, 2021, I served a true and correct copy of **CASE APPEAL STATEMENT** to the following in the manner set forth below:

**Via:**

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

Dan R. Waite, Esq.  
LEWIS ROCA ROTHGERBER CHRISTIE LLP  
3993 Howard Hughes Parkway, Suite 600  
Las Vegas, Nevada 89169  
[dwaite@lrrc.com](mailto:dwaite@lrrc.com)

*Attorney for Plaintiff*

*/s/ Alexandra T. Carnival*

\_\_\_\_\_  
An employee of SOLOMON DWIGGINS FREER & STEADMAN, LTD.

**CASE SUMMARY****CASE NO. A-14-710645-B**

**Pacific Western Bank, Plaintiff(s)**  
**vs.**  
**John Ritter, Defendant(s)**

§  
§  
§  
§  
§  
§

Location: **Department 16**  
 Judicial Officer: **Williams, Timothy C.**  
 Filed on: **12/03/2014**  
 Case Number History: **A-14-710645-F**  
 Cross-Reference Case Number: **A710645**

**CASE INFORMATION****Statistical Closures**

04/26/2018 Default Judgment  
 12/03/2014 Default Judgment

Case Type: **Other Business Court Matters**

Case Status: **04/26/2018 Closed**

**DATE****CASE ASSIGNMENT****Current Case Assignment**

Case Number A-14-710645-B  
 Court Department 16  
 Date Assigned 08/18/2018  
 Judicial Officer Williams, Timothy C.

**PARTY INFORMATION**

		<i>Lead Attorneys</i>
<b>Plaintiff</b>	<b>Pacific Western Bank</b>	<b>Waite, Dan R</b> <i>Retained</i> 702-949-8200(W)
<b>Defendant</b>	<b>Badger, Darren D</b>	<b>Connot, Mark J</b> <i>Retained</i> 702-262-6899(W)
	<b>Ritter, John A</b>	<b>Connot, Mark J</b> <i>Retained</i> 702-262-6899(W)
	<b>Schettler, Vincent T</b>	<b>Graf, J. Rusty</b> <i>Retained</i> 702-869-8801(W)
<b>Other</b>	<b>Wells Fargo Advisors, LLC</b>	
<b>Receiver</b>	<b>Raile, Bellann</b>	

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

12/03/2014	 Application of Foreign Judgment - NRS 17 Filed By: Plaintiff Pacific Western Bank [1] Application of Foreign Judgment
12/03/2014	Case Opened
12/04/2014	 Notice of Filing Application of Foreign Judgment & Affidavit Filed By: Plaintiff Pacific Western Bank [2] Notice of Filing Application of Foreign Judgment and Affidavit of Judgment Creditor
01/05/2015	Judicial Elections 2014 - Case Reassignment

# CASE SUMMARY














CASE NO. A-14-710645-B

*District Court Judicial Officer Reassignment 2014*

03/23/2015	 Notice of Withdrawal Filed By: Plaintiff Pacific Western Bank <i>[3] Notice of Withdrawal</i>
05/15/2015	 Affidavit Claiming Exempt Property Filed By: Defendant Schettler, Vincent T <i>[5] Claim of Exemption From Execution</i>
05/15/2015	 Notice of Appearance Party: Defendant Ritter, John A <i>[8] Notice of Appearance</i>
05/15/2015	 Affidavit Filed By: Defendant Ritter, John A <i>[6] Affidavit Claiming Exempt Property</i>
05/15/2015	 Affidavit Filed By: Defendant Ritter, John A <i>[4] Affidavit Claiming Exempt Property</i>
05/18/2015	 Initial Appearance Fee Disclosure Filed By: Defendant Ritter, John A <i>[7] Initial Appearance Fee Disclosure</i>
05/19/2015	 Affidavit Claiming Exempt Property Filed By: Defendant Schettler, Vincent T <i>[9] Claim of Exemption from Execution [Bank of Nevada Held by Schettler Family Trust]</i>
05/22/2015	 Objection Filed By: Plaintiff Pacific Western Bank <i>[10] Objection to Claim of Exemption from Execution</i>
05/22/2015	 Objection Filed By: Plaintiff Pacific Western Bank <i>[11] Objection to John A. Ritter's Claim of Exemption from Execution</i>
05/22/2015	 Objection Filed By: Plaintiff Pacific Western Bank <i>[12] Objection to Claim of Exemption from Execution [Bank of Nevada Held by Schettler Family Trust]</i>
05/22/2015	 Objection Filed By: Plaintiff Pacific Western Bank <i>[13] Objection to Darrin D. Badger's Affidavit Claiming Exempt Property</i>
06/01/2015	 Request to Transfer to Business Court Filed by: Defendant Ritter, John A <i>[14] Defendants John A. Ritter and Darrin D. Badger's Request to Assignment to Business Court</i>
06/02/2015	 Notice of Department Reassignment <i>[17] Notice of Department Reassignment</i>

# CASE SUMMARY

CASE NO. A-14-710645-B

06/02/2015	 Initial Appearance Fee Disclosure Filed By: Defendant Ritter, John A <i>[19] Initial Appearance Fee Disclosure</i>
06/02/2015	 Notice of Department Reassignment <i>[15] Notice of Department Reassignment</i>
06/02/2015	 Objection Filed By: Plaintiff Pacific Western Bank <i>[18] Objection to Defendants John A. Ritter and Darrin D. Badger's Request for Assignment to Business Court</i>
06/02/2015	 Peremptory Challenge Filed by: Defendant Ritter, John A <i>[16] Peremptory Challenge of Judge</i>
06/02/2015	Other Civil Matters
06/03/2015	 Response Filed by: Defendant Ritter, John A <i>[20] Defendants' Response to Plaintiff's Objection to Defendants' Request for Reassignment to Business Court</i>
06/05/2015	 Affidavit Filed By: Defendant Ritter, John A <i>[21] Affidavit Claiming Exempt Property</i>
06/05/2015	 Affidavit Filed By: Defendant Ritter, John A <i>[22] Affidavit Claiming Exempt Property</i>
06/05/2015	 Affidavit Filed By: Defendant Ritter, John A <i>[23] Affidavit Claiming Exempt Property</i>
06/08/2015	 Notice of Department Reassignment <i>[24] Notice of Department Reassignment</i>
06/11/2015	 Motion for Order Filed By: Defendant Schettler, Vincent T <i>[25] Motion for Order Determining the Exemption of Certain Assets / OST</i>
06/11/2015	 Declaration Filed By: Defendant Schettler, Vincent T <i>[26] Declaration in Support of Motion for Order Determining the Exemption of Certain Assets</i>
06/11/2015	 Response Filed by: Defendant Schettler, Vincent T <i>[27] Defendant Vincent T. Schettler's Response to Plaintiff's Objection to Defendants Ritter and Badger's Request for Assignment to Business Court</i>
06/12/2015	 Initial Appearance Fee Disclosure Filed By: Defendant Schettler, Vincent T



# CASE SUMMARY

CASE NO. A-14-710645-B

[28] Initial Appearance Fee Disclosure

06/12/2015



Notice

Filed By: Plaintiff Pacific Western Bank

[29] Notice of Issuance of Subpoena Duces Tecums for Deposition and Records

06/22/2015



Objection

Filed By: Plaintiff Pacific Western Bank

[30] Objection to Tatum Badger, Whitney Badger, and Brooke Badger's Affidavits Claiming Exempt Property

06/26/2015



Response

Filed by: Defendant Badger, Darren D

[31] Darrin D. Badger's Response to Objections to Claims of Exemption

06/26/2015



Response

Filed by: Defendant Ritter, John A

[32] John A. Ritter's Response to Objections to Claims of Exemption

06/29/2015



Opposition to Motion

Filed By: Plaintiff Pacific Western Bank

[33] Opposition to Motion for Order Determining the Exemption of Certain Assets on Order Shortening Time

07/01/2015



Motion for Protective Order

Filed By: Defendant Schettler, Vincent T

[34] Defendant Schettler's Emergency Motion for Protective Order on an Order Shortening Time

07/02/2015



Objection

Filed By: Subpoena'd (Non) Party Montalto, Nicol

[35] Objection to Deposition Subpoena Duces Tecum

07/02/2015



Notice of Change of Address

Filed By: Defendant Ritter, John A

[36] Notice of Change of Address

07/06/2015



Opposition to Motion For Protective Order

Filed By: Plaintiff Pacific Western Bank

[39] Opposition to Defendant Schettler's Emergency Motion for Protective Order on an Order Shortening Time

07/06/2015



Declaration

Filed By: Plaintiff Pacific Western Bank

[37] Declaration of Bob L. Olson, Esq. in Support of Opposition to Defendant Schettler's Emergency Motion for Protective Order on an Order Shortening Time

07/07/2015



Reply to Opposition

Filed by: Defendant Schettler, Vincent T

[38] Reply in Support of Defendant Schettler's Emergency Motion for Protective Order on an Order Shortening Time

07/15/2015
















Order Granting Motion

Filed By: Defendant Schettler, Vincent T

[40] Order Granting Motion for Protective Order












**CASE SUMMARY**

**CASE NO. A-14-710645-B**

07/16/2015	 Notice of Entry of Order Filed By: Defendant Schettler, Vincent T <i>[41] Notice of Entry of Order Granting Motion for Protective Order</i>
07/28/2015	 Proof of Service Filed by: Plaintiff Pacific Western Bank <i>[42] Proof of Service</i>
07/28/2015	 Proof of Service Filed by: Plaintiff Pacific Western Bank <i>[43] Proof of Service</i>
07/28/2015	 Proof of Service Filed by: Plaintiff Pacific Western Bank <i>[46] Proof of Service</i>
07/28/2015	 Proof of Service Filed by: Plaintiff Pacific Western Bank <i>[44] Proof of Service</i>
07/28/2015	 Proof of Service Filed by: Plaintiff Pacific Western Bank <i>[45] Proof of Service</i>
07/31/2015	 Affidavit Claiming Exempt Property Filed By: Defendant Schettler, Vincent T <i>[47] Claim of Exemption from Execution [Bank of Nevada Held by Schettler Family Trust]</i>
07/31/2015	 Affidavit Claiming Exempt Property Filed By: Defendant Schettler, Vincent T <i>[49] Claim of Exemption from Execution</i>
07/31/2015	 Affidavit Claiming Exempt Property Filed By: Defendant Schettler, Vincent T <i>[48] Claim of Exemption from Execution [TD Ameritrade Funds Held by Vincent T. Schettler, LLC Profit Sharing Plan and Trust]</i>
08/04/2015	 Notice Filed By: Plaintiff Pacific Western Bank <i>[50] Notice of Amendment of Judgment Domesticated on December 3, 2014</i>
08/06/2015	 Claim Filed By: Defendant Ritter, John A <i>[51] Claim of Exemption</i>
08/06/2015	 Claim Filed By: Defendant Ritter, John A <i>[52] Claim of Exemption</i>
08/06/2015	 Claim Filed By: Defendant Ritter, John A <i>[53] Claim of Exemption</i>














# CASE SUMMARY

CASE NO. A-14-710645-B

08/06/2015	 Claim Filed By: Defendant Ritter, John A <i>[54] Claim of Exemption</i>
08/06/2015	 Claim Filed By: Defendant Ritter, John A <i>[55] Claim of Exemption</i>
08/10/2015	 Opposition to Motion Filed By: Plaintiff Pacific Western Bank <i>[57] Opposition to Renewed Motion for Order Determining the Exemption of Certain Assets</i>
08/10/2015	 Motion for Order Filed By: Defendant Schettler, Vincent T <i>[56] Renewed Motion for Order Determining the Exemption of Certain Assets</i>
08/11/2015	 Objection Filed By: Plaintiff Pacific Western Bank <i>[58] Objection to Claim of Exemption from Execution [TD Ameritrade Funds Held by Vincent T. Schettler, LLC Profit Sharing Plan and Trust]</i>
08/11/2015	 Objection Filed By: Plaintiff Pacific Western Bank <i>[59] Objection to Claim of Exemption from Execution [Bank of Nevada Held by Schettler Family Trust]</i>
08/11/2015	 Objection Filed By: Plaintiff Pacific Western Bank <i>[60] Objection to Vincent T. Schettler's Claim of Exemption re 529 Accounts</i>
08/14/2015	 Supplement Filed by: Plaintiff Pacific Western Bank <i>[61] Supplement to Objection to Vincent T. Schettler's Claim of Exemption Re 529 Accounts</i>
08/14/2015	 Objection Filed By: Plaintiff Pacific Western Bank <i>[62] Objection to John A. Ritter's Claim of Exemption from Execution</i>
08/14/2015	 Appendix Filed By: Plaintiff Pacific Western Bank <i>[64] Appendix to Objection to John A. Ritter's Claim of Exemption from Execution</i>
08/14/2015	 Objection Filed By: Plaintiff Pacific Western Bank <i>[63] Objection to Claims of Exemption Filed by Darren, Whitney, Tatum, and Brooke Badger</i>
08/14/2015	 Appendix Filed By: Plaintiff Pacific Western Bank <i>[65] Appendix to Objection to Claims of Exemption Filed by Darren, Whitney, Tatum, and Brooke Badger</i>
08/17/2015	 Declaration Filed By: Defendant Schettler, Vincent T <i>[66] Declaration in Support of Claim of Exemption From Execution [Wells Fargo]</i>





# CASE SUMMARY

CASE NO. A-14-710645-B

08/17/2015	 Declaration Filed By: Plaintiff Pacific Western Bank <i>[67] Declaration of Bob L. Olson, Esq. Regarding Vincent T. Schettler's Claims of Exemption</i>
08/18/2015	 Notice of Entry Filed By: Defendant Ritter, John A <i>[69] Notice of Entry of Order</i>
08/18/2015	 Order Filed By: Plaintiff Pacific Western Bank <i>[68] Protective Order</i>
08/19/2015	 Stipulation and Order Filed by: Plaintiff Pacific Western Bank <i>[72] Stipulation and Order to Seal Exhibits to Various Objections to Claims of Exemption</i>
08/19/2015	 Order Filed By: Defendant Schettler, Vincent T <i>[71] Amended Order Granting Motion for Protective Order</i>
08/19/2015	 Order Filed By: Defendant Schettler, Vincent T <i>[70] Order Determining Exemption of 529 Educational Accounts</i>
08/20/2015	 Notice of Entry of Stipulation and Order Filed By: Plaintiff Pacific Western Bank <i>[73] Notice of Entry of Stipulation and Order to Seal Exhibits to Various Objections to Claims of Exemption</i>
08/20/2015	 Motion for Protective Order Filed By: Defendant Ritter, John A <i>[74] Motion for Protective Order</i>
08/25/2015	 Motion to Reconsider Filed By: Plaintiff Pacific Western Bank <i>[75] Motion for Reconsideration of Renewed Motion for Order Determining the Exemption of Certain Assets</i>
08/26/2015	 Response Filed by: Defendant Schettler, Vincent T <i>[76] Response to Supplement to Objection to Vincent T. Schettler's Claim of Exemption Re 529 Accounts</i>
08/28/2015	 Appendix Filed By: Plaintiff Pacific Western Bank <i>[79] Appendix and Exhibits to Reply in Support of Objection to V. Schettler's Claim of Exemption</i>
08/28/2015	 Response Filed by: Defendant Ritter, John A <i>[78] Darrin D. Badger's Response to Objections to Claims of Exemption</i>
08/28/2015	 Response

**CASE SUMMARY**

**CASE NO. A-14-710645-B**

	Filed by: Defendant Ritter, John A <i>[80] John A. Ritter's Response to Objections to Claims of Exemption</i>
08/28/2015	 Reply in Support Filed By: Plaintiff Pacific Western Bank <i>[77] Reply in Support of Objection to V. Schettler's Claim of Exemption</i>
08/31/2015	 Reply in Support Filed By: Plaintiff Pacific Western Bank <i>[81] Reply in Support of Objection to John H. Ritter's Claim of Exemption from Execution</i>
08/31/2015	 Reply in Support Filed By: Plaintiff Pacific Western Bank <i>[82] Reply in Support of Objection to Claims of Exemption Filed by Darren, Whitney, Tatum, and Brooke Badger</i>
08/31/2015	 Appendix Filed By: Plaintiff Pacific Western Bank <i>[83] Appendix and Exhibits to Reply in Support of Objection to Claims of Exemption Filed by Darren, Whitney, Tatum, and Brooke Badger</i>
09/01/2015	 Notice of Entry of Order Filed By: Plaintiff Pacific Western Bank <i>[85] Notice of Entry of Order</i>
09/01/2015	 Order Filed By: Plaintiff Pacific Western Bank <i>[84] Order Directing Bank of America to Open Safe Deposit Boxes</i>
09/08/2015	 Opposition Filed By: Plaintiff Pacific Western Bank <i>[86] Opposition to Defendants John A. Ritter and Darrin D. Badger's Motion for Protective Order</i>
09/08/2015	 Appendix Filed By: Plaintiff Pacific Western Bank <i>[87] Appendix and Exhibits to Opposition to Defendants John A. Ritter and Darrin D. Badger's Motion for Protective Order</i>
09/23/2015	 Reporters Transcript <i>[88] Transcript of Proceedings: Status Check September 1, 2015</i>
10/05/2015	 Notice of Rescheduling <i>[89] Notice of Rescheduling Hearing</i>
10/12/2015	 Reply in Support Filed By: Defendant Ritter, John A <i>[90] Reply in Support of Motion for Protective Order</i>
10/14/2015	 Notice Filed By: Plaintiff Pacific Western Bank <i>[91] Notice Regarding Inspection of Safe Deposit Boxes</i>
10/15/2015	 Motion to Compel












# CASE SUMMARY

CASE NO. A-14-710645-B

	<p>Filed By: Plaintiff Pacific Western Bank  <i>[92] Motion to Compel Responses to Plaintiff's Discovery Requests and Piercy, Bowler, Taylor &amp; Kern Subpoena</i></p>
10/21/2015	<p> Order            Filed By: Defendant Badger, Darren D  <i>[93] Order Determining Claims of Exemption for Defendants John A. Ritter and Darrin D. Badger</i></p>
10/23/2015	<p> Notice of Entry of Order            Filed By: Defendant Ritter, John A  <i>[94] Notice of Entry of Order Determining Claims of Exemption for Defendants John A. Ritter and Darrin D. Badger</i></p>
11/02/2015	<p> Order            Filed By: Defendant Schettler, Vincent T  <i>[95] Order Re: Claim of Exemption From Execution [TD Ameritrade Funds Held by Vincent T. Schettler, LLC Profit Sharing Plan and Trust]</i></p>
11/05/2015	<p> Opposition to Motion to Compel            Filed By: Defendant Ritter, John A  <i>[96] Opposition to Motion to Compel</i></p>
11/10/2015	<p> Reply in Support            Filed By: Plaintiff Pacific Western Bank  <i>[97] Plaintiff's Reply in Support of Motion to Compel Responses to Plaintiff's Discovery Requests and Piercy, Bowler, Taylor &amp; Kern Subpoena</i></p>
11/24/2015	<p> Opposition            Filed By: Defendant Schettler, Vincent T  <i>[98] Opposition to Motion for Reconsideration of Renewed Motion for Order Determining the Exemption of Certain Assets</i></p>
12/04/2015	<p> Reply            Filed by: Plaintiff Pacific Western Bank  <i>[99] Reply in Support of Motion for Reconsideration of Renewed Motion for Order Determining the Exemption of Certain Assets</i></p>
01/11/2016	<p> Notice of Entry of Order            Filed By: Plaintiff Pacific Western Bank  <i>[101] Notice of Entry of Order</i></p>
01/11/2016	<p> Order Denying Motion            Filed By: Plaintiff Pacific Western Bank  <i>[100] Order Denying Motion for Reconsideration of Renewed Motion for Order Determining the Exemption of Certain Assets</i></p>
01/12/2016	<p> Certificate of Service            Filed by: Plaintiff Pacific Western Bank  <i>[102] Certificate of Service</i></p>
01/27/2016	<p> Motion            Filed By: Plaintiff Pacific Western Bank  <i>[103] Plaintiff's Ex Parte Motion to File Exhibits A-D and Certain Summaries Included in the Supplement to Reply in Support of Motion to Compel Responses to Plaintiff's Discovery Requests and Piercy, Bowler, Taylor &amp; Kern Subpoena Under Seal</i></p>














# CASE SUMMARY

CASE NO. A-14-710645-B

01/27/2016	 Supplement Filed by: Plaintiff Pacific Western Bank <i>[104] Plaintiff's Supplement to Reply in Support of Motion to Compel Responses to Plaintiff's Discovery Requests and Piercy, Bowler, Taylor &amp; Kern Subpoena</i>
01/29/2016	 Notice of Entry of Order Filed By: Plaintiff Pacific Western Bank <i>[106] Notice of Entry of Order Granting Motion to Compel Responses to Plaintiff's Discovery Requests and Piercy, Bowler, Taylor &amp; Kern Subpoena</i>
01/29/2016	 Supplemental Filed by: Defendant Ritter, John A <i>[107] Supplement to Opposition to Motion to Compel</i>
01/29/2016	 Order Granting Motion Filed By: Plaintiff Pacific Western Bank <i>[105] Order Granting Motion to Compel Responses to Plaintiff's Discovery Requests and Piercy, Bowler, Taylor &amp; Kern Subpoena</i>
02/19/2016	 Order Filed By: Plaintiff Pacific Western Bank <i>[108] Order Granting Plaintiff's Ex-Parte Motion to File Exhibits A-D and Certain Summaries Included in the Supplement to Reply in Support of Motion to Compel Responses to Plaintiff's Discovery Requests and Piercy, Bowler, Taylor &amp; Kern Subpoena Under Seal</i>
02/22/2016	 Notice of Entry of Order Filed By: Plaintiff Pacific Western Bank <i>[109] Notice of Entry of Order</i>
03/04/2016	 Suggestion of Bankruptcy Filed By: Defendant Ritter, John A <i>[110] Suggestion of Bankruptcy and Notice of Operation of Automatic Stay</i>
03/14/2016	Case Reassigned to Department 15 <i>Reassigned From Judge Susan Scann - Dept 29</i>
04/01/2016	 Order Scheduling Status Check <i>[111] Order Setting Status Check</i>
04/08/2016	 Motion to Seal/Redact Records Filed By: Plaintiff Pacific Western Bank <i>[112] Plaintiff's Ex Parte Motion to File Two Motions Under Seal</i>
04/08/2016	 Filed Under Seal Filed By: Plaintiff Pacific Western Bank <i>[113] Ex Parte Motion for Examination of Judgment Debtor - Sealed Per Motion Filed 4/8/16</i>
04/08/2016	 Filed Under Seal Filed By: Plaintiff Pacific Western Bank <i>[114] Motion to Compel Judgment Debtor, Darren D. Badger, to Deliver Property to Judgment Creditor Pursuant to NRS 21 - Sealed Per Motion Filed 4/8/16</i>
04/11/2016	 Notice of Department Reassignment <i>[116] Notice of Department Reassignment</i>

# CASE SUMMARY

CASE NO. A-14-710645-B

04/12/2016	 Notice of Department Reassignment <i>[118] Notice of Department Reassignment</i>
04/12/2016	 Peremptory Challenge Filed by: Plaintiff Pacific Western Bank <i>[117] Peremptory Challenge of Judge</i>
04/13/2016	 Notice of Change of Address Filed By: Defendant Ritter, John A <i>[119] Notice of Change of Address</i>
04/15/2016	 Objection Filed By: Defendant Ritter, John A <i>[120] Objection to Plaintiff's Peremptory Challenge of Judge Elizabeth Gonzalez</i>
04/19/2016	 Opposition to Motion Filed By: Plaintiff Pacific Western Bank <i>[121] Opposition to Defendant Darrin D. Badger's Objection to Plaintiff's Peremptory Challenge of Judge Elizabeth Gonzalez</i>
04/26/2016	 Notice of Department Reassignment <i>[122] Notice of Department Reassignment</i>
04/29/2016	 Opposition Filed By: Defendant Badger, Darren D <i>[123] Opposition to Plaintiff's Ex Parte Motion for Examination of Judgment Debtor Before the Court</i>
04/29/2016	 Opposition Filed By: Defendant Badger, Darren D <i>[124] Opposition to Motion to Compel Judgment Debtor, Darrin D. Badger, To Deliver Property to Judgment Creditor Pursuant to NRS 21.230</i>
05/23/2016	 Reply in Support Filed By: Plaintiff Pacific Western Bank <i>[125] Reply in Support of Motion to Compel Judgment Debtor, Darren D. Badger, to Deliver Property to Judgment Creditor Pursuant to NRS 21.320</i>
05/23/2016	 Reply in Support Filed By: Plaintiff Pacific Western Bank <i>[126] Reply in Support of Ex Parte Motion for Examination of Judgment Debtor</i>
05/31/2016	 Notice of Department Reassignment <i>[127] Notice of Department Reassignment</i>
06/13/2016	 Motion Filed By: Plaintiff Pacific Western Bank <i>[128] Motion to Traverse John Dawson's Garnishment Interrogatories Enter Judgment Against Him and Compel Turnover of Assets to Judgment Creditor Pursuant to NRS 21.320</i>
06/13/2016	 Ex Parte Motion Filed By: Plaintiff Pacific Western Bank <i>[129] Plaintiff's Ex Parte Motion to File Under Seal Material Related to Motion to Traverse</i>



# CASE SUMMARY

CASE NO. A-14-710645-B

*John Dawson's Garnishment Interrogatories, Enter Judgment Against him, and Compel Turnover of Assets to Judgment Creditor Pursuant to NRS 21.320*

06/15/2016



Certificate of Service

Filed by: Plaintiff Pacific Western Bank

*[130] Certificate of Service*

06/20/2016



Certificate of Service

Filed by: Plaintiff Pacific Western Bank

*[131] Certificate of Service*

06/29/2016



Stipulation and Order

Filed by: Plaintiff Pacific Western Bank

*[132] Stipulation and Order to Set Aside Hearing for Various Pending Motions*

06/30/2016



Notice of Entry of Stipulation and Order

Filed By: Plaintiff Pacific Western Bank

*[133] Notice of Entry of Stipulation and Order to Set Aside Hearing for Various Pending Motions*

07/06/2016



Notice of Non Opposition

Filed By: Plaintiff Pacific Western Bank

*[134] Notice of Non-Opposition by Darren Badger to Motion to Traverse John Dawson's Garnishment Interrogatories, Enter Judgment against Him, and Compel Turnover of Assets Pursuant to NRS 21.320*

07/08/2016



Motion to Strike

Filed By: Subpoena'd (Non) Party Dawson, John

*[135] Motion to Strike and Opposition to Plaintiff Pacific Western Bank's Motion to Traverse John Dawson's Garnishment Interrogatories, Enter Judgment against Him, and Compel Turnover of Assets to Judgment Creditor Pursuant to NRS 21.320*

07/13/2016



Stipulation and Order

Filed by: Subpoena'd (Non) Party Dawson, John

*[136] Stipulation and Order Extending Briefing Schedule on (1) Motion to Traverse John Dawson's Garnishment Interrogatories, Enter Judgment against Him, and Compel Turnover of Assets to Judgment Creditor Pursuant to NRS 21.320 and (2) Plaintiff's Ex Parte Motion to File under Seal Material Related to Motion to Traverse John Dawson's Garnishment Interrogatories, Enter Judgment against Him, and Compel Turnover of Assets to Judgment Creditor Pursuant to NRS 21.320*

07/14/2016



Notice of Entry of Order

Filed By: Subpoena'd (Non) Party Dawson, John

*[137] Notice of Entry of Order Extending Briefing Schedule*

07/25/2016



Reply in Support

Filed By: Plaintiff Pacific Western Bank

*[138] Reply In Support of Motion to Traverse John Dawson's Garnishment Interrogatories, Enter Judgment Against Him, and Compel Turnover of Assets to Judgment Creditor Pursuant to NRS 21.320 and Opposition to Motion to Strike*

07/26/2016



Claim

Filed By: Defendant Badger, Darren D

*[139] Claim of Exemption*











08/26/2016



Order












**CASE SUMMARY**

**CASE NO. A-14-710645-B**

	<p>Filed By: Plaintiff Pacific Western Bank <i>[140] Order Granting Ex Parte Motion for Examination of Judgment Debtor</i></p>
08/29/2016	<p> Notice of Entry of Order Filed By: Plaintiff Pacific Western Bank <i>[141] Notice of Entry of Order Granting Ex Parte Motion for Examination of Judgment Debtor</i></p>
08/31/2016	<p> Notice of Change of Address Filed By: Defendant Ritter, John A <i>[142] Notice of Change of Firm Address</i></p>
09/09/2016	<p> Ex Parte Motion Filed By: Plaintiff Pacific Western Bank <i>[143] Plaintiff's Ex Parte Motion to File Under Seal Supplement to Reply in Support of Motion to Compel Judgment Debtor, Darren D. Badger, to Deliver Property to Judgment Creditor Pursuant to NRS 21.320</i></p>
09/09/2016	<p> Ex Parte Motion Filed By: Plaintiff Pacific Western Bank <i>[144] Plaintiff's Ex Parte Motion to File Under Seal Supplement to Reply in Support of Motion to Traverse John Dawson's Garnishment Interrogatories, Enter Judgment Against Him, and Compel Turnover of Assets to Judgment Creditor Pursuant to NRS 21.320</i></p>
09/09/2016	<p> Supplemental Brief Filed By: Plaintiff Pacific Western Bank <i>[146] Supplement to Reply in Support of Motion to Compel Judgment Debtor, Darren D. Badger, to Deliver Property to Judgment Creditor Pursuant to NRS 21.320</i></p>
09/09/2016	<p> Supplemental Brief Filed By: Plaintiff Pacific Western Bank <i>[145] Supplement to Reply in Support of Motion to Traverse John Dawson's Garnishment Interrogatories, Enter Judgment Against Him, and Compel Turnover of Assets to Judgment Creditor Pursuant to NRS 21.320 and Opposition to Motion to Strike</i></p>
09/14/2016	<p> Supplemental Filed by: Plaintiff Pacific Western Bank <i>[147] Supplemental Certificate of Service</i></p>
09/29/2016	<p> Ex Parte Motion Filed By: Plaintiff Pacific Western Bank <i>[149] Plaintiff's Ex Parte Motion to File One Ex Parte Motion Under Seal</i></p>
09/29/2016	<p> Ex Parte Motion Filed By: Plaintiff Pacific Western Bank <i>[150] Ex Parte Motion for Order Directing Judgment Debtor Darrin H. Badger to Show Cause Why He Should Not Be Held in Contempt for Violating the Court's January 29, 2016 Order</i></p>
09/29/2016	<p> Supplemental Points and Authorities Filed by: Subpoena'd (Non) Party Dawson, John <i>[151] Non-Party John Dawson's Supplemental Opposition to Plaintiff's Motion to Traverse John Dawson's Garnishment Interrogatories, Enter Judgment against Him, and Compel Turnover of Assets to Judgment Creditor Pursuant to NRS 21.320</i></p>
09/29/2016	<p> Supplemental</p>














**CASE SUMMARY**

**CASE NO. A-14-710645-B**

	<p>Filed by: Defendant Badger, Darren D <i>[148] Supplemental Opposition to Motion to Compel Judgment Debtor, Darrin D. Badger to Deliver Property to Judgment Creditor Pursuant to NRS 21.230</i></p>
10/06/2016	<p> Substitution of Attorney Filed by: Defendant Schettler, Vincent T <i>[152] Substitution of Counsel</i></p>
10/11/2016	<p> Supplement Filed by: Plaintiff Pacific Western Bank <i>[153] Second Supplement to Reply in Support of Motion to Compel Judgment Debtor, Darren D. Badger, to Deliver Property to Judgment Creditor Pursuant to NRS 21.320</i></p>
10/11/2016	<p> Supplement Filed by: Plaintiff Pacific Western Bank <i>[154] Second Supplement to Reply in Support of Motion to Traverse John Dawson's Garnishment Interrogatories, Enter Judgment Against Him, and Compel Turnover of Assets to Judgment Creditor Pursuant to NRS 21.320 and Opposition to Motion to Strike</i></p>
10/12/2016	<p> Ex Parte Motion Filed By: Plaintiff Pacific Western Bank <i>[155] Ex Parte Motion to Hear Ex Parte Motion for Order Directing Judgment Debtor Darrin D. Badger to Show Cause Why He Should Not be Held in Contempt for Violating the Court's January 29, 2016 Order on Order Shortening Time</i></p>
10/12/2016	<p> Motion Filed By: Defendant Badger, Darren D <i>[156] Motion for Leave to File Supplement</i></p>
10/14/2016	<p> Opposition to Motion Filed By: Plaintiff Pacific Western Bank <i>[157] Pacific Western Bank's Opposition to Motion for Leave to File Supplement and Third Supplemental Brief in Support of Motion to Compel Judgment Debtor Darrin D. Badger to Delivery Property to Judgment Creditor Pursuant to NRS 21.320</i></p>
10/17/2016	<p> Opposition to Motion Filed By: Defendant Badger, Darren D <i>[158] Opposition to Ex Motion for Order Directing Judgment Debtor Darrin D. Badger to Show Cause Why He Should Not Be Held in Contempt for Violating the Court's January 29, 2016 Order</i></p>
11/18/2016	<p> Order <i>[159] Order</i></p>
02/27/2017	<p> Satisfaction of Judgment Filed by: Plaintiff Pacific Western Bank <i>[160] Partial Satisfaction of Judgment As to Only Darrin D. Badger</i></p>
09/29/2017	<p> Order to Show Cause <i>[161] Order to Show Cause</i></p>
10/06/2017	<p> Response Filed by: Plaintiff Pacific Western Bank <i>[162] Response to Order to Show Cause</i></p>
04/26/2018	

