

IN THE SUPREME COURT OF THE STATE OF NEVADA

IN THE MATTER OF THE
GUARDIANSHIP OF THE PERSON
AND ESTATE OF KATHLEEN JUNE
JONES, AN ADULT PROTECTED
PERSON.

KATHLEEN JUNE JONES,

Appellant,

vs.

ROBYN FRIEDMAN; AND DONNA
SIMMONS,

Respondents.

Case No. 81799

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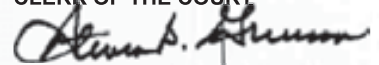
Appeal from the Eighth Judicial
District Court, the Honorable Linda
Marquis Presiding

RESPONDENTS' APPENDIX, VOLUME 1
(Nos. 1–119)

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CASE NO: G-19-052263-A
Department: To be determined

DISTRICT COURT

CLARK COUNTY, NEVADA

IN THE MATTER OF THE GUARDIANSHIP)
OF THE PERSON AND ESTATE OF:)

Kathleen June Jones,)

An Adult Protected Person.)

Case Number:
Department:

**EX-PARTE PETITION FOR APPOINTMENT OF TEMPORARY GUARDIAN
OF THE PERSON AND ESTATE AND ISSUANCE OF LETTERS OF TEMPORARY
GUARDIANSHIP, AND PETITION FOR APPOINTMENT OF GENERAL GUARDIAN
OF THE PERSON AND ESTATE AND ISSUANCE OF LETTERS OF GENERAL
GUARDIANSHIP**

☒ TEMPORARY GUARDIANSHIP

☐ Person

☐ Estate ☐ Summary Admin.

☒ Person and Estate

☒ GENERAL GUARDIANSHIP

☐ Person

☐ Estate ☐ Summary Admin.

☒ Person and Estate

☐ SPECIAL GUARDIANSHIP

☐ NOTICES / SAFEGUARDS

☐ Person

☐ Estate ☐ Summary Admin.

☐ Person and Estate

☐ Blocked Account

☐ Bond Posted

☐ Public Guardian Bond

COMES NOW Petitioners, Robyn Friedman and Donna Simmons (hereinafter
"Petitioners" or "proposed guardians" or "Robyn" or "Donna"), by and through the law firm,
Michaelson & Associates, Ltd., who respectfully submit to this Honorable Court this Ex-Parte

1 Petition for Appointment of Temporary Guardianship of the Person and Estate and Issuance of
2 Letters of Temporary Guardianship, and Petition for Appointment of General Guardianship of the
3 Person and Estate and Issuance of Letters of General Guardianship of Kathleen June Jones,
4 ("proposed protected person" or "Ms. Jones") in accordance with Chapter 159 of the Nevada
5 Revised Statutes ("NRS") and represent the following to this Honorable Court:

6 **Summary**

7 1. Petitioners' mother and proposed protected person, "Ms. Jones", is at this time
8 incapacitated; meaning she is not able to care for herself either medically or financially without
9 assistance. Upon information and belief, based upon two very recent evaluations, Ms. Jones lacks
10 even testamentary capacity. Ms. Jones has suffered from dementia for years and she has seen
11 doctors and taken medication for years to address this and other ailments. These facts are well
12 known to all parties involved in this matter.

13 2. A number of issues have arisen that are hotly contested between the parties, including, but
14 not limited to, who should care for Ms. Jones, what kind of care she should receive, where she
15 should live, whether, how and when various parties can visit with her, whether they can take her
16 out of state, accountability for expenditures of Ms. Jones' funds and the transfer of her home to
17 the daughter and son-in-law of her most recent husband for far less than market value without any
18 notice to or discussion with any of Ms. Jones children, nor her designated attorney-in-fact, who is
19 another daughter of Ms. Jones, not your Petitioners herein.

20 3. Petitioners have expended a great deal of time and money attempting to resolve disputes
21 between all parties involved in this matter without court intervention. Specifically, they have
22 expended a great deal of time negotiating and conferring with counsel for the proposed protected
23 person's husband and his family to try to get them to respect the powers of attorney executed by
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1 the proposed protected person. These conversations have been ultimately unfruitful, and upon
2 information and belief, all the parties are extremely frustrated.

3 4. A temporary guardianship is necessary because when the proposed protected person's
4 attorney-in-fact took her to visit her husband, the attorney-in-fact was without prior notice forcibly
5 prevented from bringing her mother home. Thereafter, the attorney-in-fact, the proposed protected
6 person's own daughter, was allowed to see her mother on one or two occasions but was then
7 excluded altogether by her mother's current spouse and/or her spouse's son-in-law, neither of
8 whom has a power of attorney or guardianship over the proposed protected person. Upon
9 information and belief, Ms. Jones' appointments with medical providers were summarily cancelled
10 by her husband and Ms. Jones' chosen healthcare and financial representative was excluded from
11 the property where Ms. Jones was being held. All of this was done even though the proposed
12 protected person's daughter and agent had quit her job in California and moved to Las Vegas to
13 take care of her mother.
14

15 5. A temporary guardianship is necessary because multiple parties have called the police on
16 the others, and upon information and belief, some stating that Ms. Jones has been kidnapped. After
17 observing differences of opinion and heated disagreements, Petitioners are concerned that these
18 differences of opinion and claims of isolation by one party or the other could easily spill into
19 physical altercations and/or someone in the family being arrested for alleged kidnapping.

20 6. A temporary guardianship is also necessary because upon information and belief Ms.
21 Jones' husband's son-in-law has initiated eviction proceedings to remove the proposed protected
22 person's chosen caregiver – her daughter and financial and healthcare POA agent - from the home
23 where the proposed protected person has been residing, leaving the proposed protected person with
24 no caregiver and leaving her living situation in limbo. This home is the same property that was
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1 formerly owned by Ms. Jones as her sole and separate property, but which was transferred to Ms.
2 Jones' current spouse's daughter and son-in-law for far less than market value.

3 7. Petitioners wish to advise this Honorable Court that Petitioner Donna Simmons has been a
4 paid professional caregiver for elderly persons in the state of California for over 10 years, and that
5 Petitioner Robyn Friedman owns a home in the Las Vegas valley with wheelchair access. She is
6 happy to have her mother live there but would greatly prefer for her mother to be able to remain
7 in the home that she owned for many years. Even after the transfer of the property, Ms. Jones
8 continued to reside there, along with her attorney-in-fact, but upon information and belief that is
9 now in question due to the eviction proceedings because she cannot stay there alone.

10 8. A temporary guardianship is necessary because all sides are very frustrated by what they
11 perceive to be a lack of clear communication and a framework to allow everyone to contact and
12 have face to face time with the proposed protected person.

13 9. A temporary guardianship is necessary because the proposed protected person's current
14 spouse and his family do not recognize the validity of the proposed protected person's financial
15 and healthcare powers of attorney. Thus, although powers of attorney in some situations can be
16 the "least restrictive means," they are not if the parties will not recognize or abide by them and are
17 going to report each other to local law enforcement and even the FBI for alleged trespassing,
18 kidnapping and other violations.

19 10. A temporary guardianship is necessary because while they respect that their sister was
20 appointed by their mother as attorney-in-fact and also as guardian if the appointment of a guardian
21 became necessary, Petitioners assert that their sister, the designated attorney-in-fact, has been
22 unwilling to set forth a written plan of care and visitation framework to protect their mother and
23 prevent confusion and antagonism about visitation and communication. Upon information and
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1 belief, the attorney-in-fact is unwilling to seek a guardianship even though the POA's are not being
2 honored, and despite the fact that that lack of respect for Ms. Jones' POA's fuels a great deal of
3 uncertainty about their mother's living situation and visitation, and will lead to continued
4 uprooting of their mother and further unrest and stress for all involved.

5 11. A temporary guardianship is necessary because these circumstances are very expensive to
6 the proposed protected person's estate – upon information and belief – money is missing from
7 accounts – and the emotional strain of the acrimony poses a substantial risk to the health and well-
8 being of Ms. Jones and her family, including her current husband.

9 12. Petitioners also plead for this court to appoint them eventually as general guardians of their
10 mother's person and estate, if after Court review and oversight of these matters, the Court feels
11 that continuing Court supervision will benefit all parties and provide transparency over the care
12 plan management and also financial matters. Petitioners have been unable to obtain any
13 accounting from their mother's attorney-in-fact – their sister – and despite her many good
14 intentions, their mother's home was transferred to her husband's daughter and son-in-law after the
15 proposed protected person had been diagnosed with dementia and despite the other parties'
16 knowledge of their sister being attorney-in-fact. Also, in spite of having the POA's, the attorney-
17 in-fact lost possession of their mother for several weeks due to the conduct of Ms. Jones' current
18 husband and his family and Ms. Jones was even taken out of state by them for an extended period
19 and isolated from the rest of the family. Ms. Jones' husband and his son-in-law have gone so far
20 as to file pleadings in the now defunct probate court action, challenging the validity of the POA's
21 without basis and after being aware of their existence for years. Thus, Petitioners are concerned
22 that without the backing of the court, their mother's wishes will continue to be disrespected and
23 their sister will continue to not be recognized in her capacity as their mother's agent.
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1 13. Petitioners have offered to pay expenses on behalf of their sister in her role as attorney-in-
2 fact and are still able and willing to do so but at this point they are not willing to do so without
3 Court supervision of all parties involved, at least for a temporary period to cool things down, clarify
4 expectations, and establish a workable and specific care plan.

5 14. Petitioners recognize that Powers of Attorney can be utilized successfully in many
6 situations, however in this case where there is a long history of acrimony, isolation, and disrespect
7 between family members, Petitioners implore the Court to grant a guardianship so that a plan for
8 Ms. Jones' care can finally be created and implemented and all family members can be assured
9 that Ms. Jones is safe and her best interests are being looked after. In the current situation,
10 Petitioners are in the untenable position of having no recourse when they are denied contact with
11 their mother and are refused communication with the other parties. There is no recourse when
12 Petitioners witness non-family members inserting themselves in Ms. Jones' financial affairs.
13 Petitioners would gladly support their sister's appointment as guardian for their mother if she were
14 willing to petition immediately and cooperate with the Court immediately.
15

16 **Information Concerning Proposed Protected Person**

17 15. Ms. Jones's date of birth is January 20, 1937; she is 82 years of age.

18 16. Ms. Jones is currently married to Rodney Gerald Yeoman ("Mr. Yeoman"). This marriage
19 took place in approximately 2009.

20 17. Ms. Jones's last-known address is 6277 Kraft Avenue, Las Vegas, Nevada, 89130.

21 18. Ms. Jones was evaluated by Dr. Gregory Brown on September 9, 2019. A Physician's
22 Certificate of Incapacity setting forth Ms. Jones' need for a guardian has been submitted
23 confidentially to this Court under separate cover. Prior to Dr. Brown's evaluation, Ms. Jones had
24 a neurological evaluation at the Lou Ruvo Center for Brain Health at the Cleveland Clinic on or
25

1 about September 5, 2019. A letter signed by a physician after that evaluation and attesting to Ms.
2 Jones' need for a guardian has been submitted confidentially to this Court under separate cover.

3 19. On December 27, 2005, Ms. Jones executed a Healthcare Power of Attorney naming her
4 daughter Kimberly Jones ("Kimberly") as her Attorney-in-Fact for healthcare decisions. Upon
5 information and belief, this Healthcare Power of Attorney has not been superseded by any other
6 healthcare documents and remains in full force and effect. See Exhibit 1

7 20. On October 24, 2012, Ms. Jones executed a Financial Power of Attorney naming Kimberly
8 as her Attorney-in-Fact for financial matters. Petitioners point out that, although this Power of
9 Attorney was executed after Ms. Jones' marriage to Mr. Yeoman, Ms. Jones still chose Kimberly
10 as her attorney-in-fact for financial matters. See Exhibit 2

11 21. On November 23, 2012, Ms. Jones executed a Last Will and Testament which named
12 Kimberly as Ms. Jones' chosen Personal Representative and also named Kimberly as Ms. Jones'
13 chosen guardian over her person and estate, should the need for a guardian ever arise. Again,
14 Petitioners point out that, although this Will was executed after Ms. Jones' marriage to Mr.
15 Yeoman, Ms. Jones still chose her daughter as her guardian and personal representative. See
16 Exhibit 3

17 **Legal Basis and Argument for Temporary Guardianship**

18
19 22. NRS 159.0525 provides that the court may appoint a temporary guardian for an adult *who*
20 *is unable to respond to a substantial and immediate risk of financial loss*. A petitioner must provide
21 a certificate signed by a physician who is licensed to practice medicine in this State that shows:

22 (1) that the proposed protected person is unable to respond to a substantial and
23 immediate risk of financial loss;

24 (2) whether the proposed protected person can live independently with or
25 without assistance or services; and

1 (3) whether the proposed protected person is or has been subject to abuse,
neglect or exploitation isolation or abandonment; and

2 also, a petitioner must demonstrate that he/she/it attempted "in good faith to notify persons
3 entitled to notice . . ."

4
5 23. In addition, NRS 159.0523 provides that a petition may request the court appoint a
6 temporary guardian for a proposed protected person who is unable to respond to the substantial
7 immediate risk of physical harm or need for immediate medical attention. As with 159.0525
8 referenced above, the petitioner must provide documentation which shows that the proposed
9 protected person faces a substantial and immediate risk of physical harm and need for immediate
10 medical attention.

11 24. Ms. Jones needs a temporary guardian due to the conflict between her children and her
12 husband, which is resulting in a situation in which Ms. Jones is being moved between temporary
13 living accommodations under contentious circumstances and not being given the opportunity to
14 interact with her children. Petitioners, two of Ms. Jones' children, are extremely concerned that
15 their mother is caught between opposing factions of the blended family and that the dissent
16 between the blended family members is putting Ms. Jones in an unnecessarily unstable, stressful
17 and unsafe situation.

18
19 25. The unrest between family members and Mr. Yeoman's son-in-law and daughter, Dick and
20 Kandi Powell ("Dick" and "Kandi") has become so extreme that Petitioners are concerned about
21 the potential for violence between some of the people close to Ms. Jones as they tussle over the
22 care and control of her person and estate. There have been multiple heated exchanges between
23 Ms. Jones' children and Dick and Kandi. Ms. Jones has been effectively snatched back and forth
24 between Kimberly and Dick and Kandi in attempts to keep Ms. Jones in their respective company.
25

1 Upon information and belief, Mr. Yeoman is terminally ill and has been recently taken by Dick
2 and Kandi to Arizona for medical treatment. Despite Ms. Jones' children offering to care for Ms.
3 Jones in Las Vegas while Mr. Yeoman was in the hospital in Arizona, Ms. Jones was abruptly
4 taken to Arizona with no notice to her children. During the time that Ms. Jones was in Arizona,
5 her children were not permitted to see her, nor were they allowed to speak with Ms. Jones on the
6 telephone. Her children were eventually informed that the stay in Arizona would be indefinite and
7 that they could not see their mother, except potentially under some undefined terms according to
8 Dick that were never clarified.

9 26. Upon information and belief, Ms. Jones is currently back in Las Vegas and in the care of
10 Kimberly. This is a result of Kimberly traveling to Arizona to pick Ms. Jones up and bring her
11 back to her home and back to the care of her children. These movements of Ms. Jones between
12 Kimberly and Dick and Kandi have not been peaceful; upon information and belief, when
13 Kimberly removed Ms. Jones from Dick and Kandi in Arizona, and returned Ms. Jones to Las
14 Vegas, Dick called both local law enforcement in Las Vegas and the Federal Bureau of
15 Investigation and caused both agencies to become involved in this matter, claiming that Kimberly,
16 who holds both healthcare and financial POA and is nominated as guardian of the person and estate
17 in Ms. Jones' last will and testament, had actually committed a crime and kidnapped Ms. Jones.
18 Oddly, law enforcement informed Petitioner Robyn Friedman that the POA's were not valid. That
19 is not a customary thing for law enforcement to say unless they were coached by Dick or Dick's
20 counsel. No Court has even come close to holding the POA's are not valid. Given Nevada's
21 presumption in favor of validity of powers of attorney, that insinuation to law enforcement is
22 totally and completely inappropriate. If Mr. Yeoman, Dick or their attorney felt that the POA's
23 were not valid, the appropriate course would have been for them to petition for guardianship since
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1 they lack POA themselves and to ask the court to find that the POA's are not valid. This was never
2 done.

3 27. The ongoing threat of law enforcement involvement is, understandably, a source of stress
4 to Ms. Jones. Petitioners point out that Dick is not related to Ms. Jones. Petitioners further point
5 out that Dick is well aware of the existence of the powers of attorney granting Kimberly the
6 authority to care for her mother, yet he continues to assert control over Ms. Jones and show
7 blatant disregard for the valid powers of attorney.

8 **The POA's are Not Being Respected**

9 28. Petitioners realize that utilizing existing and valid advanced directives, such as powers of
10 attorney, are often the least restrictive, and therefore preferred, means of caring for incapacitated
11 individuals in Nevada. However, Petitioners feel compelled to ask for this Court's involvement
12 in Ms. Jones' affairs because the powers of attorney are not serving the purpose for which they
13 were intended.
14

15 29. Petitioners point out that it is primarily Dick who is acting without regard for the authority
16 that Kimberly should have under the existing Powers of Attorney. Mr. Yeoman is not capable at
17 this time of caring for Ms. Jones and Petitioners question why Dick should have any input into the
18 care of Ms. Jones, as he is not related in any way to Ms. Jones.

19 (a) Dick has repeatedly asked where in either power of attorney it gives Kimberly any authority
20 over Ms. Jones' person. Petitioners assert that Dick is using this as justification to keep Ms. Jones
21 at his home and not allowing her to return to Kimberly's care after Kimberly brought Ms. Jones to
22 visit with her husband at Dick's house. Petitioners also assert that this is the justification used
23 when the Powell's took Ms. Jones to Arizona with them, against the wishes of Kimberly and
24 Petitioners. The purpose of the travel to Arizona was for Mr. Yeoman to receive medical treatment
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1 - so he was (and remains) in the hospital in Arizona and in no way available or able to care for Ms.
2 Jones. In Arizona, Ms. Jones was entirely under the care of non-family members. Once Dick and
3 Kandi took Ms. Jones with them to Arizona, they then had their counsel inform counsel for your
4 Petitioners herein that because Mr. Yeoman would need to remain in Arizona, Ms. Jones would
5 have to remain in Arizona as well - indefinitely. Subsequently, requests to visit Ms. Jones in
6 Arizona were denied.

7 (b) Both in Nevada and later in Arizona, upon information and belief, Dick and Kandi have
8 been hiring caregivers for Ms. Jones despite the fact that both Kimberly and your Petitioners herein
9 have expressed directly in meetings and through their counsel on repeated occasions that they are
10 more than willing and able to care for their mother and that they would like to do so. These pleas
11 and requests have been made repeatedly made to Dick and Kandi. Historically, Ms. Jones' children
12 have been the caregivers for their mother whenever Ms. Jones has been in the hospital. One of
13 Ms. Jones' daughters has been by her side every night that she spent in the hospital over the years.
14 This willingness to be caregivers as needed has not changed, and Dick and Kandi are aware of the
15 availability of Ms. Jones' children as caregivers.
16

17 (c) Dick and Mr. Yeoman have been aware of the existing powers of attorney for years, yet
18 they continue to insert themselves into Ms. Jones' care decisions and financial transactions. See
19 Exhibit 4; copies of text messages from Kandi's sister, the liaison between the families, dated May
20 6, 2017 and referencing the powers of attorney.

21 (d) Interestingly, Mr. Yeoman and the Powell's respected the powers of attorney for nearly six
22 years and never questioned the validity of the documents until recently. The disrespect of the
23 powers of attorney seems to have suddenly occurred in response to Kimberly, who, in the course
24 of fulfilling the duties imposed upon her by her appointment under the power of attorney,
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1 challenged Dick and Kandi by looking into a transfer of real property from Ms. Jones' sole
2 ownership to Dick and Kandi's ownership for far less than market value, while Ms. Jones was
3 known to suffer from dementia, and while Dick and Kandi were well aware of Ms. Jones POA's
4 and without any notice or discussion whatsoever with Ms. Jones' selected agent or even any of her
5 family, with whom Dick and Kandi had fairly regular direct and indirect dealings.

6 (e) There is a presumption in Nevada in favor of POA's, in which a signature is presumed to
7 be genuine and the power of attorney valid if the principal acknowledges the signature before a
8 Notary Public.¹ Mr. Yeoman, Dick, and their counsel must bear the burden of showing that the
9 POA's should not be honored.² But, with their continual disregard for Kimberly's authority and
10 general disparaging of the POA's, they are attempting to shift the burden to Kimberly to prove that
11 she has a right to visit her mother and oversee her care. On at least three different occasions (the
12 2005 HPOA, the 2012 Financial POA, and the Last Will and Testament signed in 2012), Ms. Jones
13 chose Kimberly and not Mr. Yeoman as her agent for healthcare and financial matters.

14
15 (f) Further, upon information and belief as confirmed by the Cleveland Clinic - Lou Ruvo
16 Center for Brain Health in Las Vegas, Nevada as well as counsel for Mr. Yeoman, in complete
17 disregard of the healthcare power of attorney, Mr. Yeoman and/or Dick has also taken it upon
18 himself/themselves to cancel multiple healthcare appointments that had been scheduled by
19 Kimberly for Ms. Jones. The scheduling (and cancelling or rescheduling) of healthcare
20 appointments should be the responsibility of the Agent designated by Ms. Jones in her healthcare
21 power of attorney. Kimberly is the Agent named in Ms. Jones' healthcare power of attorney and
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25 ¹ Nevada Revised Statutes 162A.220(1) and 162A.230(1)

² Nevada Revised Statutes 162A.370

1 Petitioners are concerned that Kimberly's authority is being usurped by Mr. Yeoman and Dick and
2 Kandi. Dick, Kandi, and Mr. Yeoman seem to be under the mistaken belief that they can direct
3 Ms. Jones' healthcare simply because Ms. Jones and Mr. Yeoman are married, but a marriage
4 relationship does not take precedence over the authority of an agent named in a power of attorney.
5 A husband does not own his wife and should not be allowed to assert that his wishes regarding her
6 care should be followed in contravention of the choices made by his wife at a time when she had
7 the capacity to choose her caregivers and decision makers.

8 **Ms. Jones' Caregiver Has Been Evicted From Ms. Jones' House**

9 30. Upon information and belief, Ms. Jones owned real property located at 6277 Kraft Avenue,
10 Las Vegas, Nevada, 89117, ("Kraft house") which she owned in joint tenancy with a former
11 fiancée from January 2002 until the fiancée's death in 2004, after which Ms. Jones owned the
12 property as her separate property from June 2004 until January 2018. On or about January 16,
13 2018, ownership of the property was transferred to Dick and Kandi. *See Parcel Ownership History*
14 *(Assessor Parcel Number Tree) as shown on the Clark County Recorder's website attached hereto*
15 *as Exhibit 5 and a copy of the deed transferring to the Powell's attached hereto as Exhibit 6. A*
16 *temporary guardianship is necessary to stop Dick and Kandi from having further access to Ms.*
17 *Jones' assets and finances. It is unclear whether Dick and Kandi are gifting the cost of any care*
18 *they have provided to or for Ms. Jones or if they are unilaterally spending her money on her behalf.*
19 *If the latter is the case, Petitioners assert this is totally inappropriate. Upon information and belief,*
20 *Kandi's sister, Geri Ann, has been paid to care for Ms. Jones. Petitioners assert that this may be*
21 *yet another instance of one of Mr. Yeoman's family members profiting unnecessarily from Ms.*
22 *Jones' assets. Dick and Kandi have absolutely no standing or basis to transact in Ms. Jones'*
23 *property or to expend her money or decide how to care for her or what should be done when they*
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1 are fully aware that Ms. Jones conscientiously and purposefully designated other individuals to
2 handle this for her.

3 31. Upon information and belief, Ms. Jones and Mr. Yeoman lived together in the Kraft house
4 until Mr. Yeoman became ill in April 2019; at which time Mr. Yeoman went to live temporarily
5 with Dick and Kandi. Mr. Yeoman's other daughter, Marci Pirolo, reached out by text message
6 on April 9, 2019 to Ms. Jones' children to inform them that Mr. Yeoman would be in the hospital
7 for weeks or more and the Ms. Jones would need a caregiver. See Exhibit 7.

8 32. Kimberly immediately quit her job in California after receiving the text message from
9 Marci, so that she could move to Las Vegas and care for her mother. Upon information and belief,
10 Kimberly arrived in Las Vegas within days of receiving the text. During the time that Kimberly
11 has been living in Las Vegas, Kimberly and Ms. Jones have been living together in the Kraft house
12 while Mr. Yeoman is living with Dick and Kandi.

13 33. Upon information and belief, in approximately August 2019 Kimberly took Ms. Jones to
14 visit Mr. Yeoman at the home of Dick and Kandi. When Kimberly arrived later the same day to
15 pick up Ms. Jones and return with her to the Kraft house, Mr. Yeoman and Dick and Kandi refused
16 to allow Ms. Jones to leave with Kimberly.

17 34. Upon information and belief, Ms. Jones was not allowed contact with Petitioners or her
18 other children during the time that Ms. Jones was being kept at Dick and Kandi's house. Despite
19 attempts by Ms. Jones' children to see or speak with their mother, Ms. Jones' was only permitted
20 to speak with Kimberly, but not any of her other children. Ms. Jones was not permitted to see any
21 of her children for approximately five weeks.

22 35. Upon information and belief, Dick did not allow Kimberly to stay in the Kraft house after
23 the refusal to let Ms. Jones return to her home. Because he had taken ownership of the property,
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1 Dick called police and attempted to have Kimberly removed from the house. Upon information
2 and belief, police advised that he needed to initiate eviction proceedings to remove Kimberly from
3 the house in which, until that day, she had been living and caring for Ms. Jones.

4 36. On September 9, 2019, Dick filed an eviction matter in Las Vegas Justice Court against
5 Kimberly and her boyfriend, Dean Loggins to remove them from the Kraft house. (Case No.
6 19R000148, Case Type AB386-Unauthorized Occupant). Based on the eviction proceedings
7 initiated by Dick to keep Kimberly out of the Kraft house, Ms. Jones will no longer be able to live
8 in her own home because she is not able to live alone and Dick has evicted or is in the process of
9 evicting her caregiver.

10 37. It is unclear where Ms. Jones will live if Kimberly does not have a place to stay with her
11 in Las Vegas. Dick, by transferring the house to his name and then evicting Kimberly, has created
12 a situation in which Ms. Jones cannot continue to live in the home in which she has lived for over
13 17 years. Further, by evicting Kimberly from the house, Dick has created a situation in which,
14 without Court intervention, Ms. Jones has no option but to live with and be under the control of
15 Dick, Kandi – who are not her relatives - and the very ill Mr. Yeoman, with her attorney-in-fact
16 and her other children excluded.

18 **Legal Basis and Argument for General Guardianship**

19 38. NRS 159.054(3) authorizes this court to appoint a general guardian of the protected person
20 if the court finds a general guardian is required.

21 39. In a proceeding to appoint a guardian for a proposed protected person under NRS
22 159.0613.1(b), the court shall give preference to a nominated person or relative *[i]f the court*
23 *determines that the nominated person or relative is qualified and suitable to be appointed as*
24 *guardian for the proposed protected person.*
25

1 40. NRS 159.0613.2, states, in determining whether any nominated person or relative is
2 qualified and suitable to act as guardian under NRS 159.0613(4) the court shall consider the
3 following:

4 (a) The ability of the nominated person, relative . . . to provide for the
5 basic needs of the . . . proposed protected person, including, without limitation,
6 food shelter, clothing and medical care;

7 (b) Whether the nominated person has engaged in the habitual use of
8 alcohol or any controlled substance during the previous 6 months . . . ;

9 (c) Whether the nominated person, relative or other person has been
10 judicially determined to have committed abuse, neglect, exploitation, isolation or
11 abandonment of a child, his or her spouse, his or her parent or any other adult . .
12 . ;

13 (d) Whether the nominated person, relative or other person is
14 incapacitated or has a disability; and

15 (e) Whether the nominated person, relative or other person has been
16 convicted in this State or any other jurisdiction of a felony, . . .

17 41. NRS 159.0613.3 states, *[i]f the court finds that two or more nominated persons are*
18 *qualified and suitable to be appointed as guardian for a protected person . . . , the court may*
19 *appoint two or more nominated persons as co-guardians or shall give preference among them in*
20 *the following order of preference:*

21 (a) A person whom the protected person nominated for the appointment
22 as guardian for the proposed protected person in a will, trust or other written
23 instrument that is part of the established estate plan of the protected person . . . and
24 was executed by the protected person . . . while he or she was not incapacitated.

25 42. In addition, NRS 159.0613.4 states the court shall appoint as guardian the qualified
person who is most suitable and is willing to serve. The court considers the factors outlined
under NRS 159.0613(2) above, in addition to the following:

(a) Any nomination or request for the appointment as guardian by the
protected person . . .

1 ...
2 (b) The relationship by blood . . . of the proposed guardian to the protected
3 person . . . The court may consider any relative in the following preference:

4 (1) A spouse or domestic partner;

5 (2) A child;

6 ...
7 (4) Any relative with whom the . . . proposed protected person has resided for
8 more than 6 months before the filing of the petition, or any relative who as a power of
9 attorney executed by the . . . protected person while he or she was not incapacitated.

10 (5) Any relative currently acting as agent.

11 ...

12 43. Absent other factors, pursuant to NRS 159.0613, Kimberly is the preferred person to be
13 named as guardian of Ms. Jones because she was nominated for the appointment as guardian for
14 Ms. Jones in her Will and the Will was executed by Ms. Jones while she was not incapacitated.
15 However, Kimberly is not willing to pursue a guardianship matter at this time. Petitioners are
16 concerned that (1) Kimberly's authority under her valid power of attorney is not being honored;
17 (2) that Kimberly historically has not been communicative with the rest of the family, nor has she
18 been transparent with the financial transactions she has done on behalf of Ms. Jones; and (3) that
19 parties unrelated to Ms. Jones, namely Dick and Kandi, are inappropriately exercising control over
20 her person and her assets and finances with absolutely no oversight or accountability.

21 44. Therefore, Petitioners feel compelled to bring this guardianship action in order to ensure
22 that Ms. Jones receives the quality of care and stability of environment that are currently lacking
23 in her situation. Petitioners find themselves cut off from communication not only with Ms. Jones
24 but with Kimberly and Mr. Yeoman and Dick and Kandi who all are refusing to return Petitioners
25 phone calls.

45. Guardianship is necessary in order to have Court oversight of Ms. Jones' living
arrangements and her visitation schedule with her husband and her children. Kimberly, in her role

1 as attorney-in-fact, has demonstrated an inability or unwillingness to provide any care plans to Ms.
2 Jones' family; to date, Kimberly has not provided a financial plan, a visitation plan, nor a workable
3 plan regarding Ms. Jones' living arrangements – especially in light of the eviction proceeding.
4 Your Petitioners herein have been requesting a care plan since it became apparent several years
5 ago that Ms. Jones was unable to care for herself. Since that time, with no plan, Petitioners have
6 simply stepped up as needed in the role of caregivers. The result is a highly unstable and stressful
7 environment for Ms. Jones; one in which she does not even have a place to live for the long term
8 and where her assets are being depleted with no accountability or transparency.

9 46. Petitioners state that it is not their intention to isolate Ms. Jones from her husband or her
10 other children; it is their intention to care for Ms. Jones and facilitate Ms. Jones' interaction with
11 all of the people that care for Ms. Jones and desire to spend time with her, including her husband
12 if appropriate.

13 47. Petitioners ask this Court to grant guardianship so that Petitioners may be authorized to
14 assist with the situation by cooperatively developing a care plan which will adequately address the
15 issues of living arrangements, visitation with family members, and financial management. Such a
16 care plan will provide the stability that Ms. Jones desperately needs to have restored to her life.

17 48. Ms. Jones has been isolated from her children by both Dick and Kandi and then more
18 recently by Kimberly. Historically, Mr. Yeoman and Dick and Kandi have shown a pattern of
19 isolating Ms. Jones from her children whenever Ms. Jones is in their control. NRS 200.5092(4)(a)
20 defines Isolation as "preventing an older person or a vulnerable person from having contact with
21 another person by: (a) [i]ntentionally preventing the older person or vulnerable person from
22 receiving visitors, mail or telephone calls, ... " At various points, each of Ms. Jones' children has
23 attempted to arrange to spend time with Ms. Jones, only to be denied the visit by either Mr.
24
25

1 Yeoman or Dick or their attorney. Attempts to speak with their mother on the phone have been
2 similarly thwarted by Mr. Yeoman or Dick or their attorney. Upon information and belief, Mr.
3 Yeoman and the Powell's are currently represented by counsel who has advised them that they
4 should not allow Ms. Jones to see her children or to speak with them on the phone.

5 49. Kimberly has made it difficult for Ms. Jones' children to interact with Ms. Jones as well.
6 Upon information and belief, Kimberly has blocked incoming calls and text messages from
7 Petitioners, resulting in a situation in which communication is difficult at best but nearly
8 impossible most of the time.

9 50. Guardianship is also necessary to address a history of financial mismanagement by the
10 current fiduciary. As an example, Ms. Jones owns a house in Anaheim, California, which has been
11 rented for approximately \$1,500 under market rental value for many years. Another example is
12 that in 2016 or 2017 when Ms. Jones underwent hip surgery and was out of her home, the attorney-
13 in-fact allowed a young person who was not vetted to live in Ms. Jones' home. The unvetted
14 caregiver/attendant stole a large amount of money and property from Ms. Jones that was only
15 partially recovered, and what was recovered was, upon information and belief, due to the efforts
16 of Mr. Yeoman. These and other lapses in financial judgment, awareness, know-how and/or
17 attentiveness, coupled with ongoing lack of transparency and communication issues and the
18 inability to achieve peace between the parties must be addressed in order to maximize the potential
19 income available for Ms. Jones' care.
20

21 51. On September 6, 2019, Ms. Jones was a party to a matter filed before Commissioner
22 Yamashita in District Court, Clark County Nevada. The matter (P-19-100166-E) was filed by Ms.
23 Jones' daughter Kimberly in an attempt to have the probate court confirm her as agent under the
24 existing power of attorney, pursuant to NRS 262A.330. The matter came before the Honorable
25

1 Wesley Yamashita but due to a lack of proper notice and other procedural issues, the petition was
2 not granted and as of the filing of the instant Petition, there is no further petition pending. Upon
3 information and belief, Ms. Jones is not party to any other present or pending civil or criminal
4 legal proceeding.

5 52. This guardianship is sought for the purpose of having this Honorable Court oversee the
6 creation and implementation of a specific care plan for Ms. Jones including her living
7 arrangements and visitation for all involved without the threat of having one side or the other
8 exclude or isolate Ms. Jones, as well as for the purpose of recovering if possible Ms. Jones'
9 property that was deeded to Dick and Kandi for far less than market value. Petitioners feel that it
10 would be their fiduciary duty as guardians to investigate this transfer further and potentially pursue
11 means to return the house to Ms. Jones' ownership.

12 53. Based on the foregoing, Petitioners request appointment as Ms. Jones' temporary and
13 potentially general co-guardians in order to have authority from the Court to act as fiduciaries for
14 Ms. Jones for both her financial and healthcare matters in this very difficult and complex situation.
15 Petitioners are seeking court oversight and direction in resolving these disputes.

16
17 **Family of Proposed Protected Person**

18 54. Upon information and belief, Ms. Jones's family and relatives, within the second degree of
19 consanguinity, are as follows:

20

Name	Relationship	Age or Status	Last-Known Address
Rodney Gerald Yeoman	Husband	Adult	2540 E. Harmon Ave. Las Vegas, NV 89102
Kimberly Jones	Daughter	Adult	PO Box 146 18543 Yorba Linda Blvd. Yorba Linda CA 92886
Robyn Friedman	Daughter/ Petitioner	Adult	2824 High Sail Ct. Las Vegas, NV 89117

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Donna Simmons	Daughter/ Petitioner	Adult	1441 N. Redgum, Unit G Anaheim, CA 92806
Teri Butler	Daughter	Adult	586 N. Magdalena St. Dewey, AZ 86327
Scott Simmons	Son	Adult	1054 S. Verde St. Anaheim, CA 92805
Jen Adamo	Grandchild	Adult	14 Edgewater Dr. Magnolia, DE 19962
Jon Criss	Grandchild	Adult	804 Harksness Ln., Unit 3 Redondo Beach, CA 90278
Ryan O'Neal	Grandchild	Adult	112 Malvern Ave., Apt. E Fullerton, CA 92832
Tiffany O'Neal	Grandchild	Adult	177 N. Singingwood St., Unit 13 Orange, CA 92869
Samantha Simmons-Ihrig	Grandchild	Adult	Unknown
Cortney Simmons	Grandchild	Adult	765 Kimbark Ave. San Bernardino, CA 92407
Cameron Simmons	Grandchild	Adult	Unknown
Ampersand Man	Grandchild	Minor	C/O 2824 High Sail Ct. Las Vegas, NV 89117

55. As required under NRS 159.0523.1(b)(1), Petitioners have tried in good faith to notify family members of the filing of the petition for appointment of temporary guardianship as stated above.

Assets, Income & Expenses of Proposed Protected Person

56. Upon information and belief, Ms. Jones does not receive benefits from the Department of Veterans Affairs.

57. Upon information and belief, Ms. Jones receives social security income of approximately \$1,200.00 per month.

58. Upon information and belief, Ms. Jones owns Real Property in Anaheim, California which is rented to her son, Scott Simmons for approximately \$1,200.00 per month; an amount that is sufficient to pay the mortgage on the property.

1 59. Upon information and belief, Ms. Jones owned Real Property located at 6277 Kraft
2 Avenue, Las Vegas, Nevada, 89117, ("Kraft house") which she owned in Joint Tenancy with a
3 former fiancée from January 2002 until the fiancée's death in 2004, after which Ms. Jones owned
4 the property as her separate property from June 2004 until January 2018. On or about January 16,
5 2018, ownership of the property was transferred to the Powell's.

6 60. Upon information and belief, Ms. Jones has basic expenses for food, clothing,
7 entertainment, telephone and insurance in an amount to be determined.

8 61. Upon information and belief, Ms. Jones has bank accounts either in her own name or held
9 jointly with her husband, the balances of which are unknown.

10 **Proposed Care Plan and Budget for Proposed Protected Person**

11 62. The proposed care plan for Ms. Jones is to determine the safest and most stable living
12 arrangements for Ms. Jones. Petitioners will assist Ms. Jones with her finances, with managing
13 her medications, and with making medical appointments and other medical decisions as needed.
14 Ms. Jones' children are available and willing to provide care for Ms. Jones. Petitioners are also
15 planning to hire professional caregivers in the event it is decided that professional care is
16 warranted. Petitioner, Robyn Friedman, has a wheelchair accessible room and bathroom at her
17 home which would be available for Ms. Jones' use.

18 63. Proposed care plan for Ms. Jones will also include facilitating one-on-one visitation for
19 each member of Ms. Jones' family who desires to see her. The care plan is to continue social
20 contact between Ms. Jones and her husband, as well as between Ms. Jones and her children.

21 **Information Concerning the Petitioner- Robyn Friedman**

22 64. The Petitioner and proposed co-guardian's full legal name is Robyn Friedman.

23 65. Robyn Friedman is the daughter of Ms. Jones.
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1 66. Robyn Friedman's mailing and physical address is 2824 High Sail Court, Las Vegas,
2 Nevada, 89117.

3 67. Robyn Friedman, the proposed co-guardian, is over 18 years of age and competent to serve
4 as a temporary and general guardian.

5 68. Robyn Friedman has never been convicted of a felony or judicially determined to have
6 committed abuse, neglect or exploitation of a child, spouse, parent or other person.

7 69. Robyn Friedman has not been suspended for misconduct or disbarred from the practice of
8 law, the practice of accounting or any other profession which involves the management or sale of
9 money, investments, securities or real property and requires licensure in the State of Nevada or
10 any other state.

11 70. Robyn Friedman has not been appointed as guardian over the proposed protected person in
12 a state other than Nevada.

13 71. Robyn Friedman is seeking a special guardianship of the person and estate of the proposed
14 protected person.

15 72. The proposed guardian, Robyn Friedman, is competent and capable of acting in the
16 capacity temporary and general guardian of the person and the estate of Kathleen June Jones, and
17 hereby consents to act in that capacity.

18 73. The proposed guardian, Robyn Friedman, has not filed for or received protection under
19 federal bankruptcy laws within the immediately preceding seven (7) years.

20
21 **Information concerning the Petitioner- Donna Simmons**

22 74. Petitioner and proposed guardian's full legal name is Donna Simmons.

23 75. Donna Simmons is a daughter of Ms. Jones.
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1 76. Donna Simmons' mailing and physical address is 1441 N. Redgum St., Unit G. Anaheim,
2 California, 92806.

3 77. Donna Simmons, the proposed co-guardian, is over 18 years of age and competent to serve
4 as a special guardian.

5 78. Donna Simmons has never been convicted of a felony or judicially determined to have
6 committed abuse, neglect or exploitation of a child, spouse, parent or other person.

7 79. Donna Simmons has not been suspended for misconduct or disbarred from the practice of
8 law, the practice of accounting or any other profession which involves the management or sale of
9 money, investments, securities or real property and requires licensure in the State of Nevada or
10 any other state.

11 80. Donna Simmons has not been appointed as guardian over the proposed protected person in
12 a state other than Nevada.

13 81. Donna Simmons is seeking a temporary and general guardianship of the person and estate
14 of the proposed protected person.

15 82. The proposed guardian, Donna Simmons, is competent and capable of acting in the
16 capacity special guardian of the person and the estate of Kathleen June Jones, and hereby consents
17 to act in that capacity.

18 83. The proposed guardian, Donna Simmons, has not filed for or received protection under
19 federal bankruptcy laws within the immediately preceding seven (7) years.

20 84. Pursuant to NRS 159.044, further identifying information concerning the Petitioners will
21 be provided to the Court in a separate confidential document.

22 85. Petitioners are daughters of Ms. Jones and are suitable and willing to serve.

23 86. That upon filing of proof of blocked account, no bond is required of the guardian.
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1 87. Petitioners request that if liquid assets or income valued at less than \$10,000 are
2 discovered, that Petitioners be authorized to place such property in an unblocked guardianship
3 account to be established by Petitioners, as either the temporary or general guardians, at a financial
4 institution located in Nevada, and that Petitioners be authorized to utilize such property to pay for
5 Ms. Jones's care, maintenance and support.

6 88. Petitioners request that if the value of the proposed protected person's liquid assets reaches
7 or exceeds \$10,000, that any monies in excess of \$10,000 be placed in a blocked guardianship
8 account to be established by Petitioners as either the temporary or general guardians at a financial
9 institution located in Nevada and selected by Petitioners.

10 89. Pursuant to NRS 159.076, this Court may authorize summary administration of a
11 guardianship estate valued at less than \$10,000, whereby the requirement of filing an accounting
12 may be excused. In the event that property is discovered which is valued at \$10,000 or greater, an
13 accounting may be required.

14 90. Petitioners request that they be authorized and granted access to any and all historical
15 account information for any and all of Ms. Jones's assets for investigative purposes and to apply
16 for government benefits, including Medicaid, if necessary.

17 91. Petitioners are requesting authority to sign all documents required by the Division of
18 Welfare and Supportive Services, or any other third party, to obtain Medicaid or other appropriate
19 benefits for Ms. Jones, including executing and establishing a qualified income trust, if necessary.

20 92. Petitioners shall be Ms. Jones's personal representative for purposes of the Health
21 Insurance Portability and Accountability Act of 1996, Public Law 104-191, and any applicable
22 regulations. That Petitioners be authorized to obtain and be permitted to receive any and all medical
23 records and information concerning the past and present condition and historical treatment of Ms.
24 Jones, including but not limited to, examination reports, medical charts, medical notes, which are
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1 or may be lodged with any persons, including without limitation family members, friends,
2 healthcare providers, physicians, hospitals, care facilities, other institutions, and/or third parties.