# CASE SUMMARY

CASE NO. A-14-710645-B

	 Order to Statistically Close Case <i>[163] Civil Order to Statistically Close Case</i>
07/02/2018	Case Reassigned to Department 11 <i>Reassigned From Judge Hardy - Dept 15</i>
08/18/2018	 Notice of Department Reassignment <i>[164] Notice of Department Reassignment</i>
04/19/2019	 Ex Parte Application for Examination of Judgment Debtor Filed By: Plaintiff Pacific Western Bank <i>[165] Ex Parte Application for Order Requiring Examination of Judgment Debtor Vincent T. Schettler</i>
04/19/2019	 Order for Examination of Judgment Debtor Filed By: Plaintiff Pacific Western Bank <i>[166] Order for Examination of Judgment Debtor Vincent T. Schettler</i>
04/19/2019	 Application for Examination of Judgment Debtor Filed By: Plaintiff Pacific Western Bank <i>[167] Ex Parte Application for Order Requiring Examination of Judgment Debtor Vincet T. Schettler</i>
04/19/2019	 Order for Examination of Judgment Debtor Filed By: Plaintiff Pacific Western Bank <i>[168] Order for Examination of Judgment Debtor Vincent T. Schettler</i>
04/26/2019	 Substitution of Attorney Filed by: Plaintiff Pacific Western Bank <i>[169] Substitution of Counsel</i>
05/16/2019	 Affidavit of Service Filed By: Plaintiff Pacific Western Bank <i>[170] Affidavit of Service - Vincent T. Schettler</i>
11/18/2019	 Writ Electronically Issued Party: Plaintiff Pacific Western Bank <i>[171] Writ of Execution</i>
11/21/2019	 Writ Electronically Issued Party: Plaintiff Pacific Western Bank <i>[172] Writ of Execution</i>
11/26/2019	 Substitution of Attorney Filed by: Defendant Schettler, Vincent T <i>[173] Substitution of Attorneys</i>
12/12/2019	 Motion to Quash Filed By: Subpoena'd (Non) Party Schettler, Kelly <i>[174] Non-Party Kelly Schettler's Motion to Quash Subpoena and for Protective Order on Order Shortening Time</i>
12/16/2019	 Opposition to Motion Filed By: Plaintiff Pacific Western Bank

# CASE SUMMARY

CASE NO. A-14-710645-B

[175] Plaintiff's Opposition to Non-party Kelly Schettler's Motion to Quash Subpoena and For Protective Order on Order Shortening Time

01/23/2020



Writ Electronically Issued

Party: Plaintiff Pacific Western Bank

[177] Writ of Execution - Western Alliance Bank

01/23/2020



Writ Electronically Issued

Party: Plaintiff Pacific Western Bank

[178] Writ of Execution - Bank of Nevada

01/24/2020



Objection

Filed By: Defendant Schettler, Vincent T

[176] Defendant Vincent T. Schettler's Objection to Plaintiff's SDT and Motion for Protective Order

01/31/2020



Objection

Filed By: Defendant Schettler, Vincent T

[179] Defendant Vincent T. Schettler's Objection to Plaintiff's Subpoena Duces Tecum and Motion for Protective Order

02/04/2020



Status Report

Filed By: Plaintiff Pacific Western Bank

[180] Judgment Creditor's Status Hearing Report

02/05/2020



Opposition to Motion

Filed By: Plaintiff Pacific Western Bank

[181] Plaintiff's Opposition to Defendant Vincent T. Schettler's Objection to Plaintiff's Subpoena Duces Tecum and Motion for Protective Order

02/06/2020



Request

Filed by: Plaintiff Pacific Western Bank

[182] Request for Hearing Re: Defendant Vincent T. Schettler's Objection to Plaintiff's Subpoena Duces Tecum and Motion for Protective Order [Filed January 24, 2020]

02/06/2020



Request

Filed by: Plaintiff Pacific Western Bank

[183] Request for Hearing Re: Defendant Vincent T. Schettler's Objection to Plaintiff's Subpoena Duces Tecum and Motion for Protective Order [Filed January 31, 2020]

02/06/2020



Request

Filed by: Defendant Schettler, Vincent T

[184] Request for Hearing

02/06/2020



Request

Filed by: Defendant Schettler, Vincent T

[185] Request for Hearing

02/10/2020



Clerk's Notice of Hearing

[186] Notice of Hearing

02/10/2020



Clerk's Notice of Hearing

[187] Notice of Hearing

02/10/2020












# CASE SUMMARY

CASE NO. A-14-710645-B

	 Clerk's Notice of Hearing <i>[188] Notice of Hearing</i>
02/14/2020	 Opposition to Motion Filed By: Plaintiff Pacific Western Bank <i>[189] Plaintiff's Opposition to Defendant Vincent T. Schettler's Objection to Plaintiff's Subpoena Duces Tecum and Motion for Protective Order</i>
02/25/2020	 Report and Recommendations Filed by: Defendant Schettler, Vincent T; Subpoena'd (Non) Party Schettler, Kelly <i>[190] Letter to Commissioner and Report and Recommendation (Schettler)</i>
02/27/2020	 Objection Filed By: Defendant Schettler, Vincent T <i>[191] Defendant Vincent T Schettler's Objection to Plaintiff's Subpoena Duces Tecum Filed 2/20/2020 and Motion for Protective Order</i>
02/28/2020	 Clerk's Notice of Hearing <i>[192] Notice of Hearing</i>
03/10/2020	 Opposition to Motion Filed By: Plaintiff Pacific Western Bank <i>[193] Plaintiff's Opposition to Defendant Vincent T. Schettler's Objection to Plaintiff's Subpoena Duces Tecum and Motion for Protective Order</i>
03/11/2020	 Reply to Opposition Filed by: Defendant Schettler, Vincent T <i>[194] Defendant Vincent T. Schettlers Reply to Plaintiff's Opposition to Defendant's Objection to Plaintiff's Subpoena Duces Tecum and Motion for Protective Order Filed 01/31/2020</i>
03/11/2020	 Reply to Opposition Filed by: Defendant Schettler, Vincent T <i>[195] Defendant Vincent T. Schettler's Reply to Plaintiff's Opposition to Defendant's Objection to Plaintiff's Subpoena Duces Tecum and Motion for Protective Order Filed 01/24/2020</i>
04/15/2020	 Order <i>[196] Order Overruling Defendant's Objections and Denying Defendant's Motions for Protective Order</i>
04/15/2020	 Notice of Entry <i>[197] Notice of Entry of Order Overruling Defendant's Objections and Denying Defendant's Motions fro Protective Order</i>
05/29/2020	 Motion to Compel Filed By: Plaintiff Pacific Western Bank <i>[198] Plaintiff's Motion: (1) To Compel Schettler to Produce Documents, (2) For an Order to Show Cause Why The Schettler Family Trust Should Not be Held in Contempt and (3) For Fees and Costs Against Both</i>
05/29/2020	 Clerk's Notice of Hearing <i>[199] Notice of Hearing</i>
05/29/2020	 Notice of Change of Hearing <i>[200] Notice of Change of Hearing</i>

# CASE SUMMARY

CASE NO. A-14-710645-B

06/08/2020	 Opposition to Motion Filed By: Defendant Schettler, Vincent T <i>[201] Opposition of Defendant Vincent T Schettler to Plaintiff PWB's Motion to (1) Compel Vincent T Schettler to Produce Documents; (2) for an Order to Show Cause Why the Schettler Family Trust Should Not be Held in Contempt; and (3) for Fees and Costs Against Both, and Defendant's Countermotion for Fees and Costs Pursuant to NRCP 37</i>
07/01/2020	 Reply in Support Filed By: Plaintiff Pacific Western Bank <i>[202] Reply In Support Of Plaintiff's Motion: (1) To Compel Schettler To Produce Documents, (2) For An Order To Show Cause Why The Schettler Family Trust Should Not Be Held In Contempt, And (3) For Fees And Costs Against Both And Opposition To Schettler's Countermotion For Fees And Costs</i>
07/24/2020	 Order Filed By: Plaintiff Pacific Western Bank <i>[203] Order RE: Plaintiff's Motion: (1) To Compel Schettler to Produce Documents, (2) For An Order to Show Cause Why The Schettler Family Trust Should Not Be Held In Contempt, And (3) For Fees and Cost Against Both,And Defendant's Countermotion For Fees And Cost Pursuant To NRCP 37</i>
07/24/2020	 Notice of Entry of Order Filed By: Plaintiff Pacific Western Bank <i>[204] Notice of Entry of Order Re: Plaintiff's Motion: (1) To Compel Schettler To Produce Documents, (2) For An Order To Show Cause Why The Schettler Family Trust Should Not Be Held In Contempt, And (3) For Fees And Costs Against Both</i>
07/28/2020	 Status Report Filed By: Plaintiff Pacific Western Bank <i>[205] Plaintiff's Status Report</i>
08/19/2020	 Notice of Intent Filed By: Defendant Schettler, Vincent T <i>[206] Notice of Intent of Service of Subpoena Duces Tecum</i>
08/21/2020	 Notice of Change of Address Filed By: Defendant Schettler, Vincent T <i>[207] Notice of Name Change of Law Firm</i>
08/26/2020	 Opposition to Motion Filed By: Plaintiff Pacific Western Bank <i>[208] Plaintiff's Objection to Plaintiff's Subpoena Duces Tecum and Motion for Protective Order or to Quash Schettler's NrCP 45(A)(4)(A) Notice</i>
08/31/2020	 Status Report Filed By: Plaintiff Pacific Western Bank <i>[209] Plaintiff's Second Status Hearing Report</i>
08/31/2020	 Response Filed by: Defendant Schettler, Vincent T <i>[210] Defendant Vincent T. Schettler Response to Plaintiff's Objection to Defendant's Subpoena Duces Tecum and Opposition To Motion for Protective Order or To Quash Schettler's NRSCP 45(a)(4)(A) Notice</i>
09/01/2020	 Status Report Filed By: Defendant Schettler, Vincent T

# CASE SUMMARY

CASE NO. A-14-710645-B

[211] Defendant Vincent T. Schettler Response to Plaintiff PWB's July 28, 2020 Status Report and August 31, 2020 Second Status Report

09/01/2020



Exhibits

Filed By: Defendant Schettler, Vincent T

[212] Exhibit 1

09/01/2020



Exhibits

Filed By: Defendant Schettler, Vincent T

[213] Exhibit 2

09/01/2020



Exhibits

Filed By: Defendant Schettler, Vincent T

[214] Exhibit 3

09/04/2020



Clerk's Notice of Hearing

[215] Notice of Hearing

09/10/2020



Order Granting Motion

Filed By: Plaintiff Pacific Western Bank

[216] Order Granting Plaintiff's Motion to Compel

09/11/2020



Notice of Entry of Order

Filed By: Plaintiff Pacific Western Bank

[217] Notice of Entry of Order Granting Plaintiff's Motion to Compel

09/15/2020



Affidavit of Judgment Renewal

Filed By: Plaintiff Pacific Western Bank

[218] Affidavit of Renewal of Judgment

10/01/2020



Writ Electronically Issued

Party: Plaintiff Pacific Western Bank

[219] Writ of Execution

10/07/2020



Reply in Support

Filed By: Plaintiff Pacific Western Bank

[220] Reply In Support of Plaintiff's Objection to Plaintiff's Subpoena Duces Tecum and Motion for Protective Order or to Quash Schettler's NRCP 45(A)(4)(A) Notice

11/03/2020



Order

[221] Order Granting Plaintiff's Objection To Plaintiff's Subpoena Duces Tecum And Motion For Protective Order Or To Quash Schettler's NRCP 45(a)(4)(A) Notice [Re. Schettler's Subpoena Duces Tecum Directed to The Focus Liquidating Trust William Biff Leonard, Trustee]

11/05/2020



Notice of Entry

Filed By: Plaintiff Pacific Western Bank

[222] Notice of Entry of Order Granting Plaintiff's Objection To Plaintiff's Subpoena Duces Tecum And Motion For Protective Order Or To Quash Schettler's NRCP 45(a)(4)(A) Notice [Re. Schettler's Subpoena Duces Tecum Directed to The Focus Liquidating Trust William Biff Leonard, Trustee]

11/20/2020



Motion for Protective Order

Filed By: Defendant Schettler, Vincent T

[223] Defendant Vincent T. Schettler's Objection and Motion for Protective Order Quashing



# CASE SUMMARY

CASE NO. A-14-710645-B

*Plaintiff's Writs of Execution and Motion for Protective Order to PWB To Show Cause As To Why It Should Not be Held in Contempt and Sanctioned Pursuant to NRS 22.030*

11/24/2020



Clerk's Notice of Hearing

*[224] Clerk's Notice of Hearing*

12/11/2020



Opposition to Motion

Filed By: Plaintiff Pacific Western Bank

*[225] Plaintiff's (1) Opposition to Defendant Vincent T. Schettler's Motion for Protective Order Quashing Plaintiff's Writs of Execution and Motion for Order to PWB to Show Cause as to Why it Should not be Held in Contempt and Sanctioned Pursuant to NRS 22.030, and (2) Countermotion for Relief from or to Clarify 8/19/15 Order*

01/08/2021



Stipulation and Order

*[226] Stipulation and Order to Continue Hearingn Defendant Vincent T. Schettlers' Objection to Motion for Protective Order Quashing Plaintiff's Writs of Execution and Motion for Protective Order to PWB to Show Cause as to Why it Should not be Held in Contempt and Sanctioned Pursuant to NRS 22.030*

01/11/2021



Notice of Entry of Stipulation and Order

Filed By: Defendant Schettler, Vincent T

*[227] Notice of Entry of Stipulation and Order to Continue Hearing On Defendant Vincent T. Schettlers' Objection to Moiton for Protective Order Quashing Plaintiff's Writ of Execution and Motion for Protective Order to PWB to Show Cause As to Why It Should Not Be Held in Contempt and Sanctioned Pursuant to NRS 22.030*

01/22/2021



Reply to Opposition

Filed by: Defendant Schettler, Vincent T

*[228] Defendant Vincent T. Schettler's (1) Reply to Plaintiff's Opposition to His Objection and Motion for Protective Order Quashing Plaintiff's Writs of Execution and Motion for Order to PWB to Show Cause as to Why it Should Not Be Held in Contempt and Sanctioned Pursuant to NRS 22.030 on Order Shortening Time; and (2) Opposition to Plaintiff's Countermotion for Relief From or to Clarify 8/19/15 Order*

02/03/2021



Reply

Filed by: Plaintiff Pacific Western Bank

*[229] Plaintiff's Reply in Support of Countermotion for Relief from or to Clarify 8/19/15 Order*

03/02/2021



Order

Filed By: Plaintiff Pacific Western Bank

*[230] Order Denying (1) Schettler's Motion for Proctective Order Quashing Plaintiff's Writs of Execution (2) For an Order to Show Cause as to Why it Should not be Held in Contempt and Sanctioned PURsuant to NRS 22.030 and (3) Plaintiff's Countermotion for Relief From or to Clarify 8/19/15 Order*

03/04/2021



Notice of Entry

Filed By: Plaintiff Pacific Western Bank

*[231] Notice of Entry of Order Denying: (1) Defendant Vincent T. Schettler s Motion For Protective Order Quashing Plaintiff's Writs of Execution (2) For An Order To Show Cause As To Why It Should Not Be Held In Contempt And Sanctioned Pursuant to NRS 22.030 And Order Granting In Part: (3) Plaintiff's Countermotion For Relief From Or To Clarify 8/19/15 Order*

03/11/2021



Motion for Appointment of Receiver

Filed By: Plaintiff Pacific Western Bank

*[232] Plaintiff's Motion for Appointment of Receiver Over Judgment Debtor Vincent T. Schettler's Assets*

# CASE SUMMARY

CASE NO. A-14-710645-B

03/12/2021	 Clerk's Notice of Hearing <i>[233] Notice of Hearing</i>
03/31/2021	 Notice of Association of Counsel Filed By: Defendant Schettler, Vincent T <i>[234] Notice of Association of Counsel</i>
03/31/2021	 Opposition and Countermotion Filed By: Defendant Schettler, Vincent T <i>[235] Vincent T. Schettler's Opposition to: Motion for Appointment of Receiver Over Judgment Debtor Vincent T. Schettler's Assets and Countermotion for Appointment of Special Master</i>
03/31/2021	 Appendix Filed By: Defendant Schettler, Vincent T <i>[236] Appendix of Exhibits to Vincent T. Schettler's Opposition to: Motion for Appointment of Receiver Over Judgment Debtor Vincent T. Schettler's Assets and Countermotion for Appointment of Special Master</i>
04/06/2021	 Notice of Change of Firm Name Filed By: Defendant Schettler, Vincent T <i>[237] Notice of Firm Name Change</i>
04/15/2021	 Reply Filed by: Plaintiff Pacific Western Bank <i>[238] Plaintiff's Reply In Support of Motion for Appointment of Receiver Over Judgment Debtor Vincent T. Schettler's Assets and Opposition to Schettler's Countermotion for Appointment of Special Master</i>
04/19/2021	 Stipulation and Order Filed by: Defendant Schettler, Vincent T <i>[239] Stipulation and Order Continuing the Hearing on (1) Plaintiff's Motion for Appointment of Receiver Over Judgment Debtor Vincent T. Schettler's Assets; and (2) Vincent T. Schettler's Countermotion for Appointment of Special Master</i>
04/22/2021	 Reply in Support Filed By: Defendant Schettler, Vincent T <i>[240] Vincent T. Schettler's Reply in Support of Countermotion for Appointment of Special Master</i>
07/02/2021	 Motion to Stay Filed By: Defendant Schettler, Vincent T <i>[241] Vincent T. Schettler's Motion to Stay Appointment of Receiver Pending Appeal and Ex Parte Application for an Order Shortening Time</i>
07/16/2021	 Opposition to Motion <i>[242] Plaintiff's Opposition to Vincent T. Schettler's Motion to Stay Appointment of Receiver Pending Appeal</i>
07/19/2021	 Notice of Hearing <i>[243] Notice of Status Check Hearing</i>
07/19/2021	 Reply in Support Filed By: Defendant Schettler, Vincent T <i>[244] Vincent T. Schettler's Reply in Support of Motion to Stay Appointment of Receiver Pending Appeal</i>

# CASE SUMMARY

CASE NO. A-14-710645-B

07/19/2021	 Appendix Filed By: Defendant Schettler, Vincent T <i>[245] Vincent T. Schettler's Appendix to Reply in Support of Motion to Stay Appointment of Receiver Pending Appeal - Volume 1 of 3</i>
07/19/2021	 Appendix Filed By: Defendant Schettler, Vincent T <i>[246] Vincent T. Schettler's Appendix to Reply in Support of Motion to Stay Appointment of Receiver Pending Appeal - Volume 2 of 3</i>
07/19/2021	 Appendix Filed By: Defendant Schettler, Vincent T <i>[247] Vincent T. Schettler's Appendix to Reply in Support of Motion to Stay Appointment of Receiver Pending Appeal - Volume 3 of 3</i>
07/20/2021	 Status Report Filed By: Plaintiff Pacific Western Bank <i>[248] Plaintiff's Status Hearing Report and Request for Judicial Notice</i>
07/22/2021	 Affidavit for Renewal of Judgment Filed By: Plaintiff Pacific Western Bank <i>[249] Affidavit of Renewal of 8/4/2015 Amendment of Judgment (Pursuant to NRS 17.214)</i>
07/26/2021	 Order Denying Motion Filed By: Plaintiff Pacific Western Bank <i>[250] Order Denying Schettler's Motion to Stay Appointment of Receiver Pending Appeal</i>
07/26/2021	 Notice of Entry Filed By: Plaintiff Pacific Western Bank <i>[251] Notice of Entry of Order Denying Schettler's Motion to Stay Appointment of Receiver Pending Appeal</i>
07/27/2021	 Notice Filed By: Defendant Schettler, Vincent T <i>[252] Notice of Production of Documents</i>
08/03/2021	 Response Filed by: Plaintiff Pacific Western Bank <i>[253] Plaintiff's Response to Mr. Schettler's Proposed Receivers</i>
08/16/2021	 Order Filed By: Plaintiff Pacific Western Bank <i>[254] Order (1) Appointing Receiver Over Judgment Debtor Vincent T. Schettler's Assets and (2) Denying Countermotion for Special Master</i>
08/16/2021	 Notice of Entry Filed By: Plaintiff Pacific Western Bank <i>[255] Notice of Entry of Order (1) Appointing Receiver Over Judgment Debtor Vincent T. Schettler's Assets and (2) Denying Countermotion for Special Master</i>
08/19/2021	 Case Appeal Statement Filed By: Defendant Schettler, Vincent T <i>[256] Case Appeal Statement</i>

# CASE SUMMARY

CASE NO. A-14-710645-B

08/19/2021



Notice of Appeal

Filed By: Defendant Schettler, Vincent T

[257] Notice of Appeal

## DISPOSITIONS

07/22/2021

**Amended Renewal of Judgment** (Judicial Officer: Earl, Allan R.)

Debtors: John A Ritter (Defendant), Darren D Badger (Defendant), Vincent T Schettler (Defendant)

Creditors: Pacific Western Bank (Plaintiff)

Judgment: 07/22/2021, Docketed: 12/10/2014

Total Judgment: 2,845,765.08

Satisfaction:

Comment: Partial Satisfaction received from Darrin D. Badger ONLY

## HEARINGS

06/08/2015



**Minute Order** (3:00 AM) (Judicial Officer: Allf, Nancy)

*Minute Order: Recusal*

Recused;

Journal Entry Details:

*As this Court is familiar with one of the attorneys, in accordance with Rule 2.11(a), to avoid the appearance of impropriety and implied bias, this Court hereby disqualifies itself and ORDERS, this case be REASSIGNED at random.;*

07/09/2015

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

*Plaintiff's Objection to Claim of Exemption from Execution*

Per Law clerk's Conference Call with parties 6-10-15

Moot;

07/09/2015

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

*Plaintiff's Objection to John A Ritter's Claim of Exemption from Execution*

Per Law clerk's Conference Call with parties 6-10-15

Moot;

07/09/2015

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

*Plaintiff's Objection to Claim of Exemption from Execution [Bank of Nevada Held by Schettler Family Trust]*

Per Law clerk's Conference Call with parties 6-10-15

Moot;

07/09/2015

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

*Plaintiff's Objection to Darrin D. Badger's Affidavit Claiming Exempt Property*

Per Law clerk's Conference Call with parties 6-10-15

Moot;

07/09/2015

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

*Defendant Vincent T. Schettler's Motion for Order Determining the Exemption of Certain Assets / OST*

Matter Heard;

07/09/2015

**Motion for Protective Order** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

*Defendant Schettler's Emergency Motion for Protective Order on an Order Shortening Time*

Matter Heard;

07/09/2015



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

Matter Heard;

Journal Entry Details:

*DEFENDANT SCHETTLER'S EMERGENCY MOTION FOR PROTECTIVE ORDER ON OST.*

*Mr. Cory argued in support of Defendant's motion noting there is no proof of service and stating the history of the case. Arguments by Mr. Olson in opposition noting the status of the*

# CASE SUMMARY

CASE NO. A-14-710645-B

depositions. COURT FINDS, given the service issues and incorrect form thus deeming service ineffective, and ORDERED, Motion GRANTED. COURT FURTHER ALLOWED service to be concurrent upon the Sheriff's service. COURT FURTHER ORDERED, interrogatories need to be fully responded to and if Plaintiff doesn't file it, then a Motion to Compel can be filed; privilege log to be prepared by the client asserting the privilege and Mr. Cory to prepare that log. Court further clarified it is not going to issue an injunction at this time. COURT ORDERED, Plaintiff's Objections to: Darrin Badger's Affidavit, to Claim of Exemption from Execution (Bank of Nevada Held by Schettler's Family Trust, to John A Ritter's Claim of Exemption from Execution, and to Claim of Exemption from Execution MOOT. ;

07/27/2015

**CANCELED Objection** (9:30 AM) (Judicial Officer: Scann, Susan)

*Vacated - per Order*

*Objection to Tatum Badger, Whitney Badger, and Brooke Badger's Affidavits Claiming Exempt Property*

08/11/2015



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

*Renewed Motion for Order Determining the Exemption of Certain Assets on OST*

*Matter Continued;*

*Journal Entry Details:*

*As to the issue of the safety deposit box, COURT ORDERED, both counsel and or Counsel's office representatives to be present when the box is opened and to do an inventory of the contents. Counsel to prepare an order noting the items otherwise subject to execution need to be identified and noted the Sheriff does not need to be present pursuant to this Court's order. Arguments by Mr. Cory in support of the motion and arguments by Mr. Olson detailing the accounts and arguing that there are significant factual issues that need to be disclosed. Court noted it would need to do an in camera review. Colloquy regarding confidentiality agreement. COURT ORDERED, the depositions to be conducted and matter SET for Status Check in two weeks in Chambers to reset the hearing for exemption; as well as a status check on the protective order. 8/14/15 3:00 AM (CHAMBERS) STATUS CHECK: PROTECTIVE ORDER 8/26/15 3:00 AM (CHAMBERS) STATUS CHECK: DEPOSITIONS/RESET HEARING FOR EXEMPTION ;*

08/14/2015

**CANCELED Status Check** (3:00 AM) (Judicial Officer: Scann, Susan)

*Vacated*

*Status Check: Protective order/Confidentiality agreement*

08/18/2015

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

*Plaintiff's Objection to Claim of Exemption from Execution (Bank of Nevada Held by Schettler Family Trust)*

*Moot;*

08/18/2015

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

**08/18/2015, 09/01/2015**

*Plaintiff's Objection to Vincent T. Schettler's Claim of Exemption Re 529 Accounts*

*Matter Continued;*

08/18/2015

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

*Plaintiff's Objection to Claim of Exemption from Execution (TD Ameritrade Funds Held by Vincent T. Schettler, LLC Profit Sharing Plan and Trust)*

*Moot;*

08/18/2015



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

*Matter Heard;*

*Journal Entry Details:*

*Court noted it received competing orders and provided Counsel the order of the Court. Mr. Olson stated his objections. Order signed in open Court. Colloquy regarding the protective order. As to PLAINTIFF'S OBJECTION TO CLAIM OF EXEMPTION FROM EXECUTION (TD AMERITRADE FUNDS HELD BY VINCENT T. SCHETTLER, LLC PROFIT SHARING PLAN AND TRUST) and PLAINTIFF'S OBJECTION TO CLAIM OF EXEMPTION FROM EXECUTION (BANK OF NEVADA HELD BY SCHETTLER FAMILY TRUST), Mr. Olson advised the amount found within both accounts and noted the amount is too little to proceed on execution. COURT ORDERED, both objections MOOT. PLAINTIFF'S OBJECTION TO VINCENT T. SCHETTLER'S CLAIM OF EXEMPTION RE 529 ACCOUNTS. Arguments by*

# CASE SUMMARY

CASE No. A-14-710645-B


Mr. Olson supporting Plaintiffs objection and arguments by Mr. Cory that this matter was already ruled on. Colloquy regarding setting the deposition for the judgment debtors exam. COURT FURTHER ORDERED, matter CONTINUED. 9/1/15 9:00 AM PLAINTIFF'S OBJECTION TO VINCENT T. SCHETTLER'S CLAIM OF EXEMPTION RE 529 ACCOUNTS...PLAINTIFF'S OBJECTION TO CLAIMS OF EXEMPTION FILED BY DARREN WHITNEY, TATUM, AND BROOKE BADGER...PLAINTIFF'S OBJECTION TO JOHN A. RITTER'S CLAIM OF EXEMPTION FROM EXECUTION...STATUS CHECK: DEPOSITIONS OF JUDGMENT DEBTOR/ RESET HEARING FOR DETERMINING EXEMPTIONS ;

08/26/2015 **CANCELED Status Check** (3:00 AM) (Judicial Officer: Scann, Susan)  
Vacated - Duplicate Entry  
Status Check: depositions and set hearing for determination of exemptions

09/01/2015 **Status Check** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)  
Business Court Status Check: Depositions/Reset hearing for determining exemptions

09/01/2015 **Objection** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)  
Plaintiff's Objection to Claims of Exemption Filed by Darren Whitney, Tatum, and Brooke Badger

09/01/2015 **Objection** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)  
Plaintiff's Objection to John A. Ritter's Claim of Exemption from Execution

09/01/2015  **All Pending Motions** (9:00 AM) (Judicial Officer: Gonzalez, Elizabeth)  
Matter Heard;  
Journal Entry Details:

**BUSINESS COURT STATUS CHECK: DEPOSITIONS/RESET HEARING FOR DETERMINING EXEMPTIONS...** PLAINTIFF'S OBJECTION TO JOHN A. RITTER'S CLAIM OF EXEMPTION FROM EXECUTION... PLAINTIFF'S OBJECTION TO CLAIMS OF EXEMPTION FILED BY DARREN WHITNEY, TATUM, AND BROOKE BADGER... PLAINTIFF'S OBJECTION TO VINCENT T. SCHETTLER'S CLAIM OF EXEMPTION RE 529 ACCOUNTS AS TO SAFE DEPOSIT BOXES: Mr. Olson advised he provided a red line version to Mr. Vlasic last night. Plaintiff will not copy anything regarding attorney-client privilege. Mr. Olson thinks there is a lien against it. He would like a copy of the off shore trust and objected to the 6 to 8 week delay. Arguments by counsel. Court noted they cannot limit to just privileges. Each counsel provided the Court with a copy of their Order, which the Court noted were the same. Court read documents, inserted wording, signed and returned the document for filing and counsel can look at the safe deposit box today. **AS TO EXAMINATION OF JOHN RITTER:** Arguments by counsel regarding whether the New Mexico accounts were exempt. Court stated its findings, and **ORDERED**, it would make no determination as the 529 accounts are managed and controlled by a New Mexico entity. **AS TO RITTER AND BADGER CLAIM:** Arguments by counsel regarding the Judgment debtor not required to state all assets. Court stated its findings, and **ORDERED**, everybody to do so because of the history of the Judgment Debtor Examinations. Arguments by counsel. Court stated Ritter's claim of exemption to Roth IRA Account with balance of approximately \$486,000 is **SUSTAINED** because it falls within the statutory exemption but Mr. Olson keeping track. When he finds the next one they will only have \$14,00.000 left unless there are other statutory exemptions under federal law. **AS TO ANNUITIES OF RITTER:** Arguments by counsel regarding annuities purchased out of state that may be fraudulent purchased. Court noted that was a different issue and we are not there yet. Court noted it had not made a determination as to the Ritter exemption. **COURT ORDERED**, the annuity is an exempt asset but the Objection is **SUSTAINED WITHOUT PREJUDICE** as to the exemption. If it is determined there is a fraudulent conveyance to avoid creditors there will be a different issue to talk about. **AS TO STATUS CHECK ON PLAINTIFF'S CLAIM OF EXEMPTION RE 529 ACCOUNTS:** Mr. Cory advised more than 4,000 pages of documents have been produced but no Judgment Debtor Examinations have taken place. Once the Examinations have been set, then there could be a Hearing on his Motion. Counsel advised there were three Writs. The Court advised it had not ruled on the family trust as it needs the Judgment Debtor Examination before ruling, then an Evidentiary Hearing. **COURT ORDERED**, matter **SET** for Status Check on the Chambers Calendar to determine whether there is Notice of Judgment Debtor Examination. Counsel to file a Status Report the day before. Court directed the Judgment Debtor Examination take place to produce documents. Counsel advised they were working on a privilege log. Mr. Cory to prepare the Order. Court directed the Judgment Debtor Examination take place to produce

# CASE SUMMARY

CASE NO. A-14-710645-B

documents. The Court reconsidered the 529 New Mexico entity and directed counsel to go to New Mexico to determine status of the Writ. COURT ORDERED, the Writ is QUASHED. Mr. Olson requested a Stay on Quashing the Writ. COURT ORDERED, there was a 5-day Stay and counsel can ask for a longer Stay. If counsel wants a Stay longer than 5 days, counsel to file a Motion for Stay requiring posting a Supersedeas Bond. No transfers to occur during that time period. AS TO THE ERISA ACCOUNT: Mr. Cory to prepare the Order. Court noted the Writ is Quashed once the Order is signed. The Writ is Quashed as a result of being MOOT. 10/16/15 AT REQUEST OF THE COURT: STATUS CHECK - CHAMBERS ;