3 93. Petitioners request that they be authorized to obtain confidential financial information of
4 Ms. Jones, including, but not limited to statements, cancelled checks, withdrawal authorizations
5 and any other information from financial institutions, brokerage or mutual fund firms, the United
6 States Social Security Administration, and other persons and agencies which have engaged in
7 transactions concerning the financial affairs of Ms. Jones, whether said accounts or records reflect
8 the name of Ms. Jones individually, or with one or more other persons or trust, in order to apply
9 for government benefits, including Medicaid, if necessary.

10 94. Petitioners request that they be authorized to request and receive information from any
11 other person or agency, which is currently or has previously been obligated to pay money or other
12 benefits to Ms. Jones.

13 95. Petitioners request that they be authorized to obtain access to any and all testamentary
14 documents Ms. Jones, including wills or trusts, healthcare advance directives, and/or powers of
15 attorney that may be lodged with family members, friends, financial institutions, or any other
16 person and entity that may possess such documents, and if such documents are found that all such
17 documents be given to Petitioners for the duration of the temporary and general guardianship.

18 96. Petitioners hereby submit written notice of intent to seek payment of attorneys' fees and
19 costs from the guardianship estate. The law firm of Michaelson & Associates, Ltd. will seek
20 payment of fees and costs at the conclusion of the temporary or general guardianship proceeding.
21 Michaelson & Associates, Ltd. bills on an hourly basis for services rendered pertaining to
22 guardianship matters. The principal attorney, John Michaelson, Esq. bills at an hourly rate of
23 \$450.00. Senior and associate attorneys bill at hourly rates of \$350 and \$300, respectively, and
24 the senior paralegal bills at an hourly rate of \$200 per hour. The services provided by Michaelson
25 & Associates, Ltd. are necessary to assist the proposed protected person to assist and advise the

1 guardian in minimizing any risks to the proposed protected person. Petitioners hereby request this
2 court approve payment of legal fees and costs at the conclusion of the temporary or general
3 guardianship and subject to Court confirmation.

4 97. That the Court approve payment of guardianship guardian's fees to be paid for services as
5 rendered, pursuant to NRS 159.105 from the assets of the Estate and subject to Court confirmation.

6 98. That Petitioners believe that appointing them as the temporary and general guardians of the
7 person and estate, is in the best interests of Ms. Jones.

8 99. That upon Robyn Friedman and Donna Simmons taking the appropriate actions and efforts
9 outlined above, the guardianship should be terminated, and they should be discharged from all
10 liability for their term of service as temporary and general co-guardians.

11 **WHEREFORE**, Petitioner prays:

12 1. That the instant Petition be granted;

13 2. That this Court enter an order immediately appointing Robyn Friedman and Donna
14 Simmons as the temporary co-guardians of Ms. Jones' person and estate to prevent any further
15 harm and to reduce the risk of substantial harm of the parties continue to contend and fight over
16 her person and estate without court oversight, and Petitioners also request their eventual
17 appointment as general co-guardians of the person and estate of Kathleen June Jones if the Court
18 determines ongoing oversight is best for Ms. Jones and the parties involved to ensure a peaceful
19 co-existence;
20

21 3. The Clerk of the Court hereby be directed to issue Letters of Temporary Guardianship to
22 Petitioners, Robyn Friedman and Donna Simmons, upon subscribing to the appropriate oath of
23 office and bond be waived, since proof blocked account will be filed herein and liquid assets valued
24 in excess of \$10,000.00 will be blocked until further order of this Court, upon presentment of the
25 Order and without presentment of Letters to the financial institution;

1 4. Upon service of the Citation, pursuant to NRS 159, and hearing, that this Court enter an
2 order appointing Robyn Friedman and Donna Simmons as the general co-guardians of the person
3 and estate of Ms. Jones, and Letters of General Guardianship of the Person and Estate be issued to
4 Robyn Friedman and Donna Simmons, subscribing to the appropriate oath of office;

5 5. The Court direct that if any liquid assets or income valued at \$10,000 or less are discovered,
6 that those assets be placed into an unblocked guardianship account to be established by the
7 temporary or general guardian at a financial institution located in Nevada, and that the guardians
8 be authorized to utilize such income to pay for Ms. Jones's care, maintenance and support;

9 6. The Court direct that if the value of the proposed protected person's cumulative assets and
10 income exceeds \$10,000, that those assets be placed in a blocked guardianship account to be
11 established by the temporary or general guardians at a financial institution located in Nevada;

12 7. Pursuant to NRS 159.076, if appropriate, this Court authorize summary administration,
13 including dispensing with the requirement of an accounting if it is found that the value of the estate
14 in the state of Nevada is less than \$10,000. Should assets be discovered in the state of Nevada
15 valued in excess of this amount, the guardians will be required to file an accounting.

16 8. An order be entered authorizing Petitioners to create and implement a specific care plan
17 for Ms. Jones including her living arrangements and facilitating visitation for each member of Ms.
18 Jones' family, including her husband, who desires to see her.

19 9. An order be entered authorizing Petitioners access to any and all historical account
20 information and for any and all of Ms. Jones's assets for investigative purposes and to apply for
21 government benefits, including Medicaid, if necessary;

22 10. To carry out the function of temporary and general guardians of the person and estate of
23 Ms. Jones, the Court order that Robyn Friedman and Donna Simmons are vested with the powers
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1 as stated herein and, including to assist with Ms. Jones's medical decisions related to her care, to
2 ensure Ms. Jones's transport to or placement in an appropriate medical facility that can provide
3 appropriate level of care for Ms. Jones's health needs, to ensure Ms. Jones's finances are protected
4 and that Ms. Jones's financial needs are addressed, and to access financial information in order to
5 apply for government benefits, including Medicaid, if necessary;

6 11. An order be entered authorizing Petitioners as Ms. Jones's personal representatives for
7 purposes of the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191,
8 and any applicable regulations. That Petitioners be authorized to obtain and be permitted to receive
9 any and all medical records and information concerning the past and present condition and
10 historical treatment of Ms. Jones, including but not limited to, examination reports, medical charts,
11 medical notes, which are or may be lodged with any persons, family members, friends, along with
12 any and all medical providers, physicians, hospitals, care facilities, institutions, and/or third
13 parties;

14 12. An order be entered authorizing Petitioners to obtain confidential financial information of
15 Ms. Jones, including, but not limited to statements, cancelled checks, withdrawal authorizations
16 and any other information from financial institutions, brokerage or mutual fund firms, the United
17 States Social Security Administration, and other persons and agencies which have engaged in
18 transactions concerning the financial affairs of Ms. Jones, whether said accounts or records reflect
19 the name of Ms. Jones individually, or with one or more other persons or trust, to apply for
20 government benefits, including Medicaid, if necessary;

21 13. An order be entered authorizing Petitioners to request and receive information from any
22 other person or agency, which is currently or has previously been obligated to pay money or other
23 benefits to Ms. Jones;
24
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1 14. An order be entered that any general durable power of attorney or healthcare power of
2 attorney documents previously executed by Ms. Jones are suspended and shall be given to the
3 Petitioners for the duration of the temporary and general guardianship;

4 15. The Court approve payment of attorneys' fees and costs from the guardianship estate to the
5 law firm of Michaelson & Associates, Ltd. at the conclusion of the guardianship proceeding,
6 subject to Court confirmation.

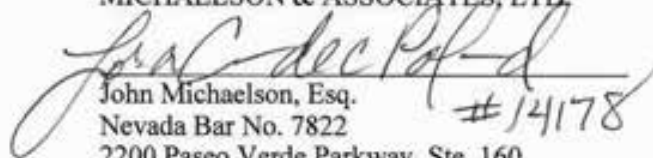
7 16. The Court approve payment of guardian's fees to be paid for services as rendered, pursuant
8 to NRS 159.105 from the assets of the Estate and subject to Court confirmation;

9 17. Upon taking appropriate actions and efforts outlined above, or the protected person dies,
10 the guardianship be terminated, and the guardians be discharged from all liability for their term of
11 service as temporary and general co-guardians; and

12 18. The Court order such other and further relief as it deems appropriate.

13 DATED: September 19, 2019.

14 MICHAELSON & ASSOCIATES, LTD.

15 
16 John Michaelson, Esq. #14178
17 Nevada Bar No. 7822
18 2200 Paseo Verde Parkway, Ste. 160
19 Henderson, Nevada 89052
20 Counsel for Petitioners
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VERIFICATION

STATE OF NEVADA)
): ss.
COUNTY OF CLARK)

Robyn Friedman, being first duly sworn, hereby deposes and says: that she is a Petitioner in the above-referenced petition; that she has read the foregoing Ex Parte Petition for Appointment of Temporary and General Guardian of the Person and Estate and Issuance of Letters of Temporary and General Guardianship and knows the contents thereof; that the same are true of her own knowledge except as to those matters therein stated upon information and belief and as to those matters, she believes them to be true.

By: *R. Friedman*
Robyn Friedman

SUBSCRIBED and AFFIRMED to before me this
18 day of September, 2019 by Robyn Friedman.

Hardeep
NOTARY PUBLIC in for said County and State



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Donna Simmons, being first duly sworn, hereby deposes and says: that she is a Petitioner in the above-referenced petition; that she has read the foregoing Ex Parte Petition for Appointment of Temporary and General Guardian of the Person and Estate and Issuance of Letters of Temporary and General Guardianship and knows the contents thereof; that the same are true of her own knowledge except as to those matters therein stated upon information and belief and as to those matters, she believes them to be true.

SUBSCRIBED and AFFIRMED to before me this
18th day of September, 2019 by Donna Simmons

Martha J. Orange, CA
NOTARY PUBLIC in for said County and State

JURAT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Orange

Subscribed and sworn to (or affirmed) before me on

this 18th day of September, 2019

by Donna Simmons

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature

Maria Sida Melgoza

(Seal)



EXHIBIT "1"

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DURABLE POWER OF ATTORNEY
for Health Care Decisions pursuant to NRS 449.830
WARNING TO PERSONS EXECUTING THIS DOCUMENT

THIS IS AN IMPORTANT LEGAL DOCUMENT. IT CREATES A DURABLE POWER OF ATTORNEY FOR HEALTH CARE. BEFORE EXECUTING THIS DOCUMENT, YOU SHOULD KNOW THESE IMPORTANT FACTS:

1. THIS DOCUMENT GIVES THE PERSON YOU DESIGNATE AS YOUR ATTORNEY-IN-FACT THE POWER TO MAKE HEALTH CARE DECISIONS FOR YOU. THIS POWER IS SUBJECT TO ANY LIMITATIONS OF YOUR DESIRES THAT YOU INCLUDE IN THIS DOCUMENT. THE POWER TO MAKE HEALTH CARE DECISIONS FOR YOU MAY INCLUDE CONSENT, REFUSAL OF CONSENT, OR WITHDRAWAL OF CONSENT TO ANY CARE, TREATMENT, SERVICE, OR PROCEDURE TO MAINTAIN, DIAGNOSE, OR TREAT A PHYSICAL OR MENTAL CONDITION. YOU MAY STATE IN THIS DOCUMENT ANY TYPES OF TREATMENT OR PLACEMENTS THAT YOU DO NOT DESIRE.
2. THE PERSON YOU DESIGNATE IN THIS DOCUMENT HAS A DUTY TO ACT CONSISTENT WITH YOUR DESIRES AS STATED IN THIS DOCUMENT OR OTHERWISE MADE KNOWN OR, IF YOUR DESIRES ARE UNKNOWN, TO ACT IN YOUR BEST INTERESTS.
3. EXCEPT AS YOU OTHERWISE SPECIFY IN THIS DOCUMENT, THE POWER OF THE PERSON YOU DESIGNATE TO MAKE HEALTH CARE DECISIONS FOR YOU MAY INCLUDE THE POWER TO CONSENT TO YOUR DOCTOR NOT GIVING TREATMENT OR STOPPING TREATMENT WHICH WOULD KEEP YOU ALIVE.
4. UNLESS YOU SPECIFY A SHORTER PERIOD IN THIS DOCUMENT, THIS POWER WILL EXIST INDEFINITELY FROM THE DATE YOU EXECUTE THIS DOCUMENT AND, IF YOU ARE UNABLE TO MAKE HEALTH CARE DECISIONS FOR YOURSELF, THIS POWER WILL CONTINUE TO EXIST UNTIL THE TIME WHEN YOU BECOME ABLE TO MAKE HEALTH CARE DECISIONS FOR YOURSELF.
5. NOTWITHSTANDING THIS DOCUMENT, YOU HAVE THE RIGHT TO MAKE MEDICAL AND OTHER HEALTH CARE DECISIONS FOR YOURSELF SO LONG AS YOU CAN GIVE INFORMED CONSENT WITH RESPECT TO THE PARTICULAR DECISION. IN ADDITION, NO TREATMENT MAY BE GIVEN TO YOU OVER YOUR OBJECTION, AND HEALTH CARE NECESSARY TO KEEP YOU ALIVE MAY NOT BE STOPPED IF YOU OBJECT.
6. YOU HAVE THE RIGHT TO REVOKE THE APPOINTMENT OF THE PERSON DESIGNATED IN THIS DOCUMENT TO MAKE HEALTH CARE DECISIONS FOR YOU BY NOTIFYING THAT PERSON OF THE REVOCATION ORALLY OR IN WRITING.
7. YOU HAVE THE RIGHT TO REVOKE THE AUTHORITY GRANTED TO THE PERSON DESIGNATED IN THIS DOCUMENT TO MAKE HEALTH CARE DECISIONS FOR YOU BY NOTIFYING THE TREATING PHYSICIAN, HOSPITAL, OR OTHER PROVIDER OF HEALTH CARE ORALLY OR IN WRITING.
8. THE PERSON DESIGNATED IN THIS DOCUMENT TO MAKE HEALTH CARE DECISIONS FOR YOU HAS THE RIGHT TO EXAMINE YOUR MEDICAL RECORDS AND TO CONSENT TO THEIR DISCLOSURE UNLESS YOU LIMIT THIS RIGHT IN THIS DOCUMENT.
9. THIS DOCUMENT REVOKES ANY PRIOR DURABLE POWER OF ATTORNEY FOR HEALTH CARE.
10. IF THERE IS ANYTHING IN THIS DOCUMENT THAT YOU DO NOT UNDERSTAND, YOU SHOULD SEEK COMPETENT LEGAL COUNCIL.

1. DESIGNATION OF HEALTH CARE AGENT

I, JUNE JONES, do hereby designate and appoint
RICHARD J. JONES of
567 East 100th Ave, Aurora, CO 80012, phone number (714) 924-6701 as
my attorney-in-fact to make health care decisions for me as authorized in this document.

2. CREATION OF DURABLE POWER OF ATTORNEY FOR HEALTH CARE

By this document I, intend to create a durable power of attorney by appointing the person designated above to make health care decisions for me. This power of attorney shall not be affected by my subsequent incapacity.

3. GENERAL STATEMENT OF AUTHORITY GRANTED

In the event that I am incapable of giving informed consent with respect to health care decisions, I hereby grant to the attorney-in-fact named above full power and authority to make health care decisions for me before, or after my death, including: consent, refusal of consent, or withdrawal of consent to any care, treatment, service, or procedure to maintain, diagnose, or treat a physical or mental condition, subject only to the limitations and special provisions, if any, set forth in paragraph 4 or 6.

4. SPECIAL PROVISIONS AND LIMITATIONS

NOTE: (Your attorney-in-fact is not permitted to consent to any of the following: commitment to or placement in a mental health treatment facility, convulsive treatment, psychosurgery, sterilization, or abortion. If there are any other types of treatment or placement that you do not want your attorney-in-fact's authority to give consent for or other restrictions you wish to place on his or her attorney-in-fact's authority, you should list them in the space below. If you do not write any limitations, your attorney-in-fact will have the broad powers to make health care decisions on your behalf which are set forth in paragraph 3, except to the extent that there are limits provided by law.)

In exercising the authority under this durable power of attorney for health care, the authority of my attorney-in-fact is subject to the following special provisions and limitations:

5. DURATION

I understand that this power of attorney will exist indefinitely from the date I execute this document unless I establish a shorter time. If I am unable to make health decisions for myself when this power of attorney expires, the authority I have granted my attorney-in-fact will continue to exist until the time when I become able to make health care decisions for myself.

6. STATEMENT OF DESIRES

NOTE: (With respect to decisions to withhold or withdraw life-sustaining treatment, your attorney-in-fact must make health care decisions that are consistent with your known desires. You can, but are not required to, indicate your desires below. If your desires are unknown, your attorney-in-fact has the duty to act in your best interests; and, under some circumstances, a judicial proceeding may be necessary so that a court can determine the health care decision that is in your best interests. If you wish to indicate your desires, you may INITIAL the statement or statements that reflect your desires and/or write your own statements in the space below.)

(If the statement reflects your desires, initial the box next to the statement.)

- ☒ 1. I desire that my life be prolonged to the greatest extent possible, without regard to my condition, the chances I have for recovery or long-term survival, or the cost of the procedures.
- ☒ 2. If I am in a coma which my doctors have reasonably concluded is irreversible, I desire that life-sustaining or prolonging treatments not be used. (Also should utilize provisions of NRS [449.610 et seq.] 449.540 to 449.690, inclusive, and sections 2 to 12, inclusive, of this act if this subparagraph is initialed.)
- ☐ 3. If I have an incurable or terminal condition or illness and no reasonable hope of long-term recovery or survival, I desire that life-sustaining or prolonging treatments not be used. (Also should utilize provisions of NRS [449.610 et seq.] 449.540 to 449.690, inclusive, and sections 2 to 12, inclusive, of this act if this subparagraph is initialed.)
- ☒ 4. I direct my attending physician not to withhold or withdraw artificial nutrition and hydration by way of the gastrointestinal tract if such a withholding or withdrawal would result in my death by starvation or dehydration.
- ☐ 5. I do not desire treatment to be provided and/or continued if the burdens of the treatment outweigh the expected benefits. My attorney-in-fact is to consider the relief of suffering, and the quality as well as the extent of the possible extension of my life.

NOTE: (If you wish to change your answer, you may do so by drawing an "X" through the answer you do not want, and circling the answer you prefer.)

Other or Additional Statements of Desires:

DO NOT WISH TO DONATE ANY + ALL ORGANS, + OR TISSUE

7. DESIGNATION OF ALTERNATE ATTORNEY-IN-FACT.

NOTE: (You are not required to designate any alternative attorney-in-fact but you may do so. Any alternative attorney-in-fact you designate will be able to make the same health care decisions as the attorney-in-fact designated in paragraph 1, page 2, in the event that he or she is unable or unwilling to act as your attorney-in-fact. Also, if the attorney-in-fact designated in paragraph 1 is your spouse, his or her designation as your attorney-in-fact is automatically revoked by law if your marriage is dissolved.)

If the person designated in paragraph 1 as my attorney-in-fact is unable to make health care decisions for me, then I designate the following persons to serve as my attorney-in-fact to make health care decisions for me as authorized in this document, such persons to serve in the order listed below:

A. FIRST ALTERNATE ATTORNEY-IN-FACT:

First Alternate Name: _____, of _____, phone number _____

B. SECOND ALTERNATE ATTORNEY-IN-FACT:

Second Alternate Name: _____, of _____, phone number _____

8. PRIOR DESIGNATIONS REVOKED.

I revoke any prior durable power of attorney for health care.

YOU MUST DATE AND SIGN THIS POWER OF ATTORNEY

I sign my name to this Durable Power of Attorney for Health care on this 27 day of Dec, 2005, in the City of Las Vegas, in the County of Clark, State of Nevada.

June Jones
Signature of Declarant

NOTE: THIS POWER OF ATTORNEY WILL NOT BE VALID FOR MAKING HEALTH CARE DECISIONS UNLESS IT IS EITHER (a) SIGNED BY AT LEAST TWO QUALIFIED WITNESSES WHO ARE PERSONALLY KNOWN TO YOU AND WHO ARE PRESENT WHEN YOU SIGN OR ACKNOWLEDGE YOUR SIGNATURE OR (b) ACKNOWLEDGED BEFORE A NOTARY PUBLIC.

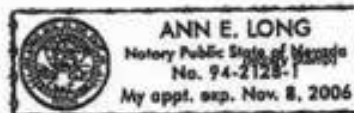
CERTIFICATE OF ACKNOWLEDGMENT OF NOTARY PUBLIC

State of Nevada)
County of Clark) ss.

On this 27 day of December, in the year 2005, before me, Ann E. Long, a Notary Public, personally appeared June Jones, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to this instrument, and acknowledged that he executed it. I declare under penalty of perjury that the person whose name is ascribed to this instrument appears to be of sound mind and under no duress, fraud, or undue influence.

WITNESS my hand and Official Seal

Ann E. Long
Signature of Notary



STATEMENT OF WITNESSES

Note: You should carefully read and follow this witnessing procedure. This document will not be valid unless you comply with the witnessing procedure.

If you elect to use witnesses instead of having this document notarized you must use two qualified adult witnesses.

NONE OF THE FOLLOWING MAY BE USED AS WITNESSES:

- A person you designate as the Attorney-In-Fact
- A provider of health care
- An employee of a provider of health care
- The operator of a health care facility
- An employee of an operator of a health care facility

At least one witness **MUST** make the additional declaration set out following the place where the witnesses signed.

I DECLARE UNDER PENALTY OF PERJURY THAT THE PRINCIPAL IS PERSONALLY KNOWN TO ME, THAT THE PRINCIPAL SIGNED OR ACKNOWLEDGED THIS DURABLE POWER OF ATTORNEY IN MY PRESENCE, THAT THE PRINCIPAL APPEARS TO BE OF SOUND MIND AND UNDER NO DURESS, FRAUD OR UNDUE INFLUENCE, THAT I AM NOT THE PERSON APPOINTED AS ATTORNEY-IN-FACT BY THIS DOCUMENT, AND THAT I AM NOT A PROVIDER OF HEALTH CARE, AN EMPLOYEE OF A PROVIDER OF HEALTH CARE, THE OPERATOR OF A COMMUNITY CARE FACILITY, NOR AN EMPLOYEE OF AN OPERATOR OF A HEALTH CARE FACILITY.

Dated: _____

Signature: _____ Address: _____

Print Name: _____

Signature: _____ Address: _____

Print Name: _____

At least one of the above witnesses must also sign the following declaration

I DECLARE UNDER PENALTY OF PERJURY THAT I AM NOT RELATED TO THE PRINCIPAL BY BLOOD, MARRIAGE OR ADOPTION, AND TO THE BEST OF MY KNOWLEDGE I AM NOT ENTITLED TO ANY PART OF THE ESTATE OF THE PRINCIPAL UPON THE DEATH OF THE PRINCIPAL UNDER A WILL NOW EXISTING OR BY OPERATION OF LAW.

Signature: _____ Signature: _____

Print Name: _____ Print Name: _____

Copies: You should retain an executed copy of this document and give one to your attorney-in-fact. The Power of Attorney should be available so a copy may be given to your providers of health care.

EXHIBIT “2”

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STATUTORY FORM POWER OF ATTORNEY

PRINCIPAL: *Jane Jones*

1. **DESIGNATION OF AGENT:** I do hereby designate and appoint: *Kimberly S. Jones*

as my agent to make decisions for me and in my name, place and stead and for my use and benefit and to exercise the powers as authorized in this document.

2. DESIGNATION OF ALTERNATE AGENT.

(You are not required to designate any alternative agent but you may do so. Any alternative agent you designate will be able to make the same decisions as the agent designated above in the event that he or she is unable or unwilling to act as your agent. Also, if the agent designated in paragraph 1 is your spouse, his or her designation as your agent is automatically revoked by law if your marriage is dissolved.)

If my agent is unable or unwilling to act for me, then I designate the following person(s) to serve as my agent as authorized in this document, such person(s) to serve in the order listed below:

A. First Alternative Agent *Scott Simmons*

B. Second Alternative Agent

3. OTHER POWERS OF ATTORNEY.

This Power of Attorney is intended to, and does, revoke any prior Power of Attorney for financial matters I have previously executed.

4. NOMINATION OF GUARDIAN.

If, after execution of this Power of Attorney, incompetency proceedings are initiated either for my estate or my person, I hereby nominate as my guardian or conservator for consideration by the court my agent herein named, in the order named.

5. GRANT OF GENERAL AUTHORITY.

I grant my agent and any successor agent(s) general authority to act for me with respect to the following subjects:

(INITIAL each subject you want to include in the agent's general authority. If you wish to grant general authority over all of the subjects you may initial "All Preceding Subjects" instead of initialing each subject.)

- ☐ Real Property
- ☐ Tangible Personal Property
- ☐ Stocks and Bonds
- ☐ Commodities and Options
- ☐ Banks and Other Financial Institutions
- ☐ Safe Deposit Boxes
- ☐ Operation of Entity or Business
- ☐ Insurance and Annuities
- ☐ Estates, Trusts and Other Beneficial Interests
- ☐ Legal Affairs, Claims and Litigation
- ☐ Personal Maintenance
- ☐ Benefits from Governmental Programs or Civil or Military Service
- ☐ Retirement Plans
- ☐ Taxes
- ☒ All Preceding Subjects

6. GRANT OF SPECIFIC AUTHORITY.

My agent MAY NOT do any of the following specific acts for me UNLESS I have INITIALED the specific authority listed below:

(CAUTION: Granting any of the following will give your agent the authority to take actions that could significantly reduce your property or change how your property is distributed at your death. INITIAL ONLY the specific authority you WANT to give your agent.)

- ☐ Create, amend, revoke or terminate an inter vivos, family, living, irrevocable or revocable trust
- ☐ Make a gift, subject to the limitations of NRS and any special instructions in this Power of Attorney
- ☐ Create or change rights of survivorship
- ☐ Create or change a beneficiary designation
- ☐ Waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan
- ☐ Exercise fiduciary powers that the principal has authority to delegate
- ☐ Disclaim or refuse an interest in property, including a power of appointment

7. LIMITATION ON AGENT'S AUTHORITY.

An agent that is not my spouse MAY NOT use my property to benefit the agent or a person to whom the agent owes an obligation of support unless I have included that authority in the Special Instructions.

8. SPECIAL INSTRUCTIONS OR OTHER OR ADDITIONAL AUTHORITY GRANTED TO AGENT:

9. DURABILITY AND EFFECTIVE DATE.

☒ DURABLE. This Power of Attorney shall not be affected by my subsequent disability or incapacity.

☐ SPRINGING POWER. I wish to have this Power of Attorney become effective on my incapacity. It is my intention and direction that my designated agent, and any person or entity that my designated agent may transact business with on my behalf, may rely on a written medical opinion issued by a licensed medical doctor stating that I am disabled or incapacitated, and incapable of managing my affairs,

and that said medical opinion shall establish whether or not I am under a disability for the purpose of establishing the authority of my designated agent to act in accordance with this Power of Attorney.

☒ NON SPRINGING POWER. I wish to have this Power of Attorney become effective immediately upon my execution of the document.

[.....] TERMINATION: I wish to have this Power of Attorney end at my death.

10. THIRD PARTY PROTECTION.

Third parties may rely upon the validity of this Power of Attorney or a copy and the representations of my agent as to all matters relating to any power granted to my agent, and no person or agency who relies upon the representation of my agent, or the authority granted by my agent, shall incur any liability to me or my estate as a result of permitting my agent to exercise any power unless a third party knows or has reason to know this Power of Attorney has terminated or is invalid.

11. RELEASE OF INFORMATION.

I agree to, authorize and allow full release of information, by any government agency, business, creditor or third party who may have information pertaining to my assets or income, to my agent named herein.

12. SIGNATURE AND ACKNOWLEDGMENT. YOU MUST DATE AND SIGN THIS POWER OF ATTORNEY. THIS POWER OF ATTORNEY WILL NOT BE VALID UNLESS IT IS ACKNOWLEDGED BEFORE A NOTARY PUBLIC.

I sign my name to this Power of Attorney on _____ (date).

Jane Jones

CERTIFICATE OF ACKNOWLEDGMENT OF NOTARY PUBLIC

State of NEVADA

}
} ss.
}

County of CLARK

On this 24th Day of Oct 2012 before me, a Notary Public, personally appeared JUNE JONES personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to this instrument, and acknowledged that he or she executed it. I declare under penalty of perjury that the person whose name is ascribed to this instrument appears to be of sound mind and under no duress, fraud or undue influence.



[Signature]
NOTARY PUBLIC

EXHIBIT “3”

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Holographic Will

I June Jones declare this
my will & hereby revoke
all prior wills.

I give all my estate to
my children if he/she survives
me or if not to the other
children who survives me
"Per Capitol"

I nominate Kimberly Jones
as executor of this will
and as the guardian of
my estate & person.

If he/she shall for any
reason fail or cease to act
I nominate Scott Summers
as executor and as of
guardian of my estate & person
I request that no bond
be required of any fiduciary
under this will

Signed in Las Vegas Nevada
on 11-23-12

June Jones.

EXHIBIT "4"

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4:31



New iMessage

Cancel

To: Marci Pirolo

May 6, 2017, 5:52 PM

Just waking up. Please
contact Kim. If she doesn't
respond or refuses to step up
I'm happy to fill in.

Ok. Donna just said she is at
Dads. So hopefully it works
out. Thank you so much for
last night robin. Seems like a
super difficult situation for the
family.

*see
pg 4*

Thanks. I wish I was able to
help focus on getting Gerry
well. really do love him and
he loves my mom so much.

I know. He is a good man. He
took care of my mom till the
very end. He always said he
would to. But...he was
younger haha



Message



4:31



New iMessage

Cancel

To: Marci Pirolo

younger haha

It's just something that HAS to be resolved so my mom and Gerry have the security they both deserve in knowing and having a reliable plan. He just wants her to be happy and taken care of but he needs support in doing that.

Yip. I tried once but it was very uncomfortable and it didn't turn out well at all. I will address it again with Kim soon if my sisters don't freak out first.

Please keep me updated with Gerry. The pain is so bad. Perry was telling me how bad he felt for Gerry last night knowing what he was going through. I really liked Dr. Moon that came in this morning.

see pg 4



iMessage



4:31



New iMessage

Cancel

To: Marci Pirolo

~~You guys try to focus on Gerry
Gerry and my mom both know
that Perry and I have a
consultation with an attorney
on Monday to see what we
can do to compel her to be
available and have a solid
plan.~~

~~He took that pain well tho.
Strong~~

~~For 84 years~~

~~Yes, so strong. Perry said he
was quietly cursing last night
but under his breathe and not
when women were in the
room. So sweet.~~

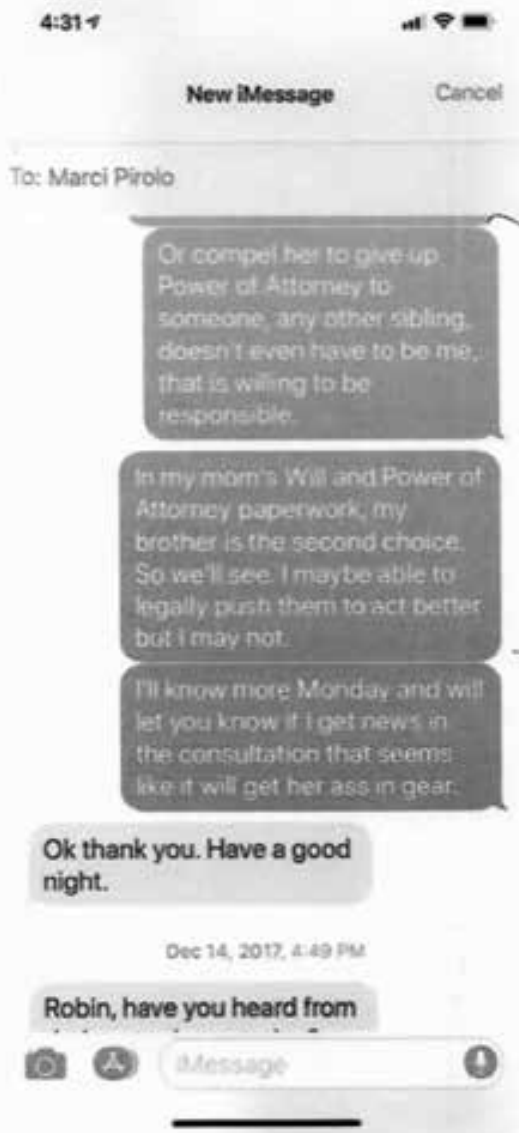
~~Or compel her to give up
Power of Attorney to
someone, any other sibling,
doesn't even have to be me,
that is willing to be
responsible.~~

*see
pg 4*



iMessage





Sent from my iPhone

EXHIBIT “5”

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Assessor Parcel Number Tree
Search for Parcel Chain History (Parent/Child)
Selected Parcel: 138-02-511-076

Parcel	Owner 1	Owner 2	Tax District	Acres	Doc Number	Deed Date	Comments
138-02-511-076	POWELL RICHARD & KANDI		200	0.18	20180116:01314	1/16/2018	
138-02-511-076	JONES JUNE		200	0.0000	20040623:03371	6/23/2004	C- 20180116:1313
138-02-511-076	TORMALA WALTER W	JONES JUNE	200	0.0000	20020130:01879	1/30/2002	L- 20040609:1988
138-02-511-076	TORMALA WALTER W		200	0.0000	19961224:00879	12/24/1996	
138-02-511-076	HORTON D R INC		200	0.0000	19950425:01520	4/25/1995	

1 Parent Parcel

Parent Count	Parcel	Child Count	Owner 1	Doc Number	Acres
1	138-02-502-001	83	HORTON D R INC	19941102:00292	18.32

0 Child Parcels

No child parcels were found.

EXHIBIT "6"

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Inet #: 20180116-0001314

Fee: \$40.00

RPTT: \$1083.75 Ex #:

01/16/2018 10:24:59 AM

Receipt #: 3297378

Requestor:

QC DEED, LLC (MAIN)

Recorded By: RYUD Pgs: 4

DEBBIE CONWAY

CLARK COUNTY RECORDER

Src: ERECORD

Ofc: ERECORD

APN NO.: 138-02-511-076

WHEN RECORDED MAIL TO:

DICK AND KANDI POWELL
2540 E. HARMON AVE.
LAS VEGAS, NV 89121

MAIL TAX STATEMENTS TO:

SAME AS ABOVE

Affix RPTT: \$1,083.75

GRANT, BARGAIN, SALE DEED

THIS INDENTURE WITNESSETH: That,

JUNE JONES, A MARRIED WOMAN,
AS HER SOLE AND SEPARATE PROPERTY,
WHO ACQUIRED TITLE AS AN UNMARRIED WOMAN

Whose address is

6277 W. KRAFT AVE., LAS VEGAS, NV

FOR A VALUABLE CONSIDERATION, the receipt of which is hereby
acknowledged, do hereby Grant, Bargain, Sell and Convey to

RICHARD POWELL AND KANDI POWELL,
HUSBAND AND WIFE,
AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

Whose address is

2540 E. HARMON AVE., LAS VEGAS, NV

All that real property situated in the County of CLARK, State of Nevada,

SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE MADE A
PART HEREOF, and commonly known as

6277 W. KRAFT AVE, LAS VEGAS, NV

SUBJECT TO: 1. Taxes for the fiscal year paid current.

2. Rights of way, reservations, restrictions, easements and conditions
of record.

Together with all and singular the tenements, hereditaments and appurtenances
thereunto belonging or in anywise appertaining.

SEE PAGE TWO (2) FOR SIGNATURES AND NOTARY ACKNOWLEDGEMENT

SIGNATURES AND NOTARY ACKNOWLEDGEMENT


JUNE JONES

STATE OF : NEVADA
COUNTY OF : CLARK

On this 12 day of JANUARY, 2018,

before me R. RITTER,

a Notary Public for the State of NEVADA

personally appeared JUNE JONES

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which person(s) acted, executed the instrument.



Signature Notary Public

My commission expires:

My commission number:

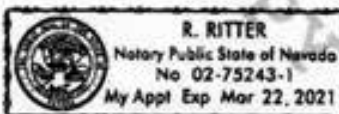


EXHIBIT "A"
LEGAL DESCRIPTION

APN No.: 138-02-511-076

LOT THIRTY-TWO (32), IN BLOCK "B", OF EAGLE TRACE, AS SHOWN BY MAP THEREOF
ON FILE IN BOOK 67 OF PLATS, PAGE 50, IN THE OFFICE OF THE COUNTY RECORDER
OF CLARK COUNTY, NEVADA.

ASSESSOR'S COPY

STATE OF NEVADA
DECLARATION OF VALUE FORM

1. Assessor Parcel Number(s)

a. 138-02-511-076
b. _____
c. _____
d. _____

2. Type of Property:

a. ☐ Vacant Land b. ☒ Single Fam. Res.
c. ☐ Condo/Twnhse d. ☐ 2-4 Plex
e. ☐ Apt. Bldg f. ☐ Comm'l/Ind'l
g. ☐ Agricultural h. ☐ Mobile Home
☐ Other _____

FOR RECORDER'S OPTIONAL USE ONLY

Book: _____ Page: _____

Date of Recording: _____

Notes: _____

3. a. Total Value/Sales Price of Property

\$ 212,083.00

b. Deed in Lieu of Foreclosure Only (value of property)

(_____)

c. Transfer Tax Value:

\$ 212,500.00

d. Real Property Transfer Tax Due

\$ \$1,083.75

4. If Exemption Claimed:

a. Transfer Tax Exemption per NRS 375.090, Section _____

b. Explain Reason for Exemption: _____

5. Partial Interest: Percentage being transferred: _____ 100 %

The undersigned declares and acknowledges, under penalty of perjury, pursuant to NRS 375.060 and NRS 375.110, that the information provided is correct to the best of their information and belief, and can be supported by documentation if called upon to substantiate the information provided herein. Furthermore, the parties agree that disallowance of any claimed exemption, or other determination of additional tax due, may result in a penalty of 10% of the tax due plus interest at 1% per month. Pursuant to NRS 375.030, the Buyer and Seller shall be jointly and severally liable for any additional amount owed.

Signature: June Jones

Capacity: Grantor

Signature: Richard Powell

Capacity: Grantee

JUNE JONES

RICHARD POWELL

SELLER (GRANTOR) INFORMATION

BUYER (GRANTEE) INFORMATION

Print Name: JUNE JONES

Print Name: RICHARD POWELL AND KANDI POWELL

Address: 6277 W. KRAFT AVE.

Address: 2540 E. HARMON AVE.

City: LAS VEGAS

City: LAS VEGAS

State: NV Zip: 89130

State: NV Zip: 89121

COMPANY REQUESTING RECORDING

Print Name: QC Deed

Escrow #: accommodation

Address: 7251 W. Lake Mead Blvd. Suite 300

18QC-0103-0003

City: Las Vegas

State: NV Zip: 89128

As a public record this form may be recorded/microfilmed

EXHIBIT “7”

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4:33



New iMessage

Cancel

To: Marci Pirolo

Tue, Apr 9, 4:51 PM

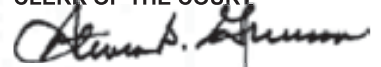
Good Evening to all of you, I wanted to let you all know that my dad is back in the hospital as of this morning and will most likely be in for a significant amount of time, weeks or longer. He passed out again this morning (luckily not while he was driving to get breakfast) he was very anemic and need a blood transfusion and then they can do the Angiogram and then either a stint put in or an actual heart valve surgery. They really don't think he will be getting out before then. June desperately needs a full time caregiver as Dad has been doing that for her but is no longer able to. Dad and June cannot afford it and Dick and my sister have been covering



iMessage



Sent from my iPhone



CITA

John P. Michaelson, Esq.
Nevada Bar No. 7822
Email: john@michaelsonlaw.com
Lora L. Caindec-Poland, Esq.
Nevada Bar No. 14178
Email: lora@michaelsonlaw.com
MICHAELSON & ASSOCIATES, LTD.
2200 Paseo Verde Parkway, Ste. 160
Henderson, Nevada 89052
Ph: (702) 731-2333
Fax: (702) 731-2337
Attorneys for Petitioners

DISTRICT COURT

CLARK COUNTY, NEVADA

IN THE MATTER OF THE GUARDIANSHIP)
OF THE PERSON AND ESTATE OF:)

Kathleen June Jones,)

An Adult Protected Person.)

Case Number: G-19-052263-A
Department: B

AMENDED CITATION TO APPEAR AND SHOW CAUSE

TO: The People of the State of Nevada;

TO: KATHLEEN JUNE JONES;

TO: Any persons having the care, custody or control of KATHLEEN JUNE JONES;

TO: Legal Aid Center of Southern Nevada, Inc.; and

TO: Any Interested Person in the above-titled matter:

YOU ARE HEREBY CITED and required to appear before a judge of this Court at the date, time and place specified below and to show cause, if any, why KATHLEEN JUNE JONES ("protected person"), should not be declared to be incapacitated or in need of a guardian to manage the protected person's personal and financial affairs and to further show cause, if any, why Robyn Friedman and Donna Simmons, should not be appointed to act as Guardian of the protected person's Person and Estate.

1 YOU ARE NOTIFIED that a Guardian may have the management and control of your
2 Person and/or Estate and your rights may be affected as specified in the petition. KATHLEEN
3 JUNE JONES you have a right to appear at the hearing, a right to oppose this Petition at the
4 hearing and the right to be represented by an attorney, who will be appointed by the Court if one
5 has not been appointed and you are unable to retain one.

6 THIS CITATION is based upon the verified Ex Parte Petition For Appointment of
7 Temporary Guardian of the Person and Estate and for Issuance of Letters of Temporary
8 Guardianship, and Petition for Appointment of General Guardian of the Person and Estate and
9 Issuance of Letters of General Guardianship filed by Robyn Friedman and Donna Simmons.

10 YOU DO NOT NEED TO APPEAR UNLESS YOU HAVE AN OBJECTION.

11 **DATE AND TIME OF COURT APPEARANCE:**

12 Date of Hearing: October 15, 2019

13 Time of Hearing: 10:00 AM

14 Place of Hearing: Regional Justice Center
15 200 Lewis Avenue
16 Las Vegas, Nevada 89101
17 **Department B/Courtroom 10A**

18 STEVEN D. GRIERSON
19 CLERK OF THE COURT

20 By: 

Deputy Clerk
Joshua Puppe

Electronically Issued
9/19/2019

Date

21 Submitted by:

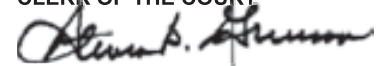
22 MICHAELSON & ASSOCIATES, LTD

23 By: 

John P. Michaelson, Esq.
Nevada Bar No. 7822

24 Lora L. Caindec-Poland, Esq.
Nevada Bar No. 14178

25 2200 Paseo Verde Parkway, Ste. 160
Henderson, Nevada 89052



CSR

John P. Michaelson, Esq.
Nevada Bar No. 7822
Email: john@michaelsonlaw.com
Lora L. Caindec-Poland, Esq.
Nevada Bar No. 14178
Email: lora@michaelsonlaw.com
MICHAELSON & ASSOCIATES, LTD.
2200 Paseo Verde Parkway, Ste. 160
Henderson, Nevada 89052
Ph: (702) 731-2333
Fax: (702) 731-2337
Attorneys for Petitioners

DISTRICT COURT

CLARK COUNTY, NEVADA

IN THE MATTER OF THE GUARDIANSHIP)
OF THE PERSON AND ESTATE OF:)
Kathleen June Jones,)
An Adult Protected Person.)