10/19/2015



**Motion for Protective Order** (9:30 AM) (Judicial Officer: Scann, Susan)

*Defendants John Ritter and Darren Badger's Motion for Protective Order*

Deferred Ruling;

Journal Entry Details:

*Arguments by Mr. Connot in support of Defendants Motion and arguments in opposition. COURT ORDERED, matter DEFERRED to 11/16/15 at which time the Court will hear another Motion to Compel. Colloquy regarding the Motion for Reconsideration in chambers. COURT FURTHER ORDERED, status check on the Motion to Reconsider SET. Upon inquiry, Court advised Mr. Cory does not have to file a formal opposition. 11/16/15 9:30 AM STATUS CHECK: MOTION TO RECONSIDER...MOTION TO COMPEL RESPONSES TO PLAINTIFF'S DISCOVERY REQUESTS AND PIERCY, BOWLER, TAYLOR & KERN SUBPOENA...(DEFERRED) RE: DEFT S. JOHN RITTER AND DARREN BADGER'S MOTION FOR PROTECTIVE ORDER ;*

11/16/2015



**Motion to Compel** (9:30 AM) (Judicial Officer: Hardy, Joe)

**11/16/2015, 12/16/2015, 02/01/2016, 03/09/2016, 04/05/2016**

*Plaintiff's Motion to Compel Responses to Plaintiff's Discovery Requests and Piercy, Bowler, Taylor & Kern Subpoena*

Matter Continued;

Matter Continued;

Matter Continued;

Continued;

Denied Without Prejudice;

Journal Entry Details:

*Having reviewed the record inherited from Department XXVIII, the Court noted that the four prior hearings held regarding the instant Motion, as well as the supplemental discovery that was produced, may have resolved the issues contained in the Motion; therefore, COURT ORDERED the instant Motion was hereby DENIED WITHOUT PREJUDICE. To the extent that the issues have not been resolved, Plaintiff may file a renewed Motion. CLERK'S NOTE: Upon conclusion of the calendar, COURT ORDERED Defendants' counsel to prepare the Order for the instant Motion, and to submit it to the Court within ten (10) days of this minute order. A copy of this minute order was e-mailed to: Bob L. Olson, Esq. [bolson@swlaw.com], Karl O. Riley, Esq. [kriley@swlaw.com], Cory Eschweiler, Esq. [ceschweiler@glenlerner.com], Mark J. Connot, Esq. [mconnot@foxrothschild.com], Timothy S. Cory, Esq. [tim.cory@corylaw.us], Charles S. Vlasic, Esq. [cvlasic@rrblf.com]. (KD 4/5/16);*

Matter Continued;

Matter Continued;

Matter Continued;

Continued;

Denied Without Prejudice;

Journal Entry Details:

*Court noted there is a petition for involuntary bankruptcy for Defendant and thus the automatic stay applies. Upon Court's inquiry, Mr. Riley advised pursuant to EDCR 2.34, parties did meet and there is a 3/16/16 deadline for time to supplement discovery; further noted they set and agreed to a new briefing schedule. Court directed Counsel to do a stipulation and ORDERED, matter CONTINUED. 4/4/16 9:30 AM (CONTINUED) PLAINTIFF'S MOTION TO COMPEL RESPONSES TO PLAINTIFF'S DISCOVERY REQUESTS AND PIERCY, BOWLER, TAYLOR, & KERN SUBPOENA ;*

Matter Continued;

Matter Continued;



Matter Continued;

Continued;

Denied Without Prejudice;

# CASE SUMMARY

CASE NO. A-14-710645-B

	<p>Journal Entry Details:</p> <p><i>Court inquired as to the state of production and Mr. Riley noted there are 15,000 pages subject to privilege log and argued in support of Plaintiff's motion. Mr. Riley requested the Courtroom be cleared as there is a protective order in place and COURT SO ORDERED. (Courtroom cleared.) Mr. Riley further argued in support of motion. Arguments by Mr. Connot they are asking for documents they are not entitled to and further argued in opposition. Colloquy regarding the privilege log and accountant - client privilege. Further arguments by Counsel. COURT ORDERED, parties to have another 2.34 conference within two weeks and matter CONTINUED. 3/9/16 9:30 AM PLAINTIFF'S MOTION TO COMPEL RESPONSES TO PLAINTIFF'S DISCOVERY REQUESTS AND PIERCY, BOWLER, TAYLOR, AND KERN SUBPOENA;</i></p> <p>Matter Continued;</p> <p>Matter Continued;</p> <p>Matter Continued;</p> <p>Continued;</p> <p>Denied Without Prejudice;</p> <p>Matter Continued;</p> <p>Matter Continued;</p> <p>Matter Continued;</p> <p>Continued;</p> <p>Denied Without Prejudice;</p>
11/16/2015	<p><b>Status Check (9:30 AM)</b> (Judicial Officer: Scann, Susan)</p> <p><i>Status Check: Plaintiff Pacific Western Bank's Motion for Reconsideration of Renewed Motion for Order Determining the Exemption of Certain Assets (on Chambers 10/28)</i></p> <p>Matter Heard;</p>
11/16/2015	<p> <b>All Pending Motions (9:30 AM)</b> (Judicial Officer: Scann, Susan)</p> <p>Matter Heard;</p> <p>Journal Entry Details:</p> <p><i>PLAINTIFF'S MOTION TO COMPEL RESPONSES TO PLAINTIFF'S DISCOVERY REQUESTS AND PIERCY, BOWLER, TAYLOR, &amp; KERN SUBPOENA...STATUS CHECK: PLAINTIFF PACIFIC WESTERN BANK'S MOTION FOR RECONSIDERATION OF RENEWED MOTION FOR ORDER DETERMINING THE EXEMPTION OF CERTAIN ASSETS Upon court's inquiry as to any progress, Mr. Riley advised Defendants failed to respond to all interrogatories and argued in support of Plaintiff's motion requesting information on the companies that Defendants have an interest in. Mr. Connot advised of the documents which were produced. Matter TRAILED. Colloquy regarding the specific issue on the motion for reconsideration. COURT ORDERED, briefing schedule SET, Mr. Cory to file an opposition to the Motion for Reconsideration by 11/23/15; Reply due by 12/4/15; and matter SET for hearing on 12/16/15 at 9:30 AM. Matter RECALLED. Mr. Connot further argued in opposition of Plaintiff's motion, noting the contents of the protective order and advising the Court of what was already produced, approximately 5,000 documents. Further arguments by Counsel. COURT ORDERED, matter CONTINUED. Court directed Counsel to provide a list of what is produced and answers to interrogatories due within TWO (2) weeks and any documents related thereto including banking statements as to transfers to the trust, specific as to Ritter and Badger. 12/16/15 9:30 AM (CONTINUED) PLAINTIFF'S MOTION TO COMPEL RESPONSES TO PLAINTIFF'S DISCOVERY REQUESTS AND PIERCY, BOWLER, TAYLOR, &amp; KERN SUBPOENA...PLAINTIFFS MOTION FOR RECONSIDERATION OF RENEWED MOTION FOR ORDER DETERMINING THE EXEMPTION OF CERTAIN ASSETS ;</i></p>
12/02/2015	<p><b>CANCELED At Request of Court (3:00 AM)</b> (Judicial Officer: Scann, Susan)</p> <p><i>Vacated - per Law Clerk</i></p> <p><i>At Request of Court: Status Check - Chambers</i></p>
12/16/2015	<p><b>Motion For Reconsideration (8:30 AM)</b> (Judicial Officer: Gonzalez, Elizabeth)</p> <p><i>Plaintiff Pacific Western Bank's Motion for Reconsideration of Renewed Motion for Order Determining the Exemption of Certain Assets</i></p> <p>Denied;</p>
12/16/2015	<p> <b>All Pending Motions (8:30 AM)</b> (Judicial Officer: Gonzalez, Elizabeth)</p>



# CASE SUMMARY

CASE NO. A-14-710645-B

Matter Heard;

Journal Entry Details:

*PLAINTIFF'S MOTION TO COMPEL RESPONSES TO PLAINTIFF'S DISCOVERY REQUESTS AND PIERCY, BOWLER, TAYLOR, & KERN SUBPOENA...PLAINTIFF PACIFIC WESTERN BANK'S MOTION FOR RECONSIDERATION OF RENEWED MOTION FOR ORDER DETERMINING THE EXEMPTION OF CERTAIN ASSETS Arguments by Mr. Olson in support of Plaintiff's Motion for Reconsideration. Arguments by Mr. Cory in opposition. Court stated there are no new facts or law and does not find any error in the prior ruling. COURT ORDERED, Motion for Reconsideration DENIED. Colloquy regarding the discovery requests contained in the Motion to Compel. COURT FURTHER ORDERED, Motion to Compel CONTINUED. 2/1/16 9:30 AM PLAINTIFF'S MOTION TO COMPEL RESPONSES TO PLAINTIFF'S DISCOVERY REQUESTS AND PIERCY, BOWLER, TAYLOR, & KERN SUBPOENA \*CLERK'S NOTE: Clerk inadvertently gave out the wrong date in Court. The above Minute order was distributed via E-Service Master List./kh 12-22-15;*

04/12/2016



**Minute Order** (4:15 PM) (Judicial Officer: Gonzalez, Elizabeth)

*Minute Order Vacating Telephonic Conference set for April 13, 2016*

Minute Order - No Hearing Held;

Journal Entry Details:

*Pursuant to peremptory challenge, COURT ORDERED, telephonic conference set for April 13, 2016 regarding department assignment VACATED. Any issues will be addressed to Judge Delaney (Department XXV) to which the case is now assigned. CLERK'S NOTE: A copy of the above minute order was distributed to parties via the E-Service Master List. / dr 4-12-16;*

04/13/2016

**CANCELED Telephonic Conference** (11:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

*Vacated - per Judge*

*Telephonic Conferenc re: Department Assignment*

04/22/2016



**Minute Order** (0:53 AM) (Judicial Officer: Delaney, Kathleen E.)

Minute Order - No Hearing Held;

Journal Entry Details:

*Peremptory Challenge Objection Sustained Upon review of the papers and pleadings on file in this matter, COURT FINDS the peremptory challenge filed April 12, 2016 was prohibited under the applicable Supreme Court Rules and should be reversed. Specifically, SCR 48.1(5) prohibits the filing of a peremptory challenge against any judge who has made any ruling on a contested matter in the action The judge sought to be pre-empted commenced a hearing and ruled on a contested matter in the case on three separate occasions, on July 9, 2015, August 11, 2015, and August 18, 2015, respectively. The fact that the judge in question was not officially assigned to the case at the time is not consequential to the application of the Rule, based on a plain reading of the language therein. Further, the fact that the parties may have otherwise been entitled to an additional peremptory challenge following the administrative reassignment of the case does not override this applicable limitation on the exercise of that entitlement. Accordingly, COURT ORDERS objection to peremptory challenge sustained, matter to be reassigned to Department XI, Judge Elizabeth Gonzalez. CLERK'S NOTE: A copy of this Minute Order has been served upon counsel via E-Service. /db 4.22.2016;*

05/26/2016



**Status Check** (8:30 AM) (Judicial Officer: Gonzalez, Elizabeth)

**05/26/2016, 05/31/2016**

*Plaintiff filed Peremptory Challenge on 4/12/16*

*Matter Continued;*

*Matter Transferred;*

*Plaintiff filed Peremptory Challenge on 4/12/16*

*Matter Continued;*

*Matter Transferred;*

*Journal Entry Details:*

*Counsel for Plaintiff not present. Mr. Connot advised there are two motions set for Tuesday, May 31st; they did not notice the status check was set for today; he does not know if Mr. Olson or Mr. Riley is aware of today's date, simply because of the way this case had been transferred back and forth. Court noted there was a question as to whether the case should be in this Department or the prior one. COURT ORDERED, matter CONTINUED to Tuesday, May 31st, and directed counsel to inform Mr. Olson. 5-31-16 8:30 AM STATUS CHECK...PLAINTIFF, PACIFIC WESTERN BANK'S EX PARTE MOTION FOR EXAMINATION OF JUDGMENT*

# CASE SUMMARY

CASE NO. A-14-710645-B

DEBTOR...PLAINTIFF, PACIFIC WESTERN BANK'S MOTION TO COMPEL JUDGMENT DEBTOR, DARREN D. BADGER, TO DELIVER PROPERTY TO JUDGMENT CREDITOR PURSUANT TO NRS 21 - SEALED PER MOTION FILED 4/8/16;

05/27/2016



**Motion to Seal/Redact Records** (3:00 AM) (Judicial Officer: Gonzalez, Elizabeth)

**05/27/2016, 05/31/2016**

*Plaintiff's Ex Parte Motion to File Two Motions Under Seal*

Plaintiff filed Peremptory Challenge on 4/12/16

Hearing Set;

Matter Transferred;

Plaintiff filed Peremptory Challenge on 4/12/16

Hearing Set;

Matter Transferred;

Journal Entry Details:

*COURT ORDERED, motion CONTINUED to Tuesday, May 31, 2016 at 8:30 AM. CLERK'S*

*NOTE: A copy of the above minute order was distributed to parties via the E-Service Master List. / dr 5-27-16;*

05/31/2016

**Motion** (8:30 AM) (Judicial Officer: Hardy, Joe)

**05/31/2016, 08/01/2016**

*Plaintiff, Pacific Western Bank's Ex Parte Motion for Examination of Judgment Debtor*

Plaintiff filed Peremptory Challenge on 4/12/16

Matter Transferred;

Granted in Part;

Plaintiff filed Peremptory Challenge on 4/12/16

Matter Transferred;

Granted in Part;

05/31/2016

**Motion to Compel** (8:30 AM) (Judicial Officer: Hardy, Joe)

**05/31/2016, 08/01/2016, 09/13/2016, 10/18/2016**

*Plaintiff Pacific Western Bank's Motion to Compel Judgment Debtor, Darren D. Badger, to Deliver Property to Judgment Creditor Pursuant to NRS 21 - Sealed Per Motion Filed 4/8/16*

Plaintiff filed Peremptory Challenge on 4/12/16

Matter Transferred;

Continued;

Continued;

Granted in Part;

Plaintiff filed Peremptory Challenge on 4/12/16

Matter Transferred;

Continued;

Continued;

Granted in Part;

Plaintiff filed Peremptory Challenge on 4/12/16

Matter Transferred;

Continued;

Continued;

Granted in Part;

Plaintiff filed Peremptory Challenge on 4/12/16

Matter Transferred;

Continued;

Continued;

Granted in Part;

05/31/2016



**All Pending Motions** (8:30 AM) (Judicial Officer: Gonzalez, Elizabeth)

Matter Heard;

Journal Entry Details:

*STATUS CHECK... ..PLAINTIFF, PACIFIC WESTERN BANK'S EX PARTE MOTION FOR EXAMINATION OF JUDGMENT DEBTOR... ..PLAINTIFF PACIFIC WESTERN BANK'S MOTION TO COMPEL JUDGMENT DEBTOR, DARREN B. BADGER, TO DELIVER PROPERTY TO JUDGMENT CREDITOR PURSUANT TO NRS 21 - SEALED PER MOTION*

# CASE SUMMARY

CASE NO. A-14-710645-B

FILED 4/8/16... ..PLAINTIFF'S EX PARTE MOTION TO FILE TWO MOTIONS UNDER SEAL Court noted when this case was reassigned to Department XI it appears Judge Hardy had denied a motion without prejudice on April 5, 2016, prior to the peremptory challenge being filed; thus, the peremptory challenge would have been untimely. Mr. Connot explained they no longer thought it was a contested matter. Mr. Riley stated the motion had not been determined at that point and parties were working on EDCR motions. COURT ORDERED, this matter is TRANSFERRED back to Judge Joe Hardy (Department XV), as it appears Judge Hardy took action on a contested matter on April 5, 2016 prior to the filing of the peremptory challenge. The Peremptory Challenge of Judge Joe Hardy filed April 11, 2016 is ORDERED STRICKEN.;

08/01/2016

**Motion to Compel** (9:00 AM) (Judicial Officer: Hardy, Joe)

08/01/2016, 09/13/2016, 10/18/2016

*Plaintiff's Motion to Traverse John Dawson's Garnishment Interrogatories Enter Judgment Against Him and Compel Turnover of Assets to Judgment Creditor Pursuant to NRS 21.320*

Continued;

Continued;

Granted in Part;

Continued;

Continued;

Granted in Part;

Continued;

Continued;

Granted in Part;

08/01/2016

**Motion to Seal/Redact Records** (9:00 AM) (Judicial Officer: Hardy, Joe)

*Plaintiff's Ex Parte Motion to File Under Seal Material Related to Motion to Traverse John Dawson's Garnishment Interrogatories, Enter Judgment Against him, and Compel Turnover of Assets to Judgment Creditor Pursuant to NRS 21.320*

Motion Granted;

08/01/2016



**All Pending Motions** (9:00 AM) (Judicial Officer: Hardy, Joe)

Matter Heard;

Journal Entry Details:

PLAINTIFF'S EX PARTE MOTION TO FILE UNDER SEAL MATERIAL RELATED TO MOTION TO TRAVERSE JOHN DAWSON'S GARNISHMENT INTERROGATORIES, ENTER JUDGMENT AGAINST HIM, AND COMPEL TURNOVER OF ASSETS TO JUDGMENT CREDITOR PURSUANT TO NRS 21.320 There being no Opposition, COURT ORDERED Motion GRANTED for all of the reasons set forth in the Motion. Mr. Olson or Mr. Riley to prepare the Order and forward it to opposing counsel for approval as to form and content. PLAINTIFF, PACIFIC WESTERN BANK'S EX PARTE MOTION FOR EXAMINATION OF JUDGMENT DEBTOR The Court provided its initial thoughts and inclinations regarding the instant Motion. Mr. Riley argued in support of the Motion, requesting the Judgment Debtor Examination be held before the Court, and if the Court was unavailable, that it be held before a Pro Tempore Judge, or before a Special Master. Additionally, Mr. Riley requested the Court opine on the fact that Defendant Badger had not produced numerous documents that were requested by Plaintiff. Mr. Cory argued in opposition, stating that Defendant Badger had been participating and had produced a large amount of documents. As to the Judgment Debtor Examination, Mr. Riley stated that there was no dispute regarding Plaintiff's right to conduct the examination; however, there was a dispute regarding the Plaintiff's characterization of Defendant as failing to participate or cooperate. Upon Court's inquiry, Mr. Riley indicated he could not confirm that Defendant Badger had complied with Judge Gonzalez's January 29, 2016, Order, without reviewing the documentation. Mr. Riley requested one week to submit names for the Special Master to the Court. COURT ORDERED Motion GRANTED IN PART as follows: Plaintiff may conduct the Judgment Debtor Examination, and if Plaintiff found that the examination was unsatisfactory, the answers were unsatisfactory, the Defendant was uncooperative, or if there was a basis for the Court's intervention, the Court would be available for follow-up. COURT ORDERED Motion DENIED IN PART as to the request to hold the Judgment Debtor Examination in Department 15's courtroom, as the Court was not available; additionally, the Court ADVISED Plaintiff to ask questions of the Judgment Debtor to determine whether all of the requested documents had been produced in compliance with Judge Gonzalez's January 29, 2016, Order. Mr. Riley or Mr. Olson to prepare the Order and forward it to opposing counsel for approval as to form and content. PLAINTIFF PACIFIC WESTERN BANK'S MOTION TO COMPEL JUDGMENT DEBTOR, DARREN D. BADGER,

# CASE SUMMARY

CASE No. A-14-710645-B

TO DELIVER PROPERTY TO JUDGMENT CREDITOR PURSUANT TO NRS 21 - SEALED PER MOTION FILED 4/8/16...PLAINTIFF'S MOTION TO TRAVERSE JOHN DAWSON'S GARNISHMENT INTERROGATORIES, ENTER JUDGMENT AGAINST HIM AND COMPEL TURNOVER OF ASSETS TO JUDGMENT CREDITOR PURSUANT TO NRS 21.320 Due to the Court's trial schedule, COURT ORDERED Motions CONTINUED. 8/19/16 2:00 PM PLAINTIFF PACIFIC WESTERN BANK'S MOTION TO COMPEL JUDGMENT DEBTOR, DARREN D. BADGER, TO DELIVER PROPERTY TO JUDGMENT CREDITOR PURSUANT TO NRS 21 - SEALED PER MOTION FILED 4/8/16...PLAINTIFF'S MOTION TO TRAVERSE JOHN DAWSON'S GARNISHMENT INTERROGATORIES, ENTER JUDGMENT AGAINST HIM AND COMPEL TURNOVER OF ASSETS TO JUDGMENT CREDITOR PURSUANT TO NRS 21.320;

09/13/2016

**Motion to Seal/Redact Records (9:00 AM)** (Judicial Officer: Hardy, Joe)

*Plaintiff's Ex Parte Motion to File Under Seal Supplement to Reply in Support of Motion to Compel Judgment Debtor, Darren D. Badger, to Deliver Property to Judgment Creditor Pursuant to NRS 21.320*

Granted on 9/13/16.

Motion Granted;

09/13/2016

**Motion to Seal/Redact Records (9:00 AM)** (Judicial Officer: Hardy, Joe)

*Plaintiff's Ex Parte Motion to File Under Seal Supplement to Reply in Support of Motion to Traverse John Dawson's Garnishment Interrogatories, Enter Judgment Against Him, and Compel Turnover of Assets to Judgment Creditor Pursuant to NRS 21.320*

Granted on 9/13/16.

Motion Granted;

09/13/2016



**All Pending Motions (9:00 AM)** (Judicial Officer: Hardy, Joe)

Matter Heard;

Journal Entry Details:

PLAINTIFF PACIFIC WESTERN BANK'S MOTION TO COMPEL JUDGMENT DEBTOR, DARREN D. BADGER, TO DELIVER PROPERTY TO JUDGMENT CREDITOR PURSUANT TO NRS 21 - SEALED PER MOTION FILED 4/8/16...PLAINTIFF'S MOTION TO TRAVERSE JOHN DAWSON'S GARNISHMENT INTERROGATORIES ENTER JUDGMENT AGAINST HIM AND COMPEL TURNOVER OF ASSETS TO JUDGMENT CREDITOR PURSUANT TO NRS 21.320...PLAINTIFF'S EX PARTE MOTION TO FILE UNDER SEAL SUPPLEMENT TO REPLY IN SUPPORT OF MOTION TO COMPEL JUDGMENT DEBTOR, DARREN D. BADGER, TO DELIVER PROPERTY TO JUDGMENT CREDITOR PURSUANT TO NRS 21.320...PLAINTIFF'S EX PARTE MOTION TO FILE UNDER SEAL SUPPLEMENT TO REPLY IN SUPPORT OF MOTION TO TRAVERSE JOHN DAWSON'S GARNISHMENT INTERROGATORIES, ENTER JUDGMENT AGAINST HIM, AND COMPEL TURNOVER OF ASSETS TO JUDGMENT CREDITOR PURSUANT TO NRS 21.320 Mr. Connot stated that Plaintiff filed a supplement late in the day on September 9, 2016, that was untimely pursuant to EDCR 2.20, that was filed without leave, and which was replete with misrepresentations and mischaracterizations. For all of the aforementioned reasons, Mr. Connot requested leave to respond to the supplemental filing, or that said filing be stricken. Mr. Olson indicated the purpose of the supplement was to inform the Court regarding Plaintiff's lack of success in obtaining information from Mr. Badger. Upon Court's inquiry, Mr. Olson represented that he wished for the Court to consider the supplement in its ruling on the instant Motions. Mr. Connot advised that there was no opposition to the Motions to Seal. Upon Court's inquiry, Mr. Olson stated that there was no opposition to the Court continuing the Motion to Compel and the Motion to Seal in order to consider the supplement, and to allow the Defendants to respond. There being no Opposition, COURT ORDERED Plaintiff's Ex Parte Motion to File Under Seal Supplement to Reply in Support of Motion to Compel and Plaintiff's Ex Parte Motion to File Under Seal Supplement to Reply in Support of Motion to Traverse were hereby GRANTED. Mr. Olson requested a standing Order allowing Plaintiff to file any further exhibits under seal without further Motion practice regarding the issue. Pursuant to the rules of the Supreme Court, COURT ORDERED Mr. Olson's request was hereby DENIED. Mr. Connot suggested Plaintiff's counsel contact himself or Mr. Vlasic, and determine whether they would object to any exhibit being filed under seal; if there was no objection from the Defendants, the Plaintiff could include the non-opposition in their Motion. Mr. Olson suggested the parties craft a Stipulation and Order, instead of filing a Motion every time they wished to file something under seal. Mr. Connot represented the was amenable to Mr. Olson's suggestion. The COURT ORDERED the parties to craft a Stipulation and Order regarding whatever they wished to file under seal, said Stipulation and Order being in compliance with, and incorporating, the Supreme Court Rules. COURT ORDERED Plaintiff Pacific Western Bank's

# CASE SUMMARY

CASE NO. A-14-710645-B

*Motion to Compel and Plaintiff's Motion to Traverse were hereby CONTINUED, and a BRIEFING SCHEDULE was SET as follows: Defendants' Supplemental Oppositions would be DUE BY September 27, 2016; Plaintiff's Supplemental Reply would be DUE BY October 11, 2016. The Court noted for the record that, if the parties wished to address the following issues in their Supplemental Briefing, it would aid the Court in reaching its decision: (1) whether NRS 21.090's protections only applied to Nevada trustees; (2) where was Mr. Badger's claim of exemption pursuant to NRS 21.112(1); (3) the one (1) day late argument; and (4) who specifically controlled the assets or controlled the trust, and what time periods they controlled them during. The Court noted that the parties would not be confined in their Supplemental Briefs to the content of the Supplemental Brief that had already been filed by the Plaintiff. 10/18/16 10:00 AM PLAINTIFF PACIFIC WESTERN BANK'S MOTION TO COMPEL JUDGMENT DEBTOR, DARREN D. BADGER, TO DELIVER PROPERTY TO JUDGMENT CREDITOR PURSUANT TO NRS 21 - SEALED PER MOTION FILED 4/8/16...PLAINTIFF'S MOTION TO TRAVERSE JOHN DAWSON'S GARNISHMENT INTERROGATORIES ENTER JUDGMENT AGAINST HIM AND COMPEL TURNOVER OF ASSETS TO JUDGMENT CREDITOR PURSUANT TO NRS 21.320;*

10/18/2016

**Motion (9:00 AM)** (Judicial Officer: Hardy, Joe)

*Plaintiff's Ex Parte Motion to Hear Ex Parte Motion for Order Directing Judgment Debtor Darrin D. Badger to Show Cause Why He Should Not be Held in Contempt for Violating the Court's January 29, 2016 Order on Order Shortening Time Denied Without Prejudice;*

10/18/2016



**All Pending Motions (9:00 AM)** (Judicial Officer: Hardy, Joe)

Matter Heard;  
Journal Entry Details:

*PLAINTIFF'S EX PARTE MOTION TO HEAR EX PARTE MOTION FOR ORDER DIRECTING JUDGMENT DEBTOR DARRIN D. BADGER TO SHOW CAUSE WHY HE SHOULD NOT BE HELD IN CONTEMPT FOR VIOLATING THE COURT'S January 29, 2016 ORDER...PLAINTIFF'S MOTION TO TRAVERSE JOHN DAWSON'S GARNISHMENT INTERROGATORIES ENTER JUDGMENT AGAINST HIM AND COMPEL TURNOVER OF ASSETS TO JUDGMENT CREDITOR PURSUANT TO NRS 21.320...PLAINTIFF PACIFIC WESTERN BANK'S MOTION TO COMPEL JUDGMENT DEBTOR, DARREN D. BADGER, TO DELIVER PROPERTY TO JUDGMENT CREDITOR PURSUANT TO NRS 21 - SEALED PER MOTION FILED 4/8/16 Eric Hone, Esq. and Client Representative Walter Schuppe, also present. Court inquired as to counsels awareness of the Mona v. Eight Judicial Court matter. Court noted it behooved counsel to consider Mona vs. The Eight Judicial Court, the case merited consideration. Upon Court's inquiry, Mr. Connot advised he filed a Motion to Leave to file a supplement and the received a substantive reply to their brief; however, he did not file a reply. Mr. Connot suggested a brief recess for the Court to review the documents. RECESS. Court noted it had an opportunity to review the Motion to Leave to file a supplemental as well as Pacific Western Bank's opposition and the third Supplemental and advised it would prefer to proceed with the hearing today. Arguments by counsel regarding the merits of the motion. Court advised there was not dispute that Badger did not file a claim of exemption; however, there was a dispute if he was required to or should have required one. COURT stated its FINDINGS and ORDERED, Motion for Order DENIED WITHOUT PREJUDICE. Thereafter, Upon Court's Inquiry, Mr. Olson advised the Notice of Execution was marked as exhibit #10 and noted the notice was mailed out by his office in addition it was served by the Consular. Colloquy regarding the Writ of Execution. Mr. Olson stated he did not believe they are required to serve the Writ of Execution on the garnisher. Arguments by counsel regarding the merits of the motion. COURT ORDERED, Motion to Compel GRANTED IN PART/ DENIED PART; looking at page 4 of the motion and relief set forth there, Badger is to; (1) identify all of the current protectors and trustees of the Offshore Trust;(2) disclose to Pacific Western Bank and the Court under penalty of perjury the identity, location and value of each and every asset of the Offshore Trust; (3) disclose to Pacific Western Bank all transfers made into and from the Offshore Trust since 2011; Court DENIED WITHOUT PREJUDICE #4, once the Court had additional information that subject could be addressed at a later time. The Court prohibiting Badger from taking the following actions until Pacific Western Bank's judgment is paid in full or further order of the Court: (1) receiving any distributions from the Offshore Trust; (2) allowing any third person, including any protectors and trustees of the Offshore Trust, from making any distributions from the Offshore Trust to any person or entity; (3) changing any protectors and trustees of the Offshore Trust; (4) transferring, concealing, hypothecating, encumbering, or moving any of these assets of the Offshore Trust. The reason for the Court's Order set forth in the brief filed by Pacific Western Bank. Court directed Mr. Olson to submit the order to opposing counsel for review and approval. Mr. Connot requested a Stay of the*

# CASE SUMMARY

CASE NO. A-14-710645-B

*Court's order. Court advised the order does not take effect until it is an Order. Court inquired as to once the Order is signed and a Notice of Entry was filed, Mr. Connot would like 10 days for a Stay. Mr. Connot concurred. Upon Court's inquiry, Mr. Olson advised a Stay would be okay if the Mr. Badger posted a Bond. Following arguments by counsel, COURT ORDERED, as to the first set of relief deadline to do that would be twenty (21) days of Notice of Entry of Order and as for the second set of relief the Court would GRANT a Stay for the eleven (11) days from the Notice of Entry. The Court stated Bond is not required under these particular circumstances. Mr. Olson inquired as to the amount of time opposing counsel had to respond to the order. Court advised opposing counsel had forty-eight (48) hours to respond to the first draft. Court further advised if counsel reached a impasse at some point counsel needed to submit competing orders. As to the Motion to Traverse John Dawson, arguments by counsel regarding the merits of the motion. COURT ORDERED, Motion GRANTED IN PART/DENIED IN PART; Court stated the answer to interrogatory #3 is insufficient, the question is pursuant to the statutory process extremely broad and request or requires the garnishee Mr. Dawson as a trust protector in this case to sufficiently answer and response which the Court find that he has not done. COURT FURTHER ORDERED Mr. Dawson to sufficiently answer interrogatory #3 as requested in the interrogatory itself which "not applicable" is insufficient and does not answer the interrogatory for reasons set forth in the briefs and arguments by counsel as well as to the other relief requested we will have a special garnishment proceeding trial and determine if the Court should grant the remainder of the relief requested which is DENIED WITHOUT PREJUDICE. At the request of Mr. Olson, COURT ORDERED, Status Check SET. 11/29/16 9:00 AM STATUS CHECK: TRIAL SETTING;*

11/01/2016



**Motion** (9:00 AM) (Judicial Officer: Hardy, Joe)

*Plaintiff's Ex Parte Motion to File One Ex Parte Motion Under Seal*

Denied Without Prejudice;

Journal Entry Details:

*COURT ORDERED Motion DENIED WITHOUT PREJUDICE AS MOOT, FINDING that the Motion had already been decided.;*

11/14/2016



**Motion for Leave** (9:00 AM) (Judicial Officer: Hardy, Joe)

*Defendant, Darren D. Badger's Motion for Leave to File Supplement*

Vacate;

Journal Entry Details:

*COURT ORDERED the instant Motion was hereby VACATED as MOOT, noting that the issue had been previously resolved at a prior hearing.;*

11/29/2016



**Status Check** (9:00 AM) (Judicial Officer: Hardy, Joe)

*Status Check: Trial Setting*

Matter Heard;

Journal Entry Details:

*Mr. Olson advised that the case was settled as it pertained to Defendant Darren D. Badger; however, the Satisfaction of Judgment would not be delivered for ninety days due to the Bankruptcy performance. Mr. Olson requested a status check be set regarding the tender of Satisfaction of Judgment and the Order the Supreme Court issued directing the issuance of the Writ. Additionally, Mr. Olson noted that there were two competing Orders regarding the Claims of Exemption and the turnover of the items in trust, and his client was requesting the entry of the said Order in the event the settlement went away. Mr. Vlasic opined that there was no need for the entry of further Orders. Mr. Hone stated that the Orders submitted contained onerous language as to his client, which needed to be stricken; therefore, the Orders should be pushed out approximately one-hundred days, and they could be revisited if the case was not resolved. Regarding the Orders that had already been submitted to the Court, the COURT FOUND that it had already ruled on those issues, and it would be appropriate for the Orders to be reviewed and signed. COURT ORDERED the SETTING of a status check regarding the settlement documents, noting that the parties could submit a Stipulation and Order if a different date was needed. As to the production of the information concerning the trust assets, Mr. Olsen stated there was a verbal Order for production within twenty days, and there was no objection to an extension of that time frame. COURT ORDERED said time frame was hereby EXTENDED, and DIRECTED the parties to submit a Stipulation and Order regarding the extension. 3/14/17 9:00 AM STATUS CHECK: SETTLEMENT DOCUMENTS;*

03/14/2017



**Status Check** (9:00 AM) (Judicial Officer: Hardy, Joe)

# CASE SUMMARY

CASE NO. A-14-710645-B

*Status Check: Settlement Documents*

Matter Heard;

Journal Entry Details:

*The Court noted that it received draft Orders for a prior hearing. Mr. Vlasic noted that the case was settled as to Defendant Badger; however, Defendant Ritter was going through proceedings in Bankruptcy Court. Mr. Olson affirmed Mr. Vlasic's representations, noting that Plaintiff had delivered two of the three partial satisfactions of judgment to Mr. Badger. Additionally, Mr. Olson requested the instant case remain open, as Plaintiff anticipated there would be further actions against Defendant Schettler. Upon Court's inquiry regarding the draft Orders, Mr. Vlasic stated that the Orders were now moot, and requested they not be entered. Mr. Olson agreed with Mr. Vlasic's statements regarding the draft Orders. Mr. Olson noted for the record that Plaintiff would be filing a number of Motions as to Defendant Schettler, and there was no need for further status check hearings.;*

10/18/2017



**Show Cause Hearing (9:00 AM)** (Judicial Officer: Hardy, Joe)

Matter Heard;

Journal Entry Details:

*Upon Court's inquiry, Mr. Olson affirmed that Vincent T. Schettler was the only remaining Defendant. Regarding the status of the case, Mr. Olson stated that Plaintiff had no intention of abandoning the judgment, and would be pursuing collection. The Court noted that, in March of 2017, Plaintiff's counsel notified the Court that Plaintiff would be filing a number of Motions as to Defendant Schettler, and there would be no need for any further status checks. Mr. Olson stated that Plaintiff had decided not to file any Motions, but they may do so in the future. COURT ORDERED a status check was hereby SET, and status checks would be set every six months, if necessary. The Court noted that the parties could file a status report prior to the status check, if the parties wished for the hearing to be vacated. 4/18/18 9:00 AM STATUS CHECK: STATUS OF CASE;*

04/18/2018



**Status Check (9:00 AM)** (Judicial Officer: Hardy, Joe)

*Status Check: Status of Case*

Case Closed;

Journal Entry Details:

*Mr. Lipman represented that there were no updates on the Defendants' side, noting that he expected Plaintiff's counsel to appear for the instant hearing. Upon Court's inquiry, Mr. Lipman advised that he had not received any communications from Plaintiff's counsel in the last few months. COURT ORDERED the instant case was hereby administratively CLOSED, FINDING that the sole basis for the case remaining open previously, were representations by Plaintiff's counsel.;*

12/17/2019



**Motion to Quash (9:00 AM)** (Judicial Officer: Williams, Timothy C.)

*Non-Party Kelly Schettler's Motion to Quash Subpoena and for Protective Order on Order Shortening Time*

Matter Heard;

Journal Entry Details:

*APPEARANCES CONTINUED: Peter Christiansen, Esq. present for Deft. Schettler. Arguments by counsel. Colloquy regarding impact of anticipated 1/17/20 Probate proceedings and whether instant matter to be supplemented at this time. COURT ORDERED, Status Check SET 2/5/20 regarding Probate Proceeding and Motion to Quash Subpoena and for Protective Order; no supplement at this time. 2/5/20 9:00 AM STATUS CHECK: PROBATE PROCEEDING/MOTION TO QUASH SUBPOENA AND FOR PROTECTIVE ORDER;*

03/12/2020



**Minute Order (3:21 PM)** (Judicial Officer: Williams, Timothy C.)

*re: 3/18/20 Hearing*

Minute Order - No Hearing Held;

Journal Entry Details:

*As a precautionary measure in light of public health concerns with respect to Coronavirus CoVID-19, this Court orders that any party intending to appear before Department 16 for law and motion matters between now and April 30, 2020 do so by Court-approved telephonic means only. As a result, your matters scheduled Tuesday, March 18, 2020 in this case will be held telephonically via CourtCall. You are hereby requested to make arrangements with CourtCall if you intend to participate that day. Please refer to Department 16's guidelines with regard to CourtCall scheduling: "Department 16 utilizes CourtCall for telephonic*

# CASE SUMMARY

CASE NO. A-14-710645-B


appearances. Please contact CourtCall for approved appearances and to schedule. They can be reached toll-free at 1-888-882-6878 and/or on-line at [www.courtcall.com](http://www.courtcall.com) no later than one judicial day preceding your hearing date. Please note, all witnesses appearing telephonically must have ... court-approved notary and/or official present on their end to swear them in." If you have questions or concerns with respect to your matters and this interim telephonic requirement, please contact JEA Lynn Berkheimer. CLERK'S NOTE: This Minute Order has been electronically served to the parties through Odyssey eFile.;

03/18/2020 **CANCELED Motion for Protective Order** (9:00 AM) (Judicial Officer: Williams, Timothy C.)  
Vacated - Duplicate Entry  
Plaintiff's Request for Hearing - Motion for Protective Order from 1/24

03/18/2020 **CANCELED Motion for Protective Order** (9:00 AM) (Judicial Officer: Williams, Timothy C.)  
Vacated - Duplicate Entry  
Plaintiff's Request for Hearing - Motion for Protective Order from 1/31


03/18/2020 **Motion for Protective Order** (9:00 AM) (Judicial Officer: Williams, Timothy C.)  
Request for Hearing Re: Defendant Vincent T. Schettler's Objection to Plaintiff's Subpoena Duces Tecum and Motion for Protective Order [Filed January 24, 2020]  
Denied;

03/18/2020 **Motion for Protective Order** (9:00 AM) (Judicial Officer: Williams, Timothy C.)  
Request for Hearing Re: Defendant Vincent T. Schettler's Objection to Plaintiff's Subpoena Duces Tecum and Motion for Protective Order [Filed January 31, 2020]  
Denied;

03/18/2020  **All Pending Motions** (9:00 AM) (Judicial Officer: Williams, Timothy C.)  
Minute Order - No Hearing Held;  
Journal Entry Details:  
APPEARANCES CONTINUED: Dan Waite, Esq. present via CourtCall for Pltf. Pacific Western Bank. J. Rusty Graf, Esq. present for Def. Vincent Schettler. DEFENDANT VINCENT T. SCHETTLER'S OBJECTION TO PLAINTIFF'S SUBPOENA DUCES TECUM AND MOTION FOR PROTECTIVE ORDER [FILED January 24, 2020]...DEFENDANT VINCENT T. SCHETTLER'S OBJECTION TO PLAINTIFF'S SUBPOENA DUCES TECUM AND MOTION FOR PROTECTIVE ORDER [FILED January 31, 2020] Arguments by counsel. Court FINDS request is limited to discovery, calculation matter not jurisdiction of Probate Court, and documents are best source to determine who did what and 2005-2006 records have no impact. Therefore, Court ORDERED, Objections DENIED. Mr. Waite requested 4/9/20 Objection matter advanced and advised matter identical to today's proceeding. Mr. Graf advised no objection to the request. COURT FURTHER ORDERED, 4/9/20 Objection DENIED the same as today's matters; 4/9/20 matter VACATED. Mr. Waite advised will prepare today's order including the disposition of 4/9/20 matter. CLERK'S NOTE: Subsequent to proceedings, Court vacated 4/8/20 status check as related to today's proceeding. This Minute Order has been electronically served upon counsel through Odyssey eFile.;

04/08/2020 **CANCELED Status Check** (9:00 AM) (Judicial Officer: Williams, Timothy C.)  
Vacated  
Status Check: Probate Proceeding/Motion to Quash Subpoena and for Protective Order

04/09/2020 **CANCELED Motion for Protective Order** (9:00 AM) (Judicial Officer: Williams, Timothy C.)  
Vacated  
Defendant Vincent T. Schettler's Objection to Plaintiff's Subpoena Duces Tecum Filed 02/20/20 and Motion for Protective Order

06/29/2020  **Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)  
Minute Order re: Hearing on 7/8/20 at 9:00 a.m.  
Minute Order - No Hearing Held;  
Journal Entry Details:  
Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is: Dial the



**CASE SUMMARY****CASE NO. A-14-710645-B**

following number: 1-408-419-1715 Meeting ID: 979 480 011 To connect, dial the telephone number then enter the meeting ID followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile.;

07/08/2020

**Motion to Compel (9:00 AM) (Judicial Officer: Williams, Timothy C.)**

*Plaintiff's Motion: (1) To Compel Schettler to Produce Documents, (2) For an Order to Show Cause Why The Schettler Family Trust Should Not be Held in Contempt and (3) For Fees and Costs Against Both*

Decision Made;

Journal Entry Details:

*Counsel present telephonically. Arguments by counsel. COURT ORDERED, Motion to Compel GRANTED; Requests for Production and Subpoena Duces Tecum at issue DUE 7/22/20. Court directed Mr. Waite to prepare and circulate the order. COURT FURTHER ORDERED, Status Check SET 7/29/20 regarding deferred ruling as to compliance or deficiencies with respect to the contempt show cause as well as fees and costs from today's matter. 7/29/20 9:00 AM STATUS CHECK: DEFERRED SHOW CAUSE/FEEES AND COSTS (FROM 7/8/20 HEARING);*

07/20/2020

**Minute Order (8:00 AM) (Judicial Officer: Williams, Timothy C.)**

*Minute Order re: Hearing on 7/29/20 at 9:00 a.m.*

Minute Order - No Hearing Held;

Journal Entry Details:

*Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is: Dial the following number: 1-408-419-1715 Meeting ID: 979 480 011 To connect, dial the telephone number then enter the meeting ID followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile.;*

07/29/2020

**Status Check (9:00 AM) (Judicial Officer: Williams, Timothy C.)**

**07/29/2020, 09/02/2020**

*Status Check: Deferred Show Cause/Fees and Costs (from 7/8/20 Hearing)*

Matter Continued;

Per 8/17/20 email from counsel

Matter Heard;

Journal Entry Details:

*Hearing held telephonically. Mr. Waite requested American Express statements without redaction and tax returns including forms 35-20 and 35-20A without redaction except five digits of social security number. Arguments by Mr. Waite and Mr. Graf. COURT FINDS items produced are not third-party and are owned by Mr. Schettler. Therefore, COURT ORDERED, requests by Mr. Waite GRANTED; new statements and documents since July also to be produced. Upon Court's inquiry, Mr. Graf advised documents can be produced next week Friday; Mr. Waite advised no objection with timeframe. COURT FURTHER ORDERED, related fees DEFERRED post-judgment as discussed. Upon inquiry by Mr. Waite, Court stated original proposed order submitted 8/17/20 may be revised and submitted to include items today.;*

Matter Continued;

Per 8/17/20 email from counsel

Matter Heard;

Journal Entry Details:

*Parties present telephonically. Discussion and argument by counsel including read statement of Mr. Schettler regarding document responses, redactions, statements, tax returns, and whether or not there is a new account. Mr. Waite requested order for certain production and disclosure as well as delay fees granted. Mr. Graf requested opportunity for meet and confer*

# CASE SUMMARY

CASE NO. A-14-710645-B

*within 10 days and status check in 3 weeks. COURT ORDERED, detailed proposed orders to be submitted by counsel as to what is to be produced and deficiencies with opportunity for response to proposed order as discussed; further status check SET 8/19/20. CONTINUED TO: 8/19/20 9:00 AM STATUS CHECK: DEFERRED SHOW CAUSE/FEEES AND COSTS (FROM 7/8/20 HEARING);*

08/10/2020



**Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)

*Minute Order re: Hearing on 8/19/20 at 9:00 a.m.*

Minute Order - No Hearing Held;

Journal Entry Details:

*Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is: Dial the following number: 1-408-419-1715 Meeting ID: 301 745 453 To connect, dial the telephone number then enter the meeting ID followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile.;*

08/21/2020



**Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)

*Minute Order re: Hearing on 9/2/20 at 9:00 a.m.*

Minute Order - No Hearing Held;

Journal Entry Details:

*Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is: Dial the following number: 1-408-419-1715 Meeting ID: 261 117 825 To connect, dial the telephone number then enter the meeting ID followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile.;*

10/12/2020



**Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)

*Minute Order re: Hearing on 10/14/20 at 9:00 a.m.*

Minute Order - No Hearing Held;

Journal Entry Details:

*Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is: Dial the following number: 1-408-419-1715 Meeting ID: 458 575 421 To connect, dial the telephone number then enter the meeting ID followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: A copy of this Minute Order was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;*

10/14/2020



**Objection** (9:00 AM) (Judicial Officer: Williams, Timothy C.)

*Plaintiff's Objection to Plaintiff's Subpoena Duces Tecum and Motion for Protective Order or to Quash Schettler's Nrcp 45(A)(4)(A) Notice*

Granted;

Journal Entry Details:

*Hearing held telephonically. Arguments by counsel. Court FINDS the rule does not provide for the assertion; therefore, ORDERED, Plaintiff's Objection GRANTED; other procedural*

# CASE SUMMARY

CASE NO. A-14-710645-B

mechanism for consideration is invited. Court directed Mr. Waite to prepare and circulate the order. Proposed order(s) to be submitted electronically to DC16Inbox@clarkcountycourts.us.;

01/05/2021



**Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)

Minute Order re: Hearing on 1/13/21 at 9:00 a.m.

Minute Order - No Hearing Held;

Journal Entry Details:

Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conferences through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is: Dial the following number: 1-408-419-1715 Meeting ID: 552 243 859 To connect, dial the telephone number then enter the meeting ID followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;

01/28/2021



**Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)

Minute Order re: Hearing on 2/10/21 at 9:00 a.m.

Minute Order - No Hearing Held;

Journal Entry Details:

Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Orders 20-10 and 20-24, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conferences through BlueJeans conferencing, wherein you dial in prior to your hearing to appear. Also, please check in with the Courtroom Clerk by 8:55 a.m. The call-in number is: Dial the following number: 1-408-419-1715 Meeting ID: 552 243 859 To connect, dial the telephone number then enter the meeting ID followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;

02/10/2021

**Motion** (9:00 AM) (Judicial Officer: Williams, Timothy C.)

Defendant Vincent T. Schettler's Objection and Motion for Protective Order Quashing Plaintiff's Writs of Execution and Motion for Protective Order to PWB To Show Cause As To Why It Should Not be Held in Contempt and Sanctioned Pursuant to NRS 22.030

Motion Denied;

02/10/2021

**Opposition and Countermotion** (9:00 AM) (Judicial Officer: Williams, Timothy C.)

Plaintiff's Opposition to Defendant Vincent T. Schettler's Motion for Protective Order Quashing Plaintiff's Writs of Execution and Motion for Order to PWB to Show Cause as to Why it Should not be Held in Contempt and Sanctioned Pursuant to NRS 22.030, and Countermotion for Relief from or to Clarify 8/19/15 Order

Decision Made;

02/10/2021



**All Pending Motions** (9:00 AM) (Judicial Officer: Williams, Timothy C.)

Matter Heard;

Journal Entry Details:

DEFENDANT VINCENT T. SCHETTLER'S OBJECTION AND MOTION FOR PROTECTIVE ORDER QUASHING PLAINTIFF'S WRITS OF EXECUTION AND MOTION FOR PROTECTIVE ORDER TO PWB TO SHOW CAUSE AS TO WHY IT SHOULD NOT BE HELD IN CONTEMPT AND SANCTIONED PURSUANT TO NRS 22.030...PLAINTIFF'S OPPOSITION TO DEFENDANT VINCENT T. SCHETTLER'S MOTION FOR PROTECTIVE ORDER QUASHING PLAINTIFF'S WRITS OF EXECUTION AND MOTION FOR ORDER TO PWB TO SHOW CAUSE AS TO WHY IT SHOULD NOT BE HELD IN CONTEMPT AND SANCTIONED PURSUANT TO NRS 22.030, AND COUNTERMOTION FOR RELIEF FROM OR TO CLARIFY 8/19/15 ORDER Hearing held telephonically. Arguments by counsel. Court

# CASE SUMMARY

CASE NO. A-14-710645-B

*stated ITS FINDINGS and ORDERED, Motion as regards a protective order to quash DENIED; as to contempt and sanctions, DENIED; as regards Countermotion, contemporaneous notice on Counsel and Judgment Debtor to be done and to be the following judicial day if falls on a weekend day, as discussed. Mr. Waite advised he will prepare today s order. Court directed the order be circulated and if parties cannot agree on form and content, may submit competing orders. Proposed order(s) to be submitted electronically to DC16Inbox@clarkcountycourts.us. ;*

04/15/2021



**Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)

*Minute Order re: Hearing on 4/21/21 at 9:00 a.m.*

Minute Order - No Hearing Held;

Journal Entry Details:

*Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Orders 21-03, Department 16 will temporarily require all matters to be heard via remote appearance. The court is currently scheduling all remote conferences through BlueJeans, wherein you dial in by phone or connect online prior to your hearing to appear. Also, please check in with the Courtroom Clerk by 8:55 a.m. The call-in number or website is: Dial the following number: 1-408-419-1715 Meeting ID: 552 243 859 Online: <https://bluejeans.com/552243859> To connect by phone, dial the telephone number, then the meeting ID, followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;*

04/28/2021

**Motion for Appointment of Receiver** (9:00 AM) (Judicial Officer: Williams, Timothy C.)

*Plaintiff's Motion for Appointment of Receiver Over Judgment Debtor Vincent T. Schettler's Assets*

Decision Made; See 6/21/21 Minute Order

04/28/2021

**Opposition and Countermotion** (9:00 AM) (Judicial Officer: Williams, Timothy C.)

*Vincent T. Schettler's Opposition to: Motion for Appointment of Receiver Over Judgment Debtor Vincent T. Schettler's Assets and Countermotion for Appointment of Special Master*

Decision Made; See 6/21/21 Minute Order

04/28/2021



**All Pending Motions** (9:00 AM) (Judicial Officer: Williams, Timothy C.)

Matter Heard;

Journal Entry Details:

*PLAINTIFF'S MOTION FOR APPOINTMENT OF RECEIVER OVER JUDGMENT DEBTOR VINCENT T. SCHETTLER'S ASSETS...VINCENT T. SCHETTLER'S OPPOSITION TO: MOTION FOR APPOINTMENT OF RECEIVER OVER JUDGMENT DEBTOR VINCENT T. SCHETTLER'S ASSETS AND COUNTERMOTION FOR APPOINTMENT OF SPECIAL MASTER Hearing held by BlueJeans remote conferencing. Arguments by counsel. Court stated will consider whether evidentiary hearing necessary and review the proposed order from Mr. Waite. Court noted case may be one of first impression. Decision forthcoming.;*

06/21/2021



**Minute Order** (8:00 AM) (Judicial Officer: Williams, Timothy C.)

*Minute Order: Plaintiff s Motion for Appointment of Receiver over Judgment Debtor Vincent T. Schettler s Assets*

Minute Order - No Hearing Held;

Journal Entry Details:

*After review and consideration of the points and authorities on file herein, and the argument of counsel, the Court determines as follows: After a review of the briefs, and a review of the cited case authority, the Court has reviewed the conditions upon which a receiver can be appointed post-judgment under California Law pursuant to CA Civ Pro Code 708.620 (2019) versus the criteria for post-judgment collections under Nevada Law as set forth pursuant to NRS 32.010.4. This appears to be a question of first impression in Nevada. Unlike California, under the Nevada statutory scheme the appointment of a receiver is not a remedy of last resort because Nevada law does not require the Court to consider the interests of both the judgment creditor and the judgment debtor, and whether the appointment of a receiver is a reasonable method to obtain the fair and orderly satisfaction of the judgment. Under the Nevada statute,*

# CASE SUMMARY

CASE NO. A-14-710645-B

[a]fter judgement, to dispose of the property according to the judgment, in proceedings in aid of execution, when an execution has returned unsatisfied, or when the judgment debtor refuses to apply the judgment debtor's property in satisfaction of the judgment, a receiver may be appointed by the Court. See, NRS 32.010.4. In the instant action Pacific West has utilized the standard debt collection procedures as set forth in its motion. In light of the foregoing, Plaintiff Pacific Western Bank's Motion for the Appointment of Receiver Over Judgment Debtor Vincent T. Schettler's Assets shall be GRANTED. Counsel for Plaintiff, Pacific Western Bank, shall prepare a detailed Order, Findings of Facts, and Conclusions of Law, based not only on the foregoing Minute Order, but also on the record on file herein. This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections, prior to submitting to the Court for review and signature. CLERK'S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System. ;

07/14/2021



**Minute Order** (3:00 AM) (Judicial Officer: Williams, Timothy C.)

Minute Order re: Hearing on 7/21/21 at 9:00 a.m.

Minute Order - No Hearing Held;

Journal Entry Details:

Department 16 Formal Request to Appear Telephonically Please be advised that pursuant to Administrative Order 21-04, Department 16 will temporarily require all matters to be heard via remote appearance. The court is currently scheduling all remote conferences through BlueJeans, wherein you dial in by phone or connect online prior to your hearing to appear. Also, please check in with the Courtroom Clerk by 8:55 a.m. The call-in number or website is: Dial the following number: 1-408-419-1715 Meeting ID: 305 354 001 Participant Passcode: 2258 Online: <https://bluejeans.com/305354001/2258> To connect by phone, dial the telephone number, then the meeting ID, followed by #. PLEASE NOTE the following protocol each participant will be required to follow: Place your telephone on mute while waiting for your matter to be called. Do not place the conference on hold as it may play wait/hold music to others. Identify yourself before speaking each and every time as a record is being made. Please be mindful of sounds of rustling of papers or coughing. CLERK'S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.;

07/21/2021

**Motion to Stay** (9:00 AM) (Judicial Officer: Williams, Timothy C.)

Vincent T. Schettler's Motion to Stay Appointment of Receiver Pending Appeal on Order Shortening Time

Motion Denied;

07/21/2021

**Status Check** (9:00 AM) (Judicial Officer: Williams, Timothy C.)

Status Check re Competing Orders

Decision Made; See 8/11/21 Minute Order

07/21/2021



**All Pending Motions** (9:00 AM) (Judicial Officer: Williams, Timothy C.)

Matter Heard;

Journal Entry Details:

Hearing held by BlueJeans remote conferencing. STATUS CHECK RE COMPETING ORDERS Colloquy regarding competing orders, documentation as to receiver, and timing for Court to receive the information. COURT ORDERED, information as to curriculum vitae and briefing DUE in one week from Mr. LeVeque; response DUE one week thereafter from Mr. Waite; Decision in Chambers SET 8/11/21 (no parties to be present). VINCENT T. SCHETTLER'S MOTION TO STAY APPOINTMENT OF RECEIVER PENDING APPEAL ON ORDER SHORTENING TIME Arguments by Mr. LeVeque and Mr. Waite. Court stated ITS FINDINGS and ORDERED, Motion for Stay DENIED. Court directed Mr. Waite to prepare the order. Mr. LeVeque requested temporary stay of 30 days after entry or order for appeal purposes. Mr. Waite advised no objection. COURT FURTHER ORDERED, Mr. LeVeque's request for temporary stay GRANTED. Proposed order(s) to be submitted electronically to DC16Inbox@clarkcountycourts.us. 8/11/21 CHAMBERS DECISION: PLAINTIFF PACIFIC WESTERN BANK'S MOTION FOR THE APPOINTMENT OF RECEIVER OVER JUDGMENT DEBTOR VINCENT T. SCHETTLER'S ASSETS;

08/11/2021



**Decision** (3:00 AM) (Judicial Officer: Williams, Timothy C.)

Chambers Decision: Plaintiff Pacific Western Bank's Motion for the Appointment of Receiver Over Judgment Debtor Vincent T. Schettler's Assets (from 7/21/21 Hearing)

EIGHTH JUDICIAL DISTRICT COURT

**CASE SUMMARY**

**CASE NO. A-14-710645-B**

Minute Order - No Hearing Held;

Journal Entry Details:

*After review of the supplemental briefing by the parties, it is clear that the receiver candidates proposed by Defendant Ritter have zero receiver experience. In contrast, the receiver candidates suggested by Plaintiff Pacific Western Bank have been court appointed as professional receivers more than 500 times in separate court actions in multiple states and jurisdictions. Also, the receiver candidates suggested by Plaintiff Pacific Western Bank charge a significantly lower hourly rate. Thus, after a review of the CV's provided by Plaintiff Pacific Western Bank, the Court selects Cordes & Company. Counsel on behalf of Plaintiff Pacific Western Bank shall re-submit its previous order appointing receiver over Judgment Debtor Vincent T. Schettler's Assets and Denying Countermotion for Special Master, now appointing Cordes & Company as receiver in the instant action along with findings of fact and conclusions of law appointing a receiver. CLERK'S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System. ;*

**DATE**

**FINANCIAL INFORMATION**

**Defendant** Badger, Darren D

Total Charges 30.00

Total Payments and Credits 30.00

**Balance Due as of 8/23/2021 0.00**

**Defendant** Ritter, John A

Total Charges 2,383.00

Total Payments and Credits 2,383.00

**Balance Due as of 8/23/2021 0.00**

**Defendant** Schettler, Vincent T

Total Charges 1,531.00

Total Payments and Credits 1,531.00

**Balance Due as of 8/23/2021 0.00**

**Plaintiff** Pacific Western Bank

Total Charges 1,293.00

Total Payments and Credits 1,293.00

**Balance Due as of 8/23/2021 0.00**

## DISTRICT COURT CIVIL COVER SHEET

Clark County, Nevada

X I X

Case No. \_\_\_\_\_

(Assigned by Clerk's Office)

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

Plaintiff(s) (name/address/phone):

Pacific Western Bank

Defendant(s) (name/address/phone):

John A. Ritter

Darren D. Badger

Vincent T. Schettler

Attorney (name/address/phone):

Bob L. Olson, Esq.

Attorney (name/address/phone):

Snell &amp; Wilmer L.L.P.

3883 Howard Hughes Parkway, Suite 1100

Las Vegas, NV 89169 (702-784-5200)

**II. Nature of Controversy** (please select the one most applicable filing type below)**Civil Case Filing Types**

Real Property	Negligence	Other Torts
<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 type="checkbox"/> Other Title to Property <b>Other Real Property</b> <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	<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	<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
Probate	Construction Defect & Contract	Judicial Review/Appeal
<b>Probate (select case type and estate value)</b> <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 \$1,000 or Unknown <input type="checkbox"/> Under \$2,500	<b>Construction Defect</b> <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect <b>Contract Case</b> <input type="checkbox"/> Building & Construction <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</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
Civil Writ		Other Civil Filing
<b>Civil Writ</b> <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrantum <input type="checkbox"/> Writ of Prohibition <input type="checkbox"/> Other Civil Writ		<b>Other Civil Filing</b> <input type="checkbox"/> Compromise of Minor's Claim <input checked="" type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters

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

12/3/14

Date

Signature of initiating party or representative

1 **ORD**

2 Dan R. Waite, State Bar No. 4078

3 DWAITE@lrrc.com

4 **LEWIS ROCA ROTHGERBER CHRISTIE LLP**

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9 Attorneys for Plaintiff

10 *Pacific Western Bank, a California corporation*

11 **DISTRICT COURT**

12 **CLARK COUNTY, NEVADA**

13 PACIFIC WESTERN BANK, a California  
14 corporation,

15 Plaintiff/Judgment Creditor,

16 v.

17 JOHN A. RITTER, an individual; DARREN D.  
18 BADGER, an individual; VINCENT T.  
19 SCHETTLER, an individual; and DOES 1  
20 through 50,

21 Defendants/Judgment Debtors.

Case No. A-14-710645-~~P~~<sup>B</sup>

Dept. No. XVI

**ORDER (1) APPOINTING RECEIVER  
OVER JUDGMENT DEBTOR VINCENT  
T. SCHETTLER'S ASSETS and  
(2) DENYING COUNTERMOTION FOR  
SPECIAL MASTER**

**Date of Hearing: April 28, 2021**

**Time of Hearing: 9:00 a.m.**

22 On April 28, 2021, at 9:00 a.m. in Department XVI of the above-captioned Court,  
23 (1) Plaintiff/Judgment Creditor PACIFIC WESTERN BANK's (hereinafter "PacWest") Motion  
24 for Appointment of a Receiver Over Judgment Debtor Vincent T. Schettler's Assets ("Motion"),  
25 and (2) Defendant/Judgment Debtor VINCENT T. SCHETTLER's (hereinafter "Schettler")  
26 Countermotion for Appointment of Special Master ("Countermotion"), came on for hearing. Dan  
27 R. Waite of Lewis Roca Rothgerber Christie LLP appeared on behalf of PacWest. J. Rusty Graf  
28 of Black & Wadhams and Alexander G. LeVeque of Solomon Dwiggin Freer & Steadman, Ltd.,  
appeared on behalf of Defendant/Judgment Debtor VINCENT T. SCHETTLER.<sup>1</sup> Based on the

<sup>1</sup> As used throughout this Order, the term "Schettler" shall mean the judgment debtor, Vincent T. Schettler, in his individual capacity.



1 papers and pleadings on file, the arguments of counsel, and good cause appearing, the Court rules  
2 as follows:

3 IT IS ORDERED that PacWest's Motion is GRANTED and Schettler's Countermotion is  
4 DENIED.

5 The Court has reviewed the conditions upon which a receiver can be appointed post-  
6 judgment under (a) California law pursuant to California Civil Procedure Code § 708.620 (2019),  
7 versus (b) Nevada law as set forth pursuant to NRS 32.010(4). This appears to be a question of  
8 first impression in Nevada. Unlike California, under the Nevada statutory scheme the  
9 appointment of a receiver is not a remedy of last resort because Nevada law does not require the  
10 Court to consider the interests of both the judgment creditor and the judgment debtor, and  
11 whether the appointment of a receiver is a reasonable method to obtain the fair and orderly  
12 satisfaction of the judgment. Under the Nevada statute, "[a]fter judgment, to dispose of the  
13 property according to the judgment, . . . in proceedings in aid of execution, when an execution has  
14 been returned unsatisfied, or when the judgment debtor refuses to apply the judgment debtor's  
15 property in satisfaction of the judgment," a receiver may be appointed by the Court. *See* NRS  
16 32.010(4). In the instant action, PacWest has utilized the standard debt collection procedures as  
17 set forth in its motion, i.e., judgment debtor examination, requests for production of documents  
18 from the judgment debtor, subpoena for documents from numerous third parties, writs of  
19 garnishment, writs of execution, etc.

20 In light of the foregoing, the Court finds that it is appropriate to appoint a receiver under  
21 the circumstances presented here and makes the following Findings of Fact and Conclusions of  
22 Law:

23 **FINDINGS OF FACT**

24 1. PacWest obtained a lawful judgment against Schettler in 2014, which judgment  
25 has a current outstanding balance of approximately \$3,000,000.

26 2. Schettler lives an affluent lifestyle but has not voluntarily paid anything on the  
27 judgment in more than six years. For example:  
28

1 a. Schettler purchased a \$2,000,000 home in a gated and guarded community  
2 during the summer of 2019. Title to the home was taken in the name of the Schettler Family  
3 Trust.

4 b. Associated with the purchase of that home, Schettler qualified for a  
5 \$1,500,000 loan by representing his income was \$77,231 per month, i.e., more than \$926,000  
6 annually.

7 c. On one AMEX Centurion card (aka “Black Card”), which Schettler is  
8 individually obligated to pay, the Schettlers have a history of charging and paying more than  
9 \$40,000 per month. In December 2018, the charges exceeded \$100,000, which were paid in full  
10 the next month. In late 2019 (over a period of 50 days), Schettler used the AMEX card to pay  
11 \$206,983.72 to one of the many law firms he retains.

12 3. In November 2020, PacWest attempted to execute upon Schettler’s personal  
13 property located at his home but Schettler, upon the advice of counsel, denied access to the  
14 Constable’s agents and thwarted any satisfaction of the judgment pursuant to the writ of  
15 execution.