Case Number:
Department:

CERTIFICATE OF SERVICE

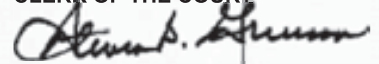
Pursuant to Nevada Rule of Civil Procedure 5(b), the undersigned hereby certifies that on September 20, 2019, a copy of the (1) Amended Citation to Appear and Show Cause on the Ex Parte Petition for Appointment of Temporary Guardian of the Person and Estate and Issuance of Letters of Temporary Guardianship and Petition for Appointment of a General Guardian of the Person and Estate and Issuance of Letters of General Guardianship; and the (2) Ex Parte Petition for Appointment of Temporary Guardian of the Person and Estate and Issuance of Letters of Temporary Guardianship and Petition for Appointment of a General Guardian of the Person and Estate and Issuance of Letters of General Guardianship were mailed by USPS Certified Mail/Return

1 Receipt, postage prepaid, in a sealed envelope in Henderson, Nevada to the following individuals
2 and/or entities at the following addresses:

3 Kathleen June Jones 4 6277 Kraft Avenue Las Vegas, Nevada 89130	Rodney Gerald Yeoman 2540 E. Harmon Avenue Las Vegas, Nevada 89102
5 David C. Johnson, Esq. 6 JOHNSON & JOHNSON 1160 N. Town Center Drive, Suite 390 7 Las Vegas, Nevada 89144 Attorney for Kimberly Jones	8 Ty E. Kehoe, Esq. KEHOE & ASSOCIATES 871 Coronado Center Drive, Suite 200 Henderson, Nevada 89052 Attorney for Rodney Gerald Yeoman and Richard Powell
9 Teri Butler 586 N. Magdalena Street 10 Dewey, AZ 86327	Scott Simmons 1054 S. Verde Street Anaheim, CA 92805
11 Jen Adamo 14 Edgewater Drive 12 Magnolia, DE 19962	Jon Criss 804 Harksness Lane, Unit 3 Redondo Beach, CA 90278
13 Ryan O'Neal 14 112 Malvern Avenue, Apt. E Fullerton, CA 92832	Tiffany O'Neal 177 N. Singing Wood Street, Unit 13 Orange, CA 92869
15 Courtney Simmons 16 765 Kimbark Avenue San Bernardino, CA 92407	Ampersand Man 2824 High Sail Court Las Vegas, Nevada 89117
17 Legal Aid Center of Southern Nevada 18 725 E. Charleston Boulevard 19 Las Vegas, Nevada 89104	Division of Welfare and Supportive Services Medicaid Chief Eligibility and Payments 1470 College Parkway Carson City, Nevada 89706

21 MICHAELSON & ASSOCIATES, LTD.

22 
23 Employee of Michaelson & Associates
24
25



1 NEO

2 John P. Michaelson, Esq.

3 Nevada Bar No. 7822

4 Email: john@michaelsonlaw.com

5 Lora L. Caindec-Poland, Esq.

6 Nevada Bar No. 14178

7 Email: lora@michaelsonlaw.com

8 MICHAELSON & ASSOCIATES, LTD.

9 2200 Paseo Verde Parkway, Ste. 160

10 Henderson, Nevada 89052

11 Ph: (702) 731-2333

12 Fax: (702) 731-2337

13 Attorneys for Petitioners

14 DISTRICT COURT

15 CLARK COUNTY, NEVADA

16 IN THE MATTER OF THE GUARDIANSHIP)
17 OF THE PERSON AND ESTATE OF:)

18 Kathleen June Jones,)

19 An Adult Protected Person.)

Case Number: G-19-052263-A

Department: B

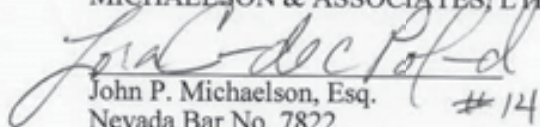
20 **NOTICE OF ENTRY OF ORDER GRANTING EX PARTE PETITION FOR**
21 **APPOINTMENT OF TEMPORARY GUARDIANS OF THE PERSON AND ESTATE**
22 **AND ISSUANCE OF LETTERS OF TEMPORARY GUARDIANSHIP**

23 To: Whom It May Concern:

24 Notice is hereby given that on September 23, 2019, an Order Granting Ex Parte Petition
25 for Appointment of Temporary Guardians of the Person and Estate and Issuance of Letters of
Temporary Guardianship was entered in the above-titled matter, a copy of said Order is attached
hereto.

DATED: September 23, 2019.

MICHAELSON & ASSOCIATES, LTD.



John P. Michaelson, Esq.

Nevada Bar No. 7822

2200 Paseo Verde Parkway, Ste. 160

Henderson, Nevada 89052

CERTIFICATE OF SERVICE

Pursuant to Nevada Rule of Civil Procedure 5(b), the undersigned hereby certifies that on September 24, 2019 a copy of the Notice of Entry of Order Granting Ex Parte Petition for Appointment of Temporary Guardians of the Person and Estate and Issuance of Letters of Temporary Guardianship and said Order was mailed by regular US first class mail, postage prepaid, in a sealed envelope in Henderson, Nevada to the following individuals and/or entities at the following addresses:

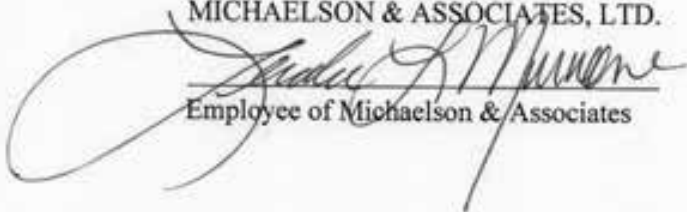
Kathleen June Jones 6277 Kraft Avenue Las Vegas, Nevada 89130	Rodney Gerald Yeoman 2540 E. Harmon Avenue Las Vegas, Nevada 89102
David C. Johnson, Esq. JOHNSON & JOHNSON 1160 N. Town Center Drive, Suite 390 Las Vegas, Nevada 89144 Attorney for	Ty E. Kehoe, Esq. KEHOE & ASSOCIATES 871 Coronado Center Drive, Suite 200 Henderson, Nevada 89052 Attorney for Rodney Gerald Yeoman and Richard Powell
Teri Butler 586 N. Magdalena Street Dewey, AZ 86327	Scott Simmons 1054 S. Verde Street Anaheim, CA 92805
Jen Adamo 14 Edgewater Drive Magnolia, DE 19962	Jon Criss 804 Harksness Lane, Unit 3 Redondo Beach, CA 90278
Ryan O'Neal 112 Malvern Avenue, Apt. E Fullerton, CA 92832	Tiffany O'Neal 177 N. Singingwood Street, Unit 13 Orange, CA 92869

1
2 Courtney Simmons
3 765 Kimbark Avenue
4 San Bernardino, CA 92407

Ampersand Man
2824 High Sail Court
Las Vegas, Nevada 89117

5 Division of Welfare and Supportive Services
6 Medicaid Chief Eligibility and Payments
7 1470 College Parkway
8 Carson City, Nevada 89706

9 MICHAELSON & ASSOCIATES, LTD.

10 
11 Employee of Michaelson & Associates
12
13
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Electronically Filed
9/23/2019 3:36 PM
Steven D. Grierson
CLERK OF THE COURT

Steven D. Grierson

1 **TGPE**

2 John P. Michaelson, Esq.

3 Nevada Bar No. 7822

4 Email: john@michaelsonlaw.com

5 Lora L. Caindec-Poland, Esq.

6 Nevada Bar No. 14178

7 Email: lora@michaelsonlaw.com

8 MICHAELSON & ASSOCIATES, LTD.

9 2200 Paseo Verde Parkway, Ste. 160

10 Henderson, Nevada 89052

11 Ph: (702) 731-2333

12 Fax: (702) 731-2337

13 Attorneys for Petitioners

DISTRICT COURT

CLARK COUNTY, NEVADA

14 IN THE MATTER OF THE GUARDIANSHIP)
15 OF THE PERSON AND ESTATE OF:)

16 Kathleen June Jones,)

17 An Adult Protected Person.)

Case Number: G-19-052263-A

Department: B

Hearing: 10/3/19 @ 9:00am

**ORDER GRANTING EX PARTE PETITION FOR APPOINTMENT OF TEMPORARY
GUARDIAN OF THE PERSON AND ESTATE AND ISSUANCE OF LETTERS OF
TEMPORARY GUARDIANSHIP**

☒ **TEMPORARY GUARDIANSHIP**

☐ Person

☐ Estate

☐ Summary Admin.

☒ Person and Estate

☐ **GENERAL GUARDIANSHIP**

☐ Person

☐ Estate

☐ Summary Admin.

☐ Person and Estate

☐ **SPECIAL GUARDIANSHIP**

☐ Person

☐ Estate

☐ Summary Admin.

☐ Person and Estate

☐ **NOTICES / SAFEGUARDS**

☐ Blocked Account

☐ Bond Posted

22 ///

23 ///

24 ///

RECEIVED

SEP 20 2019

**DISTRICT COURT
DEPT B**

1 The Court having reviewed Robyn Friedman's and Donna Simmons' Ex Parte Petition
2 for Appointment of Temporary Guardian of the Person and Estate of Kathleen June Jones, the
3 Court having considered the Petition and examined the evidence, being fully informed of the
4 situation, the Court now finds: (i) there is reasonable cause to believe Ms. Jones is unable to
5 respond to the substantial and immediate risk of physical harm or need for immediate medical
6 attention and such belief is rendered from a physician who is licensed to practice in Nevada and
7 has executed a certificate as such and such certificate is on file with this Court; (ii) good-faith
8 attempts have been made to notify those persons entitled to notice, pursuant to NRS 159.047, or
9 that notice under the circumstances is not possible; and (iii) a temporary guardianship of the
10 person and estate of Kathleen June Jones should be established.

11 ORDER

12 The facts of the Petition having been found to be true, and good cause appearing
13 therefore, the Court now grants the Petition as follows:

14 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Robyn Friedman and
15 Donna Simmons be appointed as the temporary guardians of the person and estate of Kathleen
16 June Jones;

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk of the Court
18 hereby be directed to issue Letters of Temporary Guardianship to Robyn Friedman and Donna
19 Simmons upon subscribing to the appropriate oath of office, and bond be waived, since there are
20 no liquid assets;

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that if any liquid assets or
22 income that total under \$10,000 are discovered, Robyn Friedman and Donna Simmons are
23 authorized to establish an unblocked guardianship account at a financial institution located in
24
25

1 Nevada, and that Petitioners are authorized to utilize such property to pay for Ms. Jones' care,
2 maintenance and support;

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that if the value of Ms.
4 Jones' cumulative assets and income exceed \$10,000, those assets are to be placed in a blocked
5 guardianship account to be established by Petitioners as either temporary guardian or general
6 guardians at a financial institution located in Nevada and selected by Petitioners;

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that this Court grant
8 summary administration dispensing with the requirement of an accounting, if it is found that the
9 value of the estate in the State of Nevada is less than \$10,000. If assets are discovered in the
10 State of Nevada valued in excess of this amount, the guardians are required to file an accounting;

11 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Petitioners create and
12 implement a specific care plan for Ms. Jones, including her living arrangements and facilitating
13 visitation for each member of Ms. Jones' family, including her husband;

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that to carry out the
15 function of temporary guardians of the person and estate of Kathleen June Jones, Robyn
16 Friedman and Donna Simmons are vested with the powers as stated herein and, including to
17 assist with Ms. Jones' medical decisions related to her care, to ensure Ms. Jones' finances are
18 protected and that Ms. Jones' financial needs are addressed, and to access financial information
19 in order to apply for government benefits, including Medicaid;

20 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Petitioners are
21 authorized access to any and all historical account information and for any and all of Ms. Jones'
22 assets for investigative purposes and to apply for government benefits, and sign all documents
23 required by the Division of Welfare and Supportive Services, or any third party, to obtain
24
25

1 Medicaid benefits or other appropriate benefits for Ms. Jones, including executing and
2 establishing a qualified income trust, if necessary;

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Petitioners are
4 authorized to obtain confidential financial information of Ms. Jones including, but not limited to
5 statements, cancelled checks, withdrawal authorizations and any other information from financial
6 institutions, brokerage or mutual fund firms, the United States Social Security Administration,
7 and other persons and agencies which have engaged in transactions concerning the financial
8 affairs of Ms. Jones, whether said accounts or records reflect the name of Ms. Jones individually,
9 or with one or more other persons or trust, to apply for government benefits, including Medicaid;

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Petitioners request
11 and receive information from any other person or agency, which is currently or have previously
12 been obligated to pay money or other benefits to Ms. Jones;

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Petitioners are
14 authorized as Ms. Jones' personal representative for purposes of the Health Insurance Portability
15 and Accountability Act of 1996, Public Law 104-191, and any applicable regulations. That
16 Petitioners are authorized to obtain and be permitted to receive any and all medical records and
17 information concerning the past and present condition and historical treatment of Ms. Jones
18 including but not limited to, examination reports, medical charts, medical notes, which are or
19 may be lodged with any persons, family members, friends, along with any and all medical
20 providers, physicians, hospitals, care facilities, institutions, and/or third parties;

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Court suspend
22 any general durable power of attorney and/or healthcare power of attorney documents previously
23 executed by Ms. Jones if any, for the duration of the temporary guardianship;
24
25

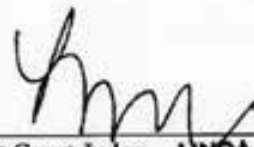
1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that upon taking
2 appropriate actions and efforts outlined above, or the protected person dies, the guardianship be
3 terminated, and the guardian be discharged from all liability for her/his or its term of service as
4 temporary guardian.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that the Court approve
6 payment of attorneys' fees and costs from the guardianship estate to the law firm of Michaelson
7 & Associates, Ltd. at the conclusion of the guardianship proceeding, subject to Court
8 confirmation;

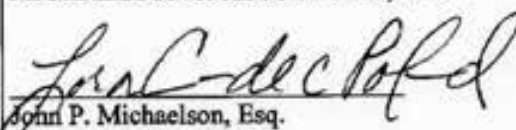
9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Court approve
10 payment of guardians' fees to be paid for services as rendered, pursuant to NRS 159.105 from
11 the assets of the Estate and subject to Court confirmation; and

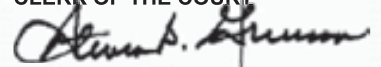
12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that a hearing be held
13 within 10 days and on October 3, 2019, at 9:00 A.m. in order to determine the
14 need to extend the temporary guardianship.

15 DATED: September 23, 2019.

16 
17 District Court Judge **LINDA MARQUIS**

18 Submitted by:
19 MICHAELSON & ASSOCIATES, LTD.

20 
21 John P. Michaelson, Esq.
22 Nevada Bar No. 7822
23 Lora L. Caindec-Poland, Esq.
24 Nevada Bar No. 14178
25 2200 Paseo Verde Parkway, Ste. 160
Henderson, Nevada 89052
Attorneys for Petitioner



1 **LETG**

2 John P. Michaelson, Esq.
3 Nevada Bar No. 7822
4 Email: john@michaelsonlaw.com
5 Lora L. Caindec-Poland, Esq.
6 Nevada Bar No. 14178
7 Email: lora@michaelsonlaw.com
8 MICHAELSON & ASSOCIATES, LTD.
9 2200 Paseo Verde Parkway, Ste. 160
10 Henderson, Nevada 89052
11 Ph: (702) 731-2333
12 Fax: (702) 731-2337
13 Attorneys for Petitioners

8 **DISTRICT COURT**

9 **CLARK COUNTY, NEVADA**

10 IN THE MATTER OF THE GUARDIANSHIP)
11 OF THE PERSON AND ESTATE OF:)

12 Kathleen June Jones,)

13 An Adult Protected Person.)

Case Number: G-19-052263-A
Department: B

14 **LETTERS OF TEMPORARY GUARDIANSHIP**

15 ☒ TEMPORARY GUARDIANSHIP

- 16 ☐ Person
17 ☐ Estate ☐ Summary Admin.
18 ☒ Person and Estate

☐ GENERAL GUARDIANSHIP

- ☐ Person
☐ Estate ☐ Summary Admin.
☐ Person and Estate

18 ☐ SPECIAL GUARDIANSHIP

- 19 ☐ Person
20 ☐ Estate ☐ Summary Admin.
☐ Person and Estate

☐ NOTICES / SAFEGUARDS

- ☐ Blocked Account
☐ Bond Posted
☐ Public Guardian Bond

21 On September 23, 2019, an Order of the Court was entered appointing Robyn Friedman and
22 Donna Simmons as Temporary Guardians of the Person and Estate of Kathleen June Jones. The
23 named Temporary Guardians, having duly qualified, is authorized to act and has the authority to
24 perform the duties of such Temporary Guardians, with powers limited to those necessary to
25

1 assist in the emergency as stated in the Order, for a period of 10 days, or unless an Order
2 Extending Temporary Guardianship, has been duly entered by the Court. The order includes:

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the
4 Clerk of the Court hereby be directed to issue Letters of Temporary Guardianship
5 to Robyn Friedman and Donna Simmons upon subscribing to the appropriate oath
6 of office, and bond be waived, since there are no liquid assets;

7 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that if any
8 liquid assets or income that total under \$10,000 are discovered, Robyn Friedman
9 and Donna Simmons are authorized to establish an unblocked guardianship
10 account at a financial institution located in Nevada, and that Robyn Friedman and
11 Donna Simmons are authorized to utilize such property to pay for Ms. Jones'
12 care, maintenance and support;

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that if the
14 value of Ms. Jones' cumulative assets and income exceed \$10,000, those assets
15 are to be placed in a blocked guardianship account to be established by Robyn
16 Friedman and Donna Simmons as either temporary guardian or general guardians
17 at a financial institution located in Nevada and selected by Robyn Friedman and
18 Donna Simmons.

19 In testimony of which, I have this date signed these letters and affixed the seal of the Court.

20 STEVEN D. GRIERSON
21 CLERK OF COURT

22 By: 

23 Deputy Clerk
24 Joshua Puppe

25 Electronically Issued
9/23/2019

Date

OATH

STATE OF CALIFORNIA)
) : ss.
COUNTY OF ORANGE COUNTY)

Donna Simmons of 1441 N. Redgum, Unit G, Anaheim, CA 92806, solemnly affirms that she will faithfully perform according to law, the duties of Temporary Guardian of the Person and Estate of Kathleen June Jones and that any matters stated in any petition or paper filed with the Court are true of her own knowledge or if any matters are stated on information or belief, she believes them to be true.

EXECUTED: this ^{September 18th} day of ~~June~~, 2019.

By: Donna Simmons
Donna Simmons

SUBSCRIBED and AFFIRMED to before me on
this ^{18th} day of September, 2019, by Donna Simmons.

M. R. J. S.
NOTARY PUBLIC

JURAT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Orange

Subscribed and sworn to (or affirmed) before me on

this 18th day of September, 20 19

by Donna Simmons

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature

Maria Sida J

(Seal)



OATH

STATE OF NEVADA)
) ss.
COUNTY OF CLARK)

Robyn Friedman of 2824 High Sail Court, Las Vegas, Nevada 89117 solemnly affirms that she will faithfully perform according to law, the duties of Temporary Guardian of the Person and Estate of Kathleen June Jones and that any matters stated in any petition or paper filed with the Court are true of her own knowledge or if any matters are stated on information or belief, she believes them to be true.

EXECUTED: this 18 day of September, 2019.

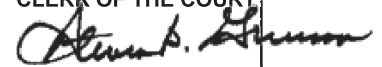
By: _____

Robyn Friedman

SUBSCRIBED and AFFIRMED to before me on
this 18 day of June, 2019, by Robyn Friedman.

Hardeep
NOTARY PUBLIC





OAC

Maria L. Parra-Sandoval, Esq.
Nevada Bar No. 13736
mparra@lacsns.org

**LEGAL AID CENTER OF
SOUTHERN NEVADA, INC.**

725 E. Charleston Blvd
Las Vegas, NV 89104
Telephone: (702) 386-1526
Facsimile: (702) 386-1526

Attorney for Kathleen J. Jones, Adult Protected Person

**EIGHTH JUDICIAL DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA**

In the Matter of the Guardianship of the Person
and Estate of:

**Case No.: G-19-052263-A
Dept. No.: B**

KATHLEEN J. JONES,

Adult Protected Person.

**ORDER APPOINTING COUNSEL AND DIRECTING
RELEASE OF MEDICAL AND FINANCIAL RECORDS AND INFORMATION**

Pursuant to NRS 159.0485(1)-(2), LEGAL AID CENTER OF SOUTHERN NEVADA, INC., is hereby appointed as counsel for KATHLEEN J. JONES, the protected person herein.

IT IS HEREBY ORDERED THAT LEGAL AID CENTER OF SOUTHERN NEVADA, INC., and each of its attorneys and employees, shall have access to and be permitted to speak confidentially with KATHLEEN J. JONES at any public or private institution, facility, or residence.

IT IS FURTHER ORDERED THAT LEGAL AID CENTER OF SOUTHERN NEVADA, INC., and each of its attorneys and employees, shall be permitted to discuss the care, treatment, and finances pertaining to KATHLEEN J. JONES with any individual possessing knowledge of the same, including protected health information under the provisions of the Federal Health Insurance Portability and Accountability Act of 1996 ("HIPPA").

RECEIVED
SEP 25 2019
DISTRICT COURT
DEPT B

1 IT IS FURTHER ORDERED THAT LEGAL AID CENTER OF SOUTHERN
2 NEVADA, INC., shall be permitted to obtain copies of any and all documents and records
3 relating to KATHLEEN J. JONES, without charge, from any guardian; any person or entity
4 having a financial relationship with KATHLEEN J. JONES, including but not limited to any
5 financial institution, mortgage servicer, or landlord; any human services agency, including but
6 not limited to Aging and Disability Services Division, Elder Protective Services; any medical
7 professional, including but not limited to physicians, psychologists, psychiatrists, mental health
8 clinics, or other health care providers; and any agency, facility, individual, or entity providing
9 placement, care, treatment, or services of any kind to KATHLEEN J. JONES, including
10 documents and records containing confidential information or health information protected
11 under HIPPA.

12 IT IS FURTHER ORDERED THAT prior to any change in the placement, residence, or
13 address of KATHLEEN J. JONES, KATHLEEN J. JONES's guardian shall notice LEGAL AID
14 CENTER OF SOUTHERN NEVADA, INC., at least ten business days prior to the anticipated
15 change in placement or residence. In the event of an emergency change in placement or
16 residence, the guardian shall notice LEGAL AID CENTER OF SOUTHERN NEVADA, INC.
17 as soon as possible.

18 IT IS FURTHER ORDERED THAT LEGAL AID CENTER OF SOUTHERN
19 NEVADA, INC., and each of its attorneys and employees, shall have access to any and all data,
20 information, reports, documents, and records held by local, state, and federal governmental or
21 law enforcement agencies, for the purpose of inspecting and/or copying such data, information,
22 reports, documents, and records relating to KATHLEEN J. JONES, whether public, private, or
23 confidential, in order to provide legal representation to KATHLEEN J. JONES relating to the
24 guardianship and the protection of KATHLEEN J. JONES's rights as provided by law. This
25 includes access to data, information, reports, documents, and records that would otherwise be
26 confidential under NRS 200.5095 and includes the disclosure of information pursuant to NRS
27 200.5098 and health information protected under HIPPA.