16 4. Schettler controls a complex network of companies and trusts in an attempt to  
17 make himself judgment proof. For example, Schettler is self-employed by Vincent T. Schettler,  
18 LLC and he goes to work every day for that company. However, Schettler decides when and how  
19 much he gets paid and he pays himself very infrequently.

20 5. Even if Schettler pays himself only infrequently, he refuses to apply any of his  
21 property towards satisfaction of PacWest’s judgment. Indeed, on two separate occasions,  
22 Schettler has represented in open court that he offered to pay PacWest \$1,000,000 in settlement of  
23 the judgment he owes PacWest. (See Hrg. Trans. (7/29/20) at 13:12-13, and Hrg. Trans.  
24 (10/14/20) at 13:19-20). Thus, while Schettler admits he has access to at least \$1,000,000 to pay  
25 toward the judgment, he refuses to pay anything voluntarily, i.e., in the language of NRS  
26 32.010(4), he “refuses to apply [his] property in satisfaction of the judgment.”

27 6. Schettler’s employer, Vincent T. Schettler, LLC, is an operational entity for the  
28 commission income Schettler earns as a licensed real estate broker. In other words, Schettler

1 provides valuable services as a real estate broker and he, the judgment debtor, earns the  
2 commissions. Yet, the compensation and commissions earned by Schettler are not paid to  
3 Schettler. Instead, Schettler, through his control of Vincent T. Schettler, LLC, pays his own  
4 commissions and other compensation directly to the Schettler Family Trust, which then pays  
5 Schettler's living expenses.

6 7. Since 2014, Schettler has thumbed his nose at PacWest's judgment and attempted  
7 to thwart and frustrate PacWest's collection efforts at every opportunity, forcing PacWest to incur  
8 hundreds of thousands of dollars in post-judgment collection efforts, none of which prompted  
9 Schettler to pay anything.

10 8. Schettler is a very recalcitrant judgment debtor.

11 9. This Court has previously found that Schettler has not acted in good faith and,  
12 instead, has acted in bad faith; he's unreasonably multiplied these proceedings; has engaged in  
13 stonewalling; and has acted to delay and obfuscate as long as possible. (*See* Order (filed 9/10/20)  
14 at Findings 31-32, 38-39, 42). The Court confirms and incorporates those Findings here.

15 10. As demonstrated by Schettler's misrepresentations to his lender (where, in 2019,  
16 he misrepresented that he had no judgments against him and that he was not a party to any  
17 lawsuits), the Court finds that Schettler will falsify the truth while in the very act of  
18 acknowledging it is a federal crime to do so.

19 11. The Court finds that Schettler cannot be trusted to tell the truth. He will say and  
20 do whatever is expedient to serve his purposes in the moment and to thwart PacWest's lawful  
21 collection efforts. A receiver is needed to obtain trustworthy information.

22 12. A receiver is also needed (1) because Schettler is "a judgment debtor with direct or  
23 indirect access to substantial wealth and assets, who [has] frustrated [PacWest's] considerable  
24 efforts to collect its judgment," and (2) to "investigate and determine what assets [Schettler]  
25 possesses, whether in the LLC's or otherwise, and to determine whether the arrangements are a  
26 subterfuge for avoiding [Schettler's personal] debt." *Morgan Stanley Smith Barney LLC v.*  
27 *Johnson*, 952 F.3d 978, 983 (8th Cir. 2020) (internal quotation marks omitted); *accord, Otero v.*  
28

1 *Vito*, 2008 WL 4004979, at \*4 (M.D. Ga. 2008) (a receiver was needed to “unravel[] the  
2 complicated web of entities and transactions woven by [the judgment debtors]”).

3 13. In its Motion, PacWest suggested two receiver candidates: (a) Cordes & Company,  
4 principally by and through Bellann Raile, and (b) Stapleton Group, principally by and through  
5 Jacob Diiorio. PacWest also provided the CVs and rates for both receiver candidates in its  
6 Motion. Schettler did not oppose or otherwise object to PacWest’s receiver candidates in his  
7 opposition brief or during the April 28, 2021, hearing on PacWest’s Motion.

8 14. Nevertheless, at a status hearing on July 21, 2021, upon request from Schettler’s  
9 counsel, the Court authorized Schettler to submit names, CVs, and rates for some receiver  
10 candidates. The Court also provided PacWest with an opportunity to thereafter respond to  
11 Schettler’s proposed receiver candidates.

12 15. On July 27, 2021, Schettler filed his Notice of Production of Documents whereby  
13 he suggested three receiver candidates: (a) Judge David Barker (retired), (b) Paul Haire, Esq., and  
14 (c) Justice Nancy Saitta (retired).

15 16. On August 3, 2021, PacWest submitted its Response to Mr. Schettler’s Proposed  
16 Receivers.

17 17. Upon a review of the two receiver candidates suggested by PacWest and the three  
18 receiver candidates suggested by Schettler, it is clear that the receiver candidates suggested by  
19 Schettler have zero receiver experience whereas those suggested by PacWest have been appointed  
20 as professional receivers more than 500 times in separate court actions in multiple states and  
21 jurisdictions. This experience imbalance weighs heavily in favor of PacWest’s nominees.

22 18. Also, PacWest’s proposed receiver candidates charge a significantly lower hourly  
23 rate than those proposed by Schettler. Indeed, Schettler’s candidates charge hourly rates ranging  
24 from \$450-\$750 (David Barker), \$490-\$800 (Paul Haire), and \$590-\$900 (Nancy Saitta), but  
25 none indicated what specific rate they would charge for receiver services in this case. On the  
26 other hand, PacWest’s proposed receiver candidates charge a specific hourly rate of \$325 (Cordes  
27 & Company, Bellann Raile) and \$345 (Stapleton Group, Jacob Diiorio) to serve as a receiver in  
28 this case. The specificity and lower rates weigh heavily in favor of PacWest’s nominees.



1 should be given broad powers to locate and apply property of Schettler in satisfaction of the  
2 judgment, including commissions Schettler may be entitled to receive.

3 8. Given the complex network of trusts and business entities under Schettler's  
4 control, the receiver should be given broad powers to pursue alter ego and fraudulent transfer  
5 claims if the receiver determines such are warranted.

6 9. Although Schettler claims his network of business entities and trusts is legitimate  
7 business and asset protection planning, the "possibility of legitimate business coexisting with  
8 fraudulent schemes" warrants a receiver. *See U.S. v. Hoffman*, 560 F. Supp.2d 772, 777 (D.  
9 Minn. 2008). A receiver can sort out the legitimate from the fraudulent and thereby ensure  
10 legitimate business is left alone and fraudulent schemes are dismantled.

11 10. NRCP 53(a)(2) relevantly provides:

12 "(2) **Scope.** Unless a statute provides otherwise, a court may appoint a master  
13 only to:

14 "(A) perform duties consented to by the parties;

15 "(B) address pretrial or posttrial matters that cannot be effectively and  
16 timely addressed by an available judge; or

17 "(C) in actions or on issues to be decided without a jury, hold trial  
18 proceedings and recommend findings of fact, conclusions of law,  
19 and a judgment, if appointment is warranted by:

20 "(i) some exceptional condition; or

21 "(ii) the need to perform an accounting or resolve a difficult  
22 computation of damages."

23 11. With respect to NRCP 53(a)(2)(A), PacWest did not consent to a master  
24 performing any of the duties described in the Countermotion so a master cannot be appointed  
25 under NRCP 53(a)(2)(A).

26 12. With respect to NRCP 53(a)(2)(B), there has been no evidence or allegation that  
27 the Court cannot "effectively and timely" address the issues in this case, and the Court can  
28

1 continue to “effectively and timely” address the issues here; so a master is not warranted under  
2 NRCP 53(a)(2)(B).

3 13. With respect to NRCP 53(a)(2)(C), this action has not presented any “exceptional  
4 condition” that requires assistance from a master. Nor does this case present a “need to perform  
5 an accounting or resolve a difficult computation of damages.” A master is not warranted under  
6 NRCP 53(a)(2)(C).

7 14. A master is not warranted in this case.

8 15. Any conclusions of law that are partially or completely findings of fact shall be  
9 deemed findings of fact.

### 10 **ORDER**

11 Therefore, IT IS ORDERED that a receiver shall be appointed over the Receivership  
12 Estate of Vincent T. Schettler. For purposes of this Order, the “Receivership Estate” shall consist  
13 of all of Vincent T. Schettler’s right, title, claims, demands and/or interest, including community  
14 property interest, in property and other assets of any kind and nature, including, but not limited to  
15 real, personal, intangible, and inchoate property and property held in trust, that Schettler currently  
16 has or may hereafter acquire, and includes “receivership property” as defined in NRS 32.185.  
17 The Court intends “Receivership Estate” and the terms of this Order to be interpreted broadly to  
18 facilitate the lawful satisfaction of PacWest’s judgment against Schettler.

19 IT IS FURTHER ORDERED that Cordes & Company, LLC, by and through Bellann  
20 Raile, is hereby appointed receiver in this action (the “Receiver”) over the Receivership Estate,  
21 subject to the condition that before entering upon its duties as Receiver, its shall execute a  
22 Receiver's oath and post a cash bond, or bond from an insurer, in the sum of \$5,000.00, to secure  
23 the faithful performance of its duties as Receiver herein. The Receiver’s oath and bond are to be  
24 filed with the Clerk of Court no later than August 1, 2021. Prior to the Receiver posting its bond,  
25 Plaintiff PacWest shall advance \$6,000.00 to the Receiver to cover its cost to post a bond and  
26 initial fees and expenses. This advance will be added to the judgment Schettler owes to PacWest.

27 IT IS FURTHER ORDERED that any distributions, commissions, payments, or other  
28 monetary consideration (collectively, “Disbursements”) Schettler is or becomes entitled to

1 receive, directly or indirectly, during the term of this receivership shall be paid and tendered to  
2 the Receiver, not Schettler, including, but not limited to, Disbursements from: (1) Vincent T.  
3 Schettler, LLC, (2) VTS Nevada, LLC, (3) Vision Commercial One, LLC, (4) S&G Partners,  
4 LLC, (5) Mosaic Commercial Advisors, LLC (6) Mosaic Development, LLC, (7) Mosaic Land  
5 Fund, (8) Mosaic Land Fund Two, LLC, (9) Mosaic Land 1 LLC, (10) Mosaic Land 2 LLC, (11)  
6 Mosaic Three, LLC, (12) Mosaic Five, LLC, (13) Mosaic Six, LLC, (14) Mosaic Seven, LLC,  
7 (15) Mosaic Hollywood 247, LLC, (16) Mosaic Simmons LLC, (17) VTS Investments LLP, (18)  
8 Vision Home Sales II LLC, (19) Investor Equity Homes, LLC, (20) West Henderson 140 LLC,  
9 (21) Multi Acquisitions, LLC, (22) HCR Unit F3 Owners LLC, (23) ND Holdings, LLC (LV  
10 series), (24) ND Holdings, LLC (Hndrsn series), and (25) Mosaic CC Mgr, LLC. Schettler shall  
11 provide a copy of this Order to any person or entity he anticipates receiving a Disbursement from  
12 and instruct them in writing that all Disbursements are to be paid and tendered to the Receiver,  
13 and Schettler shall promptly send a copy of the written instruction to the Receiver.

14 Notwithstanding the foregoing, if Schettler receives a referenced Disbursement, he shall  
15 immediately (a) advise the Receiver of such, and (b) deliver the Disbursement in full to the  
16 Receiver.

17 IT IS FURTHER ORDERED that any Disbursement Schettler is or becomes entitled to  
18 receive, directly or indirectly, during the term of this receivership from any trust, including, but  
19 not limited to, the Schettler Family Trust, including, but not limited to, payments from trust assets  
20 for the benefit of Schettler, shall be paid and tendered to the Receiver, not Schettler. Schettler  
21 shall provide a copy of this Order to the trustee(s) of any trust he anticipates receiving a  
22 Disbursement from and instruct the trustee(s) in writing that all Disbursements, for his benefit, or  
23 on his behalf, are to be paid and tendered to the Receiver, and Schettler shall promptly send a  
24 copy of the written instruction to the Receiver. Notwithstanding the foregoing, if Schettler  
25 receives a referenced trust Disbursement, he shall immediately deliver such to the Receiver.

26 IT IS FURTHER ORDERED that the Receiver is directed by this Court to do the  
27 following specific acts:  
28



1           1.       Immediately take possession, control, and management of the Receivership Estate,  
2 and shall have all power and authority of a receiver provided by law, including, but not limited to,  
3 the following powers and responsibilities:

- 4           a.       The Receiver is authorized and empowered to liquidate non-exempt assets  
5 of the Receivership Estate and/or apply the non-exempt portion of the  
6 proceeds to satisfaction of the judgment that Schettler owes to PacWest.
- 7           b.       The Receiver is authorized and empowered to seize, operate, manage,  
8 control, conduct, care for, preserve, and maintain the Receivership Estate,  
9 wherever located. In this regard, the Receiver is authorized to the fullest  
10 extent allowed by law to manage, operate and make all decisions and  
11 exercise all discretion on behalf of the Receivership Estate.
- 12          c.       The Receiver may change the locks, if any, providing access to the  
13 Receivership Estate, so long as changing the locks does not interfere with  
14 Schettler's access to his personal residence, and to do all other things  
15 which the Receiver deems necessary to protect the Receivership Estate.
- 16          d.       The Receiver is further authorized to take possession of and collect any  
17 accounts, distributions, commissions, exempt wages and bonuses, chattel  
18 paper, and general intangibles of every kind hereafter arising out of the  
19 Receivership Estate and to have full access to and, if it desires, take  
20 possession of all the books and records, ledgers, financial statements,  
21 financial reports, documents and all other records (including, but not  
22 limited to, information contained on computers and any and all software  
23 relating thereto) relating to the foregoing, wherever located, as the  
24 Receiver deems necessary for the proper administration of the Receivership  
25 Estate.
- 26          e.       The Receiver is authorized and empowered to demand any and all records  
27 from any and all banks and other financial institutions holding accounts  
28

1 which constitute part of the Receivership Estate, including past or closed  
2 accounts in existence at any time on or after January 1, 2014.

3 f. The Receiver shall preserve and protect the assets, tax records, books and  
4 records, wherever located, while it acts to operate the affairs of the  
5 Receivership Estate. Notwithstanding anything to the contrary herein,  
6 Schettler, not the Receiver, shall be responsible for preparing and filing  
7 Schettler's state and federal tax returns. However, (1) the Receiver shall  
8 timely cooperate with Schettler and his tax preparer as they may reasonably  
9 request so that they (i.e., Schettler and/or his tax preparer) can timely  
10 prepare and file Schettler's tax returns, and (2) Schettler shall provide (or  
11 cause his tax preparer to provide) a copy of each state and federal tax  
12 return to the Receiver promptly after the return is filed.

13 g. The Receiver is authorized and empowered to execute and prepare all  
14 documents and to perform all acts, either in the name of Schettler or, as  
15 applicable, in the Receiver's own name, which are necessary or incidental  
16 to preserve, protect, manage and/or control the Receivership Estate. In  
17 particular, the Receiver shall have the authority, without limitation, to  
18 immediately cancel, extend, modify or enter into any existing or new  
19 contracts or leases necessary to operate the Receivership Estate.

20 h. The Receiver is authorized and empowered to demand, collect, and receive  
21 all monies, funds, commissions, distributions, and payments arising from or  
22 in connection with any sale and/or lease of any assets of the Receivership  
23 Estate, including related to any services provided by Schettler.

24 i. The Receiver may take possession of all Receivership Estate accounts and  
25 safe deposit boxes, wherever located, and receive possession of any money  
26 or other things on deposit in said accounts or safe deposit boxes. The  
27 Receiver also has the authority to close any account(s) that the Receiver  
28 deems necessary for operation or management of the Receivership Estate.

Institutions that have provided banking or other financial services to Schettler are instructed to assist the Receiver, including by providing records that the Receiver requests. These institutions may charge their ordinary rates for providing this service.

- j. The Receiver is empowered to establish accounts at any bank or financial institution the Receiver deems appropriate in connection with the operation and management of the Receivership Estate. The Receiver is authorized to use the Defendant's tax identification number to establish such accounts. Any institutions that have accounts and/or funds that are part of the Receivership Estate shall turnover said accounts and/or funds to the custody and control of the Receiver and that institution shall not be held liable for turnover of funds.
- k. To the extent feasible, the Receiver shall, within thirty (30) days of its qualification hereunder, file in this action an inventory of all property the Receiver took possession of pursuant to this Order and file quarterly accountings thereafter.
- l. The Receiver is authorized to institute ancillary proceedings in this state or other states as necessary to obtain possession and control of assets of the Receivership Estate, including, without limitation, to pursue claims for alter ego and fraudulent transfers.
- m. The Receiver is empowered to serve subpoenas when necessary with court approval.
- n. Any entities in which Schettler holds an interest are ordered to turn over to the Receiver any funds, profits, cash flow or property that would otherwise be distributable to Schettler, which the Receiver may use in satisfaction of the judgment Schettler owes to PacWest.
- o. The Receiver is authorized to contact any of Schettler's debtors ("Accounts Receivable Debtors") in order to advise them not to send further accounts

receivable payments to Schettler and to instruct the Accounts Receivable Debtors to send any and all payments directly to the Receiver.

- p. The Receiver is authorized to borrow funds from PacWest as may be necessary to satisfy the costs and expenses of the receivership and issue Receiver's Certificates, Certificates of Indebtedness, or similar instruments (individually, a "Certificate" and collectively, the "Certificates"), up to an initial aggregate total of \$25,000, evidencing the secured obligation of the Receivership Estate (and not the Receiver individually) to repay such sums; the principal sum of each such Certificate, together with reasonable interest thereon, shall be payable out of the next available funds from any other assets subject to the Receiver's authority and control. In the event that the Receiver determines, in its reasonable business judgment, that Certificates in excess of an aggregate of \$25,000 are necessary to fund the present receivership, it may issue such Certificates to PacWest upon PacWest's written consent and agreement, and without further order of this Court.

2. Even though the Uniform Commercial Real Estate Act does not apply here, the Receiver shall exercise the powers and duties set forth in NRS 32.290, NRS 32.295, NRS 32.315, and NRS 32.320 to the extent reasonably deemed necessary to effectuate the purposes of this Order, which is the satisfaction of the judgments in favor of PacWest.

3. The Receiver is also authorized, but not obligated, to perform the following:

- a. Hire and pay (from Receivership Estate assets) the fees and costs of any professionals, including attorneys, accountants, and property managers to aid and counsel the Receiver in performing its duties.
- b. Hire contractors to evaluate and make repairs to assets of the Receivership Estate.

- 1 c. Pay (from Receivership Estate assets) such other and ordinary expenses  
2 deemed appropriate by the Receiver to carry out the Receiver's duties as  
3 specified herein.
- 4 d. Pay the Receiver's fees and costs from Receivership Estate assets.
- 5 4. Quarterly accounting of Receiver's efforts, income, expenses, and fees ("Receiver's  
6 Report"):
- 7 a. Each quarter, the Receiver shall prepare and serve on the parties a report  
8 identifying (1) the issues it is addressing, (2) an accounting of revenues  
9 received, (3) an accounting of expenses incurred, in the administration of  
10 the Receivership Estate, including an itemization of the Receiver's own  
11 fees and costs incurred for the reported period, and (4) an accounting of  
12 payments made to PacWest, if any, in full or partial satisfaction of the  
13 judgment Schettler owes to PacWest.
- 14 b. The Receiver and its attorneys, accountants, agents and consultants shall be  
15 compensated from the assets of the Receivership Estate for its normal  
16 hourly charges and for all expenses incurred in fulfilling the terms of this  
17 Order. The compensation for the Receiver's principal (Bellann Raile) shall  
18 be at the rate of \$325 per hour. Compensation for the Receiver's other  
19 personnel, agents, and consultants shall be at their customary hourly rates.  
20 The Receiver shall also be compensated for photocopying, long distance  
21 telephone, postage, travel (except travel to and from Nevada necessitated  
22 because the Receiver's office is located outside Nevada) and other  
23 expenses at actual cost. The Receiver may periodically pay itself and its  
24 attorneys, accountants, agents and consultants from the assets of the  
25 Receivership Estate, provided that the Receiver shall apply to the Court for  
26 approval of these charges quarterly.

27 IT IS FURTHER ORDERED that PacWest, Schettler, and all other parties to this action,  
28 including any of their respective agents, servants, directors, assignees, successors, representatives,

1 employees, and all persons or entities acting under, or in concert with them, or for them, are  
2 required to cooperate with the Receiver and shall immediately turn over to the Receiver  
3 possession, custody, and control of all books and records pertaining to the Receivership Estate,  
4 wherever located, whether electronic or hardcopy, as the Receiver deems necessary for the proper  
5 administration, management and/or control of the Receivership Estate, necessary to carry out any  
6 of the Receiver's duties as set forth in this Order, including but not limited to: all keys, codes,  
7 locks, usernames, passwords, security questions to access any systems / online portals, etc.  
8 necessary to operate the business, records, books of account, ledgers, and all documents and  
9 papers pertaining to the Receivership Estate.

10 IT IS FURTHER ORDERED that Schettler and his agents shall not interfere in any  
11 manner with the discharge of the Receiver's rights vested or duties imposed by this Order.

12 IT IS FURTHER ORDERED that Schettler shall not collect any debts or demands due to  
13 him, except as may be requested by or approved in advance by the Receiver in writing.

14 IT IS FURTHER ORDERED that Schettler shall not commit or permit any waste of the  
15 Receivership Estate or take any action to avoid, hinder, delay, or evade the effect of this Order.

16 IT IS FURTHER ORDERED that Schettler shall not pay out, assign, sell, convey,  
17 transfer, encumber, or deliver any of his assets to any person or entity other than the Receiver,  
18 except as may be requested by or approved in advance by the Receiver in writing.

19 IT IS FURTHER ORDERED that Schettler shall not act or fail to act in a manner that,  
20 directly or indirectly, hinders, delays, or obstructs the Receiver in the conduct of its duties or  
21 otherwise interferes in any manner with the Receiver and the performance of its rights or duties  
22 pursuant to this Order.

23 IT IS FURTHER ORDERED that this Order shall be interpreted and applied by the  
24 Receiver in a manner consistent with *Weddell v. H2O, Inc.*, 128 Nev. 94, 271 P.3d 743 (2012).

25 ////

26 ////

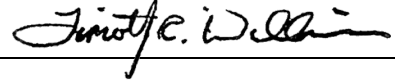
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IT IS FURTHER ORDERED that the Receiver, or any party to this action, may apply to this Court for further orders instructing the Receiver. This Order shall remain in full force and effect until further order of this Court.

**IT IS SO ORDERED.**

Dated this 16th day of August, 2021



NS

**598 153 589B 938D**  
**Timothy C. Williams**  
**District Court Judge**

Submitted by:  
LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/ Dan R. Waite

Dan R. Waite, Esq.  
Nevada State Bar No. 4078  
3993 Howard Hughes Parkway, Suite 600  
Las Vegas, Nevada 89169  
*Attorneys for Plaintiff/Judgment Creditor*  
*Pacific Western Bank*

Agreement was not reached on the form or content of this order. PacWest's counsel understands that Mr. Schettler will submit a competing order.

1 **CSERV**

2  
3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

5  
6 Pacific Western Bank,  
7 Plaintiff(s)

CASE NO: A-14-710645-B

8 vs.

DEPT. NO. Department 16

9 John Ritter, Defendant(s)

10  
11 **AUTOMATED CERTIFICATE OF SERVICE**

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

Service Date: 8/16/2021

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afreer@sdfnvlaw.com

16 Alexander LeVeque

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bjones@glenlerner.com

18 "Jaimie Stilz, Esq." .

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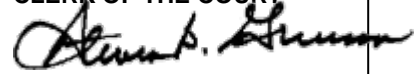
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**NEO**  
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*Attorneys for Plaintiff Pacific Western Bank,  
a California corporation*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

PACIFIC WESTERN BANK, a California  
corporation,

Plaintiff,

v.

JOHN A. RITTER, an individual; DARREN D.  
BADGER, an individual; VINCENT T.  
SCHETTLER, an individual; and DOES 1  
through 50,

Defendants.

Case No. A-14-710645-B

Dept. No. 16

**NOTICE OF ENTRY OF ORDER (1)  
APPOINTING RECEIVER OVER  
JUDGMENT DEBTOR VINCENT T.  
SCHETTLER'S ASSETS and  
(2) DENYING COUNTERMOTION FOR  
SPECIAL MASTER**

PLEASE TAKE NOTICE that an Order (1) Appointing Receiver Over Judgment  
Debtor Vincent T. Schettler's Assets and (2) Denying Countermotion for Special Master was  
entered on August 16, 2021. A copy of the Order is attached hereto.

Dated this 16th day of August, 2021.

**LEWIS ROCA ROTHGERBER CHRISTIE LLP**

By: /s/ Dan R. Waite

Dan R. Waite (State Bar No.: 4078)  
3993 Howard Hughes Parkway, Suite 600  
Las Vegas, Nevada 89169-5996

*Attorneys for Plaintiff  
Pacific Western Bank, a California corporation*

**CERTIFICATE OF SERVICE**

Pursuant to NRCP 5(b), I certify that I am an employee of Lewis Roca Rothgerber Christie LLP, and that on this day, I caused a true and correct copy of ***“Notice of Entry of Order (1) Appointing Receiver Over Judgment Debtor Vincent T. Schettler’s Assets and (2) Denying Countermotion for Special Master”*** to be E-Filed and Served through the Court’s electronic filing system.

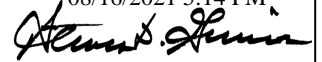
Alexander G. LeVeque  
Alan D. Freer  
SOLOMON DWIGGINS & FREER, LTD  
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J. Rusty Graf, Esq.  
BLACK & WADHAMS  
10777 West Twain Avenue, Suite 300  
Las Vegas, Nevada 89135  
*Attorney for Vincent Schettler*

Dated this 16th day of August, 2021

/s/ Luz Horvath

An Employee of Lewis Roca Rothgerber Christie LLP

  
CLERK OF THE COURT

**ORD**

Dan R. Waite, State Bar No. 4078

DWAITE@lrrc.com

**LEWIS ROCA ROTHGERBER CHRISTIE LLP**

3993 Howard Hughes Parkway, Suite 600

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Attorneys for Plaintiff

*Pacific Western Bank, a California corporation*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

PACIFIC WESTERN BANK, a California  
corporation,

Plaintiff/Judgment Creditor,

v.

JOHN A. RITTER, an individual; DARREN D.  
BADGER, an individual; VINCENT T.  
SCHETTLER, an individual; and DOES 1  
through 50,

Defendants/Judgment Debtors.

Case No. A-14-710645-B

Dept. No. XVI

**ORDER (1) APPOINTING RECEIVER  
OVER JUDGMENT DEBTOR VINCENT  
T. SCHETTLER'S ASSETS and  
(2) DENYING COUNTERMOTION FOR  
SPECIAL MASTER**

**Date of Hearing: April 28, 2021**

**Time of Hearing: 9:00 a.m.**

On April 28, 2021, at 9:00 a.m. in Department XVI of the above-captioned Court,  
(1) Plaintiff/Judgment Creditor PACIFIC WESTERN BANK's (hereinafter "PacWest") Motion  
for Appointment of a Receiver Over Judgment Debtor Vincent T. Schettler's Assets ("Motion"),  
and (2) Defendant/Judgment Debtor VINCENT T. SCHETTLER's (hereinafter "Schettler")  
Counter-motion for Appointment of Special Master ("Counter-motion"), came on for hearing. Dan  
R. Waite of Lewis Roca Rothgerber Christie LLP appeared on behalf of PacWest. J. Rusty Graf  
of Black & Wadhams and Alexander G. LeVeque of Solomon Dwiggin Freer & Steadman, Ltd.,  
appeared on behalf of Defendant/Judgment Debtor VINCENT T. SCHETTLER.<sup>1</sup> Based on the

<sup>1</sup> As used throughout this Order, the term "Schettler" shall mean the judgment debtor, Vincent T. Schettler, in his individual capacity.

1 papers and pleadings on file, the arguments of counsel, and good cause appearing, the Court rules  
2 as follows:

3 IT IS ORDERED that PacWest's Motion is GRANTED and Schettler's Countermotion is  
4 DENIED.

5 The Court has reviewed the conditions upon which a receiver can be appointed post-  
6 judgment under (a) California law pursuant to California Civil Procedure Code § 708.620 (2019),  
7 versus (b) Nevada law as set forth pursuant to NRS 32.010(4). This appears to be a question of  
8 first impression in Nevada. Unlike California, under the Nevada statutory scheme the  
9 appointment of a receiver is not a remedy of last resort because Nevada law does not require the  
10 Court to consider the interests of both the judgment creditor and the judgment debtor, and  
11 whether the appointment of a receiver is a reasonable method to obtain the fair and orderly  
12 satisfaction of the judgment. Under the Nevada statute, "[a]fter judgment, to dispose of the  
13 property according to the judgment, . . . in proceedings in aid of execution, when an execution has  
14 been returned unsatisfied, or when the judgment debtor refuses to apply the judgment debtor's  
15 property in satisfaction of the judgment," a receiver may be appointed by the Court. *See* NRS  
16 32.010(4). In the instant action, PacWest has utilized the standard debt collection procedures as  
17 set forth in its motion, i.e., judgment debtor examination, requests for production of documents  
18 from the judgment debtor, subpoena for documents from numerous third parties, writs of  
19 garnishment, writs of execution, etc.

20 In light of the foregoing, the Court finds that it is appropriate to appoint a receiver under  
21 the circumstances presented here and makes the following Findings of Fact and Conclusions of  
22 Law:

### 23 **FINDINGS OF FACT**

24 1. PacWest obtained a lawful judgment against Schettler in 2014, which judgment  
25 has a current outstanding balance of approximately \$3,000,000.

26 2. Schettler lives an affluent lifestyle but has not voluntarily paid anything on the  
27 judgment in more than six years. For example:  
28

1 a. Schettler purchased a \$2,000,000 home in a gated and guarded community  
2 during the summer of 2019. Title to the home was taken in the name of the Schettler Family  
3 Trust.

4 b. Associated with the purchase of that home, Schettler qualified for a  
5 \$1,500,000 loan by representing his income was \$77,231 per month, i.e., more than \$926,000  
6 annually.

7 c. On one AMEX Centurion card (aka “Black Card”), which Schettler is  
8 individually obligated to pay, the Schettlers have a history of charging and paying more than  
9 \$40,000 per month. In December 2018, the charges exceeded \$100,000, which were paid in full  
10 the next month. In late 2019 (over a period of 50 days), Schettler used the AMEX card to pay  
11 \$206,983.72 to one of the many law firms he retains.

12 3. In November 2020, PacWest attempted to execute upon Schettler’s personal  
13 property located at his home but Schettler, upon the advice of counsel, denied access to the  
14 Constable’s agents and thwarted any satisfaction of the judgment pursuant to the writ of  
15 execution.

16 4. Schettler controls a complex network of companies and trusts in an attempt to  
17 make himself judgment proof. For example, Schettler is self-employed by Vincent T. Schettler,  
18 LLC and he goes to work every day for that company. However, Schettler decides when and how  
19 much he gets paid and he pays himself very infrequently.

20 5. Even if Schettler pays himself only infrequently, he refuses to apply any of his  
21 property towards satisfaction of PacWest’s judgment. Indeed, on two separate occasions,  
22 Schettler has represented in open court that he offered to pay PacWest \$1,000,000 in settlement of  
23 the judgment he owes PacWest. (*See* Hrg. Trans. (7/29/20) at 13:12-13, and Hrg. Trans.  
24 (10/14/20) at 13:19-20). Thus, while Schettler admits he has access to at least \$1,000,000 to pay  
25 toward the judgment, he refuses to pay anything voluntarily, i.e., in the language of NRS  
26 32.010(4), he “refuses to apply [his] property in satisfaction of the judgment.”

27 6. Schettler’s employer, Vincent T. Schettler, LLC, is an operational entity for the  
28 commission income Schettler earns as a licensed real estate broker. In other words, Schettler

1 provides valuable services as a real estate broker and he, the judgment debtor, earns the  
2 commissions. Yet, the compensation and commissions earned by Schettler are not paid to  
3 Schettler. Instead, Schettler, through his control of Vincent T. Schettler, LLC, pays his own  
4 commissions and other compensation directly to the Schettler Family Trust, which then pays  
5 Schettler's living expenses.

6 7. Since 2014, Schettler has thumbed his nose at PacWest's judgment and attempted  
7 to thwart and frustrate PacWest's collection efforts at every opportunity, forcing PacWest to incur  
8 hundreds of thousands of dollars in post-judgment collection efforts, none of which prompted  
9 Schettler to pay anything.

10 8. Schettler is a very recalcitrant judgment debtor.