OAC

Maria L. Parra-Sandoval, Esq.

Nevada Bar No. 13736

mparra@lacsns.org

**LEGAL AID CENTER OF
SOUTHERN NEVADA, INC.**

725 E. Charleston Blvd

Las Vegas, NV 89104

Telephone: (702) 386-1526

Facsimile: (702) 386-1526

Attorney for Kathleen J. Jones, Adult Protected Person

**EIGHTH JUDICIAL DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA**

In the Matter of the Guardianship of the Person
and Estate of:

**Case No.: G-19-052263-A
Dept. No.: B**

KATHLEEN J. JONES,

Adult Protected Person.

**ORDER APPOINTING COUNSEL AND DIRECTING
RELEASE OF MEDICAL AND FINANCIAL RECORDS AND INFORMATION**

Pursuant to NRS 159.0485(1)-(2), LEGAL AID CENTER OF SOUTHERN NEVADA, INC., is hereby appointed as counsel for KATHLEEN J. JONES, the protected person herein.

IT IS HEREBY ORDERED THAT LEGAL AID CENTER OF SOUTHERN NEVADA, INC., and each of its attorneys and employees, shall have access to and be permitted to speak confidentially with KATHLEEN J. JONES at any public or private institution, facility, or residence.

IT IS FURTHER ORDERED THAT LEGAL AID CENTER OF SOUTHERN NEVADA, INC., and each of its attorneys and employees, shall be permitted to discuss the care, treatment, and finances pertaining to KATHLEEN J. JONES with any individual possessing knowledge of the same, including protected health information under the provisions of the Federal Health Insurance Portability and Accountability Act of 1996 ("HIPPA").

1 IT IS FURTHER ORDERED THAT LEGAL AID CENTER OF SOUTHERN
2 NEVADA, INC., shall be permitted to obtain copies of any and all documents and records
3 relating to KATHLEEN J. JONES, without charge, from any guardian; any person or entity
4 having a financial relationship with KATHLEEN J. JONES, including but not limited to any
5 financial institution, mortgage servicer, or landlord; any human services agency, including but
6 not limited to Aging and Disability Services Division, Elder Protective Services; any medical
7 professional, including but not limited to physicians, psychologists, psychiatrists, mental health
8 clinics, or other health care providers; and any agency, facility, individual, or entity providing
9 placement, care, treatment, or services of any kind to KATHLEEN J. JONES, including
10 documents and records containing confidential information or health information protected
11 under HIPPA.

12 IT IS FURTHER ORDERED THAT prior to any change in the placement, residence, or
13 address of KATHLEEN J. JONES, KATHLEEN J. JONES's guardian shall notice LEGAL AID
14 CENTER OF SOUTHERN NEVADA, INC., at least ten business days prior to the anticipated
15 change in placement or residence. In the event of an emergency change in placement or
16 residence, the guardian shall notice LEGAL AID CENTER OF SOUTHERN NEVADA, INC.
17 as soon as possible.

18 IT IS FURTHER ORDERED THAT LEGAL AID CENTER OF SOUTHERN
19 NEVADA, INC., and each of its attorneys and employees, shall have access to any and all data,
20 information, reports, documents, and records held by local, state, and federal governmental or
21 law enforcement agencies, for the purpose of inspecting and/or copying such data, information,
22 reports, documents, and records relating to KATHLEEN J. JONES, whether public, private, or
23 confidential, in order to provide legal representation to KATHLEEN J. JONES relating to the
24 guardianship and the protection of KATHLEEN J. JONES's rights as provided by law. This
25 includes access to data, information, reports, documents, and records that would otherwise be
26 confidential under NRS 200.5095 and includes the disclosure of information pursuant to NRS
27 200.5098 and health information protected under HIPPA.

1 IT IS FURTHER ORDERED that, in the event this case has previously been sealed by
2 order of this Court or otherwise, the Clerk of the Court is hereby ordered and directed to provide
3 LEGAL AID CENTER OF SOUTHERN NEVADA, and each of its attorneys and employees,
4 full and complete access to the case and court file, both physical and electronic.

5 IT IS FURTHER ORDERED that the appointment of LEGAL AID CENTER OF
6 SOUTHERN NEVADA, INC. as counsel for KATHLEEN J. JONES shall terminate when so
7 ordered by this Court or upon this case being otherwise closed or dismissed or the guardianship
8 terminated, at which time LEGAL AID CENTER OF SOUTHERN NEVADA, INC. shall be
9 relieved of its duties as appointed counsel.

10 IT IS SO ORDERED.

11 DATED this 25 day of September, 2019.

12 
13 _____
14 DISTRICT COURT JUDGE

15 Submitted By:

16 **LEGAL AID CENTER OF**
17 **SOUTHERN NEVADA, INC.**

18 /s/ Maria L. Parra-Sandoval, Esq.

19 Maria L. Parra-Sandoval, Esq.

20 Nevada Bar No. 13736

21 mparra@lacsns.org

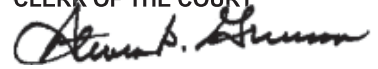
22 725 E. Charleston Blvd

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24 Telephone: (702) 386-1526

25 Facsimile: (702) 386-1526

26 *Attorney for Kathleen J. Jones, Adult Protected Person*
27
28



SOLA

Maria L. Parra-Sandoval, Esq.
Nevada Bar No. 13736

**LEGAL AID CENTER OF
SOUTHERN NEVADA, INC.**

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Las Vegas, NV 89104
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Facsimile: (702) 386-1526
mparra@lacsns.org

Attorney for Kathleen J. Jones, Protected Person

**EIGHTH JUDICIAL DISTRICT COURT
FAMILY DIVISION
CLARK COUNTY, NEVADA**

In the Matter of Guardianship of the Person and
Estate of:

KATHLEEN J. JONES,

An Adult Protected Person.

**Case No.: G-19-052263-A
Dept. No.: B**

**STATEMENT OF LEGAL AID
REPRESENTATION AND FEE
WAIVER**

Party Filing Statement: ☐ Plaintiff/ Petitioner ☒ Defendant/ Respondent

STATEMENT

Kathleen J. Jones, has qualified and been accepted for placement as Pro Bono clients or as direct client of LEGAL AID CENTER OF SOUTHERN NEVADA, INC., a nonprofit organization providing free legal assistance to indigents, and is entitled to pursue or defend this action without costs, including filing fees and fees for service of writ, process, pleading or paper without charge, as set forth in NRS 12.015.

Dated: September 27, 2019

Maria L. Parra-Sandoval, ESQ.

Printed Name of Legal Aid Center of S.N., Preparer
Nevada Bar No.: 13736

/s/ Maria L. Parra-Sandoval Esq.

Signature of Legal Aid Center of S.N. Preparer

Submitted by:

**LEGAL AID CENTER OF
SOUTHERN NEVADA, INC.**
725 East Charleston Blvd.
Las Vegas, Nevada 89101
Phone: (702) 386-1070



KEHOE & ASSOCIATES
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Facsimile: (702) 837-1932
TyKehoeLaw@gmail.com
Attorney for Rodney Gerald Yeoman

**DISTRICT COURT
CLARK COUNTY, NEVADA**

In the Matter of the Guardianship of the
Person and Estate of

KATHLEEN JUNE JONES,

Adult Protected Person.

Case No: G-19-052263-A

Dept. No.: B

Hearing:

Date: October 3, 2019

Time: 9:00 a.m.

NOTICE OF APPEARANCE AND REQUEST FOR NOTICE

Ty E. Kehoe, Esq., counsel for Rodney Gerald Yeoman ("Gerry"), husband of Adult Protected Person, hereby enters his appearance on the record in the above-entitled action and further hereby requests notice of all hearings, actions, contested matters, and proceedings in this case, together with copies of all notices, pleadings, motions, responses, and other related materials that are issued or filed in connection with these proceedings. All notices and copies in response to the foregoing, and all notices required to be mailed or electronically served to Gerry

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1 should be sent to the following:

2 Ty E. Kehoe, Esq.
3 KEHOE & ASSOCIATES
4 871 Coronado Center Drive, Suite 200
5 Henderson, Nevada 89052
6 TyKehoeLaw@gmail.com

7 DATED this 1st day of October, 2019.

8 KEHOE & ASSOCIATES

9 /s/ Ty E. Kehoe
10 Ty E. Kehoe, Esq.
11 871 Coronado Center Drive, Suite 200
12 Henderson, Nevada 89052

13 **CERTIFICATE OF SERVICE**

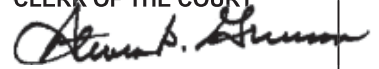
14 I HEREBY CERTIFY that on the 1st day of October, 2019, I served a true and correct
15 copy of the NOTICE OF APPEARANCE AND REQUEST FOR NOTICE via electronic
16 service to the following, or via US First Class Mail postage pre-paid to the addresses listed:

17 David C. Johnson, Esq.
18 dcj@johnsonlegal.com
19 Counsel for Kimberly Jones

20 John P. Michaelson, Esq.
21 john@michaelsonlaw.com
22 Counsel for Petitioners Robyn Friedman
23 and Donna Simmons

24 Maria L. Parra-Sandoval, Esq.
25 Legal Aid Center of Southern Nevada, Inc.
26 mparra@lacs.org

27 /s/ Ty E. Kehoe
28 Ty E. Kehoe



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Attorneys for Rodney Gerald Yeoman

**DISTRICT COURT
CLARK COUNTY, NEVADA**

In the Matter of the Guardianship of the
Person and Estate of

KATHLEEN JUNE JONES,

Proposed Protected Person.

Case No: G-19-052263-A
Dept. No.: B

Hearings:
Temporary: October 3, 2019, 9:00 a.m.
General: October 15, 10:00 a.m.

**OPPOSITION TO APPOINTMENT OF TEMPORARY GUARDIAN AND GENERAL
GUARDIAN AND
COUNTER-PETITION FOR APPOINTMENT OF TEMPORARY GUARDIAN OF THE
PERSON AND ESTATE AND ISSUANCE OF LETTERS OF TEMPORARY
GUARDIANSHIP AND
COUNTER-PETITION FOR APPOINTMENT OF GENERAL GUARDIAN OF THE
PERSON AND ESTATE AND ISSUANCE OF LETTERS OF GENERAL
GUARDIANSHIP**

<input checked="" type="checkbox"/> TEMPORARY GUARDIANSHIP <input type="checkbox"/> Person <input type="checkbox"/> Estate <input type="checkbox"/> Special Guardianship <input checked="" type="checkbox"/> Person and Estate	<input checked="" type="checkbox"/> GENERAL GUARDIANSHIP <input type="checkbox"/> Person <input type="checkbox"/> Estate <input type="checkbox"/> Special Guardianship <input checked="" type="checkbox"/> Person and Estate
<input type="checkbox"/> SPECIAL GUARDIANSHIP <input type="checkbox"/> Person <input type="checkbox"/> Estate <input type="checkbox"/> Special Guardianship <input type="checkbox"/> Person and Estate	<input type="checkbox"/> NOTICES / SAFEGUARDS <input type="checkbox"/> Blocked Account Required <input type="checkbox"/> Bond Required <input type="checkbox"/> Public Guardian's Bond

1 Rodney Gerald Yeoman (“Gerry”), husband of the Proposed Protected Person Kathleen
2 June Jones (“June”), by and through his counsel Ty E. Kehoe, Esq. and Matthew C. Piccolo, Esq.,
3 hereby opposes the appointment of Robyn Friedman and Donna Simmons as either temporary or
4 general guardians of June. If the Court determines that June is incapacitated and needs a guardian,
5 then Gerry asks the Court to appoint him as June’s temporary guardian and general guardian.
6 This Opposition and Petition is based upon the argument contained herein, the papers on file in
7 this action, and any oral argument and evidence to be presented at the time of any hearing.
8

9 Dated this 2nd day of October, 2019.

KEHOE & ASSOCIATES

10 /s/ Ty E. Kehoe

11 Ty E. Kehoe, Esq.

12 Matthew C. Piccolo, Esq.

PICCOLO LAW OFFICES

13 MEMORANDUM OF POINTS AND AUTHORITIES

14 Factual arguments

15 Summary of factual arguments.

16 Gerry asks the Court to vacate the temporary guardianship, as there are no grounds for an
17 emergency guardianship. If the temporary guardianship is vacated, then Gerry requests that June
18 be again allowed to live with her husband as was the status quo before she was forcibly taken.
19 Gerry would then welcome a thorough hearing regarding whether a guardianship is appropriate.
20 If the Court determines that June needs a guardian, then Gerry believes he should be the guardian,
21 rather than the Petitioners who were neither nominated by June, nor have statutory priority over
22 Gerry, June’s husband.
23

24 **June’s daughters have used improper self-help tactics to obtain custody of their mother to** 25 **the detriment of June and her husband.**

26 June’s daughter Kimberly and the Petitioners first tried to bully June’s husband Gerry into
27 voluntarily surrendering the care of June to June’s children. Then June’s daughter Kimberly and
28

1 the Petitioners attempted to verify their authority in Probate Court via an alleged power of
2 attorney but did not succeed (P-19-100166-E, "Probate Action"). After the Probate Court
3 hearing, the parties and attorneys met to discuss possible resolutions. Visitation demands by the
4 children were discussed, and assurances were made by June's children, and their attorneys, that
5 they were not seeking to take or keep June from her husband. Then less than 24 hours later
6 Kimberly and the Petitioners coordinated the forcible taking of June from a hotel restaurant in
7 Phoenix where she was staying for her husband's surgery at the Mayo Clinic. See police report
8 and statement of professional caregiver attached hereto as **Exhibit A** (showing that June stated
9 she did not want to go with her daughter, but Kimberly and her brother-in-law prevented the
10 caregiver from intervening and then took June against her will) This occurred before the
11 Petitioners had filed their petition for guardianship and without any authority to do so because
12 even if the power of attorney were valid it does not give the Petitioners or Kimberly the right to
13 physically take June from her husband and move her. Now the Petitioners are attempting to justify
14 their various improper actions by seeking a guardianship. The request for temporary guardianship
15 is particularly problematic as the Petitioners have not made any allegations showing that any
16 immediate threats to June exist.

17
18
19 **There are no allegations in the Petition justifying the forced separation of June and her**
20 **husband, nor evidencing a reason to grant the Petitioners guardianship.**

21
22 June has lived with her husband during the full time they have been married:
23 approximately 9 years. She has never lived with her children long-term during this time and has
24 only had occasional temporary visits with them. Most recently, around April 2019, June's
25 children were requested to provide temporary care while Gerry underwent medical procedures,
26 with the stated expectation that such assistance would exist for a matter of weeks. Since that date,
27 Gerry has received a pacemaker, had surgery to insert stents, and is undergoing chemotherapy,
28

1 which has not affected him to the degree it affects most people.¹ At this time, Gerry is healthy,
2 capable, willing, and wanting to be with his wife and care for each other as they have done
3 throughout their marriage. He also has the financial backing to obtain professional assistance if
4 such is necessary. There is no factual or legal basis to modify the arrangement that has existed
5 for about nine years. The forcible separation that June's children have unnecessarily caused is
6 damaging to both June and her husband.
7

8 As temporary guardians, the Petitioners have refused to allow June and her husband to
9 spend the night together, or even to be alone together in any setting. Kimberly and a professional
10 caregiver attempted to sit at the same table with June and Gerry during their first time together
11 after three weeks of separation, and only moved to a different table after Gerry strenuously
12 objected.
13

14 June is currently living in the home that Gerry and June have occupied during their 9 years
15 of marriage except for the limited times they lived next door to Gerry's family for assistance
16 during medical procedures. However, June is living with Kimberly and Kimberly's boyfriend.
17 It is not a good environment for Gerry to live in, and he is currently prohibited by the Petitioners
18 from living there. Nonetheless, if June wishes to live at the Kraft home, Gerry is happy to do so,
19 but without Kimberly and Kimberly's boyfriend.
20

21 **The actions by June's children show they are not as concerned about the care or well-being**
22 **of June's as they are a contract June's entered into approximately 21 months ago, to which**
23 **June's children now object.**

24 The current spats by June's children started in the past couple months when they
25 discovered that June sold her home to Gerry's son-in-law in January 2018. Because Gerry and
26

27 ¹ The day after Gerry's last chemotherapy appointment he was feeling well enough to take a four-hour scenic train
28 ride and missed his wife being with him. He also feels badly for his wife who is being kept at home by her children
and is not being permitted to enjoy life with her husband.

1 June were having trouble making mortgage payments, Gerry's son-in-law agreed to pay off
2 June's mortgage and to provide extensive and generous financial support to June and Gerry.
3 Suffice it to say, the sale was entirely in good faith, and was done approximately 21 months before
4 June was allegedly declared incompetent by a medical professional.² Gerry's son-in-law has
5 offered to unwind the sale if June's children wish, or litigate the issues if they wish; however,
6 those issues are not germane to this guardianship action.
7

8 There have never been allegations that Gerry has improperly cared for June, and the
9 Petitioners have not made any such claims now. They have made no allegations that would allow
10 the Court to override the statutory preference of a husband as guardian before a person's children.
11

12 The actions by June's children arise from their unjustified concerns about the sale of the
13 home, and not the care, condition, or well-being of June. This is evidenced by the fact that the
14 initial demand letter from Kimberly's attorney was focused solely upon assets (i.e. the home) and
15 not June. *See* August 5th letter attached hereto as **Exhibit B**. The Probate Action was focused on
16 the home and not June as evidenced by Kimberly filing a lis pendens in connection with the
17 action.³

18 **The powers of attorney have been challenged by Gerry, and no court has ruled regarding**
19 **the validity of the same. In any case, the daughter nominated in the power of attorney has**
20 **not sought guardianship.**
21

22 The power of attorney claimed by Kimberly raises many concerns. These concerns were
23 filed in connection with the Probate Action. *See* Gerry's objection in the Probate Action attached
24

25 ² Gerry has not been provided a copy of the Petitioners' Physician's Certificate of Incapacity. To the extent a court
26 order is required to obtain the same, Gerry requests such court order. In any case, it is impossible for Gerry to
27 respond regarding whether the information in the Certificate is valid without seeing the same.

28 ³ The Probate Commissioner recognized the lis pendens was recorded improperly by Kimberly, because no action
was actually pending, and instructed Kimberly to remove the same.

1 hereto as **Exhibit C**. Neither Kimberly nor the Petitioners have ever responded to Gerry's
2 concerns raised in the Probate Action. The Probate Commissioner denied Kimberly's and the
3 Petitioners' petition to confirm the power of attorney because notice was not properly given to
4 June. It would have been easy for Kimberly and the Petitioners to give notice to June and put the
5 matter back on calendar (which is what they promised to do), but instead less than 24 hours later
6 Kimberly, with the support and encouragement of the Petitioners, traveled to Phoenix and took
7 June from her husband. They justified such action based on the power of attorney, which, even
8 if valid, does not give Kimberly authority to forcibly move June.⁴ As a result of the same, June
9 and her husband were separated for three weeks, and now Gerry has only limited and supervised
10 visitation rights. This is entirely unnecessary and in bad faith.

11
12 **The Petitioners do not have statutory priority over June's husband for guardianship of**
13 **June.**
14

15 The Petition is interesting because it is brought by third-priority parties, who have very
16 little actual knowledge of relevant issues. The Petition states "upon information and belief"
17 thirty-two times and relies almost exclusively upon information allegedly obtained from
18 Kimberly. However, Kimberly has not signed a verification or joined in the Petition. In fact, if
19 the powers of attorney are valid, they nominate Kimberly to be June's guardian, but, as evidenced
20 by the existence of the Petition, even Kimberly and her two petitioning sisters do not get along
21 well enough to coordinate their actions. No evidence suggests June ever wanted the Petitioners
22 to be her guardian. Based upon the allegations in the Petition, Kimberly might have first priority
23 under the statute to be Guardian, June's husband would have second priority, and the Petitioners
24 would have third priority. Kimberly has not filed any petition, and Gerry has senior priority over
25
26

27
28 ⁴ Neither a general power of attorney nor a medical power of attorney give an agent the right to seize care and custody
of a ward, particularly from the ward's husband, and without any exigent circumstances. There had been no
adjudication of incapacity, and even the power of attorney was disputed openly in probate court the day before.

1 the Petitioners under the statute. For this reason alone, the Court could deny the Petition.

2 **The current arrangement is not in the best interest of June, and June is being manipulated**
3 **by her children.**

4 The current arrangement is not in the best interest of June, and June's children are
5 triangulating her with her husband. See handwritten notes written by someone other than
6 Kimberly attached hereto as **Exhibit D**, which June's children gave to June during the first visit
7 between Gerry and June in three weeks. The notes instruct June on what to say to Gerry. This is
8 entirely improper and sad. It is very similar to one parent attempting to use a child to gain an
9 advantage in a divorce. It should not occur. If in fact June is in need of a guardian, then she
10 should not be asked by her children to make any arguments to her husband on behalf of herself.
11 If she is not in need of a guardian, then we should not be here.

12 **June's children do not have any greater ability to care for June than does Gerry.**

13
14 When Kimberly and the Petitioners permitted June to visit with Gerry at a Denny's, three
15 weeks after they forcibly took June, Kimberly and the Petitioners were present but for some
16 reason also brought a professional caretaker with them. The Petition also mentions the possibility
17 of the Petitioners hiring a professional caretaker to care for June. See Petition Paragraph 62. If
18 the three of June's children are unable to care for their mother at a brief dinner without a
19 professional caretaker present, then that calls into question their ability to perform the duties
20 required of as guardians, or, at a minimum, it shows that Gerry is equally capable of caring for
21 his wife. Despite Gerry's occasional and temporary medical conditions, he is able to care for his
22 wife, and if needed, he has the financial backing to obtain any assistance he needs, just like June's
23 daughters are currently doing.

24 Finally, the petition includes dozens of inaccuracies, but Gerry will address those more
25 fully in a future supplement prior to the hearing regarding a general guardianship.
26
27
28

Legal Arguments against Guardianship

Summary of legal arguments.

The Court should not appoint Robyn Friedman and Donna Simmons as either the temporary or general guardians of June because June is not incapacitated, as defined under NRS 159.019, and there is no substantial and immediate risk of either physical harm, financial loss, or medical needs. In the alternative, if the Court determines that June is incapacitated, then it should appoint her husband of nine years, Gerry, as her guardian, whether temporary or general. Indeed, NRS 159.0613(4)(c) requires the Court to give preference to the spouse of a proposed protected person before a child. Gerry is qualified, willing, and able to serve as the guardian of his wife. The Court should either deny the original Petition in its entirety or grant Gerry's petition to be appointed as his wife's guardian.

Temporary guardianship should not be extended because there are no immediate needs justifying it.

Gerry opposes the petition for temporary guardianship because Petitioners have not shown any substantial and immediate risk of financial loss or physical harm exist, nor need for medical care; in fact, they have not even alleged that such a risk of harm or need exists.

The Court may appoint a temporary guardian only if it "finds reasonable cause to believe that the proposed protected person is unable to respond to a substantial and immediate risk of physical harm or to a need for immediate medical attention," NRS 159.0523(2)(a), or if "the proposed protected person is unable to respond to a substantial and immediate risk of financial loss," NRS 159.0525(2)(a). A petitioner must provide documentation and facts to show that an immediate risk exists. NRS 159.0523(1)(a)-(b); 159.0523(1)(a)-(c).

Here, none of the reasons that Petitioners offer to support the need for a temporary guardianship demonstrate the existence of any immediate risk to June. While they allege that

1 June suffers from dementia and that a number of difficult issues have arisen between her family
2 members, they have not articulated a single fact that shows June is immediately about to lose
3 money or suffer physical harm. *See* Petition, Summary, pp. 2-6. Most of the reasons provided
4 focus on disputes amongst family members and how those disputes affect other parties rather than
5 June. For example, although the Petition mentions eviction proceedings, those proceedings were
6 not against June but against people living with her. In addition, any facts that allegedly relate
7 directly to June's well-being do not demonstrate any immediacy.

9 It is also interesting to note that when the temporary guardianship was sought on an ex-
10 parte basis, June had been in the care of Kimberly for two weeks. So, what emergency bodily,
11 medical or financial issue existed, over which Gerry allegedly had control?

12 Additionally, proper notice of the request for temporary guardianship, under NRS
13 159.0523(2)(b) and NRS 159.0525(2)(a), was not given. An email stating that guardianship was
14 going to be sought by the Petitioners was provided to counsel; however, it said nothing about
15 seeking an ex parte temporary guardianship (it was believed that guardianship in the ordinary
16 course was intended to be sought), and the email was sent less than one-hour before the ex-parte
17 petition was filed.

18
19 **The Court should deny the Petitioners request for General Guardianship.**

20
21 Gerry also opposes the petition for general guardianship because June is not incapacitated
22 as defined by statute. NRS 159.019 states that "[a] person is 'incapacitated' if he or she . . . is
23 unable to receive and evaluate information or make or communicate decisions to such an extent
24 that the person lacks the ability to meet essential requirements for physical health, safety or self-
25 care without appropriate assistance."

26 Gerry has shared his life with June for the past nine years and throughout their marriage
27 and still today she has plainly had the ability to receive and evaluate information and make or
28

1 communicate decisions regarding her health, safety, and self-care. On September 6th, in the
2 Probate Action, Counsel for Kimberly stated on the record that guardianship was not appropriate
3 because “[June] is not fully incapacitated, we cannot get a doctor’s letter.” *See* Court’s Video
4 transcript at 11:16:20. Yet somehow three days later on September 9th, Kimberly and/or the
5 Petitioners obtained a Physician’s Certificate from some doctor who is not June’s regular primary
6 care doctor and without consultation with June’s husband or her husband’s family who has had
7 extensive interaction with June.⁵

9 Gerry has not yet had the opportunity to review the confidential physician’s statement
10 submitted by Petitioners, but if that statement appears to be legitimate, then Gerry requests the
11 Court allow him to have another independent physician provide a second opinion of June’s mental
12 capacity.

14 The factual arguments above support denying Petitioners request to act as general
15 guardians for June. A supplemental pleading with further arguments will be filed in the future.

16 Nonetheless, to the extent the Court determines a guardianship is appropriate, or Gerry
17 considers the Physician’s Certificate or otherwise agrees to a guardianship, then Gerry as the
18 Husband should be appointed rather than the Petitioners.

19 **Counter-Petition for temporary guardian of the person and estate and issuance of letters**
20 **of temporary guardianship, and petition for general guardian of the person and estate and**
21 **issues of letters of general guardianship**

22 If the Court determines that June is incapacitated as defined by statute, then Gerry asks
23 the Court to appoint him, not Friedman or Simmons, as Jones’s guardian, whether as a temporary
24 or general guardian of her person and estate.

25 NRS 159.0613 gives preference to a person whom the proposed protected person has
26

27 ⁵ Gerry acknowledges that June has a degree of dementia, however, Gerry has never previously taken the position
28 that Ms. Jones is in need of a guardianship and has not seen the Physician’s Certificate regarding the analysis
determining the same.

1 nominated to be her guardian or to a relative. Friedman and Simmons have provided estate
2 planning documents in which June allegedly nominated Kimberly Jones as her guardian, or, in
3 the alternative, Scott Simmons. Neither of those individuals have petitioned to become June's
4 guardian. As a result, the statute next requires the Court to give preference to the spouse of the
5 proposed protected person, before a child or other relative. *See* NRS 159.0613(4)(c). Thus, the
6 Court must give preference to Gerry who has been married to June for nine years.

7
8 Furthermore, the Court must appoint "the qualified person who is most suitable and is
9 willing to serve." NRS 159.0613(4). Gerry is qualified, suitable, and willing to serve. Gerry is
10 qualified and suitable for the following reasons:

- 11 • He is a resident of the State of Nevada;
- 12 • He is over 18 years of age and is competent to serve;
- 13 • He is related to June by marriage, as defined by NRS 159.0613(9)(d);
- 14 • He has provided for June's basic needs and continues to be able to provide for her
15 basic needs, including, food, shelter, clothing, medical care, and more;
- 16 • He has not been judicially determined to have committed abuse, neglect,
17 exploitation, isolation, or abandonment of a child, his spouse, his parent, or any other adult;
- 18 • He is not incapacitated and does not have any disability. Although he has been
19 undergoing treatment for cancer, his treatment is going very well and has not affected him to the
20 degree it typically affects other people. In any case, he has the financial backing to ensure June
21 is properly cared for if he is temporarily unable to do so.;
- 22 • He has not been convicted in Nevada or any other jurisdiction of a felony;
- 23 • He has not been suspended for misconduct or disbarred from the practice of law,
24 the practice of accounting, or any other profession which involves the management or sale of
25 money, investments, securities, or real property and requires licensure in the State of Nevada or
26
27
28

1 any other state;

2 • He has not been appointed as guardian over the protected person in a state other
3 than Nevada;

4 • He has not filed for or received protection under federal bankruptcy laws within
5 the immediately preceding 7 years.
6

7 Gerry also incorporates into his petition for guardianship the basic information required
8 by NRS 159.044 provided by Petitioners in their Petition. Gerry's mailing address is currently
9 2632 E. Harmon Ave., Las Vegas, NV 89121.

10 Gerry's petition is not sought for the purpose of initiating litigation, nor sought as the
11 result of an investigation of a report of abuse, neglect, exploitation, isolation, or abandonment.
12 Gerry also asks the Court to apply the same conditions and authority requested by Petitioners in
13 paragraphs 86-95 of their Petition; except, Gerry is not seeking attorney's fees or costs from
14 June's estate and does not seek payment of guardian's fees from June if he is appointed guardian.
15

16 **Conclusion**

17 The status quo was June living with her husband and being properly cared for. The
18 Petitioners believed court intervention was necessary and went to probate court but failed. Rather
19 than re-noticing a probate court hearing, or even filing a guardianship action, less than 24 hours
20 later Kimberly with the assistance of the Petitioners took June from her husband. Gerry does not
21 dispute the Petitioners' rights to seek court intervention; however, it is improper for them to use
22 non-adjudicated self-help and then attempt to obtain an advantage due to the same improper self-
23 help. Gerry is asking for things to return to how they were until a proper court hearing and
24 determination can be made. Gerry has his health issues, but he has his mental faculties which has
25 not been disputed, and he has the ability, willingness, and desire to continue to care for his wife.
26
27
28

1 Based upon the above, this Court should deny the Petition to Appoint Robyn Friedman
2 and Donna Simons as temporary or general guardians of June. If the Court determines that June
3 is incapacitated and needs a guardian, then it should appoint Gerry, June's husband of nine years,
4 as temporary and/or general guardian of her person and estate.

5 Gerry also prays:

6
7 1. That the Court direct the Clerk to issue letters of guardianship to Rodney Gerald
8 Yeoman;

9 2. That the Court direct that if the value of June's cumulative assets and income is
10 less than \$10,000 that they be placed in an unblocked guardianship account and allow for
11 summary administration;

12 3. That Rodney Gerald Yeoman be allowed to serve as guardian without bond;

13 4. That Rodney Gerald Yeoman be allowed to create and implement a care plan for
14 June;

15 5. That Rodney Gerald Yeoman have access to all historical financial, medical, and
16 government records and information pertaining to June, including for purposes of HIPPA;

17 6. That the Court grant Rodney Gerald Yeoman every power and authority permitted
18 by statute as June's legal guardian;

19 7. That the Court suspend any general durable power of attorney or healthcare power
20 of attorney documents previously executed by June during the duration of the temporary and
21 general guardianship;

22 8. That the Court order any other relief it deems appropriate.

23
24 Dated this 2nd day of October, 2019.

KEHOE & ASSOCIATES

25
26 /s/ Ty E. Kehoe

27 Ty E. Kehoe, Esq.

Matthew C. Piccolo, Esq.

28 PICCOLO LAW OFFICES

VERIFICATION

I, Rodney Gerald Yeoman, hereby declare I am the husband of June discussed above; that I have read the foregoing Opposition to Appointment of Temporary Guardian and General Guardian and Counter-Petition for Appointment of Temporary Guardian of the Person and Estate and Issuance of Letters of Temporary Guardianship, and Counter-Petition for Appointment of General Guardian of the Person and Estate and Issuance of Letters of General Guardianship and know the contents thereof; that the same are true and accurate according to my best knowledge.

I declare under penalty of perjury under the law of the State of Nevada that the foregoing is true and correct.

By:

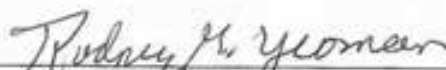

Rodney Gerald Yeoman

EXHIBIT A

4805639900

RESIDENCE INN DESERT VIEW

09:16:52 p.m. 09-09-2019

1 / 9



PHOENIX POLICE DEPARTMENT (0723)

Incident Report

Incident Number 201900001550990		CFS Incident # 201901550990
Report Type Incident Report		Page 1 of 7
Date / Time Occurred 09/07/2019 08:00 to		Date / Time Reported 09/07/2019 08:19

Arrested Suspects	Additional Suspects	Unknown Suspects	Victims	Other Persons 5	Vehicles	Items	Evidence Count	Leaka Count	Related Report #
<input type="checkbox"/> Arson Related Arson Code					Damage Value		<input type="checkbox"/> Bias Crime <input type="checkbox"/> Gang Involved <input type="checkbox"/> Domestic Violence		
Incident Details									
Squad 63B	Clearance Disposition			Cleared by Exception			Exceptional Clearance Date		
Situation Found					Status				
Location Given By Dispatcher E MAYO BLVD						Cargo Theft NO			
Incident Address									
Street Address E MAYO BLVD									
City PHOENIX		State ARIZONA			Zip 85054		Country Code UNITED STATES OF AMERICA (USA)		
Administrative Info									
Reporting Officer TULEY, MICHELLE		Serial # 08682							
OFFENSE									
<input checked="" type="checkbox"/> Primary Offense									
Offense Description FI. 600									
Offense/Statute Code FI-600 010		Severity		Attempted/Completed COMPLETED		Premise Type HOTEL / MOTEL			
Circumstances		Bias NONE				Bias 2			
Bias 3		Bias 4				Bias 5			
Criminal Activity 1		Criminal Activity 2				Criminal Activity 3			
Offender Using 1		Offender Using 2				Offender Using 3			
# Premise Entered	Home Invasion	Domestic Violence		Gang Activity					
Primary Gang Type		Primary Gang Name							
Secondary Gang Type		Secondary Gang Name							
Drug Related	Drug Type		Drug Origin		Drug Precursors				
MO Panel	Entry Area		Entry Method						
Entry Point 1	Entry Point 2		Exit Point 1						
Exit Point 2	Target Area		Property Target 1						
Property Target 2	Property Target 3		Victim Target						
Time of Day	Victim Activity		Action 1 to Premises						
Action 2 to Premises	Action 3 to Premises		Action 1 on Victim						
Action 2 on Victim	Action 3 on Victim		Other Action 1						
Other Action 2	Other Action 3		Solicited Offered 1						
Solicited Offered 2	Solicited Offered 3		Weapon 1						
Weapon 1 Auto	Weapon 2		Weapon 2 Auto						
Weapon 3	Weapon 3 Auto		Arson						
Precipitating Circumstance		Instrument Used							
Comments									

PUBLIC RECORDS
Released pursuant to
A.R.S. 39-121, Et. Seq.
To:

4805639900

RESIDENCE INN DESERT VIEW

09:17:10 p.m.

09-09-2019

2 / 9



PHOENIX POLICE DEPARTMENT (0723)

Incident Report

Incident Number 201900001550990	CFS Incident # 201901550990
Report Type Incident Report	Page 2 of 7
Date / Time Occurred 09/07/2019 08:00 to	Date / Time Reported 09/07/2019 08:19

OTHER		Person Type	
PERSON		REPORTING PERSON	
Name (Last, First Middle)			Suffix
POWELL, RICHARD			
Primary Language	Nickname	Race	Sex
		WHITE	MALE
			SSN
			Date of Birth
			Age
			Age Range
			to
Height	Weight	Driver's License #	DL State
5'10"	200		NEVADA
Place of Birth		Citizenship	Ethnicity
			NON-HISPANIC
ICE Contact Date	ICE Phone #	ICE Response	Marital Status
			MARRIED
Home Phone	Cell Phone	Email Address	Artificial Email or Social Media Handle
			Social Media Handle

4805639900

RESIDENCE INN DESERT VIEW

09:17:30 p.m. 09-09-2019

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PHOENIX POLICE DEPARTMENT (0723)

Incident Report

Incident Number 201900001550990		CFS Incident # 201901550990
Report Type Incident Report		Page 3 of 7
Date / Time Occurred 09/07/2019 08:00 to		Date / Time Reported 09/07/2019 08:19

Primary Language	Nickname	Race WHITE	Sex FEMALE	SSN	Date of Birth	Age 64	Age Range to
Height 5'01"	Weight 180	Driver's License #	DL State ARIZONA	Can Identify Suspect?			
Place of Birth	Citizenship		Ethnicity HISPANIC		Marital Status		
ICE Contact Date	ICE Phone #	ICE Response					
Home Phone	Cell Phone	Email Address	Additional Email or Social Media Handle			Social Media Types	
Other Person Home Address							
Street Address							
City PHOENIX		State ARIZONA	Zip 85041	Country Code			
Employment Information							
<input type="checkbox"/> Student	<input type="checkbox"/> Homeless	Employer / School BRIGHTSTAR	Occupation CARE GIVER				
Street Address							
City		State	Zip	Country Code			
Details							
Work Phone	Hours of Employment	Hair Color BLACK	Hair Length SHOULDER	<input type="checkbox"/> Glasses			
Eye Color BROWN	Build AVERAGE	Facial Hair	Voice	Complexion MEDIUM			
Resident U.S. RESIDENT	Teeth						
Gang Information							
<input type="checkbox"/> Primary Gang	Primary Gang Name		Primary Gang Membership Info				
Primary Gang Location Info		Rival Gang Name					
Colors/Logos							
<input type="checkbox"/> Secondary Gang	Secondary Gang Name		Secondary Gang Membership Info				
Secondary Gang Location		Rival Gang Name					
Colors/Logos							
<input type="checkbox"/> Clothing or Colors	<input type="checkbox"/> Gang Tattoos	<input type="checkbox"/> Paraphernalia or Photographs	<input type="checkbox"/> Self Proclamation	<input type="checkbox"/> Witness Testimony/Statement	<input type="checkbox"/> Written/Electronic Correspondence		
Other							
Guardian Information							
<input type="checkbox"/> Guardian Notified	Guardian Notified By		Notified Method		Guardian Notified On		
Guardian Of		Guardian Relationship					

OTHER	Person Type						
PERSON	NEXT OF KIN						
Name (Last, First Middle)							
JONES, KIMBERLY							
Suffix							
Primary Language	Nickname	Race WHITE	Sex FEMALE	SSN	Date of Birth	Age 45	Age Range to 50
Height 5'02"	Weight 120	Driver's License #	DL State	Can Identify Suspect?			
Place of Birth	Citizenship		Ethnicity NON-HISPANIC		Marital Status		
ICE Contact Date	ICE Phone #	ICE Response					

4805639900

RESIDENCE INN DESERT VIEW

09:17:48 p.m. 09-09-2019

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PHOENIX POLICE DEPARTMENT (0723)

Incident Report

Incident Number 201900001550990		CFS Incident # 201901550990
Report Type Incident Report		Page 4 of 7
Date / Time Occurred 09/07/2019 08:00 to		Date / Time Reported 09/07/2019 08:19

Home Phone	Cell Phone	Email Address	Additional Email or Social Media Handle		Social Media Types
Other Person Home Address					
Street Address					
City LAS VEGAS	State NEVADA	Zip	Country Code		
Employment Information					
<input type="checkbox"/> Student	<input type="checkbox"/> Homeless	Employer / School	Occupation		
Street Address					
City	State	Zip	Country Code		
Details					
Work Phone	Hours of Employment	Hair Color BLOND OR STRAWBERRY	Hair Length LONG	<input type="checkbox"/> Glasses	
Eye Color	Build THIN	Facial Hair	Voice	Complexion	
Resident U.S. RESIDENT					
Gang Information					
<input type="checkbox"/> Primary Gang	Primary Gang Name		Primary Gang Membership Info		
Primary Gang Location Info		Rival Gang Name			
Colors/Logos					
<input type="checkbox"/> Secondary Gang	Secondary Gang Name		Secondary Gang Membership Info		
Secondary Gang Location		Rival Gang Name			
Colors/Logos					
<input type="checkbox"/> Clothing or Colors	<input type="checkbox"/> Gang Tattoos	<input type="checkbox"/> Paraphernalia or Photographs	<input type="checkbox"/> Self Proclamation	<input type="checkbox"/> Witness Testimony/Statement	<input type="checkbox"/> Written/Electronic Correspondence
Other					
Guardian Information					
<input type="checkbox"/> Guardian Notified	Guardian Notified By		Notified Method		Guardian Notified On
Guardian Of		Guardian Relationship			

OTHER PERSON	Person Type INVESTIGATIVE LEAD				
Name (Last, First Middle) BUTLER, JACK					Suffix
Primary Language	Nickname	Race WHITE	Sex MALE	SSN	Date of Birth
Age	Age Range 65 to 70		Can Identify Suspect?		
Height 6'00"	Weight 200	Driver's License #	DL State	Place of Birth	
Citizenship		Ethnicity NON-HISPANIC		Marital Status	
ICE Contact Date	ICE Phone #	ICE Response			
Home Phone	Cell Phone	Email Address	Additional Email or Social Media Handle		Social Media Types
Other Person Home Address					
Street Address					
DEWEY		ARIZONA	Zip	Country Code	

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RESIDENCE INN DESERT VIEW

09:18:06 p.m. 09-09-2019

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PHOENIX POLICE DEPARTMENT (0723)

Incident Report

Incident Number 201900001550990		CFS Incident # 201901550990
Report Type Incident Report		Page 5 of 7
Date / Time Occurred 09/07/2019 08:00 to		Date / Time Reported 09/07/2019 08:19

<input type="checkbox"/> Student <input type="checkbox"/> Homeless		Employer / School		Occupation	
Street Address					
City		State		Zip	Country Code
Details					
Work Phone	Hours of Employment	Hair Color GRAY OR PARTIALLY GRAY		Hair Length SHORT	<input type="checkbox"/> Glasses
Eye Color	Build	Facial Hair GOATEE	Voice	Complexion	
Resident U.S. RESIDENT		Teeth			
Gang Information					
<input type="checkbox"/> Primary Gang		Primary Gang Name		Primary Gang Membership Info	
Primary Gang Location Info		Rival Gang Name			
Colors/Logos					
<input type="checkbox"/> Secondary Gang		Secondary Gang Name		Secondary Gang Membership Info	
Secondary Gang Location		Rival Gang Name			
Colors/Logos					
<input type="checkbox"/> Clothing or Colors <input type="checkbox"/> Gang Tattoos <input type="checkbox"/> Paraphernalia or Photographs <input type="checkbox"/> Self Proclamation <input type="checkbox"/> Witness Testimony/Statement <input type="checkbox"/> Written/Electronic Correspondance					
Other					
Guardian Information					
<input type="checkbox"/> Guardian Notified		Guardian Notified By		Notified Method	Guardian Notified On
Guardian Of		Guardian Relationship			

OTHER PERSON		Person Type INVESTIGATIVE LEAD	
Name (Last, First Middle) JONES, JUNE			Suffix
Primary Language	Nickname	Race WHITE	Sex FEMALE
SSN	Date of Birth	Age 82	Age Range to
Height 5'03"	Weight 140	Driver's License #	DL State
Place of Birth	Citizenship	Can Identify Suspect?	
ICE Contact Date	ICE Phone #	ICE Response	
Home Phone	Cell Phone	Email Address	Additional Email or Social Media Handle
Social Media Types			
Street Address			
City		State	Zip
Country Code			
Employment Information			
<input type="checkbox"/> Student <input type="checkbox"/> Homeless		Employer / School	
Occupation			
Street Address			
City		State	Zip
Country Code			
Details			

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RESIDENCE INN DESERT VIEW

09:18:25 p.m. 09-09-2019

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PHOENIX POLICE DEPARTMENT (0723)

Incident Report

Incident Number 201900001550990		CFS Incident # 201901550990
Report Type Incident Report		Page 6 of 7
Date / Time Occurred 09/07/2019 08:00 to		Date / Time Reported 09/07/2019 08:19

Work Phone	Hours of Employment	Hair Color BLOND OR STRAWBERRY	Hair Length OVER EARS	<input type="checkbox"/> Glasses
Eye Color BROWN	Build AVERAGE	Facial Hair	Voice	Complexion LIGHT
Resident U.S. RESIDENT	Teeth			
Gang Information				
<input type="checkbox"/> Primary Gang	Primary Gang Name	Primary Gang Membership Info		
Primary Gang Location Info		Rival Gang Name		
Colors/Logos				
<input type="checkbox"/> Secondary Gang	Secondary Gang Name	Secondary Gang Membership Info		
Secondary Gang Location		Rival Gang Name		
Colors/Logos				
<input type="checkbox"/> Clothing or Colors	<input type="checkbox"/> Gang Tattoos	<input type="checkbox"/> Paraphernalia or Photographs	<input type="checkbox"/> Self Proclamation	<input type="checkbox"/> Witness Testimony/Statement
<input type="checkbox"/> Written/Electronic Correspondance				
Other				
Guardian Information				
<input type="checkbox"/> Guardian Notified	Guardian Notified By	Notified Method	Guardian Notified On	
Guardian Of	Guardian Relationship			

Narrative Information

ON 090719 AT 0828 HOURS, I WAS DISPATCHED TO 5665 EAST MAYO BOULEVARD, RESIDENCE INN HOTEL, REFERENCE A CHECK WELFARE. DETAILS ON THE CALL STATED THE COMPLAINANT'S MOTHER-IN-LAW WAS TAKEN BY HER DAUGHTER TO AN UNKNOWN LOCATION AGAINST HER WILL.