11 9. This Court has previously found that Schettler has not acted in good faith and,  
12 instead, has acted in bad faith; he's unreasonably multiplied these proceedings; has engaged in  
13 stonewalling; and has acted to delay and obfuscate as long as possible. (*See* Order (filed 9/10/20)  
14 at Findings 31-32, 38-39, 42). The Court confirms and incorporates those Findings here.

15 10. As demonstrated by Schettler's misrepresentations to his lender (where, in 2019,  
16 he misrepresented that he had no judgments against him and that he was not a party to any  
17 lawsuits), the Court finds that Schettler will falsify the truth while in the very act of  
18 acknowledging it is a federal crime to do so.

19 11. The Court finds that Schettler cannot be trusted to tell the truth. He will say and  
20 do whatever is expedient to serve his purposes in the moment and to thwart PacWest's lawful  
21 collection efforts. A receiver is needed to obtain trustworthy information.

22 12. A receiver is also needed (1) because Schettler is "a judgment debtor with direct or  
23 indirect access to substantial wealth and assets, who [has] frustrated [PacWest's] considerable  
24 efforts to collect its judgment," and (2) to "investigate and determine what assets [Schettler]  
25 possesses, whether in the LLC's or otherwise, and to determine whether the arrangements are a  
26 subterfuge for avoiding [Schettler's personal] debt." *Morgan Stanley Smith Barney LLC v.*  
27 *Johnson*, 952 F.3d 978, 983 (8th Cir. 2020) (internal quotation marks omitted); *accord, Otero v.*  
28

1 *Vito*, 2008 WL 4004979, at \*4 (M.D. Ga. 2008) (a receiver was needed to “unravel[] the  
2 complicated web of entities and transactions woven by [the judgment debtors]”).

3 13. In its Motion, PacWest suggested two receiver candidates: (a) Cordes & Company,  
4 principally by and through Bellann Raile, and (b) Stapleton Group, principally by and through  
5 Jacob Diiorio. PacWest also provided the CVs and rates for both receiver candidates in its  
6 Motion. Schettler did not oppose or otherwise object to PacWest’s receiver candidates in his  
7 opposition brief or during the April 28, 2021, hearing on PacWest’s Motion.

8 14. Nevertheless, at a status hearing on July 21, 2021, upon request from Schettler’s  
9 counsel, the Court authorized Schettler to submit names, CVs, and rates for some receiver  
10 candidates. The Court also provided PacWest with an opportunity to thereafter respond to  
11 Schettler’s proposed receiver candidates.

12 15. On July 27, 2021, Schettler filed his Notice of Production of Documents whereby  
13 he suggested three receiver candidates: (a) Judge David Barker (retired), (b) Paul Haire, Esq., and  
14 (c) Justice Nancy Saitta (retired).

15 16. On August 3, 2021, PacWest submitted its Response to Mr. Schettler’s Proposed  
16 Receivers.

17 17. Upon a review of the two receiver candidates suggested by PacWest and the three  
18 receiver candidates suggested by Schettler, it is clear that the receiver candidates suggested by  
19 Schettler have zero receiver experience whereas those suggested by PacWest have been appointed  
20 as professional receivers more than 500 times in separate court actions in multiple states and  
21 jurisdictions. This experience imbalance weighs heavily in favor of PacWest’s nominees.

22 18. Also, PacWest’s proposed receiver candidates charge a significantly lower hourly  
23 rate than those proposed by Schettler. Indeed, Schettler’s candidates charge hourly rates ranging  
24 from \$450-\$750 (David Barker), \$490-\$800 (Paul Haire), and \$590-\$900 (Nancy Saitta), but  
25 none indicated what specific rate they would charge for receiver services in this case. On the  
26 other hand, PacWest’s proposed receiver candidates charge a specific hourly rate of \$325 (Cordes  
27 & Company, Bellann Raile) and \$345 (Stapleton Group, Jacob Diiorio) to serve as a receiver in  
28 this case. The specificity and lower rates weigh heavily in favor of PacWest’s nominees.



20. Any findings of fact that are partially or completely conclusions of law shall be deemed conclusions of law.

## CONCLUSIONS OF LAW

1. NRS 1.210 provides: “Every court shall have power: . . . 3. To compel obedience to its lawful judgments . . . .”

2. NRS 32.010 provides: “A receiver may be appointed by the court in which an action is pending, . . . 4. After judgment, . . . in proceedings in aid of execution, when an execution has been returned unsatisfied, or when the judgment debtor refuses to apply the judgment debtor’s property in satisfaction of the judgment.”

3. A receiver is an officer and agent of the Court. *See U.S. Bank Nat’l Ass’n v. Palmilla Dev. Co.*, 131 Nev. 72, 77, 343 P.3d 603, 606 (2015) (“the receiver, for all intents and purposes, acts as a court’s proxy”).

4. A receiver is warranted here under NRS 32.010(4) for the following three reasons: (1) to aid PacWest’s execution rights against Schettler, (2) a writ of execution was returned unsatisfied, and (3) Schettler refuses to apply any of his property toward satisfaction of the judgment. *See Morgan Stanley Smith Barney LLC v. Johnson*, 952 F.3d 978, 981 (8th Cir. 2020) (receivership appropriate “to protect a judgment creditor’s interest in a debtor’s property when[, as here,] the debtor has shown an intention to frustrate attempts to collect the judgment.”).

5. NRS 32.010(4) does not require evidence of fraudulent transfers, alter ego, or post-judgment planning by the judgment debtor before the court may appoint a receiver.

6. Nevada's statutory scheme does not preclude the appointment of a receiver over an individual judgment debtor, like Schettler. *See* NRS 32.175, 32.185, 32.155, 32.160, and 32.300(2).

7. Given that Schettler has not voluntarily paid anything in more than six years since the judgment was entered against him but has somehow managed to live opulently, the receiver

1 should be given broad powers to locate and apply property of Schettler in satisfaction of the  
2 judgment, including commissions Schettler may be entitled to receive.

3 8. Given the complex network of trusts and business entities under Schettler's  
4 control, the receiver should be given broad powers to pursue alter ego and fraudulent transfer  
5 claims if the receiver determines such are warranted.

6 9. Although Schettler claims his network of business entities and trusts is legitimate  
7 business and asset protection planning, the "possibility of legitimate business coexisting with  
8 fraudulent schemes" warrants a receiver. *See U.S. v. Hoffman*, 560 F. Supp.2d 772, 777 (D.  
9 Minn. 2008). A receiver can sort out the legitimate from the fraudulent and thereby ensure  
10 legitimate business is left alone and fraudulent schemes are dismantled.

11 10. NRCP 53(a)(2) relevantly provides:

12 "(2) **Scope.** Unless a statute provides otherwise, a court may appoint a master  
13 only to:

14 "(A) perform duties consented to by the parties;

15 "(B) address pretrial or posttrial matters that cannot be effectively and  
16 timely addressed by an available judge; or

17 "(C) in actions or on issues to be decided without a jury, hold trial  
18 proceedings and recommend findings of fact, conclusions of law,  
19 and a judgment, if appointment is warranted by:

20 "(i) some exceptional condition; or

21 "(ii) the need to perform an accounting or resolve a difficult  
22 computation of damages."

23 11. With respect to NRCP 53(a)(2)(A), PacWest did not consent to a master  
24 performing any of the duties described in the Countermotion so a master cannot be appointed  
25 under NRCP 53(a)(2)(A).

26 12. With respect to NRCP 53(a)(2)(B), there has been no evidence or allegation that  
27 the Court cannot "effectively and timely" address the issues in this case, and the Court can  
28

1 continue to “effectively and timely” address the issues here; so a master is not warranted under  
2 NRCP 53(a)(2)(B).

3 13. With respect to NRCP 53(a)(2)(C), this action has not presented any “exceptional  
4 condition” that requires assistance from a master. Nor does this case present a “need to perform  
5 an accounting or resolve a difficult computation of damages.” A master is not warranted under  
6 NRCP 53(a)(2)(C).

7 14. A master is not warranted in this case.

8 15. Any conclusions of law that are partially or completely findings of fact shall be  
9 deemed findings of fact.

### 10 **ORDER**

11 Therefore, IT IS ORDERED that a receiver shall be appointed over the Receivership  
12 Estate of Vincent T. Schettler. For purposes of this Order, the “Receivership Estate” shall consist  
13 of all of Vincent T. Schettler’s right, title, claims, demands and/or interest, including community  
14 property interest, in property and other assets of any kind and nature, including, but not limited to  
15 real, personal, intangible, and inchoate property and property held in trust, that Schettler currently  
16 has or may hereafter acquire, and includes “receivership property” as defined in NRS 32.185.  
17 The Court intends “Receivership Estate” and the terms of this Order to be interpreted broadly to  
18 facilitate the lawful satisfaction of PacWest’s judgment against Schettler.

19 IT IS FURTHER ORDERED that Cordes & Company, LLC, by and through Bellann  
20 Raile, is hereby appointed receiver in this action (the “Receiver”) over the Receivership Estate,  
21 subject to the condition that before entering upon its duties as Receiver, its shall execute a  
22 Receiver's oath and post a cash bond, or bond from an insurer, in the sum of \$5,000.00, to secure  
23 the faithful performance of its duties as Receiver herein. The Receiver’s oath and bond are to be  
24 filed with the Clerk of Court no later than August 1, 2021. Prior to the Receiver posting its bond,  
25 Plaintiff PacWest shall advance \$6,000.00 to the Receiver to cover its cost to post a bond and  
26 initial fees and expenses. This advance will be added to the judgment Schettler owes to PacWest.

27 IT IS FURTHER ORDERED that any distributions, commissions, payments, or other  
28 monetary consideration (collectively, “Disbursements”) Schettler is or becomes entitled to

1 receive, directly or indirectly, during the term of this receivership shall be paid and tendered to  
2 the Receiver, not Schettler, including, but not limited to, Disbursements from: (1) Vincent T.  
3 Schettler, LLC, (2) VTS Nevada, LLC, (3) Vision Commercial One, LLC, (4) S&G Partners,  
4 LLC, (5) Mosaic Commercial Advisors, LLC (6) Mosaic Development, LLC, (7) Mosaic Land  
5 Fund, (8) Mosaic Land Fund Two, LLC, (9) Mosaic Land 1 LLC, (10) Mosaic Land 2 LLC, (11)  
6 Mosaic Three, LLC, (12) Mosaic Five, LLC, (13) Mosaic Six, LLC, (14) Mosaic Seven, LLC,  
7 (15) Mosaic Hollywood 247, LLC, (16) Mosaic Simmons LLC, (17) VTS Investments LLP, (18)  
8 Vision Home Sales II LLC, (19) Investor Equity Homes, LLC, (20) West Henderson 140 LLC,  
9 (21) Multi Acquisitions, LLC, (22) HCR Unit F3 Owners LLC, (23) ND Holdings, LLC (LV  
10 series), (24) ND Holdings, LLC (Hndrsn series), and (25) Mosaic CC Mgr, LLC. Schettler shall  
11 provide a copy of this Order to any person or entity he anticipates receiving a Disbursement from  
12 and instruct them in writing that all Disbursements are to be paid and tendered to the Receiver,  
13 and Schettler shall promptly send a copy of the written instruction to the Receiver.

14 Notwithstanding the foregoing, if Schettler receives a referenced Disbursement, he shall  
15 immediately (a) advise the Receiver of such, and (b) deliver the Disbursement in full to the  
16 Receiver.

17 IT IS FURTHER ORDERED that any Disbursement Schettler is or becomes entitled to  
18 receive, directly or indirectly, during the term of this receivership from any trust, including, but  
19 not limited to, the Schettler Family Trust, including, but not limited to, payments from trust assets  
20 for the benefit of Schettler, shall be paid and tendered to the Receiver, not Schettler. Schettler  
21 shall provide a copy of this Order to the trustee(s) of any trust he anticipates receiving a  
22 Disbursement from and instruct the trustee(s) in writing that all Disbursements, for his benefit, or  
23 on his behalf, are to be paid and tendered to the Receiver, and Schettler shall promptly send a  
24 copy of the written instruction to the Receiver. Notwithstanding the foregoing, if Schettler  
25 receives a referenced trust Disbursement, he shall immediately deliver such to the Receiver.

26 IT IS FURTHER ORDERED that the Receiver is directed by this Court to do the  
27 following specific acts:  
28

1           1.       Immediately take possession, control, and management of the Receivership Estate,  
2 and shall have all power and authority of a receiver provided by law, including, but not limited to,  
3 the following powers and responsibilities:

- 4           a.       The Receiver is authorized and empowered to liquidate non-exempt assets  
5 of the Receivership Estate and/or apply the non-exempt portion of the  
6 proceeds to satisfaction of the judgment that Schettler owes to PacWest.
- 7           b.       The Receiver is authorized and empowered to seize, operate, manage,  
8 control, conduct, care for, preserve, and maintain the Receivership Estate,  
9 wherever located. In this regard, the Receiver is authorized to the fullest  
10 extent allowed by law to manage, operate and make all decisions and  
11 exercise all discretion on behalf of the Receivership Estate.
- 12          c.       The Receiver may change the locks, if any, providing access to the  
13 Receivership Estate, so long as changing the locks does not interfere with  
14 Schettler's access to his personal residence, and to do all other things  
15 which the Receiver deems necessary to protect the Receivership Estate.
- 16          d.       The Receiver is further authorized to take possession of and collect any  
17 accounts, distributions, commissions, exempt wages and bonuses, chattel  
18 paper, and general intangibles of every kind hereafter arising out of the  
19 Receivership Estate and to have full access to and, if it desires, take  
20 possession of all the books and records, ledgers, financial statements,  
21 financial reports, documents and all other records (including, but not  
22 limited to, information contained on computers and any and all software  
23 relating thereto) relating to the foregoing, wherever located, as the  
24 Receiver deems necessary for the proper administration of the Receivership  
25 Estate.
- 26          e.       The Receiver is authorized and empowered to demand any and all records  
27 from any and all banks and other financial institutions holding accounts  
28

1 which constitute part of the Receivership Estate, including past or closed  
2 accounts in existence at any time on or after January 1, 2014.

3 f. The Receiver shall preserve and protect the assets, tax records, books and  
4 records, wherever located, while it acts to operate the affairs of the  
5 Receivership Estate. Notwithstanding anything to the contrary herein,  
6 Schettler, not the Receiver, shall be responsible for preparing and filing  
7 Schettler's state and federal tax returns. However, (1) the Receiver shall  
8 timely cooperate with Schettler and his tax preparer as they may reasonably  
9 request so that they (i.e., Schettler and/or his tax preparer) can timely  
10 prepare and file Schettler's tax returns, and (2) Schettler shall provide (or  
11 cause his tax preparer to provide) a copy of each state and federal tax  
12 return to the Receiver promptly after the return is filed.

13 g. The Receiver is authorized and empowered to execute and prepare all  
14 documents and to perform all acts, either in the name of Schettler or, as  
15 applicable, in the Receiver's own name, which are necessary or incidental  
16 to preserve, protect, manage and/or control the Receivership Estate. In  
17 particular, the Receiver shall have the authority, without limitation, to  
18 immediately cancel, extend, modify or enter into any existing or new  
19 contracts or leases necessary to operate the Receivership Estate.

20 h. The Receiver is authorized and empowered to demand, collect, and receive  
21 all monies, funds, commissions, distributions, and payments arising from or  
22 in connection with any sale and/or lease of any assets of the Receivership  
23 Estate, including related to any services provided by Schettler.

24 i. The Receiver may take possession of all Receivership Estate accounts and  
25 safe deposit boxes, wherever located, and receive possession of any money  
26 or other things on deposit in said accounts or safe deposit boxes. The  
27 Receiver also has the authority to close any account(s) that the Receiver  
28 deems necessary for operation or management of the Receivership Estate.

Institutions that have provided banking or other financial services to Schettler are instructed to assist the Receiver, including by providing records that the Receiver requests. These institutions may charge their ordinary rates for providing this service.

- j. The Receiver is empowered to establish accounts at any bank or financial institution the Receiver deems appropriate in connection with the operation and management of the Receivership Estate. The Receiver is authorized to use the Defendant's tax identification number to establish such accounts. Any institutions that have accounts and/or funds that are part of the Receivership Estate shall turnover said accounts and/or funds to the custody and control of the Receiver and that institution shall not be held liable for turnover of funds.
- k. To the extent feasible, the Receiver shall, within thirty (30) days of its qualification hereunder, file in this action an inventory of all property the Receiver took possession of pursuant to this Order and file quarterly accountings thereafter.
- l. The Receiver is authorized to institute ancillary proceedings in this state or other states as necessary to obtain possession and control of assets of the Receivership Estate, including, without limitation, to pursue claims for alter ego and fraudulent transfers.
- m. The Receiver is empowered to serve subpoenas when necessary with court approval.
- n. Any entities in which Schettler holds an interest are ordered to turn over to the Receiver any funds, profits, cash flow or property that would otherwise be distributable to Schettler, which the Receiver may use in satisfaction of the judgment Schettler owes to PacWest.
- o. The Receiver is authorized to contact any of Schettler's debtors ("Accounts Receivable Debtors") in order to advise them not to send further accounts

receivable payments to Schettler and to instruct the Accounts Receivable Debtors to send any and all payments directly to the Receiver.

- p. The Receiver is authorized to borrow funds from PacWest as may be necessary to satisfy the costs and expenses of the receivership and issue Receiver's Certificates, Certificates of Indebtedness, or similar instruments (individually, a "Certificate" and collectively, the "Certificates"), up to an initial aggregate total of \$25,000, evidencing the secured obligation of the Receivership Estate (and not the Receiver individually) to repay such sums; the principal sum of each such Certificate, together with reasonable interest thereon, shall be payable out of the next available funds from any other assets subject to the Receiver's authority and control. In the event that the Receiver determines, in its reasonable business judgment, that Certificates in excess of an aggregate of \$25,000 are necessary to fund the present receivership, it may issue such Certificates to PacWest upon PacWest's written consent and agreement, and without further order of this Court.

2. Even though the Uniform Commercial Real Estate Act does not apply here, the Receiver shall exercise the powers and duties set forth in NRS 32.290, NRS 32.295, NRS 32.315, and NRS 32.320 to the extent reasonably deemed necessary to effectuate the purposes of this Order, which is the satisfaction of the judgments in favor of PacWest.

3. The Receiver is also authorized, but not obligated, to perform the following:

- a. Hire and pay (from Receivership Estate assets) the fees and costs of any professionals, including attorneys, accountants, and property managers to aid and counsel the Receiver in performing its duties.
- b. Hire contractors to evaluate and make repairs to assets of the Receivership Estate.



- 1 c. Pay (from Receivership Estate assets) such other and ordinary expenses  
2 deemed appropriate by the Receiver to carry out the Receiver's duties as  
3 specified herein.
- 4 d. Pay the Receiver's fees and costs from Receivership Estate assets.
- 5 4. Quarterly accounting of Receiver's efforts, income, expenses, and fees ("Receiver's  
6 Report"):
- 7 a. Each quarter, the Receiver shall prepare and serve on the parties a report  
8 identifying (1) the issues it is addressing, (2) an accounting of revenues  
9 received, (3) an accounting of expenses incurred, in the administration of  
10 the Receivership Estate, including an itemization of the Receiver's own  
11 fees and costs incurred for the reported period, and (4) an accounting of  
12 payments made to PacWest, if any, in full or partial satisfaction of the  
13 judgment Schettler owes to PacWest.
- 14 b. The Receiver and its attorneys, accountants, agents and consultants shall be  
15 compensated from the assets of the Receivership Estate for its normal  
16 hourly charges and for all expenses incurred in fulfilling the terms of this  
17 Order. The compensation for the Receiver's principal (Bellann Raile) shall  
18 be at the rate of \$325 per hour. Compensation for the Receiver's other  
19 personnel, agents, and consultants shall be at their customary hourly rates.  
20 The Receiver shall also be compensated for photocopying, long distance  
21 telephone, postage, travel (except travel to and from Nevada necessitated  
22 because the Receiver's office is located outside Nevada) and other  
23 expenses at actual cost. The Receiver may periodically pay itself and its  
24 attorneys, accountants, agents and consultants from the assets of the  
25 Receivership Estate, provided that the Receiver shall apply to the Court for  
26 approval of these charges quarterly.

27 IT IS FURTHER ORDERED that PacWest, Schettler, and all other parties to this action,  
28 including any of their respective agents, servants, directors, assignees, successors, representatives,

employees, and all persons or entities acting under, or in concert with them, or for them, are required to cooperate with the Receiver and shall immediately turn over to the Receiver possession, custody, and control of all books and records pertaining to the Receivership Estate, wherever located, whether electronic or hardcopy, as the Receiver deems necessary for the proper administration, management and/or control of the Receivership Estate, necessary to carry out any of the Receiver's duties as set forth in this Order, including but not limited to: all keys, codes, locks, usernames, passwords, security questions to access any systems / online portals, etc. necessary to operate the business, records, books of account, ledgers, and all documents and papers pertaining to the Receivership Estate.

IT IS FURTHER ORDERED that Schettler and his agents shall not interfere in any manner with the discharge of the Receiver's rights vested or duties imposed by this Order.

IT IS FURTHER ORDERED that Schettler shall not collect any debts or demands due to him, except as may be requested by or approved in advance by the Receiver in writing.

IT IS FURTHER ORDERED that Schettler shall not commit or permit any waste of the Receivership Estate or take any action to avoid, hinder, delay, or evade the effect of this Order.

IT IS FURTHER ORDERED that Schettler shall not pay out, assign, sell, convey, transfer, encumber, or deliver any of his assets to any person or entity other than the Receiver, except as may be requested by or approved in advance by the Receiver in writing.

IT IS FURTHER ORDERED that Schettler shall not act or fail to act in a manner that, directly or indirectly, hinders, delays, or obstructs the Receiver in the conduct of its duties or otherwise interferes in any manner with the Receiver and the performance of its rights or duties pursuant to this Order.

IT IS FURTHER ORDERED that this Order shall be interpreted and applied by the Receiver in a manner consistent with *Weddell v. H2O, Inc.*, 128 Nev. 94, 271 P.3d 743 (2012).

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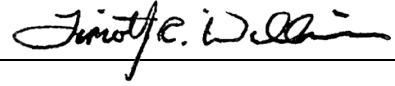
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IT IS FURTHER ORDERED that the Receiver, or any party to this action, may apply to this Court for further orders instructing the Receiver. This Order shall remain in full force and effect until further order of this Court.

**IT IS SO ORDERED.**

Dated this 16th day of August, 2021



NS

**598 153 589B 938D**  
**Timothy C. Williams**  
**District Court Judge**

Submitted by:  
LEWIS ROCA ROTHGERBER CHRISTIE LLP

By: /s/ Dan R. Waite

Dan R. Waite, Esq.  
Nevada State Bar No. 4078  
3993 Howard Hughes Parkway, Suite 600  
Las Vegas, Nevada 89169  
*Attorneys for Plaintiff/Judgment Creditor*  
*Pacific Western Bank*

Agreement was not reached on the form or content of this order. PacWest's counsel understands that Mr. Schettler will submit a competing order.

1 **CSERV**

2  
3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

5  
6 Pacific Western Bank,  
7 Plaintiff(s)

CASE NO: A-14-710645-B

8 vs.

DEPT. NO. Department 16

9 John Ritter, Defendant(s)

10  
11 **AUTOMATED CERTIFICATE OF SERVICE**

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

Service Date: 8/16/2021

15 Alan Freer

afreer@sdfnvlaw.com

16 Alexander LeVeque

aleveque@sdfnvlaw.com

17 "Brittany Jones, Paralegal" .

bjones@glenlerner.com

18 "Jaimie Stilz, Esq." .

jstilz@rrblf.com

19 "Miriam Alvarez, Paralegal" .

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20 Bobbye Donaldson .

bdonaldson@dickinsonwright.com

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**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**June 08, 2015**

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A-14-710645-B      Pacific Western Bank, Plaintiff(s)  
vs.  
John Ritter, Defendant(s)

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**June 08, 2015**

**3:00 AM**

**Minute Order**

**HEARD BY:** Alf, Nancy

**COURTROOM:** No Location

**COURT CLERK:** Nicole McDevitt

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- As this Court is familiar with one of the attorneys, in accordance with Rule 2.11(a), to avoid the appearance of impropriety and implied bias, this Court hereby disqualifies itself and ORDERS, this case be REASSIGNED at random.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**July 09, 2015**

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A-14-710645-B	Pacific Western Bank, Plaintiff(s)
	vs.
	John Ritter, Defendant(s)

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**July 09, 2015**

**9:00 AM**

**All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Katrina Hernandez

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

**PRESENT:**

Connot, Mark J	Attorney
Cory, Timothy Stephen	Attorney
Olson, Bob L.	Attorney
Vlasic, Charles	Attorney

**JOURNAL ENTRIES**

- DEFENDANT SCHETTLER'S EMERGENCY MOTION FOR PROTECTIVE ORDER ON OST. Mr. Cory argued in support of Defendant's motion noting there is no proof of service and stating the history of the case. Arguments by Mr. Olson in opposition noting the status of the depositions. COURT FINDS, given the service issues and incorrect form thus deeming service ineffective, and ORDERED, Motion GRANTED. COURT FURTHER ALLOWED service to be concurrent upon the Sheriff's service. COURT FURTHER ORDERED, interrogatories need to be fully responded to and if Plaintiff doesn't file it, then a Motion to Compel can be filed; privilege log to be prepared by the client asserting the privilege and Mr. Cory to prepare that log. Court further clarified it is not going to issue an injunction at this time.

COURT ORDERED, Plaintiff's Objections to: Darrin Badger's Affidavit, to Claim of Exemption from Execution (Bank of Nevada Held by Schettler's Family Trust, to John A Ritter's Claim of Exemption from Execution, and to Claim of Exemption from Execution MOOT.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**August 11, 2015**

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A-14-710645-B	Pacific Western Bank, Plaintiff(s) vs. John Ritter, Defendant(s)
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**August 11, 2015      9:00 AM      Motion**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Katrina Hernandez

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Connot, Mark J	Attorney
	Cory, Timothy Stephen	Attorney
	Olson, Bob L.	Attorney
	Vlastic, Charles	Attorney

**JOURNAL ENTRIES**

- As to the issue of the safety deposit box, COURT ORDERED, both counsel and or Counsel's office representatives to be present when the box is opened and to do an inventory of the contents. Counsel to prepare an order noting the items otherwise subject to execution need to be identified and noted the Sheriff does not need to be present pursuant to this Court's order.

Arguments by Mr. Cory in support of the motion and arguments by Mr. Olson detailing the accounts and arguing that there are significant factual issues that need to be disclosed. Court noted it would need to do an in camera review. Colloquy regarding confidentiality agreement. COURT ORDERED, the depositions to be conducted and matter SET for Status Check in two weeks in Chambers to reset the hearing for exemption; as well as a status check on the protective order.

8/14/15 3:00 AM (CHAMBERS) STATUS CHECK: PROTECTIVE ORDER

8/26/15 3:00 AM (CHAMBERS) STATUS CHECK: DEPOSITIONS/RESET HEARING FOR EXEMPTION



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**August 18, 2015**

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A-14-710645-B	Pacific Western Bank, Plaintiff(s) vs. John Ritter, Defendant(s)
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**August 18, 2015      9:00 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth      **COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Katrina Hernandez

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Connot, Mark J	Attorney
	Cory, Timothy Stephen	Attorney
	Olson, Bob L.	Attorney
	Schettler, Vincent T	Defendant
	Vlastic, Charles	Attorney

**JOURNAL ENTRIES**

- Court noted it received competing orders and provided Counsel the order of the Court. Mr. Olson stated his objections. Order signed in open Court. Colloquy regarding the protective order.

As to PLAINTIFF'S OBJECTION TO CLAIM OF EXEMPTION FROM EXECUTION (TD AMERITRADE FUNDS HELD BY VINCENT T. SCHETTLER, LLC PROFIT SHARING PLAN AND TRUST) and PLAINTIFF'S OBJECTION TO CLAIM OF EXEMPTION FROM EXECUTION (BANK OF NEVADA HELD BY SCHETTLER FAMILY TRUST), Mr. Olson advised the amount found within both accounts and noted the amount is too little to proceed on execution. COURT ORDERED, both objections MOOT.

PLAINTIFF'S OBJECTION TO VINCENT T. SCHETTLER'S CLAIM OF EXEMPTION RE 529 ACCOUNTS. Arguments by Mr. Olson supporting Plaintiffs objection and arguments by Mr. Cory that this matter was already ruled on. Colloquy regarding setting the deposition for the judgment debtors exam. COURT FURTHER ORDERED, matter CONTINUED.

9/1/15 9:00 AM PLAINTIFF'S OBJECTION TO VINCENT T. SCHETTLER'S CLAIM OF EXEMPTION RE 529 ACCOUNTS...PLAINTIFF'S OBJECTION TO CLAIMS OF EXEMPTION FILED BY DARREN WHITNEY, TATUM, AND BROOKE BADGER...PLAINTIFF'S OBJECTION TO JOHN A. RITTER'S CLAIM OF EXEMPTION FROM EXECUTION...STATUS CHECK: DEPOSITIONS OF JUDGMENT DEBTOR/ RESET HEARING FOR DETERMINING EXEMPTIONS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**September 01, 2015**

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A-14-710645-B      Pacific Western Bank, Plaintiff(s)  
vs.  
John Ritter, Defendant(s)

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**September 01, 2015      9:00 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Billie Jo Craig

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Connot, Mark J	Attorney
	Cory, Timothy Stephen	Attorney
	Olson, Bob L.	Attorney
	Riley, Karl	Attorney
	Vlastic, Charles	Attorney

**JOURNAL ENTRIES**

- BUSINESS COURT STATUS CHECK: DEPOSITIONS/RESET HEARING FOR DETERMINING EXEMPTIONS...

PLAINTIFF'S OBJECTION TO JOHN A. RITTER'S CLAIM OF EXEMPTION FROM EXECUTION...

PLAINTIFF'S OBJECTION TO CLAIMS OF EXEMPTION FILED BY DARREN WHITNEY, TATUM, AND BROOKE BADGER...

PLAINTIFF'S OBJECTION TO VINCENT T. SCHETTLER'S CLAIM OF EXEMPTION RE 529 ACCOUNTS

AS TO SAFE DEPOSIT BOXES: Mr. Olson advised he provided a red line version to Mr. Vlastic last night. Plaintiff will not copy anything regarding attorney-client privilege. Mr. Olson thinks there is a lien against it. He would like a copy of the off shore trust and objected to the 6 to 8 week delay. Arguments by counsel. Court noted they cannot limit to just privileges. Each counsel provided the Court with a copy of their Order, which the Court noted were the same. Court read documents,

inserted wording, signed and returned the document for filing and counsel can look at the safe deposit box today.

AS TO EXAMINATION OF JOHN RITTER: Arguments by counsel regarding whether the New Mexico accounts were exempt. Court stated its findings, and ORDERED, it would make no determination as the 529 accounts are managed and controlled by a New Mexico entity.

AS TO RITTER AND BADGER CLAIM: Arguments by counsel regarding the Judgment debtor not required to state all assets. Court stated its findings, and ORDERED, everybody to do so because of the history of the Judgment Debtor Examinations. Arguments by counsel. Court stated Ritter's claim of exemption to Roth IRA Account with balance of approximately \$486,000 is SUSTAINED because it falls within the statutory exemption but Mr. Olson keeping track. When he finds the next one they will only have \$14,00.000 left unless there are other statutory exemptions under federal law.

AS TO ANNUITIES OF RITTER: Arguments by counsel regarding annuities purchased out of state that may be fraudulent purchased. Court noted that was a different issue and we are not there yet. Court noted it had not made a determination as to the Ritter exemption. COURT ORDERED, the annuity is an exempt asset but the Objection is SUSTAINED WITHOUT PREJUDICE as to the exemption. If it is determined there is a fraudulent conveyance to avoid creditors there will be a different issue to talk about.

AS TO STATUS CHECK ON PLAINTIFF'S CLAIM OF EXEMPTION RE 529 ACCOUNTS: Mr. Cory advised more than 4,000 pages of documents have been produced but no Judgment Debtor Examinations have taken place. Once the Examinations have been set, then there could be a Hearing on his Motion. Counsel advised there were three Writs. The Court advised it had not ruled on the family trust as it needs the Judgment Debtor Examination before ruling, then an Evidentiary Hearing. COURT ORDERED, matter SET for Status Check on the Chambers Calendar to determine whether there is Notice of Judgment Debtor Examination. Counsel to file a Status Report the day before. Court directed the Judgment Debtor Examination take place to produce documents. Counsel advised they were working on a privilege log. Mr. Cory to prepare the Order. Court directed the Judgment Debtor Examination take place to produce documents. The Court reconsidered the 529 New Mexico entity and directed counsel to go to New Mexico to determine status of the Writ. COURT ORDERED, the Writ is QUASHED. Mr. Olson requested a Stay on Quashing the Writ. COURT ORDERED, there was a 5-day Stay and counsel can ask for a longer Stay. If counsel wants a Stay longer than 5 days, counsel to file a Motion for Stay requiring posting a Supersedeas Bond. No transfers to occur during that time period.

AS TO THE ERISA ACCOUNT: Mr. Cory to prepare the Order. Court noted the Writ is Quashed once the Order is signed. The Writ is Quashed as a result of being MOOT.

10/16/15 AT REQUEST OF THE COURT: STATUS CHECK - CHAMBERS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**October 19, 2015**

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A-14-710645-B	Pacific Western Bank, Plaintiff(s) vs. John Ritter, Defendant(s)
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<b>October 19, 2015</b>	<b>9:30 AM</b>	<b>Motion for Protective Order</b>
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**HEARD BY:** Scann, Susan

**COURTROOM:** RJC Courtroom 03D

**COURT CLERK:** Katrina Hernandez

**RECORDER:** Angie Calvillo

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Connot, Mark J	Attorney
	Cory, Timothy Stephen	Attorney
	Olson, Bob L.	Attorney
	Riley, Karl	Attorney
	Vlastic, Charles	Attorney

**JOURNAL ENTRIES**

- Arguments by Mr. Connot in support of Defendants Motion and arguments in opposition. COURT ORDERED, matter DEFERRED to 11/16/15 at which time the Court will hear another Motion to Compel. Colloquy regarding the Motion for Reconsideration in chambers. COURT FURTHER ORDERED, status check on the Motion to Reconsider SET. Upon inquiry, Court advised Mr. Cory does not have to file a formal opposition.

11/16/15 9:30 AM STATUS CHECK: MOTION TO RECONSIDER...MOTION TO COMPEL RESPONSES TO PLAINTIFF'S DISCOVERY REQUESTS AND PIERCY, BOWLER, TAYLOR & KERN SUBPOENA...(DEFERRED) RE: DEFT S. JOHN RITTER AND DARREN BADGER'S MOTION FOR PROTECTIVE ORDER

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**November 16, 2015**

---

A-14-710645-B      Pacific Western Bank, Plaintiff(s)  
vs.  
John Ritter, Defendant(s)

---

**November 16, 2015      9:30 AM**

**All Pending Motions**

**HEARD BY:** Scann, Susan

**COURTROOM:** RJC Courtroom 03D

**COURT CLERK:** Katrina Hernandez

**RECORDER:** Angie Calvillo

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Connot, Mark J	Attorney
	Olson, Bob L.	Attorney
	Riley, Karl	Attorney
	Vlastic, Charles	Attorney

**JOURNAL ENTRIES**

- PLAINTIFF'S MOTION TO COMPEL RESPONSES TO PLAINTIFF'S DISCOVERY REQUESTS AND PIERCY, BOWLER, TAYLOR, & KERN SUBPOENA...STATUS CHECK: PLAINTIFF PACIFIC WESTERN BANK'S MOTION FOR RECONSIDERATION OF RENEWED MOTION FOR ORDER DETERMINING THE EXEMPTION OF CERTAIN ASSETS

Upon court's inquiry as to any progress, Mr. Riley advised Defendants failed to respond to all interrogatories and argued in support of Plaintiff's motion requesting information on the companies that Defendants have an interest in. Mr. Connot advised of the documents which were produced. Matter TRAILED. Colloquy regarding the specific issue on the motion for reconsideration. COURT ORDERED, briefing schedule SET, Mr. Cory to file an opposition to the Motion for Reconsideration by 11/23/15; Reply due by 12/4/15; and matter SET for hearing on 12/16/15 at 9:30 AM.

Matter RECALLED. Mr. Connot further argued in opposition of Plaintiffs motion, noting the contents of the protective order and advising the Court of what was already produced, approximately 5,000 documents. Further arguments by Counsel. COURT ORDERED, matter

CONTINUED. Court directed Counsel to provide a list of what is produced and answers to interrogatories due within TWO (2) weeks and any documents related thereto including banking statements as to transfers to the trust, specific as to Ritter and Badger.

12/16/15 9:30 AM (CONTINUED) PLAINTIFF'S MOTION TO COMPEL RESPONSES TO PLAINTIFF'S DISCOVERY REQUESTS AND PIERCY, BOWLER, TAYLOR, & KERN SUBPOENA...PLAINTIFFS MOTION FOR RECONSIDERATION OF RENEWED MOTION FOR ORDER DETERMINING THE EXEMPTION OF CERTAIN ASSETS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**December 16, 2015**

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A-14-710645-B      Pacific Western Bank, Plaintiff(s)  
vs.  
John Ritter, Defendant(s)

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**December 16, 2015      8:30 AM      All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Katrina Hernandez

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

**PRESENT:**      Cory, Timothy    Stephen      Attorney  
                         Olson, Bob    L.      Attorney  
                         Vlastic, Charles      Attorney

**JOURNAL ENTRIES**

- PLAINTIFF'S MOTION TO COMPEL RESPONSES TO PLAINTIFF'S DISCOVERY REQUESTS AND PIERCY, BOWLER, TAYLOR, & KERN SUBPOENA...PLAINTIFF PACIFIC WESTERN BANK'S MOTION FOR RECONSIDERATION OF RENEWED MOTION FOR ORDER DETERMINING THE EXEMPTION OF CERTAIN ASSETS

Arguments by Mr. Olson in support of Plaintiff's Motion for Reconsideration. Arguments by Mr. Cory in opposition. Court stated there are no new facts or law and does not find any error in the prior ruling. COURT ORDERED, Motion for Reconsideration DENIED. Colloquy regarding the discovery requests contained in the Motion to Compel. COURT FURTHER ORDERED, Motion to Compel CONTINUED.

2/1/16 9:30 AM PLAINTIFF'S MOTION TO COMPEL RESPONSES TO PLAINTIFF'S DISCOVERY REQUESTS AND PIERCY, BOWLER, TAYLOR, & KERN SUBPOENA

\*CLERK'S NOTE: Clerk inadvertently gave out the wrong date in Court. The above Minute order was distributed via E-Service Master List./kh 12-22-15





**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**February 01, 2016**

---

A-14-710645-B      Pacific Western Bank, Plaintiff(s)  
vs.  
John Ritter, Defendant(s)

---

**February 01, 2016      9:30 AM      Motion to Compel**

**HEARD BY:** Scann, Susan

**COURTROOM:** RJC Courtroom 03D

**COURT CLERK:** Katrina Hernandez

**RECORDER:** Angie Calvillo

**REPORTER:**

**PARTIES**

**PRESENT:**      Connot, Mark J      Attorney  
Riley, Karl      Attorney  
Vlastic, Charles      Attorney

**JOURNAL ENTRIES**

- Court inquired as to the state of production and Mr. Riley noted there are 15,000 pages subject to privilege log and argued in support of Plaintiff's motion. Mr. Riley requested the Courtroom be cleared as there is a protective order in place and COURT SO ORDERED. (Courtroom cleared.) Mr. Riley further argued in support of motion. Arguments by Mr. Connot they are asking for documents they are not entitled to and further argued in opposition. Colloquy regarding the privilege log and accountant - client privilege. Further arguments by Counsel. COURT ORDERED, parties to have another 2.34 conference within two weeks and matter CONTINUED.

3/9/16 9:30 AM PLAINTIFF'S MOTION TO COMPEL RESPONSES TO PLAINTIFF'S DISCOVERY REQUESTS AND PIERCY, BOWLER, TAYLOR, AND KERN SUBPOENA

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**March 09, 2016**

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A-14-710645-B      Pacific Western Bank, Plaintiff(s)  
vs.  
John Ritter, Defendant(s)

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**March 09, 2016      9:30 AM      Motion to Compel**

**HEARD BY:** Scann, Susan

**COURTROOM:** RJC Courtroom 03D

**COURT CLERK:** Katrina Hernandez

**RECORDER:** Angie Calvillo

**REPORTER:**

**PARTIES**

**PRESENT:**      Connot, Mark J      Attorney  
Riley, Karl      Attorney  
Vlastic, Charles      Attorney

**JOURNAL ENTRIES**

- Court noted there is a petition for involuntary bankruptcy for Defendant and thus the automatic stay applies. Upon Court's inquiry, Mr. Riley advised pursuant to EDCR 2.34, parties did meet and there is a 3/16/16 deadline for time to supplement discovery; further noted they set and agreed to a new briefing schedule. Court directed Counsel to do a stipulation and ORDERED, matter CONTINUED.

4/4/16 9:30 AM (CONTINUED) PLAINTIFF'S MOTION TO COMPEL RESPONSES TO PLAINTIFF'S DISCOVERY REQUESTS AND PIERCY, BOWLER, TAYLOR, & KERN SUBPOENA

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**April 05, 2016**

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A-14-710645-B      Pacific Western Bank, Plaintiff(s)  
vs.  
John Ritter, Defendant(s)

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**April 05, 2016      9:00 AM      Motion to Compel**

**HEARD BY:** Hardy, Joe      **COURTROOM:** Phoenix Building Courtroom -  
11th Floor

**COURT CLERK:** Kristin Duncan

**RECORDER:** Matt Yarbrough

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Having reviewed the record inherited from Department XXVIII, the Court noted that the four prior hearings held regarding the instant Motion, as well as the supplemental discovery that was produced, may have resolved the issues contained in the Motion; therefore, COURT ORDERED the instant Motion was hereby DENIED WITHOUT PREJUDICE. To the extent that the issues have not been resolved, Plaintiff may file a renewed Motion.

CLERK'S NOTE: Upon conclusion of the calendar, COURT ORDERED Defendants' counsel to prepare the Order for the instant Motion, and to submit it to the Court within ten (10) days of this minute order.

A copy of this minute order was e-mailed to: Bob L. Olson, Esq. [bolson@swlaw.com], Karl O. Riley, Esq. [kriley@swlaw.com], Cory Eschweiler, Esq. [ceschweiler@glenlerner.com], Mark J. Connot, Esq. [mconnot@foxrothschild.com], Timothy S. Cory, Esq. [tim.cory@corylaw.us], Charles S. Vlasic, Esq. [cvlasic@rrblf.com]. (KD 4/5/16)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**April 12, 2016**

---

A-14-710645-B      Pacific Western Bank, Plaintiff(s)  
vs.  
John Ritter, Defendant(s)

---

**April 12, 2016**

**4:15 PM**

**Minute Order**

**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- Pursuant to peremptory challenge, COURT ORDERED, telephonic conference set for April 13, 2016 regarding department assignment VACATED. Any issues will be addressed to Judge Delaney (Department XXV) to which the case is now assigned.

CLERK'S NOTE: A copy of the above minute order was distributed to parties via the E-Service Master List. / dr 4-12-16

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

April 22, 2016

A-14-710645-B      Pacific Western Bank, Plaintiff(s)  
vs.  
John Ritter, Defendant(s)

**April 22, 2016      12:53 AM      Minute Order**

HEARD BY: Delaney, Kathleen E.

COURTROOM: RJC Courtroom 15A

COURT CLERK: Dania Batiste

RECORDER:

REPORTER:

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Peremptory Challenge Objection Sustained

Upon review of the papers and pleadings on file in this matter, COURT FINDS the peremptory challenge filed April 12, 2016 was prohibited under the applicable Supreme Court Rules and should be reversed. Specifically, SCR 48.1(5) prohibits the filing of a peremptory challenge against any judge who has made any ruling on a contested matter in the action. The judge sought to be preempted commenced a hearing and ruled on a contested matter in the case on three separate occasions, on July 9, 2015, August 11, 2015, and August 18, 2015, respectively. The fact that the judge in question was not officially assigned to the case at the time is not consequential to the application of the Rule, based on a plain reading of the language therein. Further, the fact that the parties may have otherwise been entitled to an additional peremptory challenge following the administrative reassignment of the case does not override this applicable limitation on the exercise of that entitlement. Accordingly, COURT ORDERS objection to peremptory challenge sustained, matter to be reassigned to Department XI, Judge Elizabeth Gonzalez.

CLERK'S NOTE: A copy of this Minute Order has been served upon counsel via E-Service. /db  
4.22.2016

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**May 26, 2016**

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A-14-710645-B	Pacific Western Bank, Plaintiff(s) vs. John Ritter, Defendant(s)
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<b>May 26, 2016</b>	<b>8:30 AM</b>	<b>Status Check</b>
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<b>HEARD BY:</b> Gonzalez, Elizabeth	<b>COURTROOM:</b> RJC Courtroom 14C
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**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Connot, Mark J	Attorney
	Vlastic, Charles	Attorney

**JOURNAL ENTRIES**

- Counsel for Plaintiff not present.

Mr. Connot advised there are two motions set for Tuesday, May 31st; they did not notice the status check was set for today; he does not know if Mr. Olson or Mr. Riley is aware of today's date, simply because of the way this case had been transferred back and forth. Court noted there was a question as to whether the case should be in this Department or the prior one. COURT ORDERED, matter CONTINUED to Tuesday, May 31st, and directed counsel to inform Mr. Olson.

5-31-16            8:30 AM            STATUS CHECK...PLAINTIFF, PACIFIC WESTERN BANK'S  
EX PARTE MOTION FOR EXAMINATION OF JUDGMENT DEBTOR...PLAINTIFF, PACIFIC  
WESTERN BANK'S MOTION TO COMPEL JUDGMENT DEBTOR, DARREN D. BADGER, TO  
DELIVER PROPERTY TO JUDGMENT CREDITOR PURSUANT TO NRS 21 - SEALED PER  
MOTION FILED 4/8/16



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**May 27, 2016**

---

A-14-710645-B      Pacific Western Bank, Plaintiff(s)  
vs.  
John Ritter, Defendant(s)

---

**May 27, 2016**

**3:00 AM**

**Motion to Seal/Redact  
Records**

**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- COURT ORDERED, motion CONTINUED to Tuesday, May 31, 2016 at 8:30 AM.

CLERK'S NOTE: A copy of the above minute order was distributed to parties via the E-Service Master List. / dr 5-27-16

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**May 31, 2016**

---

A-14-710645-B      Pacific Western Bank, Plaintiff(s)  
vs.  
John Ritter, Defendant(s)

---

**May 31, 2016**

**8:30 AM**

**All Pending Motions**

**HEARD BY:** Gonzalez, Elizabeth

**COURTROOM:** RJC Courtroom 14C

**COURT CLERK:** Dulce Romea

**RECORDER:** Jill Hawkins

**REPORTER:**

**PARTIES**

**PRESENT:**

Connot, Mark J  
Olson, Bob L.  
Riley, Karl  
Vlastic, Charles

Attorney  
Attorney  
Attorney  
Attorney

**JOURNAL ENTRIES**

- STATUS CHECK...

...PLAINTIFF, PACIFIC WESTERN BANK'S EX PARTE MOTION FOR EXAMINATION OF JUDGMENT DEBTOR...

...PLAINTIFF PACIFIC WESTERN BANK'S MOTION TO COMPEL JUDGMENT DEBTOR, DARREN B. BADGER, TO DELIVER PROPERTY TO JUDGMENT CREDITOR PURSUANT TO NRS 21 - SEALED PER MOTION FILED 4/8/16...

...PLAINTIFF'S EX PARTE MOTION TO FILE TWO MOTIONS UNDER SEAL

Court noted when this case was reassigned to Department XI it appears Judge Hardy had denied a motion without prejudice on April 5, 2016, prior to the peremptory challenge being filed; thus, the peremptory challenge would have been untimely. Mr. Connot explained they no longer thought it was a contested matter. Mr. Riley stated the motion had not been determined at that point and parties were working on EDCR motions. COURT ORDERED, this matter is TRANSFERRED back to Judge Joe Hardy (Department XV), as it appears Judge Hardy took action on a contested matter on April 5, 2016 prior to the filing of the peremptory challenge. The Peremptory Challenge of Judge Joe Hardy

filed April 11, 2016 is ORDERED STRICKEN.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**August 01, 2016**

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A-14-710645-B      Pacific Western Bank, Plaintiff(s)  
vs.  
John Ritter, Defendant(s)

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**August 01, 2016      9:00 AM      All Pending Motions**

**HEARD BY:** Hardy, Joe      **COURTROOM:** RJC Courtroom 03H

**COURT CLERK:** Kristin Duncan

**RECORDER:** Matt Yarbrough

**REPORTER:**

**PARTIES**

**PRESENT:**      Connot, Mark J      Attorney  
Olson, Bob L.      Attorney  
Riley, Karl      Attorney  
Vlastic, Charles      Attorney

**JOURNAL ENTRIES**

- PLAINTIFF'S EX PARTE MOTION TO FILE UNDER SEAL MATERIAL RELATED TO MOTION TO TRAVERSE JOHN DAWSON'S GARNISHMENT INTERROGATORIES, ENTER JUDGMENT AGAINST HIM, AND COMPEL TURNOVER OF ASSETS TO JUDGMENT CREDITOR PURSUANT TO NRS 21.320

There being no Opposition, COURT ORDERED Motion GRANTED for all of the reasons set forth in the Motion. Mr. Olson or Mr. Riley to prepare the Order and forward it to opposing counsel for approval as to form and content.

PLAINTIFF, PACIFIC WESTERN BANK'S EX PARTE MOTION FOR EXAMINATION OF JUDGMENT DEBTOR

The Court provided its initial thoughts and inclinations regarding the instant Motion. Mr. Riley argued in support of the Motion, requesting the Judgment Debtor Examination be held before the

Court, and if the Court was unavailable, that it be held before a Pro Tempore Judge, or before a Special Master. Additionally, Mr. Riley requested the Court opine on the fact that Defendant Badger had not produced numerous documents that were requested by Plaintiff. Mr. Cory argued in opposition, stating that Defendant Badger had been participating and had produced a large amount of documents. As to the Judgment Debtor Examination, Mr. Riley stated that there was no dispute regarding Plaintiff's right to conduct the examination; however, there was a dispute regarding the Plaintiff's characterization of Defendant as failing to participate or cooperate. Upon Court's inquiry, Mr. Riley indicated he could not confirm that Defendant Badger had complied with Judge Gonzalez's January 29, 2016, Order, without reviewing the documentation. Mr. Riley requested one week to submit names for the Special Master to the Court. COURT ORDERED Motion GRANTED IN PART as follows: Plaintiff may conduct the Judgment Debtor Examination, and if Plaintiff found that the examination was unsatisfactory, the answers were unsatisfactory, the Defendant was uncooperative, or if there was a basis for the Court's intervention, the Court would be available for follow-up. COURT ORDERED Motion DENIED IN PART as to the request to hold the Judgment Debtor Examination in Department 15's courtroom, as the Court was not available; additionally, the Court ADVISED Plaintiff to ask questions of the Judgment Debtor to determine whether all of the requested documents had been produced in compliance with Judge Gonzalez's January 29, 2016, Order. Mr. Riley or Mr. Olson to prepare the Order and forward it to opposing counsel for approval as to form and content.

PLAINTIFF PACIFIC WESTERN BANK'S MOTION TO COMPEL JUDGMENT DEBTOR, DARREN D. BADGER, TO DELIVER PROPERTY TO JUDGMENT CREDITOR PURSUANT TO NRS 21 - SEALED PER MOTION FILED 4/8/16...PLAINTIFF'S MOTION TO TRAVERSE JOHN DAWSON'S GARNISHMENT INTERROGATORIES, ENTER JUDGMENT AGAINST HIM AND COMPEL TURNOVER OF ASSETS TO JUDGMENT CREDITOR PURSUANT TO NRS 21.320

Due to the Court's trial schedule, COURT ORDERED Motions CONTINUED.

8/19/16 2:00 PM PLAINTIFF PACIFIC WESTERN BANK'S MOTION TO COMPEL JUDGMENT DEBTOR, DARREN D. BADGER, TO DELIVER PROPERTY TO JUDGMENT CREDITOR PURSUANT TO NRS 21 - SEALED PER MOTION FILED 4/8/16...PLAINTIFF'S MOTION TO TRAVERSE JOHN DAWSON'S GARNISHMENT INTERROGATORIES, ENTER JUDGMENT AGAINST HIM AND COMPEL TURNOVER OF ASSETS TO JUDGMENT CREDITOR PURSUANT TO NRS 21.320

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**September 13, 2016**

---

A-14-710645-B      Pacific Western Bank, Plaintiff(s)  
vs.  
John Ritter, Defendant(s)

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**September 13, 2016    9:00 AM**

**All Pending Motions**

**HEARD BY:** Hardy, Joe

**COURTROOM:** Phoenix Building Courtroom -  
11th Floor

**COURT CLERK:** Kristin Duncan

**RECORDER:** Matt Yarbrough

**REPORTER:**

**PARTIES**

<b>PRESENT:</b>	Connot, Mark J	Attorney
	Hone, Eric D.	Attorney
	Olson, Bob L.	Attorney
	Riley, Karl	Attorney
	Vlastic, Charles	Attorney

**JOURNAL ENTRIES**

- PLAINTIFF PACIFIC WESTERN BANK'S MOTION TO COMPEL JUDGMENT DEBTOR, DARREN D. BADGER, TO DELIVER PROPERTY TO JUDGMENT CREDITOR PURSUANT TO NRS 21 - SEALED PER MOTION FILED 4/8/16...PLAINTIFF'S MOTION TO TRAVERSE JOHN DAWSON'S GARNISHMENT INTERROGATORIES ENTER JUDGMENT AGAINST HIM AND COMPEL TURNOVER OF ASSETS TO JUDGMENT CREDITOR PURSUANT TO NRS 21.320...PLAINTIFF'S EX PARTE MOTION TO FILE UNDER SEAL SUPPLEMENT TO REPLY IN SUPPORT OF MOTION TO COMPEL JUDGMENT DEBTOR, DARREN D. BADGER, TO DELIVER PROPERTY TO JUDGMENT CREDITOR PURSUANT TO NRS 21.320...PLAINTIFF'S EX PARTE MOTION TO FILE UNDER SEAL SUPPLEMENT TO REPLY IN SUPPORT OF MOTION TO TRAVERSE JOHN DAWSON'S GARNISHMENT INTERROGATORIES, ENTER JUDGMENT AGAINST HIM, AND COMPEL TURNOVER OF ASSETS TO JUDGMENT CREDITOR PURSUANT TO NRS 21.320

Mr. Connot stated that Plaintiff filed a supplement late in the day on September 9, 2016, that was untimely pursuant to EDCR 2.20, that was filed without leave, and which was replete with misrepresentations and mischaracterizations. For all of the aforementioned reasons, Mr. Connot requested leave to respond to the supplemental filing, or that said filing be stricken. Mr. Olson indicated the purpose of the supplement was to inform the Court regarding Plaintiff's lack of success in obtaining information from Mr. Badger. Upon Court's inquiry, Mr. Olson represented that he wished for the Court to consider the supplement in its ruling on the instant Motions. Mr. Connot advised that there was no opposition to the Motions to Seal. Upon Court's inquiry, Mr. Olson stated that there was no opposition to the Court continuing the Motion to Compel and the Motion to Seal in order to consider the supplement, and to allow the Defendants to respond. There being no Opposition, COURT ORDERED Plaintiff's Ex Parte Motion to File Under Seal Supplement to Reply in Support of Motion to Compel and Plaintiff's Ex Parte Motion to File Under Seal Supplement to Reply in Support of Motion to Traverse were hereby GRANTED. Mr. Olson requested a standing Order allowing Plaintiff to file any further exhibits under seal without further Motion practice regarding the issue. Pursuant to the rules of the Supreme Court, COURT ORDERED Mr. Olson's request was hereby DENIED. Mr. Connot suggested Plaintiff's counsel contact himself or Mr. Vlasic, and determine whether they would object to any exhibit being filed under seal; if there was no objection from the Defendants, the Plaintiff could include the non-opposition in their Motion. Mr. Olson suggested the parties craft a Stipulation and Order, instead of filing a Motion every time they wished to file something under seal. Mr. Connot represented the was amenable to Mr. Olson's suggestion. The COURT ORDERED the parties to craft a Stipulation and Order regarding whatever they wished to file under seal, said Stipulation and Order being in compliance with, and incorporating, the Supreme Court Rules.

COURT ORDERED Plaintiff Pacific Western Bank's Motion to Compel and Plaintiff's Motion to Traverse were hereby CONTINUED, and a BRIEFING SCHEDULE was SET as follows: Defendants' Supplemental Oppositions would be DUE BY September 27, 2016; Plaintiff's Supplemental Reply would be DUE BY October 11, 2016. The Court noted for the record that, if the parties wished to address the following issues in their Supplemental Briefing, it would aid the Court in reaching its decision: (1) whether NRS 21.090's protections only applied to Nevada trustees; (2) where was Mr. Badger's claim of exemption pursuant to NRS 21.112(1); (3) the one (1) day late argument; and (4) who specifically controlled the assets or controlled the trust, and what time periods they controlled them during. The Court noted that the parties would not be confined in their Supplemental Briefs to the content of the Supplemental Brief that had already been filed by the Plaintiff.

10/18/16 10:00 AM PLAINTIFF PACIFIC WESTERN BANK'S MOTION TO COMPEL JUDGMENT DEBTOR, DARREN D. BADGER, TO DELIVER PROPERTY TO JUDGMENT CREDITOR PURSUANT TO NRS 21 - SEALED PER MOTION FILED 4/8/16...PLAINTIFF'S MOTION TO TRAVERSE JOHN DAWSON'S GARNISHMENT INTERROGATORIES ENTER JUDGMENT AGAINST HIM AND COMPEL TURNOVER OF ASSETS TO JUDGMENT CREDITOR PURSUANT TO NRS 21.320

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**October 18, 2016**

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A-14-710645-B      Pacific Western Bank, Plaintiff(s)  
vs.  
John Ritter, Defendant(s)

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**October 18, 2016**

**9:00 AM**

**All Pending Motions**

**HEARD BY:** Hardy, Joe

**COURTROOM:** Phoenix Building Courtroom -  
11th Floor

**COURT CLERK:** Olivia Black

**RECORDER:** Matt Yarbrough

**REPORTER:**

**PARTIES**

**PRESENT:**

Connot, Mark J  
Olson, Bob L.  
Riley, Karl  
Vlastic, Charles

Attorney  
Attorney  
Attorney  
Attorney

**JOURNAL ENTRIES**

- PLAINTIFF'S EX PARTE MOTION TO HEAR EX PARTE MOTION FOR ORDER DIRECTING JUDGMENT DEBTOR DARRIN D. BADGER TO SHOW CAUSE WHY HE SHOULD NOT BE HELD IN CONTEMPT FOR VIOLATING THE COURT'S January 29, 2016 ORDER...PLAINTIFF'S MOTION TO TRAVERSE JOHN DAWSON'S GARNISHMENT INTERROGATORIES ENTER JUDGMENT AGAINST HIM AND COMPEL TURNOVER OF ASSETS TO JUDGMENT CREDITOR PURSUANT TO NRS 21.320...PLAINTIFF PACIFIC WESTERN BANK'S MOTION TO COMPEL JUDGMENT DEBTOR, DARREN D. BADGER, TO DELIVER PROPERTY TO JUDGMENT CREDITOR PURSUANT TO NRS 21 - SEALED PER MOTION FILED 4/8/16

Eric Hone, Esq. and Client Representative Walter Schuppe, also present.

Court inquired as to counsels awareness of the Mona v. Eight Judicial Court matter. Court noted it behooved counsel to consider Mona vs. The Eight Judicial Court, the case merited consideration. Upon Court's inquiry, Mr. Connot advised he filed a Motion to Leave to file a supplement and the



received a substantive reply to their brief; however, he did not file a reply. Mr. Connot suggested a brief recess for the Court to review the documents.

RECESS.

Court noted it had an opportunity to review the Motion to Leave to file a supplemental as well as Pacific Western Bank's opposition and the third Supplemental and advised it would prefer to proceed with the hearing today. Arguments by counsel regarding the merits of the motion. Court advised there was no dispute that Badger did not file a claim of exemption; however, there was a dispute if he was required to or should have required one. COURT stated its FINDINGS and ORDERED, Motion for Order DENIED WITHOUT PREJUDICE.

Thereafter, Upon Court's Inquiry, Mr. Olson advised the Notice of Execution was marked as exhibit #10 and noted the notice was mailed out by his office in addition it was served by the Consular. Colloquy regarding the Writ of Execution. Mr. Olson stated he did not believe they are required to serve the Writ of Execution on the garnisher. Arguments by counsel regarding the merits of the motion. COURT ORDERED, Motion to Compel GRANTED IN PART/ DENIED PART; looking at page 4 of the motion and relief set forth there, Badger is to; (1) identify all of the current protectors and trustees of the Offshore Trust; (2) disclose to Pacific Western Bank and the Court under penalty of perjury the identity, location and value of each and every asset of the Offshore Trust; (3) disclose to Pacific Western Bank all transfers made into and from the Offshore Trust since 2011; Court DENIED WITHOUT PREJUDICE #4, once the Court had additional information that subject could be addressed at a later time. The Court prohibiting Badger from taking the following actions until Pacific Western Bank's judgment is paid in full or further order of the Court: (1) receiving any distributions from the Offshore Trust; (2) allowing any third person, including any protectors and trustees of the Offshore Trust, from making any distributions from the Offshore Trust to any person or entity; (3) changing any protectors and trustees of the Offshore Trust; (4) transferring, concealing, hypothecating, encumbering, or moving any of these assets of the Offshore Trust. The reason for the Court's Order set forth in the brief filed by Pacific Western Bank. Court directed Mr. Olson to submit the order to opposing counsel for review and approval.

Mr. Connot requested a Stay of the Court's order. Court advised the order does not take effect until it is an Order. Court inquired as to once the Order is signed and a Notice of Entry was filed, Mr. Connot would like 10 days for a Stay. Mr. Connot concurred. Upon Court's inquiry, Mr. Olson advised a Stay would be okay if the Mr. Badger posted a Bond. Following arguments by counsel, COURT ORDERED, as to the first set of relief deadline to do that would be twenty (21) days of Notice of Entry of Order and as for the second set of relief the Court would GRANT a Stay for the eleven (11) days from the Notice of Entry. The Court stated Bond is not required under these particular circumstances.

Mr. Olson inquired as to the amount of time opposing counsel had to respond to the order. Court advised opposing counsel had forty-eight (48) hours to respond to the first draft. Court further advised if counsel reached an impasse at some point counsel needed to submit competing orders.

As to the Motion to Traverse John Dawson, arguments by counsel regarding the merits of the motion. COURT ORDERED, Motion GRANTED IN PART/DENIED IN PART; Court stated the answer to interrogatory #3 is insufficient, the question is pursuant to the statutory process extremely broad and request or requires the garnishee Mr. Dawson as a trust protector in this case to sufficiently answer and response which the Court find that he has not done. COURT FURTHER ORDERED Mr. Dawson to sufficiently answer interrogatory #3 as requested in the interrogatory itself which "not applicable" is insufficient and does not answer the interrogatory for reasons set forth in the briefs and arguments by counsel as well as to the other relief requested we will have a special garnishment proceeding trial and determine if the Court should grant the remainder of the relief requested which is DENIED WITHOUT PREJUDICE. At the request of Mr. Olson, COURT ORDERED, Status Check SET.

11/29/16 9:00 AM STATUS CHECK: TRIAL SETTING

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**November 01, 2016**

---

A-14-710645-B      Pacific Western Bank, Plaintiff(s)  
vs.  
John Ritter, Defendant(s)

---

**November 01, 2016      9:00 AM      Motion**

**HEARD BY:** Hardy, Joe      **COURTROOM:** Phoenix Building Courtroom -  
11th Floor

**COURT CLERK:** Kristin Duncan

**RECORDER:** Matt Yarbrough

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- COURT ORDERED Motion DENIED WITHOUT PREJUDICE AS MOOT, FINDING that the Motion had already been decided.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**November 14, 2016**

---

A-14-710645-B      Pacific Western Bank, Plaintiff(s)  
vs.  
John Ritter, Defendant(s)

---

**November 14, 2016      9:00 AM      Motion for Leave**

**HEARD BY:** Hardy, Joe      **COURTROOM:** RJC Courtroom 03H

**COURT CLERK:** Kristin Duncan

**RECORDER:** Matt Yarbrough

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- COURT ORDERED the instant Motion was hereby VACATED as MOOT, noting that the issue had been previously resolved at a prior hearing.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

## Other Business Court Matters

# COURT MINUTES

November 29, 2016

A-14-710645-B Pacific Western Bank, Plaintiff(s)  
vs.  
John Ritter, Defendant(s)

**November 29, 2016      9:00 AM      Status Check**

**HEARD BY:** Hardy, Joe

**COURTROOM:** Phoenix Building Courtroom -  
11th Floor

**COURT CLERK:** Kristin Duncan

**RECORDER:** Matt Yarbrough

**REPORTER:**

## PARTIES

**PRESENT:** Hone, Eric D. Attorney  
Olson, Bob L. Attorney  
Vlastic, Charles Attorney

## JOURNAL ENTRIES

- Mr. Olson advised that the case was settled as it pertained to Defendant Darren D. Badger; however, the Satisfaction of Judgment would not be delivered for ninety days due to the Bankruptcy performance. Mr. Olson requested a status check be set regarding the tender of Satisfaction of Judgment and the Order the Supreme Court issued directing the issuance of the Writ. Additionally, Mr. Olson noted that there were two competing Orders regarding the Claims of Exemption and the turnover of the items in trust, and his client was requesting the entry of the said Order in the event the settlement went away. Mr. Vlasic opined that there was no need for the entry of further Orders. Mr. Hone stated that the Orders submitted contained onerous language as to his client, which needed to be stricken; therefore, the Orders should be pushed out approximately one-hundred days, and they could be revisited if the case was not resolved. Regarding the Orders that had already been submitted to the Court, the COURT FOUND that it had already ruled on those issues, and it would be appropriate for the Orders to be reviewed and signed. COURT ORDERED the SETTING of a status check regarding the settlement documents, noting that the parties could submit a Stipulation and Order if a different date was needed. As to the production of the information concerning the trust assets, Mr. Olsen stated there was a verbal Order for production within twenty days, and there

was no objection to an extension of that time frame. COURT ORDERED said time frame was hereby EXTENDED, and DIRECTED the parties to submit a Stipulation and Order regarding the extension.