UPON MY ARRIVAL, I CONTACTED RICHARD POWELL WHO TOLD ME THE FOLLOWING:

HIS FATHER-IN-LAW, JERRY YEOMAN, IS IN THE MAYO HOSPITAL AND HIS WIFE, JUNE JONES, WAS STAYING AT THE RESIDENCE INN HOTEL NEXT DOOR WHILE HE WAS GETTING TREATMENT FOR THE LAST SIX DAYS. RICHARD AND HIS WIFE FLEW IN FROM LAS VEGAS LAST NIGHT, AND HE SAID HE GOT A CAREGIVER FOR JUNE WHILE THEY ARE IN TOWN SINCE JUNE HAD HIP SURGERY AND NEEDS ASSISTANCE AT TIMES MOVING AROUND.

TODAY, RICHARD WAS NOTIFIED BY THE CAREGIVER THAT JUNE'S DAUGHTER, KIMBERLY JONES, AND SON-IN-LAW, JACK BUTLER, CAME TO THE RESIDENCE INN HOTEL AND TOOK JUNE AGAINST HER WILL TO AN UNKNOWN LOCATION. RICHARD SAID YESTERDAY, 090619, KIMBERLY AND HER OTHER TWO SISTERS WERE TRYING TO GET POWER OF ATTORNEY OVER JUNE, BUT THE JUDGE DENIED IT. HE BELIEVED KIMBERLY CAME TO PHOENIX TO TAKE JUNE AWAY TO LIVE WITH EITHER KIMBERLY IN CALIFORNIA, OR JACK IN DEWEY, ARIZONA. I ASKED IF HE BELIEVED JUNE WAS IN ANY IMMEDIATE DANGER, AND HE SAID NO. HE WAS NOT AWARE OF ANY PAST VIOLENCE OR THREATS TO HARM JUNE.

I THEN SPOKE TO THE CAREGIVER, LAURA ROCHA, WHO SAID SHE WAS AT BREAKFAST WITH JUNE IN THE LOBBY OF THE HOTEL WHEN A WHITE FEMALE WHO IDENTIFIED HERSELF AS KIMBERLY AND A WHITE MALE WHO IDENTIFIED HIMSELF AS JACK WALKED UP TO THE TABLE. JACK STOOD BY LAURA'S CHAIR SO SHE COULD NOT MOVE, AND KIMBERLY SAID TO JUNE, "HI MOM IT'S KIMBERLY. WE'RE GONNA GO HAVE A BAGEL THEN GO SEE JERRY." LAURA SAID JUNE TOLD THEM AT LEAST THREE TIMES SHE DID NOT WANT TO GO WITH THEM, AT WHICH TIME KIMBERLY SAID, "WELL YOU'RE GOING." SHE TOOK AHOLD OF JUNE'S WHEELCHAIR AND LEFT THROUGH THE HOTEL LOBBY ENTRANCE/EXIT. LAURA SAID SHE DID NOT FOLLOW THEM SO SHE DID NOT SEE THEM ENTER A

4805639900

RESIDENCE INN DESERT VIEW

09:18:48 p.m. 09-09-2019

7 / 9



PHOENIX POLICE DEPARTMENT (0723)

Incident Report

Incident Number 201900001550990		CFS Incident # 201901550990
Report Type Incident Report		Page 7 of 7
Date / Time Occurred 09/07/2019 08:00 to		Date / Time Reported 09/07/2019 08:19

VEHICLE.

I ASKED LAURA WHAT THEY LOOKED LIKE, AND SHE DESCRIBED JACK AS A WHITE MALE AGE 65-70 WEARING A T-SHIRT ,WITH GRAY HAIR AND A GOATEE. SHE DESCRIBED KIMBERLY AS A WHITE FEMALE AGE 45-50, THIN BUILD, WEARING BLACK YOGA PANTS AND SUNGLASSES, AND BELIEVED SHE WAS WEARING A LONG ASH BLONDE WIG. AFTER SPEAKING WITH RICHARD, HE DESCRIBED KIMBERLY AS NATURALLY HAVING LONG, STRAIGHT, DIRTY BLONDE HAIR.

SERGEANT MICSUNESCU WAS ON SCENE AND I ALSO ADVISED SERGEANT MALDONADO OF THE INCIDENT. IT WAS DETERMINED THAT THIS INCIDENT DID NOT MEET THE CRITERIA FOR A KIDNAPPING OR MISSING PERSON REPORT.

OFFICER JOHNSON #9306 WAS ALSO ON SCENE AND ABLE TO GET AHOLD OF JUNE'S OTHER DAUGHTER, ROBIN FRIEDMAN (702-234-6304). SHE ADVISED THAT JUNE SUFFERS FROM DEMENTIA AND KIMBERLY HAS HAD POWER OF ATTORNEY SINCE 2012, AND HAD DOCUMENTS SHOWING THAT. SHE EMAILED THE DOCUMENTS TO ME, WHICH I INCLUDED IN THIS REPORT.

SHE ALSO SAID THAT JUNE HAS LIVED WITH KIMBERLY FOR THE LAST FIVE MONTHS IN LAS VEGAS, NOT CALIFORNIA, AND HAS BEEN TAKING CARE OF HER. SHE SAID THE JUDGE IN THE COURT HEARING YESTERDAY, 090619, DID NOT DECIDE ANYTHING, AND THE POA PAPERWORK WAS STILL VALID.

THIS FI WAS GENERATED TO DOCUMENT THE INCIDENT.

NOTHING FURTHER.

Public Narrative

DECLARATION OF

9-7-2011

at approx. 745A I took Ms Jones for Breakfast in Lobby Area. A Lady with Long Hair Wig (ASH), Sun glasses approached Ms. Jones to greet her with a tall man. They introduced themselves as Daughter Kimberly & Son in Law Jack. They TOLD Ms. Jones that they taking her for a Bagel Ms. Jones said, "No I don't want to go. So she then said yes we will go for a Bagel & go visit Jerry. & Ms Jones said, "I don't want to go" anywhere. So Kimberly in firm voice said Well your going to have a Bagel & pulled wheel chair spun it around & left toward ^{entrance} Exit doors. Jack stood blocking my chair holding conversation with me. When he turned & toward door saw they were outside he grab hard boiled Egg placed on Napkin & left.

Jan Koch

I declare under penalties of Perjury in the State of Nevada that the above is true & correct.

ARIZONA NOTARY ACKNOWLEDGEMENT (JURAT)

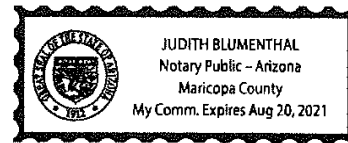
State of Arizona)
County of MARICOPA)

Subscribed and sworn (or affirmed) before me this 9th day of September, 2019,
by ROCHA LAURA LOPE B (name of signer).

Judith Blumenthal
Notary Public Signature

(Seal)

NOTARY
Title or Rank



Serial Number, if any

My Commission Expires: Aug 20, 2021

DECLARATION OF TRUTH. 1 PAGE.

EXHIBIT B



LAW OFFICES

JOHNSON & JOHNSON

1160 NORTH TOWN CENTER DRIVE, SUITE 390
LAS VEGAS, NEVADA 89144
PHONE: (702) 384 - 2830
FAX: (702) 385 - 3059

CHARLES WILLIAM JOHNSON*
DAVID CHARLES JOHNSON**
RYAN DAVID JOHNSON

WEBSITE: WWW.JOHNSONLEGAL.COM
EMAIL: DCJ@JOHNSONLEGAL.COM
EMAIL: RDJ@JOHNSONLEGAL.COM

1931-2011*
ALSO LICENSED IN CALIFORNIA**

August 5, 2019

Richard and Candice Powell
2540 E. Harmon
Las Vegas, Nevada 89121
Via Certified Mail; US Mail and email: rpowell@kds.org

Re: June Jones

Mr. and Mrs. Powell:

Our firm has been retained by Kimberly Jones, Attorney-in-Fact under a Power of Attorney executed by June Jones on October 24, 2012.

One of the responsibilities of an agent under a Power of Attorney is to marshal and take possession of the assets of the principal. On behalf of Kimberly Jones, I respectfully that you provide a brief list of June's assets* over which you have dominion and control (including assets not in your control to which you have knowledge). Please provide the requested list to my office within (7) calendar days of the date of this letter.

Thank you for your full cooperation in this matter.

If you have any questions regarding this demand, please contact me immediately.

Regards,

JOHNSON & JOHNSON

DocuSigned by:
David C. Johnson, Esq.
F5ACFF43CC95478
DAVID C. JOHNSON, ESQ.

DCJ/mlg
cc: Kimberly Shannon Jones (via email)

*real property, personal property, documents, bank statements, deeds, ledgers, letters, cash, jewelry, clothing and otherwise

EXHIBIT C



KEHOE & ASSOCIATES
Ty E. Kehoe, Esq.
Nevada Bar No. 006011
871 Coronado Center Drive, Suite 200
Henderson, Nevada 89052
Telephone: (702) 837-1908
Facsimile: (702) 837-1932
TyKehoeLaw@gmail.com
Attorney for Richard Powell and Rodney Gerald Yeoman

**DISTRICT COURT
CLARK COUNTY, NEVADA**

In the Matter of the General Power of
Attorney of:

JUNE JONES.

Case No.: P-19-100166-E
Dept. No.: PC1

Date: September 6, 2019
Time: 9:30 a.m.

**OPPOSITION TO PETITION FOR CONFIRMATION OF AGENT UNDER POWER OF
ATTORNEY PURSUANT TO NRS 162A.330
AND COUNTER MOTION TO EXPUNGE LIS PENDENS**

Richard Powell ("Powell"), the son-in-law of June Jones, and Rodney Gerald Yeoman ("Yeoman"), the husband of June Jones, by and through their counsel Ty E. Kehoe, Esq.,¹ hereby submit this Opposition to Petition for Confirmation of Agent under Power of Attorney Pursuant to NRS 162A.330, and Counter Motion to Expunge Lis Pendens. This Opposition is based upon the argument contained herein, the papers on file in this action, and any oral argument and evidence to be presented at the time of any hearing.

Dated this 4th day of September, 2019.

KEHOE & ASSOCIATES

/s/Ty E. Kehoe

Ty E. Kehoe, Esq.

¹ Yeoman has standing as the spouse of June Jones. Powell has standing, at a minimum, as the owner of Kraft Way Real Property which is subject to a Lis Pendens filed herein, and because Counsel for Petitioner has sent Powell a demand letter citing the POA as authority.

MEMORANDUM OF POINTS AND AUTHORITIES

Summary

The relief requested in the Petition is not supported by the only legal authority cited in the Petition (NRS 162A.330), proper notice appears to have not been given, and the alleged General Power of Attorney ("POA") should not be confirmed for several reasons outlined below.

The legal authority cited in the Petition does not support the relief requested in the Petition.

The Petition cites to only one legal authority: NRS 162A.330. However, the Petition does not even quote that statute, which says:

NRS 162A.330 Judicial relief.

1. The following persons may petition a court to construe a power of attorney or review the agent's conduct, and grant appropriate relief:

- (a) The principal or the agent;
- (b) A guardian or other fiduciary acting for the principal;
- (c) A person authorized to make health care decisions for the principal;
- (d) The principal's spouse, parent or descendant;
- (e) An individual who would qualify as a presumptive heir of the principal;
- (f) A person named as a beneficiary to receive any property, benefit or contractual right on the principal's death or as a beneficiary of a trust created by or for the principal that has a financial interest in the principal's estate;
- (g) A governmental agency having regulatory authority to protect the welfare of the principal;
- (h) A person asked to accept the power of attorney; or
- (i) The principal's caregiver or another person who demonstrates sufficient interest in the principal's welfare.

2. Upon motion by the principal, the court shall dismiss a petition filed under this section, unless:

- (a) The court finds that the principal lacks capacity to revoke the agent's authority or the power of attorney; or
- (b) A governmental agency has asserted abuse by the agent regarding the agent's actions under the power of attorney.

The statute calls for "constru[ing] a power of attorney or review[ing] the agent's conduct." However, the Petition does not raise any question regarding construing the POA (except for indirectly raising issues regarding the validity of the POA), and the Petition is brought by the

1 alleged agent and so it is not seeking to review her own conduct.

2 There does not appear to be a process in the statutes or case law to have this Court
3 confirm an attorney-in-fact, nor to have this Court assume jurisdiction of this matter (whatever
4 that phrase might be intended to mean in the context of a power of attorney) as requested in the
5 Petition (see Petition page 2, line 20). It appears the Petitioner is extrapolating from having this
6 Court confirm a trustee and assume jurisdiction of the same, or possibly extrapolating from
7 guardianship law; however, neither of those situations appear to be legally applicable to a
8 power of attorney as we have here.

9
10 **At this time the alleged General Power of Attorney should be construed as unenforceable.**

11 This Court should construe the POA as unenforceable at this time, and June's Husband,
12 Yeoman, requests the same pursuant to NRS 162A.330(d), for the following reasons:

13 1 – June was not provided notice of the Petition. According to the certificates of service
14 filed herein, notice was provided to June by mailing to the Petitioner in California. It is entirely
15 unclear upon what basis Petitioner believes it appropriate to seek to enforce a document against
16 June without providing notice to June. Even if severe incapacity were alleged (which is not the
17 case here²), notice to a proposed ward is still required in the context of a guardianship.
18 Certainly it should be required in this context. Additionally, notice was not provided to June's
19 husband.
20

21 2 – An original of the POA has not been provided. Counsel for Powell and Yeoman
22 has made multiple requests to determine whether an original exists, but no answer has been
23 received.
24

25 3 – A full copy of the alleged General Power of Attorney has not been provided to the
26 Court. The Exhibit attached to the Petition includes only pages 2, 3 and 4, of 5 total pages.
27

² Upon information and belief, there is no medical determination that June Jones is incompetent.

1 4 – The POA is not dated by June Jones. The POA specifically states: “You must date
2 and sign this power of attorney,” which is also the statutory language from NRS 162A.620.

3 5 – Petitioner has been unwilling to share any explanation regarding the creation of the
4 POA. The POA was signed seven years ago. It is unclear whether the document was signed for
5 a short term basis (ie. June being out of the country for a trip), or whether it was signed as some
6 estate plan (of which no additional documents are known). The POA includes the firm name of
7 Johnson & Johnson as a footer on the document; however, upon information and belief, David
8 Johnson denies his firm was involved with preparing the same.

9 6 – Upon information and belief, the Petitioner has taken control of June’s bank account,
10 and has repeatedly emptied the same. These actions have been taken even before this Court has
11 ruled upon the Petition. Petitioner has refused to provide any accounting of June’s money.
12

13 7 - Counsel for Powell and Yeoman has reached out via email and voice mail to the
14 Notary listed on the POA, to obtain a copy of the notary book, and receive any background
15 information that might be available; however, no response has yet been received.
16

17 **Conclusion**

18 Based upon the above, this Court should not “assume jurisdiction over this matter,” and
19 the Court should construe the document attached to the Petition as unenforceable at this time
20 based upon the lack of information that exists so far. Additionally, the Court should expunge
21 the Lis Pendens filed herein and recorded with the Clark County Recorder, as discussed further
22 below.
23

24 Dated this 4th day of September, 2019.

KEHOE & ASSOCIATES

/s/ Ty E. Kehoe

Ty E. Kehoe, Esq.

26 **COUNTER-MOTION TO EXPUNGE LIS PENDENS**

27 Richard Powell (“Powell”), by and through his counsel Ty E. Kehoe, Esq., hereby files
28

1 this Counter-Motion to Expunge Lis Pendens. This Counter-Motion is based upon the
2 argument contained herein, the papers on file in this action, and any oral argument and evidence
3 to be presented at the time of any hearing.

4 Dated this 4th day of September, 2019.

KEHOE & ASSOCIATES

/s/Ty E. Kehoe

Ty E. Kehoe, Esq.

7 **MEMORANDUM OF POINTS AND AUTHORITIES**

8 Petitioner herein on August 1, 2019, improperly obtained a Lis Pendens in connection
9 with this action as to 6277 W. Kraft Avenue, Las Vegas, NV, 89130, APN 138-02-511-076
10 (“Kraft Way”), and then on August 1, 2019 improperly recorded that Lis Pendens with the
11 Clark County Recorder. Kraft Way is owned by Powell.³ There is no litigation pending as to
12 Kraft Way, and thus the Lis Pendens is improper and should be expunged pursuant to NRS
13 14.015.
14

15 Pursuant to NRS 14.015(1) a defendant may request that the court hold a hearing on the
16 notice of lis pendens and such hearing shall be set as soon as practicable taking precedence over
17 all other civil matters except a motion for a preliminary injunction. NRS 14.015(2) requires,
18 upon 15 days notice, the party who recorded the lis pendens to appear at the hearing and,
19 through affidavits and other evidence which the court may permit, establish to the satisfaction
20 of the court that:
21

- 22 (a) The action is for the foreclosure of a mortgage upon the real property
23 described in the notice or affects the title or possession of the real property
described in the notice;
- 24 (b) The action was not brought in bad faith or for an improper motive;
- 25 (c) The party who recorded the notice will be able to perform any conditions
26 precedent to the relief sought in the action insofar as it affects the title or
possession of the real property; and
27

28 ³ Powell purchased Kraft Way from June in January 2018. June’s children, including the Petitioner are now
questioning the appropriateness of that sale; however, no litigation has been commenced. In any case, pursuant to
statute, Petitioner is required to properly establish the appropriateness of the Lis Pendens pursuant to NRS 14.015.

1 (d) The party who recorded the notice would be injured by any transfer of an
2 interest in the property before the action is concluded.

3 Further, NRS 14.015(3) also requires the party who recorded the lis pendens establish
4 either:

5 (a) That the party who recorded the notice is likely to prevail in the action; or
6

7 (b) That the party who recorded the notice has a fair chance of success on the
8 merits in the action and the injury described in paragraph (d) of subsection 2
9 would be sufficiently serious that the hardship on him or her in the event of a
transfer would be greater than the hardship on the defendant resulting from
the notice of pendency,

10 - and that if the party who recorded the notice prevails he or she will be
11 entitled to relief affecting the title or possession of the real property.

12 NRS 14.015(4) permits the party opposing the notice of the pendency of an action to
13 submit counter-affidavits and other evidence which the court permits.

14 “If the court finds that the party who recorded the notice of pendency of the action has
15 failed to establish any of the matters required by subsection [NRS 14.015(2)], the court shall
16 order the cancellation of the notice of pendency and shall order the party who recorded the
17 notice to record with the recorder of the county a copy of the order of cancellation. The order
18 must state that the cancellation has the same effect as an expungement of the original notice.”
19

20 See NRS 14.015(5).

21 Here, there is absolutely no action regarding Kraft Way. And, even if the Power of
22 Attorney is confirmed (as argued against above), still any action in connection with Kraft Way
23 would presumably not be appropriately pursued in probate court. Therefore, the Lis Pendens
24 should be expunged and Petitioner should be ordered to immediately record an order stating the
25 same, as outlined in NRS 14.015(5).
26

27 Dated this 4th day of September, 2019.

KEHOE & ASSOCIATES
/s/ Ty E. Kehoe
Ty E. Kehoe, Esq.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 4th day of September, 2019, I served a true and correct copy of the Opposition to Petition for Confirmation of Agent under Power of Attorney Pursuant to NRS 162A.330, and Counter Motion to Expunge Lis Pendens via electronic service to the following, or via US First Class Mail postage pre-paid to the addresses listed:

David C. Johnson, Esq.
Counsel for Petitioner

Donna Simmons
1054 S. Verde Street
Anaheim, CA 92805

Teri Butler
586 N. Magdalena Street
Dewey, AZ 86327

Scott Simmons
1054 S. Verde Street
Anaheim, CA 92805

Robyn Nicole Friedman
2824 High Sail Court
Las Vegas, NV 89117

June Jones
2632 E. Harmon Avenue
Las Vegas, NV 89121

/s/ Ty E. Kehoe
Ty E. Kehoe

EXHIBIT D

How are you going
to fix this?

Why does Dick own
my house,

Why won't you come
back and live
with me at the
Kraft house even
if my kids are here

I don't want to
live at Dicks
house.
Do you want to be
with me.