3/14/17 9:00 AM STATUS CHECK: SETTLEMENT DOCUMENTS

**DISTRICT COURT  
CLARK COUNTY, NEVADA****Other Business Court Matters****COURT MINUTES****March 14, 2017**

---

A-14-710645-B      Pacific Western Bank, Plaintiff(s)  
vs.  
John Ritter, Defendant(s)

---

**March 14, 2017      9:00 AM      Status Check**

**HEARD BY:** Hardy, Joe      **COURTROOM:** RJC Courtroom 03H

**COURT CLERK:** Kristin Duncan

**RECORDER:** Debbie Winn

**REPORTER:**

**PARTIES**

**PRESENT:**      Olson, Bob L.      Attorney  
Vlastic, Charles      Attorney

**JOURNAL ENTRIES**

- The Court noted that it received draft Orders for a prior hearing. Mr. Vlastic noted that the case was settled as to Defendant Badger; however, Defendant Ritter was going through proceedings in Bankruptcy Court. Mr. Olson affirmed Mr. Vlastic's representations, noting that Plaintiff had delivered two of the three partial satisfactions of judgment to Mr. Badger. Additionally, Mr. Olson requested the instant case remain open, as Plaintiff anticipated there would be further actions against Defendant Schettler. Upon Court's inquiry regarding the draft Orders, Mr. Vlastic stated that the Orders were now moot, and requested they not be entered. Mr. Olson agreed with Mr. Vlastic's statements regarding the draft Orders. Mr. Olson noted for the record that Plaintiff would be filing a number of Motions as to Defendant Schettler, and there was no need for further status check hearings.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**October 18, 2017**

---

A-14-710645-B      Pacific Western Bank, Plaintiff(s)  
vs.  
John Ritter, Defendant(s)

---

**October 18, 2017      9:00 AM      Show Cause Hearing**

**HEARD BY:** Hardy, Joe      **COURTROOM:** RJC Courtroom 03H

**COURT CLERK:** Kristin Duncan

**RECORDER:** Trisha Garcia

**REPORTER:**

**PARTIES**

**PRESENT:**      Benson, Joshua      Attorney  
Olson, Bob L.      Attorney  
Vlastic, Charles      Attorney

**JOURNAL ENTRIES**

- Upon Court's inquiry, Mr. Olson affirmed that Vincent T. Schettler was the only remaining Defendant. Regarding the status of the case, Mr. Olson stated that Plaintiff had no intention of abandoning the judgment, and would be pursuing collection. The Court noted that, in March of 2017, Plaintiff's counsel notified the Court that Plaintiff would be filing a number of Motions as to Defendant Schettler, and there would be no need for any further status checks. Mr. Olson stated that Plaintiff had decided not to file any Motions, but they may do so in the future. COURT ORDERED a status check was hereby SET, and status checks would be set every six months, if necessary. The Court noted that the parties could file a status report prior to the status check, if the parties wished for the hearing to be vacated.

4/18/18 9:00 AM STATUS CHECK: STATUS OF CASE



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

## Other Business Court Matters

# COURT MINUTES

**April 18, 2018**

A-14-710645-B Pacific Western Bank, Plaintiff(s)  
vs.  
John Ritter, Defendant(s)

**April 18, 2018**      **9:00 AM**      **Status Check**

**HEARD BY:** Hardy, Joe

**COURTROOM:** RJC Courtroom 11D

**COURT CLERK:** Kristin Duncan

**RECORDER:** Matt Yarbrough

**REPORTER:**

## PARTIES

**PRESENT:** Lipman, Bradley L. Attorney

## JOURNAL ENTRIES

- Mr. Lipman represented that there were no updates on the Defendants' side, noting that he expected Plaintiff's counsel to appear for the instant hearing. Upon Court's inquiry, Mr. Lipman advised that he had not received any communications from Plaintiff's counsel in the last few months. COURT ORDERED the instant case was hereby administratively CLOSED, FINDING that the sole basis for the case remaining open previously, were representations by Plaintiff's counsel.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**December 17, 2019**

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A-14-710645-B      Pacific Western Bank, Plaintiff(s)  
vs.  
John Ritter, Defendant(s)

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**December 17, 2019      9:00 AM      Motion to Quash**

**HEARD BY:** Williams, Timothy C.      **COURTROOM:** RJC Courtroom 03H

**COURT CLERK:** Christopher Darling

**RECORDER:**

**REPORTER:** Peggy Isom

**PARTIES**

**PRESENT:**      Christiansen, Peter S      Attorney  
Waite, Dan R      Attorney

**JOURNAL ENTRIES**

- APPEARANCES CONTINUED: Peter Christiansen, Esq. present for Deft. Schettler.

Arguments by counsel. Colloquy regarding impact of anticipated 1/17/20 Probate proceedings and whether instant matter to be supplemented at this time. COURT ORDERED, Status Check SET 2/5/20 regarding Probate Proceeding and Motion to Quash Subpoena and for Protective Order; no supplement at this time.

2/5/20 9:00 AM STATUS CHECK: PROBATE PROCEEDING/MOTION TO QUASH SUBPOENA AND FOR PROTECTIVE ORDER

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**March 12, 2020**

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A-14-710645-B	Pacific Western Bank, Plaintiff(s)
	vs.
	John Ritter, Defendant(s)

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<b>March 12, 2020</b>	<b>3:21 PM</b>	<b>Minute Order</b>
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<b>HEARD BY:</b> Williams, Timothy C.	<b>COURTROOM:</b> Chambers
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**COURT CLERK:** Christopher Darling

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- As a precautionary measure in light of public health concerns with respect to Coronavirus CoVID-19, this Court orders that any party intending to appear before Department 16 for law and motion matters between now and April 30, 2020 do so by Court-approved telephonic means only. As a result, your matters scheduled Tuesday, March 18, 2020 in this case will be held telephonically via CourtCall. You are hereby requested to make arrangements with CourtCall if you intend to participate that day. Please refer to Department 16's guidelines with regard to CourtCall scheduling:

"Department 16 utilizes CourtCall for telephonic appearances. Please contact CourtCall for approved appearances and to schedule. They can be reached toll-free at 1-888-882-6878 and/or on-line at [www.courtcall.com](http://www.courtcall.com) no later than one judicial day preceding your hearing date. Please note, all witnesses appearing telephonically must have ... court-approved notary and/or official present on their end to swear them in."

If you have questions or concerns with respect to your matters and this interim telephonic requirement, please contact JEA Lynn Berkheimer.

CLERK'S NOTE: This Minute Order has been electronically served to the parties through Odyssey eFile.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**March 18, 2020**

---

A-14-710645-B	Pacific Western Bank, Plaintiff(s)
	vs.
	John Ritter, Defendant(s)

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<b>March 18, 2020</b>	<b>9:00 AM</b>	<b>All Pending Motions</b>
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<b>HEARD BY:</b> Williams, Timothy C.	<b>COURTROOM:</b> RJC Courtroom 03H
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**COURT CLERK:** Christopher Darling

**RECORDER:**

**REPORTER:** Peggy Isom

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- APPEARANCES CONTINUED: Dan Waite, Esq. present via CourtCall for Pltf. Pacific Western Bank. J. Rusty Graf, Esq. present for Deft. Vincent Schettler.

DEFENDANT VINCENT T. SCHETTLER'S OBJECTION TO PLAINTIFF'S SUBPOENA DUCES TECUM AND MOTION FOR PROTECTIVE ORDER [FILED January 24, 2020]...DEFENDANT VINCENT T. SCHETTLER'S OBJECTION TO PLAINTIFF'S SUBPOENA DUCES TECUM AND MOTION FOR PROTECTIVE ORDER [FILED January 31, 2020]

Arguments by counsel. Court FINDS request is limited to discovery, calculation matter not jurisdiction of Probate Court, and documents are best source to determine who did what and 2005-2006 records have no impact. Therefore, Court ORDERED, Objections DENIED. Mr. Waite requested 4/9/20 Objection matter advanced and advised matter identical to today's proceeding. Mr. Graf advised no objection to the request. COURT FURTHER ORDERED, 4/9/20 Objection DENIED the same as today's matters; 4/9/20 matter VACATED. Mr. Waite advised will prepare today's order including the disposition of 4/9/20 matter.

CLERK'S NOTE: Subsequent to proceedings, Court vacated 4/8/20 status check as related to today's proceeding. This Minute Order has been electronically served upon counsel through Odyssey eFile.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**June 29, 2020**

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A-14-710645-B      Pacific Western Bank, Plaintiff(s)  
vs.  
John Ritter, Defendant(s)

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**June 29, 2020**

**8:00 AM**

**Minute Order**

**HEARD BY:** Williams, Timothy C.

**COURTROOM:** Chambers

**COURT CLERK:** Christopher Darling

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- Department 16 Formal Request to Appear Telephonically

Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is:

Dial the following number: 1-408-419-1715

Meeting ID: 979 480 011

To connect, dial the telephone number then enter the meeting ID followed by #.

PLEASE NOTE the following protocol each participant will be required to follow:

Place your telephone on mute while waiting for your matter to be called.

Do not place the conference on hold as it may play wait/hold music to others.

Identify yourself before speaking each and every time as a record is being made.

Please be mindful of sounds of rustling of papers or coughing.

CLERK S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**July 08, 2020**

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A-14-710645-B      Pacific Western Bank, Plaintiff(s)  
vs.  
John Ritter, Defendant(s)

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**July 08, 2020      9:00 AM      Motion to Compel**

**HEARD BY:** Williams, Timothy C.      **COURTROOM:** RJC Courtroom 03H

**COURT CLERK:** Christopher Darling

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**      Graf, J. Rusty      Attorney  
Waite, Dan R      Attorney

**JOURNAL ENTRIES**

- Counsel present telephonically. Arguments by counsel. COURT ORDERED, Motion to Compel GRANTED; Requests for Production and Subpoena Duces Tecum at issue DUE 7/22/20. Court directed Mr. Waite to prepare and circulate the order. COURT FURTHER ORDERED, Status Check SET 7/29/20 regarding deferred ruling as to compliance or deficiencies with respect to the contempt show cause as well as fees and costs from today's matter.

7/29/20 9:00 AM STATUS CHECK: DEFERRED SHOW CAUSE/FEEES AND COSTS (FROM 7/8/20 HEARING)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**July 20, 2020**

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A-14-710645-B	Pacific Western Bank, Plaintiff(s) vs. John Ritter, Defendant(s)
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**July 20, 2020**

**8:00 AM**

**Minute Order**

**HEARD BY:** Williams, Timothy C.

**COURTROOM:** Chambers

**COURT CLERK:** Christopher Darling

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- Department 16 Formal Request to Appear Telephonically

Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is:

Dial the following number: 1-408-419-1715

Meeting ID: 979 480 011

To connect, dial the telephone number then enter the meeting ID followed by #.

PLEASE NOTE the following protocol each participant will be required to follow:

Place your telephone on mute while waiting for your matter to be called.

Do not place the conference on hold as it may play wait/hold music to others.

Identify yourself before speaking each and every time as a record is being made.

Please be mindful of sounds of rustling of papers or coughing.

CLERK S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**July 29, 2020**

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A-14-710645-B	Pacific Western Bank, Plaintiff(s) vs. John Ritter, Defendant(s)
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**July 29, 2020                      9:00 AM                      Status Check**

**HEARD BY:** Williams, Timothy C.                      **COURTROOM:** RJC Courtroom 03H

**COURT CLERK:** Christopher Darling

**RECORDER:**

**REPORTER:** Peggy Isom

**PARTIES**

<b>PRESENT:</b>	Graf, J. Rusty                      Attorney Schettler, Vincent T              Defendant Waite, Dan R                      Attorney
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**JOURNAL ENTRIES**

- Parties present telephonically. Discussion and argument by counsel including read statement of Mr. Schettler regarding document responses, redactions, statements, tax returns, and whether or not there is a new account. Mr. Waite requested order for certain production and disclosure as well as delay fees granted. Mr. Graf requested opportunity for meet and confer within 10 days and status check in 3 weeks. COURT ORDERED, detailed proposed orders to be submitted by counsel as to what is to be produced and deficiencies with opportunity for response to proposed order as discussed; further status check SET 8/19/20.

CONTINUED TO: 8/19/20 9:00 AM STATUS CHECK: DEFERRED SHOW CAUSE/FEES AND COSTS (FROM 7/8/20 HEARING)

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**August 10, 2020**

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A-14-710645-B	Pacific Western Bank, Plaintiff(s)
	vs.
	John Ritter, Defendant(s)

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<b>August 10, 2020</b>	<b>8:00 AM</b>	<b>Minute Order</b>
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<b>HEARD BY:</b> Williams, Timothy C.	<b>COURTROOM:</b> Chambers
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**COURT CLERK:** Christopher Darling

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Department 16 Formal Request to Appear Telephonically  
Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is:  
Dial the following number: 1-408-419-1715  
Meeting ID: 301 745 453  
To connect, dial the telephone number then enter the meeting ID followed by #.  
PLEASE NOTE the following protocol each participant will be required to follow:  
Place your telephone on mute while waiting for your matter to be called.  
Do not place the conference on hold as it may play wait/hold music to others.  
Identify yourself before speaking each and every time as a record is being made.  
Please be mindful of sounds of rustling of papers or coughing.

CLERK S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**August 21, 2020**

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A-14-710645-B      Pacific Western Bank, Plaintiff(s)  
vs.  
John Ritter, Defendant(s)

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**August 21, 2020      8:00 AM      Minute Order**

**HEARD BY:** Williams, Timothy C.      **COURTROOM:** Chambers

**COURT CLERK:** Christopher Darling

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Department 16 Formal Request to Appear Telephonically

Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is:

Dial the following number: 1-408-419-1715

Meeting ID: 261 117 825

To connect, dial the telephone number then enter the meeting ID followed by #.

PLEASE NOTE the following protocol each participant will be required to follow:

Place your telephone on mute while waiting for your matter to be called.

Do not place the conference on hold as it may play wait/hold music to others.

Identify yourself before speaking each and every time as a record is being made.

Please be mindful of sounds of rustling of papers or coughing.

CLERK S NOTE: This Minute Order has been electronically served to counsel through Odyssey eFile.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

Other Business Court Matters

COURT MINUTES

September 02, 2020

A-14-710645-B      Pacific Western Bank, Plaintiff(s)  
vs.  
John Ritter, Defendant(s)

**September 02, 2020      9:00 AM      Status Check**

**HEARD BY:** Williams, Timothy C.      **COURTROOM:** RJC Courtroom 03H

**COURT CLERK:** Christopher Darling

**RECORDER:**

**REPORTER:** Peggy Isom

**PARTIES**

**PRESENT:**      Graf, J. Rusty      Attorney  
Waite, Dan R      Attorney

**JOURNAL ENTRIES**

- Hearing held telephonically. Mr. Waite requested American Express statements without redaction and tax returns including forms 35-20 and 35-20A without redaction except five digits of social security number. Arguments by Mr. Waite and Mr. Graf. COURT FINDS items produced are not third-party and are owned by Mr. Schettler. Therefore, COURT ORDERED, requests by Mr. Waite GRANTED; new statements and documents since July also to be produced. Upon Court's inquiry, Mr. Graf advised documents can be produced next week Friday; Mr. Waite advised no objection with timeframe. COURT FURTHER ORDERED, related fees DEFERRED post-judgment as discussed. Upon inquiry by Mr. Waite, Court stated original proposed order submitted 8/17/20 may be revised and submitted to include items today.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**October 12, 2020**

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A-14-710645-B	Pacific Western Bank, Plaintiff(s)
	vs.
	John Ritter, Defendant(s)

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<b>October 12, 2020</b>	<b>8:00 AM</b>	<b>Minute Order</b>
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<b>HEARD BY:</b> Williams, Timothy C.	<b>COURTROOM:</b> Chambers
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**COURT CLERK:** Christopher Darling

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Department 16 Formal Request to Appear Telephonically  
Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conference through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is:  
Dial the following number: 1-408-419-1715  
Meeting ID: 458 575 421  
To connect, dial the telephone number then enter the meeting ID followed by #.  
PLEASE NOTE the following protocol each participant will be required to follow:  
Place your telephone on mute while waiting for your matter to be called.  
Do not place the conference on hold as it may play wait/hold music to others.  
Identify yourself before speaking each and every time as a record is being made.  
Please be mindful of sounds of rustling of papers or coughing.

CLERK S NOTE: A copy of this Minute Order was electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**October 14, 2020**

---

A-14-710645-B      Pacific Western Bank, Plaintiff(s)  
vs.  
John Ritter, Defendant(s)

---

**October 14, 2020      9:00 AM      Objection**

**HEARD BY:** Williams, Timothy C.      **COURTROOM:** RJC Courtroom 03H

**COURT CLERK:** Christopher Darling

**RECORDER:**

**REPORTER:** Peggy Isom

**PARTIES**

**PRESENT:**      Graf, J. Rusty      Attorney  
Waite, Dan R      Attorney

**JOURNAL ENTRIES**

- Hearing held telephonically. Arguments by counsel. Court FINDS the rule does not provide for the assertion; therefore, ORDERED, Plaintiff's Objection GRANTED; other procedural mechanism for consideration is invited. Court directed Mr. Waite to prepare and circulate the order.

Proposed order(s) to be submitted electronically to DC16Inbox@clarkcountycourts.us.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**January 05, 2021**

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A-14-710645-B	Pacific Western Bank, Plaintiff(s)
	vs.
	John Ritter, Defendant(s)

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<b>January 05, 2021</b>	<b>8:00 AM</b>	<b>Minute Order</b>
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<b>HEARD BY:</b> Williams, Timothy C.	<b>COURTROOM:</b> Chambers
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**COURT CLERK:** Christopher Darling

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Department 16 Formal Request to Appear Telephonically  
Please be advised that pursuant to Administrative Order 20-10, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conferences through BlueJeans, wherein you dial in prior to your hearing to appear. The call-in number is:  
Dial the following number: 1-408-419-1715  
Meeting ID: 552 243 859  
To connect, dial the telephone number then enter the meeting ID followed by #.  
PLEASE NOTE the following protocol each participant will be required to follow:  
Place your telephone on mute while waiting for your matter to be called.  
Do not place the conference on hold as it may play wait/hold music to others.  
Identify yourself before speaking each and every time as a record is being made.  
Please be mindful of sounds of rustling of papers or coughing.

CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**January 28, 2021**

---

A-14-710645-B      Pacific Western Bank, Plaintiff(s)  
vs.  
John Ritter, Defendant(s)

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**January 28, 2021      8:00 AM      Minute Order**

**HEARD BY:** Williams, Timothy C.      **COURTROOM:** Chambers

**COURT CLERK:** Christopher Darling

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Department 16 Formal Request to Appear Telephonically

Please be advised that pursuant to Administrative Orders 20-10 and 20-24, Department 16 will temporarily require all matters to be heard via telephonic appearance. The court is currently scheduling all telephonic conferences through BlueJeans conferencing, wherein you dial in prior to your hearing to appear. Also, please check in with the Courtroom Clerk by 8:55 a.m. The call-in number is:

Dial the following number: 1-408-419-1715

Meeting ID: 552 243 859

To connect, dial the telephone number then enter the meeting ID followed by #.

PLEASE NOTE the following protocol each participant will be required to follow:

Place your telephone on mute while waiting for your matter to be called.

Do not place the conference on hold as it may play wait/hold music to others.

Identify yourself before speaking each and every time as a record is being made.

Please be mindful of sounds of rustling of papers or coughing.

CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**February 10, 2021**

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A-14-710645-B      Pacific Western Bank, Plaintiff(s)  
vs.  
John Ritter, Defendant(s)

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**February 10, 2021      9:00 AM      All Pending Motions**

**HEARD BY:** Williams, Timothy C.      **COURTROOM:** RJC Courtroom 03H

**COURT CLERK:** Christopher Darling

**RECORDER:**

**REPORTER:** Peggy Isom

**PARTIES**

**PRESENT:**      Graf, J. Rusty      Attorney  
Waite, Dan R      Attorney

**JOURNAL ENTRIES**

- DEFENDANT VINCENT T. SCHETTLER'S OBJECTION AND MOTION FOR PROTECTIVE ORDER QUASHING PLAINTIFF'S WRITS OF EXECUTION AND MOTION FOR PROTECTIVE ORDER TO PWB TO SHOW CAUSE AS TO WHY IT SHOULD NOT BE HELD IN CONTEMPT AND SANCTIONED PURSUANT TO NRS 22.030...PLAINTIFF'S OPPOSITION TO DEFENDANT VINCENT T. SCHETTLER'S MOTION FOR PROTECTIVE ORDER QUASHING PLAINTIFF'S WRITS OF EXECUTION AND MOTION FOR ORDER TO PWB TO SHOW CAUSE AS TO WHY IT SHOULD NOT BE HELD IN CONTEMPT AND SANCTIONED PURSUANT TO NRS 22.030, AND COUNTERMOTION FOR RELIEF FROM OR TO CLARIFY 8/19/15 ORDER

Hearing held telephonically. Arguments by counsel. Court stated ITS FINDINGS and ORDERED, Motion as regards a protective order to quash DENIED; as to contempt and sanctions, DENIED; as regards Countermotion, contemporaneous notice on Counsel and Judgment Debtor to be done and to be the following judicial day if falls on a weekend day, as discussed. Mr. Waite advised he will prepare today s order. Court directed the order be circulated and if parties cannot agree on form and content, may submit competing orders.

Proposed order(s) to be submitted electronically to DC16Inbox@clarkcountycourts.us.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**April 15, 2021**

---

A-14-710645-B	Pacific Western Bank, Plaintiff(s)
	vs.
	John Ritter, Defendant(s)

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<b>April 15, 2021</b>	<b>8:00 AM</b>	<b>Minute Order</b>
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<b>HEARD BY:</b> Williams, Timothy C.	<b>COURTROOM:</b> Chambers
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**COURT CLERK:** Christopher Darling

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Department 16 Formal Request to Appear Telephonically

Please be advised that pursuant to Administrative Orders 21-03, Department 16 will temporarily require all matters to be heard via remote appearance. The court is currently scheduling all remote conferences through BlueJeans, wherein you dial in by phone or connect online prior to your hearing to appear. Also, please check in with the Courtroom Clerk by 8:55 a.m. The call-in number or website is:

Dial the following number: 1-408-419-1715

Meeting ID: 552 243 859

Online: <https://bluejeans.com/552243859>

To connect by phone, dial the telephone number, then the meeting ID, followed by #.

PLEASE NOTE the following protocol each participant will be required to follow:

Place your telephone on mute while waiting for your matter to be called.

Do not place the conference on hold as it may play wait/hold music to others.

Identify yourself before speaking each and every time as a record is being made.

Please be mindful of sounds of rustling of papers or coughing.

CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**April 28, 2021**

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A-14-710645-B      Pacific Western Bank, Plaintiff(s)  
vs.  
John Ritter, Defendant(s)

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**April 28, 2021**

**9:00 AM**

**All Pending Motions**

**HEARD BY:** Williams, Timothy C.

**COURTROOM:** RJC Courtroom 03H

**COURT CLERK:** Christopher Darling

**RECORDER:**

**REPORTER:** Peggy Isom

**PARTIES**

**PRESENT:**      Graf, J. Rusty      Attorney  
LeVeque, Alex G.      Attorney  
Schettler, Vincent T      Defendant  
Waite, Dan R      Attorney

**JOURNAL ENTRIES**

- PLAINTIFF'S MOTION FOR APPOINTMENT OF RECEIVER OVER JUDGMENT DEBTOR VINCENT T. SCHETTLER'S ASSETS...VINCENT T. SCHETTLER'S OPPOSITION TO: MOTION FOR APPOINTMENT OF RECEIVER OVER JUDGMENT DEBTOR VINCENT T. SCHETTLER'S ASSETS AND COUNTERMOTION FOR APPOINTMENT OF SPECIAL MASTER

Hearing held by BlueJeans remote conferencing. Arguments by counsel. Court stated will consider whether evidentiary hearing necessary and review the proposed order from Mr. Waite. Court noted case may be one of first impression. Decision forthcoming.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters****COURT MINUTES****June 21, 2021**

A-14-710645-B      Pacific Western Bank, Plaintiff(s)  
                                  vs.  
                                  John Ritter, Defendant(s)

**June 21, 2021      8:00 AM      Minute Order**

**HEARD BY:** Williams, Timothy C.      **COURTROOM:** Chambers

**COURT CLERK:** Christopher Darling

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- After review and consideration of the points and authorities on file herein, and the argument of counsel, the Court determines as follows:

After a review of the briefs, and a review of the cited case authority, the Court has reviewed the conditions upon which a receiver can be appointed post-judgment under California Law pursuant to CA Civ Pro Code 708.620 (2019) versus the criteria for post-judgment collections under Nevada Law as set forth pursuant to NRS 32.010.4. This appears to be a question of first impression in Nevada. Unlike California, under the Nevada statutory scheme the appointment of a receiver is not a remedy of last resort because Nevada law does not require the Court to consider the interests of both the judgment creditor and the judgment debtor, and whether the appointment of a receiver is a reasonable method to obtain the fair and orderly satisfaction of the judgment. Under the Nevada statute, [a]fter judgement, to dispose of the property according to the judgment, in proceedings in aid of execution, when an execution has returned unsatisfied, or when the judgment debtor refuses to apply the judgment debtor's property in satisfaction of the judgment, a receiver may be appointed by the Court. See, NRS 32.010.4. In the instant action Pacific West has utilized the standard debt collection procedures as set forth in its motion.

In light of the foregoing, Plaintiff Pacific Western Bank's Motion for the Appointment of Receiver Over Judgment Debtor Vincent T. Schettler's Assets shall be GRANTED.

Counsel for Plaintiff, Pacific Western Bank, shall prepare a detailed Order, Findings of Facts, and

Conclusions of Law, based not only on the foregoing Minute Order, but also on the record on file herein. This is to be submitted to adverse counsel for review and approval and/or submission of a competing Order or objections, prior to submitting to the Court for review and signature.

CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**July 14, 2021**

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A-14-710645-B	Pacific Western Bank, Plaintiff(s)
	vs.
	John Ritter, Defendant(s)

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<b>July 14, 2021</b>	<b>3:00 AM</b>	<b>Minute Order</b>
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<b>HEARD BY:</b> Williams, Timothy C.	<b>COURTROOM:</b> Chambers
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**COURT CLERK:** Christopher Darling

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**

**JOURNAL ENTRIES**

- Department 16 Formal Request to Appear Telephonically

Please be advised that pursuant to Administrative Order 21-04, Department 16 will temporarily require all matters to be heard via remote appearance. The court is currently scheduling all remote conferences through BlueJeans, wherein you dial in by phone or connect online prior to your hearing to appear. Also, please check in with the Courtroom Clerk by 8:55 a.m. The call-in number or website is:

Dial the following number: 1-408-419-1715

Meeting ID: 305 354 001

Participant Passcode: 2258

Online: <https://bluejeans.com/305354001/2258>

To connect by phone, dial the telephone number, then the meeting ID, followed by #.

PLEASE NOTE the following protocol each participant will be required to follow:

Place your telephone on mute while waiting for your matter to be called.

Do not place the conference on hold as it may play wait/hold music to others.

Identify yourself before speaking each and every time as a record is being made.

Please be mindful of sounds of rustling of papers or coughing.

CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on



this case in the Eighth Judicial District Court Electronic Filing System.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**July 21, 2021**

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A-14-710645-B	Pacific Western Bank, Plaintiff(s) vs. John Ritter, Defendant(s)
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**July 21, 2021**

**9:00 AM**

**All Pending Motions**

**HEARD BY:** Williams, Timothy C.

**COURTROOM:** RJC Courtroom 03H

**COURT CLERK:** Christopher Darling

**RECORDER:**

**REPORTER:** Rhonda Aquilina

**PARTIES**

<b>PRESENT:</b>	Graf, J. Rusty	Attorney
	LeVeque, Alex G.	Attorney
	Waite, Dan R	Attorney

**JOURNAL ENTRIES**

- Hearing held by BlueJeans remote conferencing.

**STATUS CHECK RE COMPETING ORDERS**

Colloquy regarding competing orders, documentation as to receiver, and timing for Court to receive the information. COURT ORDERED, information as to curriculum vitae and briefing DUE in one week from Mr. LeVeque; response DUE one week thereafter from Mr. Waite; Decision in Chambers SET 8/11/21 (no parties to be present).

**VINCENT T. SCHETTLER'S MOTION TO STAY APPOINTMENT OF RECEIVER PENDING  
APPEAL ON ORDER SHORTENING TIME**

Arguments by Mr. LeVeque and Mr. Waite. Court stated ITS FINDINGS and ORDERED, Motion for Stay DENIED. Court directed Mr. Waite to prepare the order. Mr. LeVeque requested temporary stay of 30 days after entry or order for appeal purposes. Mr. Waite advised no objection. COURT FURTHER ORDERED, Mr. LeVeque's request for temporary stay GRANTED.

Proposed order(s) to be submitted electronically to DC16Inbox@clarkcountycourts.us.

8/11/21 CHAMBERS DECISION: PLAINTIFF PACIFIC WESTERN BANK S MOTION FOR THE APPOINTMENT OF RECEIVER OVER JUDGMENT DEBTOR VINCENT T. SCHETTLER S ASSETS

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Other Business Court Matters**

**COURT MINUTES**

**August 11, 2021**

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A-14-710645-B	Pacific Western Bank, Plaintiff(s)
	vs.
	John Ritter, Defendant(s)

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<b>August 11, 2021</b>	<b>3:00 AM</b>	<b>Decision</b>
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<b>HEARD BY:</b> Williams, Timothy C.	<b>COURTROOM:</b> Chambers
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**COURT CLERK:** Christopher Darling

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- After review of the supplemental briefing by the parties, it is clear that the receiver candidates proposed by Defendant Ritter have zero receiver experience. In contrast, the receiver candidates suggested by Plaintiff Pacific Western Bank have been court appointed as professional receivers more than 500 times in separate court actions in multiple states and jurisdictions. Also, the receiver candidates suggested by Plaintiff Pacific Western Bank charge a significantly lower hourly rate. Thus, after a review of the CV s provided by Plaintiff Pacific Western Bank, the Court selects Cordes & Company.

Counsel on behalf of Plaintiff Pacific Western Bank shall re-submit its previous order appointing receiver over Judgment Debtor Vincent T. Schettler s Assets and Denying Countermotion for Special Master, now appointing Cordes & Company as receiver in the instant action along with findings of fact and conclusions of law appointing a receiver.

CLERK S NOTE: A copy of this Minute Order has been electronically served to all registered users on this case in the Eighth Judicial District Court Electronic Filing System.



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

ALAN D. FREER  
9060 W. CHEYENNE AVE.  
LAS VEGAS, NV 89129

DATE: August 23, 2021  
CASE: A-14-710645-B

**RE CASE:** PACIFIC WESTERN BANK vs. JOHN A. RITTER; DARREN D. BADGER; VINCENT T. SCHETTLER

NOTICE OF APPEAL FILED: August 19, 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; ORDER (1) APPOINTING RECEIVER OVER JUDGMENT DEBTOR VINCENT T. SCHETTLER'S ASSETS AND (2) DENYING COUNTERMOTION FOR SPECIAL MASTER; NOTICE OF ENTRY OF ORDER (1) APPOINTING RECEIVER OVER JUDGMENT DEBTOR VINCENT T. SCHETTLER'S ASSETS AND (2) DENYING COUNTERMOTION FOR SPECIAL MASTER; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

PACIFIC WESTERN BANK,

Plaintiff(s),

vs.

JOHN A. RITTER; DARREN D. BADGER;  
VINCENT T. SCHETTLER,

Defendant(s),

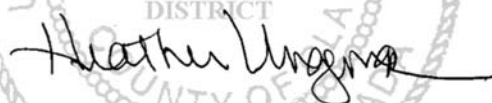
Case No: A-14-710645-B

Dept No: XVI

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 23 day of August 2021.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk