

**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

Electronically Filed  
May 05 2021 05:50 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

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

**RESPONDENTS' APPENDIX, VOLUME 6**  
**(Nos. 636–801)**

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*Attorneys for Respondents, Robyn Friedman and Donna Simmons*

DISTRICT COURT  
CLARK COUNTY, NEVADA

Guardianship of Adult

COURT MINUTES

January 14, 2020

G-19-052263-A In the Matter of the Guardianship of:  
Kathleen Jones, Protected Person(s)

January 14, 2020 01:30 PM Return Hearing

HEARD BY: Marquis, Linda COURTROOM: RJC Courtroom 10A

COURT CLERK: Christensen, Karen; Stengel, Tanya

## PARTIES PRESENT:

Robyn Friedman, Petitioner, Temporary Guardian, Present John P. Michaelson, Attorney, Present

Kathleen June Jones, Protected Person, Not Present Maria L. Parra-Sandoval, Attorney, Present

Donna Simmons, Petitioner, Temporary Guardian, Present John P. Michaelson, Attorney, Present

Rodney Gerald Yeoman, Other, Present Matthew C. Piccolo, Attorney, Present  
Ty E. Kehoe, Attorney, Present

Kimberly Jones, Guardian of Person and Estate, Other, Present James A. Beckstrom, Attorney, Present

State Guardianship Compliance Officer, Agency, Present

## JOURNAL ENTRIES

## RETURN HEARING FOR INVESTIGATOR'S REPORT

Court Clerks: Karen Christensen, Tanya Stengel (ts)

LaChasity Carroll, Supreme Court Guardianship Compliance Officer.  
Donna Simmons appeared telephonically.

Counsel stated they reviewed the investigator's report.

Ms. Carroll stated she is still waiting for some medical records.

Attorney Michaelson requested the Court admonish the parties to continue to cooperate with the investigators.

Attorney Beckstrom gave the status of the A-Case.

Attorney Beckstrom stated the dogs were returned to Protected Person days late and not in compliance with the Court's Order but they were returned.

Court and Counsel engaged in discussion regarding the role of the investigation and the investigator's role in the case.

Attorney Parra-Sandoval made statements regarding visitation with Protected Person. Attorney Parra-Sandoval stated things have been getting better; the visitations are scheduled between the parties and supervised.

Printed Date: 1/18/2020

Page 1 of 2

Minutes Date:

January 14, 2020

Notice: Journal Entries are prepared by the courtroom clerk and are not the official record of the Court.

Attorney Kehoe stated Guardian is only allowing supervised visits for one hour a day.

Court, Counsel and parties engaged in further discussion regarding visitation and communication.

Court noted parties can stipulate to using Talking Parents but it is not being Ordered.

Court and Counsel engaged in discussion regarding Evidentiary Hearing issues and Discovery.

Court stated DISCOVERY IS OPEN. The investigation is separate from Discovery.

Attorney Michaelson stated Attorney Kehoe has not turned over all documents requested and the Guardian does not have access to the Protected Person's accounts but the husband still has access to them. Attorney Michaelson stated Guardian does not know where the accounts are.

COURT ORDERED, the following:

All parties shall continue to operate in GOOD FAITH with the investigators.

Attorney Kehoe shall provide a list of ALL ACCOUNTS, including bank accounts (checking and savings), investments, retirement accounts and ALL account numbers WITHIN 7 DAYS in WRITING to Attorney Parra-Sandoval, Attorney Michaelson and the Guardian.

Sonja Jones, Financial Forensic Specialist, Guardianship Compliance Officer shall have the AUTHORITY to look into the FINANCES of Protected Person's Son in Law, RICHARD POWELL and husband, RODNEY GERALD YEOMAN.

Evidentiary Hearing set for 2/20/20 at 1:30 pm regarding the Return of Property (dogs) shall STAND.

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:**

Feb 13, 2020 10:00AM Hearing  
RJC Courtroom 10A Marquis, Linda

Feb 20, 2020 1:30PM Evidentiary Hearing  
Courtroom 07 Marquis, Linda

1 **TRANS**

2 **ORIGINAL**

**FILED**

JAN 31 2020

*Sharon L. Johnson*  
CLERK OF COURT

3  
4  
5 **EIGHTH JUDICIAL DISTRICT COURT**  
6 **FAMILY DIVISION**  
7 **CLARK COUNTY, NEVADA**  
8  
9

10 IN THE MATTER OF THE )  
GUARDIANSHIP OF: )

11 KATHLEEN JONES, )

12 Protected Person(s) . )  
13 \_\_\_\_\_ )

CASE NO. G-19-052263-A

DEPT. B

14  
15 BEFORE THE HONORABLE LINDA MARQUIS  
16 DISTRICT COURT JUDGE

17 TRANSCRIPT RE: ALL PENDING MOTIONS

18 TUESDAY, JANUARY 14, 2020  
19  
20  
21  
22  
23  
24

1 APPEARANCES:  
2       The Daughter:               DONNA SIMMONS  
3       For the Daughters:       JOHN MICHAELSON, ESQ.  
4                                   2200 Paseo Verde Pkwy #160  
5                                   Henderson, Nevada 89052  
6                                   (702) 731-2333  
7       The Husband:               JERRY YEOMAN  
8       For the Husband:       TY KEHOE, ESQ.  
9                                   MATTHEW PICCOLO, ESQ.  
10                                  871 Coronado Center Dr., #200  
11                                  Henderson, Nevada 89052  
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13       The Guardian:             KIMBERLY JONES  
14       For the Guardian:       JAMES BECKSTROM, ESQ.  
15                                  10001 Park Run Drive  
16                                  Las Vegas, Nevada 89145  
17                                  (702) 382-0711  
18       The Protected Person:     KATHLEEN JONES  
19       For the Protected Person: CONSTANTINA RENTZIOS, ESQ.  
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21                                  Las Vegas, Nevada 89104  
22                                  (702) 386-1070  
23  
24

1 LAS VEGAS, NEVADA

TUESDAY, JANUARY 14, 2020

2 PROCEEDINGS

3 (THE PROCEEDINGS BEGAN AT 1:32:17)

4

5 THE COURT: This is the matter of the Guardianship  
6 of Kathleen Jones, G-19-052263. Counsel, your appearances for  
7 the record?

8 MR. BECKSTROM: Good morning, Your Honor. James  
9 Beckstrom on behalf of Kimberly Jones, Guardian of the  
10 Protected Person.

11 MR. MICHAELSON: John Michaelson, Bar number 7822 on  
12 behalf of Donna Simmons and Robyn Friedman, the past guardians  
13 and the daughters of the protected person.

14 MS. PARRA-SANDOVAL: Maria Parra-Sandoval, 13736 for  
15 Legal Aid Center on behalf of the protected person.

16 MS. CAROL: Chastity Carol (ph), Guardianship  
17 Compliance Investigator for the Supreme Court.

18 MR. KEHOE: Good morning, Your Honor. Ty Kehoe, Bar  
19 number 6011 for Jerry Yeoman.

20 THE COURT: And then --

21 MR. PICCOLO: Anthony Piccolo, 14331, also on behalf  
22 of Mr. Yeoman. Thank you, Judge.

23 THE COURT: I'm sorry, Mr. Piccolo. And then on the  
24 telephone, can you tell us your name for the record?

1 MS. SIMMONS: Donna Simmons.

2 THE COURT: Donna Simmons is on the telephone.

3 Ms. Simmons, if during this hearing you can't hear us or

4 misunderstand something, please feel free to interrupt and let

5 me know. I won't think you're rude, and I'll ask the person

6 to repeat themselves. Counsel, everybody have a seat.

7 Counsel, you saw Ms. Carol's report. Is that right?

8 MR. BECKSTROM: Correct, Your Honor.

9 THE COURT: Anybody have any concerns or any

10 statements they want to make about that?

11 MR. BECKSTROM: I mean --

12 THE COURT: Go ahead.

13 MR. BECKSTROM: I mean, I think the report speaks

14 for itself to some extent. I will note that a lot of

15 interaction in there was -- was when what we've alleged in our

16 -- our complaint that's been filed now with the Court, and

17 that was not actually interaction with the protected person or

18 the guardian.

19 So to the extent that there was unable to reach

20 certain people to get information, I mean, I think that's the

21 issue we're really here for on now. So we plan on resolving a

22 lot of that in the A case. We still need a lot of documents.

23 I think everyone needs documents. So that's kind of where we

24 all stand right now.



1 THE COURT: Okay. So that was going to be my next  
2 question. Ms. Carol, your report was filed on January 8 with  
3 the Court. You explain in there as part of your findings that  
4 you still are waiting for some medical records.

5 MS. CAROL: True.

6 THE COURT: Did you have the opportunity to receive  
7 those since you filed your report? You're still waiting for  
8 those?

9 MS. CAROL: Yes, for -- from UCI.

10 THE COURT: All right. Is there anything else that  
11 you're waiting on or any other documents that you need?

12 MS. CAROL: No.

13 THE COURT: Do you have any other concerns other  
14 than those outlined in your report?

15 MS. CAROL: I do not.

16 THE COURT: All right. Counsel --

17 MR. MICHAELSON: Your Honor?

18 THE COURT: Yes, go ahead.

19 MR. MICHAELSON: May I stand?

20 THE COURT: Absolutely.

21 MR. MICHAELSON: Just we would ask if you would --  
22 we request that you admonish the parties to continue to  
23 cooperate with the investigators because as you know, they --  
24 they have a lot of information that could be provided, maybe



1 make their job easier, and wondered if you would be willing to  
2 admonish the parties to continue to provide that information.

3           They know things like financial information, bank  
4 records, they may have access to medical records and so forth  
5 because I think that the reports, if I'm not mistaken, those  
6 can be updated.

7           THE COURT: Absolutely. And, all right, I think it  
8 goes without saying, but I'm happy to offer a double dog  
9 order, Mr. Michaelson, that all the parties, my order and  
10 charge to you is to continue operating in good faith with the  
11 investigator.

12           You know that it takes a long time to get medical  
13 records, and it takes a long time to get banking records and  
14 all those things. If you have any additional information that  
15 can help her, or the Court, that's my order to you.

16           Counsel, have you had any other -- any other  
17 information that you need to bring to my attention other than  
18 what's contained in this order? The status of the A Case,  
19 Counsel?

20           MR. BECKSTROM: I think the time to respond is  
21 today, Judge. So we're waiting for response, and we'll  
22 proceed down that path if we need to. But nothing new in that  
23 case. We have served properly. It thought Ms. Carol  
24 referenced that she may need an amended order on something to

1 get some records, if I saw that in there. Do we need to amend  
2 one of the order?

3 MS. CAROL: No, I think that maybe from Sonya (ph).

4 MS. PARRA-SANDOVAL: Ms. Jones.

5 MR. BECKSTROM: Okay.

6 MS. CAROL: Ms. Jones, yes.

7 MR. BECKSTROM: Okay. All right.

8 THE COURT: All right. Two separate issues.  
9 Counsel, what's your request today?

10 MR. BECKSTROM: You know, we have a status -- or we  
11 have an evidentiary hearing, a short hearing on the -- on the  
12 finality of the return of the dogs. So they were returned.  
13 They were returned, you know, days late after Your Honor  
14 ordered, not compliant with Your Honor's order. But  
15 nonetheless, they were returned. So we're ready to proceed to  
16 the upcoming evidentiary hearing, and we're going to proceed  
17 to the A Case.

18 THE COURT: Okay. Is there anybody have any request  
19 about any action that needs to be taken today short of or  
20 before that evidentiary hearing that's already set? Counsel?

21 MR. KEHOE: I'm not sure the scope of that  
22 evidentiary hearing anymore because originally it was  
23 scheduled for an evidentiary hearing on these reports that  
24 were to be returned today. Now that there has been a request

1 by the investigators for further time, I'm not sure that we're  
2 going forward on an evidentiary hearing regarding the  
3 guardianship.

4 Your Honor indicated that the guardianship was still  
5 in flux from the last hearing, and that once we got the  
6 reports back, you would be open to modifying that,  
7 reconsidering that, and having an evidentiary hearing related  
8 to the same. So --

9 THE COURT: I don't think that the reports raise any  
10 additional concerns for me, unless they raise additional  
11 concerns for you that need to be brought to my attention.

12 MR. KEHOE: Well, I'm only aware of one report, and  
13 it's based on not a single document presented by the guardian.  
14 And so we have a kind of a medical side and a financial side.

15 THE COURT: Sure.

16 MR. KEHOE: The financial side, there's not a single  
17 document presented by the guardian as my understanding, and we  
18 have produced hundreds of pages of documents to the  
19 investigator.

20 MR. MICHAELSON: I have not received any documents.

21 THE COURT: Okay. So let me -- the investigator is  
22 not necessarily, although appointed by the Court, works  
23 independently. So I get what you get from her, okay? What  
24 she has filed in the case. Here report, it's not -- although

1 it says it's a confidential report, it's not recommendations  
2 to me.

3 It's I will appoint an investigator, and I'm allowed  
4 to appoint an investigator when I have some concerns. I leave  
5 the scope of the evidentiary hearing sometimes a little bit  
6 open because sometimes the investigation brings to light some  
7 additional concerns.

8 The scope of the evidentiary hearing is laid out,  
9 the discovery process is open. Working with the investigator  
10 to give her documents isn't discovery. My charge and order to  
11 you is that you participate in good faith with her so that she  
12 can make a finding and give her findings to the Court.

13 Certainly I don't adopt her factual findings. She  
14 might testify, or one of the parties might call her to  
15 testify. It's just an additional operation of the Court  
16 that's certainly absolutely unique to guardianship. And so  
17 her role, she certainly doesn't talk to me about her cases.

18 I see her in the courtroom on the record, and that's  
19 how I get the information, just the same as you guys, okay?  
20 And so she's not -- the parties don't have to prove their case  
21 through the investigator, but she is appointed by me and works  
22 for the State of Nevada, the Supreme Court, not necessarily  
23 even me.

24 And the Supreme Court is generous enough to allow me



1 to utilize her services in certain cases where I think it was  
2 appropriate. I think it was appropriate in this case. So,  
3 Ms. Parra-Sandoval, do you have any requests?

4 MS. PARRA-SANDOVAL: In terms of any ongoing  
5 concerns, one of the things that the parties have been  
6 struggling with has been visitation --

7 THE COURT: Okay.

8 MS. PARRA-SANDOVAL: -- of my -- of my client. I  
9 know that since January 5th or so, it's -- it's been a better  
10 process where the guardian is able to communicate directly  
11 with Mr. Yeoman regarding visitation.

12 THE COURT: Good.

13 MS. PARRA-SANDOVAL: So I'm very happy about that.

14 THE COURT: How is that visitation happening?

15 MS. PARRA-SANDOVAL: As far as I know, it's  
16 scheduled between the guardian and Mr. Yeoman. And the  
17 parties are -- both of them are supervised --

18 THE COURT: Okay.

19 MS. PARRA-SANDOVAL: -- by either Kimberly, or she  
20 can choose someone to do the supervising.

21 THE COURT: Okay.

22 MS. PARRA-SANDOVAL: I know that Mr. Yeoman would  
23 like to be unsupervised, but he did not provide medical  
24 records, and the order from the October 15th hearing, it's

1 very clear regarding supervised visitation. So I just would  
2 like the parties to continue to work together because my  
3 client has had medical issues --

4 THE COURT: Since the last hearing?

5 MS. PARRA-SANDOVAL: -- manifest in herself  
6 regarding, you know, false promises that Jerry's going to go  
7 visit her. And he doesn't.

8 THE COURT: And we talked about that before.

9 MS. PARRA-SANDOVAL: And we've talked about that  
10 before.

11 THE COURT: So that seems to be an ongoing concern  
12 for your client?

13 MS. PARRA-SANDOVAL: It is. And things have  
14 improved --

15 THE COURT: Good.

16 MS. PARRA-SANDOVAL: -- in the last two weeks.

17 THE COURT: Okay.

18 MS. PARRA-SANDOVAL: So I would like to let the  
19 Court know that things are improving.

20 THE COURT: Was there something that happened that  
21 prompted that improvement, Counsel? Or --

22 MS. PARRA-SANDOVAL: Direct communication between --

23 THE COURT: Okay.

24 MS. PARRA-SANDOVAL: -- the guardian and Mr. Jerry

1 Yeoman.

2 THE COURT: Okay. Do you have any requests  
3 regarding that, or anything moving forward before the  
4 evidentiary hearing date?

5 MS. PARRA-SANDOVAL: I just want the parties to keep  
6 working together for her best interests.

7 THE COURT: All right, thank you. Anything else?

8 MR. KEHOE: And that supervision, or that  
9 visitation, Your Honor, has been only limited to one hour a  
10 day right now --

11 THE COURT: Okay.

12 MR. KEHOE: -- is all that's being permitted.

13 THE COURT: Okay.

14 MR. MICHAELSON: And that's not true, Judge. And  
15 that's why I think Ms. Parra's representation to correct is  
16 that it increased, okay, when Kimberly recommended that one,  
17 they use an app because what was happening, there were  
18 unplanned visits coming over the house.

19 There is no time limitations on the visits. All  
20 that Kimberly has asked is that for the benefit of Mom,  
21 because there were so many hey, we're going to come over and  
22 then no-shows, that was putting her into a bad mental state.  
23 She was defecating herself, she was becoming panicked,  
24 hysteria. So that's why she asked.



1           She said listen, provide me a time when  
2 (indiscernible) going to come over, have at it. I'll be here,  
3 I'll take her to the dog park, we'll do it. I'll get someone  
4 to supervise or I'll supervise. So there's no time  
5 limitation. I want to make sure it's very clear.

6           THE COURT: Okay.

7           MR. KEHOE: And we disagree, Your Honor. As far as  
8 defecating, that has been happening for years. It's in this  
9 medical report that you have in front of you from the  
10 investigator today. It's listed as a side effect of the medi  
11 that she's on.

12           So the -- there are just a lot of representations  
13 here that have not been evidenced by facts. And that's what  
14 we were hoping for these reports to show. There have been  
15 allegations that years prior to the Kraft house transfer, Ms.  
16 Jones was mentally incompetent.

17           And they professed that they had medical records  
18 that they would provide evidencing that. We now have this  
19 first investigation report that evidences one alleged report  
20 from Irvine, and we don't have that report still, 60 days  
21 later.

22           So there's still not a shred of evidence that there  
23 was nay problem back in January of 2018, which I understand  
24 everybody has major concerns about that Kraft house transfer.

1 I totally get that. I think those concerns are fair and need  
2 to be resolved.

3 But we have produced multiple records to the  
4 investigator regarding that transfer, and we have been waiting  
5 for the medical records evidencing whether she could  
6 competently enter into that transfer in January of 2018.

7 THE COURT: All --

8 MR. KEHOE: We still don't --

9 THE COURT: So hold on.

10 MR. KEHOE: -- have any of that.

11 THE COURT: So all issues for the evidentiary  
12 hearing, my concern was what Ms. Parra-Sandoval talked about  
13 was visitation. Okay? What we don't want, nobody wants a no-  
14 show/no-call, right? Nobody wants that. Nobody wants to have  
15 a plan for a meeting and it to fall through. Nobody wants  
16 that, okay?

17 What the specific side effects are, I'm not so  
18 concerned with. Am I very happy to hear that you're operating  
19 directly to each other and you have an app -- what's the app  
20 that they're using?

21 MR. BECKSTROM: Well, no. There's a recommendation.  
22 It's -- what was it called? It's the --

23 UNIDENTIFIED VOICE: I requested Family Wizard or --

24 MR. BECKSTROM: Family Wizard, they use --

1 UNIDENTIFIED VOICE: -- Talking Parents because the  
2 communication was getting --

3 THE COURT: Okay.

4 UNIDENTIFIED VOICE: It was between -- Jerry and I  
5 are --

6 MR. BECKSTROM: But it's not in use, Judge.

7 UNIDENTIFIED VOICE: -- going directly now.

8 THE COURT: Okay. So I'll tell you that I'm very  
9 familiar with both, okay? And Our Family Wizard, there's a  
10 cost associated with it. If you want to stipulate, I'm not  
11 going to order at this time, that you use Talking Parents, I'm  
12 happy for you to use that. That's free of charge.

13 What it does is it creates a court ready specific  
14 record that can be printed off as a PDF at little to no charge  
15 to the parties. I believe, since I've been here for nine  
16 months, they may have increased the amount, but it used to be  
17 \$19 for a PDF that was litigation ready.

18 What it shows me is the time you sent it, the time  
19 you read it, how many times you checked in, and exactly the  
20 back and forth. Okay? It allows you to upload documents like  
21 medical records, schedules, pictures, videos, those kinds of  
22 things. It might be of assistance to the parties in this  
23 case.

24 It is a tool or resource that may help you create a

1 schedule, okay? Whatever we can do to facilitate visitation,  
2 that works out well for everybody, I'm happy to do that.  
3 Ms. Parra-Sandoval, I'm going to ask you to take a look at  
4 that app. It is certainly not the only one. I don't want to  
5 order a specific app for you to use, but helpful if that's a  
6 resource.

7           However, my concern is that perhaps Ms. --  
8 Mr. Yeoman, that is not his preferred method of communication.  
9 And that's understandable. And if he has another preferred  
10 method, we could try to make that work and set up visits that  
11 can work. I am happy for the visits to last longer than an  
12 hour, okay?

13           But we have to put our reasonable hat on and, like,  
14 if we want a visitation at 3:00 in the morning, that's not  
15 reasonable, okay? I don't think that's restricting  
16 visitation. I think that that's just an accommodation we all  
17 have to make.

18           And I don't think that Mr. Yeoman wants to visit  
19 with her at 3:00 a.m. Right? So let's make -- look, she may  
20 go to bed like me. Well, I want to go to bed at 8:30, but you  
21 know, that just doesn't happy. So we don't want -- and we  
22 want to have a visit where they enjoy each other, right, and  
23 they get to spend some time. So when is she at her best?  
24 What time period during the day? I'm going to guess in the

1 morning? No?

2 UNIDENTIFIED VOICE: No, she doesn't like getting up

3 early.

4 THE COURT: Me either, but, yeah.

5 UNIDENTIFIED VOICE: So Mr. Yeoman, I'm

6 communicating directly with him now.

7 THE COURT: Good, okay.

8 UNIDENTIFIED VOICE: And I just say, like last

9 Sunday, hey, let me know what time you guys would like to come

10 over and see Mom this week. He chose 1:30, and I was like

11 awesome, that works. He --

12 THE COURT: Okay.

13 UNIDENTIFIED VOICE: He chooses to stay for half an

14 hour. Because of that, I suggested because my -- and not go

15 anywhere. Don't just stay right in the house.

16 THE COURT: Okay.

17 UNIDENTIFIED VOICE: And because f that I said hey,

18 do you -- do you want to go to the dog park. So we've been

19 going to the dog park. And I'll go, and if I can't go, Dean

20 has been with them.

21 THE COURT: Okay.

22 UNIDENTIFIED VOICE: So he has chosen for half an

23 hour.

24 THE COURT: Okay.



1 UNIDENTIFIED VOICE: But it's open to as long as  
2 they want.

3 THE COURT: Okay. I will look at, and I expect  
4 Counsel will give me binder after binder after binder of these  
5 text messages. Right? And all these documents. So I'll see  
6 them, okay? You guys know how I feel about it, right?

7 UNIDENTIFIED VOICE: We just talk directly now --

8 THE COURT: Okay.

9 UNIDENTIFIED VOICE: -- just Jerry and I.

10 THE COURT: Great, wonderful. Okay. And if that's  
11 working, Ms. Parra-Sandoval says it's working, then it's  
12 working. All right. Anything else I need to do today before  
13 the evidentiary hearing? Mr. Michaelson keeps going like  
14 this, like he has something to say. But go ahead. No, go  
15 ahead. I just don't want to forget him. I don't want to  
16 throw you all out and he still has something to tell me. Go  
17 ahead, Mr. Kehoe.

18 MR. KEHOE: I'm still confused about the evidentiary  
19 hearing. I thought that -- I wasn't aware discovery was open.  
20 I was under the impression that the investigators were  
21 conducting that discovery --

22 THE COURT: No. Discovery's open. Discover away.  
23 An investigator, she can't -- she is out there looking for  
24 issues and things. I have some specific concerns. I ordered

1 her to get me more information. I still don't have medical  
2 records from her. That is not her fault. That's, you know, I  
3 would think pretty standard, ordinary that we're missing some  
4 records from medical providers that we still need to get.

5 MR. KEHOE: I don't know. Kimberly I understand  
6 lives in Irvine. I presume she could go over to the hospital  
7 with letters and pick up the medical records in ten minutes.  
8 But --

9 THE COURT: Is that how the hospital works? They  
10 just hand you over the medical records?

11 MR. KEHOE: That's my experience.

12 THE COURT: Oh.

13 MR. KEHOE: Absolutely.

14 THE COURT: I don't know.

15 MR. KEHOE: If the individual who is under treatment  
16 goes to the hospital and asks for copies of their records, my  
17 understanding is they can get them.

18 THE COURT: Okay.

19 MR. KEHOE: And with her as the guardian --

20 THE COURT: In 30 to 60 days, or 150 days and \$200  
21 and all that. But look --

22 MR. KEHOE: Okay.

23 THE COURT: -- discovery's open. This is just like  
24 any other case. Right? If you have specific records you want



1 that you don't have, I guess you got to subpoena them. I  
2 mean, or you have to ask for them. The investigator's role is  
3 not one of some type of, like, discovery commissioner or,  
4 like, document sorter. Mr. Michaelson?

5 MR. MICHAELSON: Ty, Your Honor. I just wanted to  
6 clarify because Mr. Kehoe does this throughout this  
7 litigation, which is to imply that there's something that  
8 there's a question about. So for example, we went to POA  
9 litigation before Commissioner Yamashita.

10 He declined to hear the case specifically and  
11 expressly because of a lack of -- there was a notice problem.  
12 But then Mr. Kehoe represented to me and to a lot of people,  
13 even when I brought this to his attention that Commissioner  
14 Yamashita actually had questions about the POA, and that  
15 wasn't the case.

16 At the last hearing, you -- we talked about an  
17 evidentiary hearing and he said that that's because you had  
18 questions and you clarified. Now he's saying that the  
19 guardianship is in flux --

20 MR. KEHOE: Right.

21 MR. MICHAELSON: -- still. And I just want to  
22 clarify with you, do you feel at this time that the  
23 guardianship is --

24 THE COURT: I don't --

1 MR. MICHAELSON: -- in flux?

2 THE COURT: -- think that there's a -- I mean, I  
3 read those statutes a couple of times, Mr. Michaelson.  
4 They're not really well written, but I don't think you could  
5 have a guardianship in flux. I guess it could be in flux if  
6 somebody could always file a petition to terminate it  
7 tomorrow.

8 MR. MICHAELSON: Yeah.

9 THE COURT: You know, I mean so I guess it's --

10 MR. BECKSTROM: Well, and the report --

11 THE COURT: I don't --

12 MR. BECKSTROM: -- was clear that she cannot take  
13 care of herself. So that's -- that was reported. Right? I  
14 mean, there's -- there's no dispute about she can't care about  
15 herself, a guardian is needed. So to that extent, I don't  
16 find that in flux either. So I guess the clarification is, is  
17 the upcoming hearing going to be solely based on the financial  
18 transactions?

19 So we have the evidentiary hearing on the return of  
20 property, you've set that out clearly enough for us. And  
21 there will be another evidentiary hearing which I -- I'm  
22 imagining is pending. The investigators need to get these  
23 documents that will then address the concern of the Court  
24 which was property transaction, and financial transactions?

1 THE COURT: I think that both the -- so I made an  
2 order previously regarding the temporary return of the  
3 animals. I told you that that was a temporary decision, that  
4 I needed an evidentiary hearing to make the final decision.  
5 And I think I was clear about that.

6 So part of that evidentiary hearing will be about  
7 the animals. I don't know that that will be very long. Okay?  
8 I think that is you have documents already, I know that. You  
9 may have additional information. The investigator's report is  
10 not finalized.

11 So I don't want to shut down that there might be  
12 something that she would update in those medical records that  
13 might turn that evidentiary hearing into something else, or  
14 allow those issues presented to expand based on her report.  
15 So she'll update that report when she has those.

16 At this point, based on what we have from the last  
17 hearing, that 220 130 shall stand. I said 30 minutes of  
18 argument and discussion regarding that. At the evidentiary  
19 hearing, Counsel may stipulate to the introduction of  
20 documents ahead of time.

21 I said you're not going to make any opening  
22 statements, and you're going to submit closing briefs because  
23 I talked to you specifically about that I think this is really  
24 a legal argument. There may be some facts that you might

1 stipulate to. But there might be some testimony as well you'd  
2 like to elicit at that time. That's what the evidentiary is  
3 scheduled for.

4 MR. KEHOE: But it wasn't, Your Honor. It was  
5 scheduled months ago when Your Honor transitioned from a  
6 temporary guardianship to a permanent guardianship and a --  
7 and ordered the investigations. That was the purpose of the  
8 evidentiary hearing on February 20th.

9 It was scheduled because Your Honor specifically  
10 stated it was in flux, you were open to reconsidering things  
11 at that time after you got the reports back. And to clarify,  
12 there are two investigators.

13 THE COURT: Sure.

14 MR. KEHOE: I just want to make clear that we have  
15 Ms. Carol who's doing the medical side, but we have Ms. --

16 THE COURT: Jones.

17 MR. KEHOE: -- Jones who is doing the financial  
18 side.

19 THE COURT: Sure.

20 MR. KEHOE: And she filed a paper asking for an  
21 additional 60 days --

22 THE COURT: Correct.

23 MR. KEHOE: -- to complete her financial side. So I  
24 -- those issues is what the February 20th hearing was



1 originally scheduled for. It had nothing to do with the dogs.  
2 The dogs issues were filed months later. But your -- Your  
3 Honor had that on calendar and so we chose --

4 THE COURT: As for the same, yeah.

5 MR. KEHOE: -- that date. So that's -- that's why I  
6 am wondering whether we're going to move forward on an -- and  
7 we didn't understand discovery was open. I don't believe that  
8 was ever discussed, I don't believe that's in any order. So  
9 we've been waiting for the investigator's reports because we  
10 thought that would be helpful to all the parties, including  
11 ourselves, and to Your Honor.

12 And then if there were concerns about the  
13 investigations, then we could have an evidentiary hearing to -  
14 - to decide are there actually concerns with Mr. Yeoman being  
15 with his wife. Are there concerns with Mr. Yeoman being the  
16 guardian. There's -- he's the statutory preferred person.  
17 And the only evidence that Your Honor has that's been verified  
18 is that there was this Kraft house transfer for less than fair  
19 market value, which nobody denies.

20 But the point of the investigations was to find out  
21 was she competent at that time to enter into that transaction,  
22 and what --

23 THE COURT: I didn't know that that was the scope of  
24 the investigation --

1 MR. BECKSTROM: That's not the point of the  
2 investigation.

3 THE COURT: -- because that's not for anybody other  
4 -- and I don't even know if that's for a -- look, I don't even  
5 know that that falls under the guardianship, my jurisdiction  
6 to make a determination if she was competent at that time to  
7 make those transactions. So that certainly never came out of  
8 my mouth, and that certainly was not a part of what I asked  
9 the investigators to take a look at. Counsel?

10 MR. MICHAELSON: Also, that's not part of the  
11 statute as well.

12 THE COURT: I have no jurisdiction to do that.

13 MR. MICHAELSON: Yeah, to say that there's a problem  
14 with that transaction doesn't require that she be incompetent  
15 at that time. There are a lot of other factors that are  
16 there. That was a dizzying set of issues that were there.

17 There's been a lot of -- one thing I wanted to -- to  
18 ask the Court -- bring to the Court's attention is that we  
19 have not had information provided by Mr. Kehoe. We've asked  
20 repeatedly. He now says that he's provided hundreds of pages  
21 of documents to the investigator, but I want to remind  
22 everyone, or suggest there that when a guardian is appointed,  
23 she is given authority to ask documents and people have to  
24 turn those over.

1           You don't have to file an A Case in open discovery  
2 to require people to turn over documents. So my understanding  
3 is the guardian does not have access to the protected person's  
4 accounts. That's Jerry that has access to that. They've been  
5 paying --

6           MR. KEHOE: How is that possible?

7           MR. MICHAELSON: We've asked for that for months.

8           MR. KEHOE: How is that possible, Your Honor?

9           MR. MICHAELSON: It's been an issue of --

10          MR. KEHOE: If they are the protected person's  
11 accounts, then by definition, the guardian has access to them.  
12 And that's the concern.

13          MR. MICHAELSON: But if they don't --

14          MR. KEHOE: She hasn't turned over --

15          THE COURT: They'll tell you where they are.

16          MR. MICHAELSON: Yeah, they need to be --

17          MR. KEHOE: She knows exactly where they are.

18          MR. MICHAELSON: -- disclosed where they are.

19          MR. KEHOE: Her name's on them.

20          MR. MICHAELSON: Your Honor, it is my --

21          MR. KEHOE: And she hasn't turned --

22          MR. MICHAELSON: Wait, listen to him.

23          MR. KEHOE: -- a page over to the investigator.

24          THE COURT: Mr. Michaelson?



1 MR. MICHAELSON: Yeah, when they're in the best  
2 position and they know where that is, we've asked for that for  
3 months. And the guardian has asked for that. So I'm just  
4 asking the Court to admonish them again. You don't have to  
5 wait for discovery. If you're so good and have nothing to  
6 hide, it's normal in guardianship court to be forthcoming.  
7 They can voluntarily --

8 THE COURT: Seven days. Seven days, in writing,  
9 cc'd to Ms. Parra-Sandoval, both the guardian and  
10 Mr. Michaelson a list of the accounts, the bank, and the  
11 account numbers, investments, retirement accounts, all  
12 accounts.

13 MR. MICHAELSON: Yeah, it's just a situation where  
14 he may have -- we believe he may have access to that, so we  
15 don't know and at some point we'd like to see an accounting.  
16 It could even be done voluntarily. Someone could say hey, I  
17 know we've had access to this or that account, here's  
18 everything I know, here's everything I've used our money on.  
19 And -- and we go from there.

20 THE COURT: Counsel, do you think that the February  
21 20th date is too soon?

22 MR. BECKSTROM: Well, no. No.

23 THE COURT: Because this has been ongoing too long.

24 MR. BECKSTROM: Because I understood it different.

1 I understood it you set that very short to -- for appellate  
2 purposes only, to make a decision on the return of property.  
3 As it stands right now, there's really no other open  
4 guardianship issue. She can't manage herself, she needs a  
5 guardian. That's been taken care of.

6 Now if the findings show there was some financial  
7 impropriety based on their limited search in the -- I mean,  
8 they don't have unlimited resources. That's why we filed the  
9 A Case. So now if he wants to try to modify the guardianship,  
10 then I understand that you need to set an evidentiary hearing  
11 for that issue.

12 THE COURT: Sure, but that would be separate.

13 MR. BECKSTROM: But right now, there's nothing else  
14 for you to set, in my opinion. You know, we have a guardian,  
15 the protected person is being cared for, she has  
16 representation. We need the financials that are going to be  
17 turned over, we're going to get them in the A Case, and we're  
18 apparently going to have hundreds of pages turned over to us.  
19 And that's going to be in the investigation that comes back  
20 when it's complete.

21 If that investigation reveals something, an issue,  
22 then I think that's when the Court sets the evidentiary  
23 hearing saying I want evidence and testimony on this issue.  
24 But I don't know why we need to come back for two evidentiary

1 hearings right now when we know she can't take care of herself  
2 and, you know, they're going to do a limited search to look at  
3 the financials.

4 THE COURT: Mr. Michaelson?

5 MR. MICHAELSON: Yeah, I just, I agree with that.  
6 We would just add that our best information is that Jerry is  
7 controlling all the marriage assets. So we don't -- I don't  
8 believe the guardian is in control of any of the accounts. So  
9 it's helpful to tell people where it is. They have that  
10 information.

11 MR. KEHOE: Your Honor --

12 THE COURT: Mr. Kehoe?

13 MR. KEHOE: -- her name is literally on the  
14 accounts. The guardian's name is on the accounts. That's why  
15 I'm really concerns that these are repeated, unsubstantiated  
16 allegations that are being thrown out in court.

17 THE COURT: So you're saying they know where every  
18 account is?

19 MR. KEHOE: Every account, absolutely 100 percent.

20 THE COURT: And how do they know that?

21 MR. KEHOE: Because she's been on those accounts.  
22 She's been involved. She gets all the mail to the Kraft  
23 house. Anything that would have existed was going to the  
24 Kraft house.

1 THE COURT: All right --  
2 MR. KEHOE: She claims she's been --  
3 THE COURT: In another --  
4 MR. KEHOE: -- living there since May.  
5 THE COURT: Hold on. In an abundance of caution, in  
6 order to -- Ms. Parra-Sandoval, do you want to be heard on  
7 that issue? Do you have a position?  
8 MS. PARRA-SANDOVAL: So I don't have a position on  
9 that, Your Honor.  
10 THE COURT: Okay.  
11 MS. PARRA-SANDOVAL: My client can't direct me on  
12 financial stuff.  
13 THE COURT: Out of an abundance of caution, in order  
14 to protect all of the assets of Ms. Jones and to make sure  
15 that the guardians have all of the information they need, I  
16 would like within seven days of today for you to send an email  
17 to Counsel in this case indicating where the accounts are, and  
18 I'm talking about bank accounts, checking and savings,  
19 investment accounts, IRAs, any other type of account, the bank  
20 that it's at, and the account number. Okay? And so --  
21 MR. BECKSTROM: And the time period, Your Honor?  
22 I'm sorry, just I didn't want to --  
23 THE COURT: Sure.  
24 MR. BECKSTROM: Because there was an allegation, and



1 we know that the protected person was removed from joint  
2 accounts. So the representation that she may be on the  
3 accounts now is not the same as before. So I think it needs  
4 to be two years.

5 MR. MICHAELSON: And if Mr. Yeoman or his son-in-law  
6 as added to an account --

7 MR. BECKSTROM: Correct.

8 MR. MICHAELSON: -- so it may not now be in her  
9 name, but anything going back a couple years that her name was  
10 on.

11 MR. BECKSTROM: Just so it's full disclosure, so we  
12 have a time period.

13 MR. KEHOE: And that was the point of the  
14 investigator. And the investigator has not received a page of  
15 documents from Kimberly. So -- so that's --

16 THE COURT: So I understand your objection to my  
17 request to get that information to them in seven days.  
18 Understanding that, I look forward to -- to Ms. Jones' report.  
19 If I need to include authority for Ms. Jones to look into the  
20 finances of specifically both the son-in-law and the husband,  
21 we'll do that today.

22 Understanding that the cost of that investigation  
23 could be reassessed if there's a finding that somebody's  
24 operating in bad faith or making this litigation longer than

1 it should be. I'm concerned, it concerns me.

2 We would want for all of Ms. Jones' assets to be  
3 protected. We would want for full disclosure. I'm concerned  
4 because this may show a pattern of behavior. During the first  
5 couple of hearings, there -- there was issues about -- about  
6 the prescriptions.

7 We want for Ms. Jones to have all of her  
8 prescriptions. We want to know exactly what she's taking and  
9 have those and know all of her doctors and so that she can be  
10 taken care of and has the ability to get the best services  
11 that we can give her.

12 The same is true of her finances. We need to make  
13 sure that no bill's going unpaid, no HOA is somehow bill is  
14 being overlooked. We want for everything to be straightened  
15 out. And so I'm real concerned about your unwillingness to  
16 stipulate to that -- that type of request.

17 MR. KEHOE: Your Honor, I have no problem providing  
18 those accounts, names and places and numbers, no problem at  
19 all. The concern that I have is that Your Honor is again  
20 accepting their unsubstantiated allegations without evidence.

21 THE COURT: So --

22 MR. KEHOE: And --

23 THE COURT: -- understand that I am not making  
24 findings today. Okay? I'm just not. What I am trying to do

1 is to get this family back on a path that benefits Ms. Jones,  
2 okay? I am operating out of an abundance of caution.

3 If you have nothing to hide, if you want the very  
4 best for Ms. Jones, if you want her assets to be protected,  
5 the -- and you in fact sent this email before or gave them  
6 this information before, or there's nothing new, this should  
7 just be an effort to eliminate their argument. Right?

8 So if they have every single account and they have  
9 every medication and they have everything, it is a litigation  
10 tactic that removes all of their arguments, removes all the  
11 wind from their sails, and they have nothing else to prove to  
12 me. And it shows me that you have complied with all of my  
13 orders in good faith.

14 What I'm doing is not making a finding that any of  
15 their allegations are true. I'm not even talking about truth  
16 right now. What I'm talking about is information. Okay? And  
17 if I can marshal information and resources to them for the  
18 benefit of Ms. Jones, I'm going to do so. Okay?

19 This is cat herding, it is nothing else. All right.  
20 I'll see everybody back on the 20th. Thank you so much.

21 (PROCEEDINGS CONCLUDED AT 1:32:17)

22 \* \* \* \* \*

23

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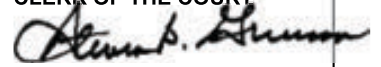


1           ATTEST: I do hereby certify that I have truly and  
2 correctly transcribed the digital proceedings in the above-  
3 entitled case to the best of my ability.

4                               /s/ Kimberly C. McCright

5                               Kimberly C. McCright, CET

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*Attorneys for Kimberly Jones*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

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

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

KATHLEEN JUNE JONES

An Adult Protected Person.

**NOTICE OF INTENT TO SEEK PAYMENT OF ATTORNEYS'  
FEES AND COSTS FROM GUARDIANSHIP ESTATE**

**☐ TEMPORARY GUARDIANSHIP**

- ☐ Person  
☐ Estate  
☐ 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 Required  
☐ Bond Required

**PETITIONER HEREBY GIVES NOTICE** that they intend to seek reimbursement of their attorneys' fees and costs incurred in seeking the Guardianship pursuant to NRS 159.344, once and if appointed by the Court, and if there are sufficient funds in the Estate. As required by NRS 159.344(3), and in support of the foregoing notice, Petitioner provides the following information:

a. **Compensation Arrangement.** The attorneys and staff at Solomon Dwiggins & Freer, Ltd., bill their services by the hour on a six minute increment of time rounded to the nearest one-tenth of an hour. Billing occurs on a monthly basis and payment is required within

1 fifteen days of the date of the billing statement.

2 b. **Hourly Billing Rates**. The hourly billing rates of the attorneys and paralegals at  
3 Solomon Dwiggins & Freer, Ltd., presently assigned to this matter are as follows:

4 i. Jeffrey P. Luszeck, Esq., - \$425.00 per hour.

5 ii. Ross E. Evans, Esq. - \$285.00 per hour.

6 Jeffrey Luszeck, Esq., is the principal attorney assigned to the matter. Ross E. Evans,  
7 Esq., is the associate attorney assigned to the matter. The firm reserves the right to change the  
8 attorneys assigned to the matter. Associates at the firm generally bill at hourly rates between  
9 \$250 and \$350. Senior paralegals of the firm bill at an hourly rate of \$200 per hour for  
10 Guardianship matters. An increase in billing rates may occur in the future.

11 c. **Necessity of Services**. The services of an attorney for the Guardian are necessary  
12 in this matter to aid Kimberly Jones in seeking appointment as Guardian of the Person and  
13 Estate, to investigate and respond to exploitative actions taken by certain interested parties, and  
14 to provide guidance to the Guardian on Nevada law for the Guardian to make informed decisions  
15 regarding the administration of the Guardianship.

16 DATED this 15<sup>th</sup> day of January, 2020.

17 SOLOMON DWIGGINS & FREER, LTD.

18 /s/ Ross E. Evans

19 By:

JEFFREY P. LUSZECK, ESQ.  
Nevada Bar No. 09619  
ROSS E. EVANS, ESQ.  
Nevada Bar No. 11374  
9060 West Cheyenne Avenue  
Las Vegas, Nevada 89129

20  
21  
22  
23 *Attorneys for Kimberly Jones*  
24  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 15<sup>th</sup> day of January, 2020, pursuant to NRCP 5(b), I caused a true and correct copy of the foregoing **NOTICE OF INTENT TO SEEK PAYMENT OF ATTORNEYS' FEES AND COSTS FROM GUARDIANSHIP ESTATE**, to be served to the following in the manner set forth below:

**Via:**

☐ Hand Delivery  
☐ U.S. Mail, Postage Prepaid  
☐ Certified Mail, Receipt No.: \_\_\_\_\_  
☐ Return Receipt Request  
☒ E-Service through Wiznet

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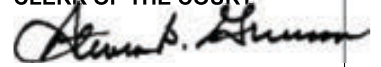
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*Attorneys for Kimberly Jones*

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

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

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

**HEARING REQUESTED**

KATHLEEN JUNE JONES

An Adult Protected Person.

**PETITION FOR PAYMENT OF GUARDIAN'S ATTORNEYS' FEES AND COSTS**

☐ **TEMPORARY GUARDIANSHIP**

- ☐ Person  
☐ Estate  
☐ 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 Required  
☐ Bond Required

Kimberly Jones ("Kim"), by and through her counsel of record, Jeffrey P. Luszeck, Esq., and Ross E. Evans, Esq., of the law firm Solomon Dwiggins & Freer, Ltd., hereby Petitions this Court for an Order directing payment of the Guardian's attorneys' fees and costs. In support thereof, and pursuant to NRS 159.344, Kim submits the following Memorandum of Points and Authorities.

**MEMORANDUM OF POINTS AND AUTHORITIES**

1. June was born on January 20, 1937 and is presently 82 years old.
2. Kimberly Jones ("Kim") is one of three daughters of June. Robyn Friedman and



1 Donna Simmons are also June's daughters.

2 3. On September 19, 2019, Kimberly's sisters, Robyn Friedman and Donna  
3 Simmons filed an *Ex Parte* Petition for Appointment of Temporary Guardian of the Person and  
4 Estate and Issuance of Letters of Temporary Guardianship, seeking to be appointed as Guardians  
5 of the Protected Person.

6 4. On September 23, 2019, this Court entered its Order Granting Ex Parte Petition  
7 for Appointment of Temporary Guardian of the Person and Estate and Issuance of Letters of  
8 Temporary Guardianship, appointing Robyn Friedman and Donna Simmons as the Temporary  
9 Guardians.

10 5. This Court set a hearing on October 3, 2019 to determine whether to extend the  
11 temporary guardianship.

12 6. Upon receiving service of the Citation and Order appointing temporary guardians,  
13 Kimberly Jones engaged in the undersigned counsel to seek her appointment as the Guardian of  
14 the Protected Person, based, in part, on the fact that the Protected Person had previously  
15 designated Kimberly to serve as her Guardian and because Kimberly Jones was already  
16 providing caregiving to the Protected Person.

17 7. On October 2, 2019, Kimberly Jones filed her Opposition to the appointment of  
18 Robyn Friedman and Donna Simmons as temporary and general guardians, and filed a  
19 Countermotion to appoint herself as Guardian of the Person and Estate.

20 8. On October 2, 2019, the Protected Person's spouse, Rodney Yeoman, filed an  
21 Opposition and Countermotion in which he sought appointment as the Protected Person's  
22 guardian.

23 9. As this Court will recall, the initial motions for appointment of Guardians were  
24 predicated on the Protected Persons' children seeking protection of their mother from allegations  
25 of financial abuse and misconduct by the Protected Person's spouse and son-in-law.

26 10. At the hearing on October 3, 2019, this Court extended the temporary  
27 guardianship of Robyn Friedman and Donna Simmons, set a further hearing on October 15,  
28

1 2019, and appointed a Guardianship Compliance Officer to investigate the allegations of  
2 financial abuse and misconduct. The Court heard from the Protected Person's counsel that she  
3 preferred that Kimberly Jones be appointed as guardian if necessary to continue under  
4 guardianship.

5 11. At the return hearing on October 15, 2019, this Court again heard from the  
6 Protected Person's counsel that the Protected Person had a strong preference for Kimberly Jones  
7 to serve as her Guardian. As a result of the October 15, 2019, hearing, the Court appointed  
8 Kimberly Jones to serve as Guardian.

9 12. The undersigned counsel for Kimberly Jones drafted and circulated the proposed  
10 Order from the October 15, 2019, hearing. However, given the strong feelings by the interested  
11 parties in the case, Counsel could not reach consensus to the proposed Order and submitted  
12 competing Orders with Robyn Friedman, Donna Simmons, Kimberly Jones, and the Protected  
13 Person's counsel agreeing to one version of the Order, while the Protected Person's spouse  
14 submitted a separate Order for the Court's consideration.

15 13. On November 25, 2019, the Court entered the Order submitted by Kimberly  
16 Jones' counsel, which was counter-signed by counsel for Robyn Friedman and Donna Simmons  
17 and counsel for the Protected Person.

18 14. On or about November 22, 2019, Kimberly Jones retained counsel to assist her  
19 with prosecuting claims against the Protected Persons' spouse and son-in-law regarding the  
20 aforementioned allegations of financial abuse and misconduct, particularly with respect to the  
21 sale of the Protected Person's real property. On November 22, 2019, Kimberly Jones recorded a  
22 Notice of Lis Pendens against the real property, and instituted Petitions for the return of the  
23 Protected Person's property interests.

24 15. At a hearing before the Court on December 10, 2019, the Court set an evidentiary  
25 hearing for February 20, 2020 at 1:30 p.m. as to the return of the Protected Person's property by  
26 her spouse and son-in-law.

27 16. On December 13, 2019, Kimberly Jones filed her Inventory, Appraisal, and  
28

Record of Value, establishing that the Protected Person's estate is valued at approximately \$435,159.00.

17. The undersigned counsel has provided legal services and representation to Kimberly Jones in seeking her appointment as Guardian of the Person and Estate, and providing legal counsel and advising Kimberly Jones with respect to her rights and duties as Guardian.

18. The Solomon Dwiggins & Freer law firm ("SDF") has incurred fees in connection with providing legal services to the Guardian of the Estate in the amount of \$21,346.50, and has incurred costs in the amount of \$1,684.85, for a total amount of \$23,031.35. A true and correct copy of the timesheets for attorneys working on this matter is attached hereto as **Exhibit 1**, and a true and correct copy of an expense report showing the expenses incurred by SDF in this matter is attached hereto as **Exhibit 2**.

19. Petitioner hereby requests that the Court grant the foregoing Petition, and enter its Order confirming that the Trustee shall pay Petitioner's fees and costs to the law firm of SDF in the amount of \$23,031.35.

20. In regards to compensation and reimbursement for her attorneys' fees, NRS 159.183 provides that:

1. Subject to the discretion and approval of the court and except as otherwise provided in subsection 5, **a guardian must be allowed:**

(a) Reasonable compensation for the guardian's services;

(b) Necessary and reasonable expenses incurred in exercising the authority and performing the duties of a guardian; and

**(c) Reasonable expenses incurred in retaining accountants, attorneys, appraisers or other professional services.**

2. Reasonable compensation and services must be based upon similar services performed for persons who are not under a legal disability. In determining whether compensation is reasonable, the court may consider:

(a) The nature of the guardianship;

(b) The type, duration and complexity of the services required; and

(c) Any other relevant factors.

1 3. In the absence of an order of the court pursuant to this chapter  
2 shifting the responsibility of the payment of compensation and  
3 expenses, the payment of compensation and expenses must be paid  
4 from the estate of the protected person. In evaluating the ability of a  
5 protected person to pay such compensation and expenses, the court  
6 may consider:

- 7 (a) The nature, extent and liquidity of the assets of the protected  
8 person;  
9 (b) The disposable net income of the protected person;  
10 (c) Any foreseeable expenses; and  
11 (d) Any other factors that are relevant to the duties of the guardian  
12 pursuant to NRS 159.079 or 159.083.

13 4. Any compensation or expenses, including, without limitation,  
14 attorney's fees, must not be paid from the estate of the protected  
15 person unless and until the payment of such fees is approved by the  
16 court pursuant to this section or NRS 159.344, as applicable.

17 5. A guardian is not allowed compensation or expenses, including,  
18 without limitation, attorney's fees, for services incurred by the  
19 guardian as a result of a petition to have him or her removed as  
20 guardian if the court removes the guardian.

21 29. NRS 159.344, which as to the Guardian's attorneys' fees, further provides that:

22 1. Any person, including, without limitation, a guardian or proposed  
23 guardian, who retains an attorney for the purposes of representing a  
24 party in a guardianship proceeding is personally liable for any  
25 attorney's fees and costs incurred as a result of such representation.

26 2. Notwithstanding the provisions of subsection 1 and except as  
27 otherwise provided in subsection 5 of NRS 159.183, **a person who**  
28 **is personally liable for attorney's fees and costs may petition the**  
**court for an order authorizing such attorney's fees and costs to**  
**be paid from the estate of the ward in accordance with this**  
**section.** Any such attorney's fees and costs must not be paid from  
the guardianship estate unless and until the court authorizes the  
payment pursuant to this section.

3. When a person who intends to petition the court for payment of  
attorney's fees and costs from the guardianship estate first appears in  
the guardianship proceeding, the person must file written notice of  
his or her intent to seek payment of attorney's fees and costs from  
the guardianship estate. The written notice: (a) Must provide a  
general explanation of the compensation arrangement and how  
compensation will be computed; (b) Must include the hourly billing  
rates of all timekeepers, including, without limitation, attorneys, law  
clerks and paralegals; (c) Must provide a general explanation of the  
reasons why the services of the attorney are necessary to further the  
best interests of the ward; (d) Must be served by the person on all  
persons entitled to notice pursuant to NRS 159.034 and 159.047; and

(e) Is subject to approval by the court after a hearing.

4. If written notice was filed and approved by the court pursuant to subsection 3, a person may file with the court a petition requesting payment of attorney's fees and costs from the guardianship estate. Such a petition must include the following information: (a) A detailed statement as to the nature and extent of the services performed by the attorney; (b) An itemization of each task performed by the attorney, with reference to the time spent on each task in an increment to the nearest one-tenth of an hour and with no minimum billing unit in excess of one-tenth of an hour; (c) An indication of whether any time billed, including, without limitation, any time spent traveling or waiting, benefited any clients of the attorney other than the ward and, if so, how many other clients benefited from such time; and (d) Any other information considered relevant to a determination of whether attorney's fees are just, reasonable and necessary.

→ Absent approval from all parties who have appeared in the proceeding, any supplemental requests for the payment of attorney's fees and costs cannot be augmented in open court and must be properly noticed in the same manner as the underlying petition requesting payment.

**5. In determining whether attorney's fees are just, reasonable and necessary, the court may consider all the following factors:**

(a) The written notice approved by the court pursuant to subsection 3. (b) Whether the services conferred any actual benefit upon the ward or attempted to advance the best interests of the ward. (c) The qualities of the attorney, including, without limitation, his or her ability, training, education, experience, professional standing and skill. (d) The character of the work performed, including, without limitation, the difficulty, intricacy and importance of the work, the time and skill required to complete the work, the responsibility imposed and the nature of the proceedings. (e) The work actually performed by the attorney, including, without limitation, the skill, time and attention given to the work. (f) The result of the work, including, without limitation, whether the attorney was successful and any benefits that were derived. (g) The usual and customary fees charged in the relevant professional communities for each task performed, regardless of who actually performed the task. The court may only award: (1) Compensation at an attorney rate for time spent performing services that require an attorney; (2) Compensation at a paralegal rate for time spent performing paralegal services; (3) Compensation at a fiduciary rate for time spent performing fiduciary services; and (4) No compensation for time spent performing secretarial or clerical services. (h) The appropriate apportionment among multiple clients of any billed time that benefited multiple clients of the attorney. (i) The extent to which the services were provided in a reasonable, efficient and cost-effective manner, including, without limitation, whether there was appropriate and prudent delegation of services to others. (j) The ability of the estate of the ward to pay, including, without limitation: (1) The value of the estate; (2) The nature, extent and liquidity of the assets of the estate; (3) The disposable net income of the estate; (4) The anticipated



1 future needs of the ward; and (5) Any other foreseeable expenses. (k)  
2 The efforts made by the person and attorney to reduce and minimize  
3 any issues. (l) Any actions by the person or attorney that  
4 unnecessarily expanded issues or delayed or hindered the efficient  
5 administration of the estate. (m) Whether any actions taken by the  
6 person or attorney were taken for the purpose of advancing or  
7 protecting the interests of the person as opposed to the interests of  
8 the ward. (n) Any other factor that is relevant in determining whether  
9 attorney's fees are just, reasonable and necessary, including, without  
10 limitation, any other factor that is relevant in determining whether  
11 the person was acting in good faith and was actually pursuing the  
12 best interests of the ward.

13 6. The court shall not approve compensation for an attorney for: (a)  
14 Time spent on internal business activities of the attorney, including,  
15 without limitation, clerical or secretarial support; or (b) Time  
16 reported as a total amount of time spent on multiple tasks, rather than  
17 an itemization of the time spent on each task.

18 7. Any fees paid by a third party, including, without limitation, a  
19 trust of which the estate is a beneficiary, must be disclosed to and  
20 approved by the court.

21 8. In addition to any payment provided to a person pursuant to this  
22 section for the services of an attorney, a person may receive payment  
23 for ordinary costs and expenses incurred in the scope of the  
24 attorney's representation.

25 9. If two or more parties in a guardianship proceeding file competing  
26 petitions for the appointment of a guardian or otherwise litigate any  
27 contested issue in the guardianship proceeding, only the prevailing  
28 party may petition the court for payment of attorney's fees and costs  
from the guardianship estate pursuant to this section. If the court  
determines that there is no prevailing party, the court may authorize  
a portion of each party's attorney's fees and costs to be paid from the  
guardianship estate if the court determines that such fees and costs  
are just, reasonable and necessary given the nature of any issues in  
dispute.

10. If an attorney is appointed by the court in a guardianship  
proceeding, he or she may petition the court for compensation for his  
or her services from the guardianship estate in accordance with the  
procedure set forth in this section.

21. Written notice of the intent to seek attorneys' fees and costs from the guardianship  
estate was filed before this Court on January 15, 2020, in compliance with NRS 159.344(3). No  
objection was filed by any interested person to the Notice of Intent to Seek Payment of  
Guardian's Attorneys' Fees and Costs from the Guardianship Estate.

22. The Nevada Supreme Court has also adopted "well-known basic elements," which  
in addition to hourly time schedules kept by the attorney, are to be considered in determining the

1 reasonable value of an attorney's services, commonly referred to as the *Brunzell* factors. *See,*  
2 *Brunzell v. Golden Gate Nat'l Bank*, 85 Nev. 345, 349-350, 455 P.2d 31, 33-34 (1969). "When  
3 determining whether to award attorney fees, the district court must review the reasonableness of  
4 the attorney fees under the *Brunzell* factors." *In re Margaret Mary Adams 2006 Trust, No. 61710*,  
5 2015 WL 1423378, at \*2 (Nev. Mar. 26, 2015); *see also, Shuette v. Beazer Homes Holdings*  
6 *Corp.*, 121 Nev. 837, 865, 124 P.3d 530, 549 (2005) (holding that "the court must continue its  
7 analysis by considering the requested amount in light of the factors enumerated by this court in  
8 *Brunzell v. Golden Gate National Bank*, namely, the advocate's professional qualities, the nature  
9 of the litigation, the work performed, and the result.").

10 23. With respect to the first factor articulated under *Brunzell v. Golden Gate Nat'l*  
11 *Bank*, 85 Nev. 345, 349-350, 455 P.2d 31, 33-34 (1969), "...the qualities of the advocate: his  
12 ability, his training, education, experience, professional standing and skill[.]" this Court should  
13 determine that the fees sought to be paid by the Estate are reasonable in light of the quality of  
14 Petitioner's counsel, the firm of Solomon, Dwiggins & Freer, Ltd. SDF is held in high regard in  
15 the community for its legal experience in complex Guardianship, Estate and Trust matters,  
16 especially in matters involving fiduciary conduct and ethics. SDF's fees are reasonable in that the  
17 firm has billed its attorney time at the rates of \$425.00 per hour for partners, and \$285 for  
18 associate attorneys assigned to the case. The associate rate time was expended predominantly on  
19 more time-consuming tasks such as analyzing documents and drafting legal briefs. Thus, SDF's  
20 fees are reasonable in light of the firm's experience, professional standing and skill.

21 24. In addition, with respect to the second factor, which references "...the character of  
22 work to be done: its difficulty, its intricacy, its importance, time, and skill required, the  
23 responsibility imposed and the prominence and character of the parties where they affect the  
24 importance of litigation[.]" this Court should determine that the fees are reasonable given the  
25 amount of work, its intricacy, importance in seeking the protection of the Protected Person and in  
26 securing the appointment of the Protected Person's choice for guardian. Moreover, the Court  
27 should be mindful that the issues presented at the outset of the case were complex given the  
28

1 competing allegations by the interested parties, and particularly complex given the family  
2 relationships, such as parent and offspring, and spouses. In this regard, Petitioner notes that the  
3 Firm reviewed the prior pleadings filed by the parties in the Probate Court relative to the relevant  
4 powers of attorney, researched and investigated the historical property records for the real  
5 property, and reviewed emails and correspondence between the parties spanning over a year.  
6 Accordingly, this Court should determine that SDF's fees were reasonable in light of the character  
7 of the work and the highly contested issues Ginger faced as Guardian.

8         25. In regard to the third *Brunzell* factor, "...the work actually performed by the  
9 lawyer: the skill, time and attention given to the work[.]" the Court should determine that the fees  
10 are reasonable in light of the skill, time and attention given to the work. Indeed, the Firm's  
11 timesheets demonstrate that the Firm carefully devoted the time and attention to ensuring that its  
12 tasks were performed and the Guardianship matters handled attentively and appropriately. The  
13 Firm's timesheets further demonstrate that counsel worked diligently at the onset of the  
14 Guardianship action to review the various pleadings, develop a legal strategy with the client, and  
15 to research, draft, and file the appropriate pleadings and response. Counsel's work tailored off  
16 once the Court appointed Kimberly Jones as Guardian, and counsel has been mindful to not  
17 unnecessarily increase costs. This Court should further find that SDF's fees are reasonable in  
18 light of the skill, time and attention given to the work, as SDF was required to perform difficult  
19 and complex legal services including case review, research, legal drafting and arguing, and  
20 advising the client as to multiple shifting issues, in a very small timeframe.

21         26. With respect to the last *Brunzell* factor, this Court should determine that the results  
22 obtained were favorable for the Guardian and the Protected Person, that the Estate has been  
23 secured from imposition of further undue influence, and that actions are currently pending to  
24 redress the financial abuse and misconduct by the Protected Person's spouse and son-in-law. The  
25 Nevada Supreme Court also noted that "good judgment should dictate that each of these factors  
26 be given consideration by the trier of fact and no one element should predominate or be given  
27 undue weight." *Id.* Here, this Court should determine that the Guardian acted reasonably by  
28

1 seeking out legal representation given the situation and complex nature of the issues. Moreover,  
2 the Court should find that SDF's fees were reasonable in light of the relief requested and  
3 ultimately obtained by the Guardian. Here, Kimberly Jones has been successful given her requests  
4 and this Court's authorization that Kimberly seek to redress the financial misconduct which has  
5 occurred. There is no question that Kimherly is the prevailing party in this regard, and that the  
6 services conferred by Kimberly's retention of SDF has had appreciable and substantial benefit to  
7 the Protected Person.

8 27. Accordingly, this Court should enter its Order granting fees and costs to be paid  
9 from the Guardianship Estate once it has sufficient funds, in the collective amount of \$23,031.35.


10 **WHEREFORE**, Petitioner, Kimberly Jones as Guardian of the Person and Estate of  
11 Kathleen Jones respectfully requests that this Court enter its Order as follows:

12 a. Authorizing payment of attorneys' fees and costs to the law firm of Solomon  
13 Dwiggins & Freer, Ltd., from the Guardianship Estate in the amount of \$23,031.35; and

14 b. For any and all such further relief as the Court deems just and appropriate.

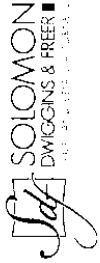
15 DATED this 15 day of January, 2020.

16 SOLOMON DWIGGINS & FREER, LTD.

17 By:   
18 JEFFREY P. LUSZECK, ESQ.  
19 Nevada Bar No. 09619  
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**VERIFICATION**

I, KIM JONES, declare under penalties of perjury of the State of Nevada:

That I am the Petitioner who makes the foregoing PETITION FOR PAYMENT OF  
GUARDIAN'S ATTORNEY FEES AND COSTS; that I have read said Ex Parte Application  
and Petitions and know the contents thereof; and that the same is true of my own knowledge  
except as to those matters stated on information and belief and, as to such matters, I believe  
them to be true.

DATED this \_\_\_\_ day of January, 2020.

  
KIMBERLY JONES



**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 15<sup>th</sup> day of January, 2020, pursuant to NRCP 5(b), I caused a true and correct copy of the foregoing **PETITION FOR PAYMENT OF GUARDIAN'S ATTORNEYS' FEES AND COSTS**, to be served to the following in the manner set forth below:

**Via:**

<input type="checkbox"/>	Hand Delivery
<input type="checkbox"/>	U.S. Mail, Postage Prepaid
<input type="checkbox"/>	Certified Mail, Receipt No.: _____
<input type="checkbox"/>	Return Receipt Request
<input checked="" type="checkbox"/>	E-Service through Wiznet

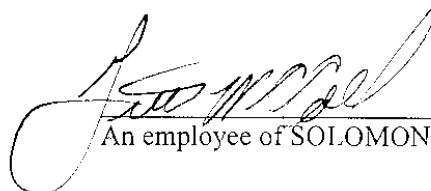
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An employee of SOLOMON DWIGGINS & FREER, LTD.

EXHIBIT “1”

EXHIBIT “1”

Date: 01/03/2020

Detail Fee Transaction File List  
Solomon Diggins & Freer, Ltd.

Client	Trans Date	Tmkr	Rate	Hours to Bill	Amount	Description
7099.0001	09/16/2019	JPL	425	0.6	\$255.00	Prepare for and participate in conference with David Johnson and potential client.
7099.0001	09/19/2019	JPL	425	0.2	\$85.00	Evaluate and respond to correspondence.
7099.0001	09/20/2019	JPL	425	0.3	\$127.50	Evaluate and respond to numerous correspondence.
7099.0001	09/23/2019	JPL	425	0.4	\$170.00	Telephone conference with [REDACTED] (.1). Evaluate and respond to correspondence from David Johnson (.1). Telephone conference with with Dean Loggins (.1). Evaluate guardianship pleadings (.1).
7099.0001	09/24/2019	JPL	425	0.3	\$127.50	Telephone conference with [REDACTED]
7099.0001	09/25/2019	JPL	425	0.1	\$42.50	Communicate with [REDACTED]
7099.0001	09/30/2019	JPL	425	0.9	\$382.50	Prepare for and attend conference with [REDACTED] (.4). Telephone conference with same (.4). Confer with Ross E. Evans regarding same (.1).
7099.0001	10/01/2019	JPL	425	1	\$425.00	Telephone conference with John Michaelson and Maria from Nevada Legal Services (.4). Evaluate numerous correspondence (.2). Brief meeting with client (.3). Confer with Ross E. Evans regarding same (.1).
7099.0001	10/01/2019	JPL	285	4.8	\$1,368.00	Conference with Jeffrey P. Luszeck regarding status and arguments (.1); Meeting with [REDACTED] (1.0); Draft and revise Opposition and Counter-Petition (3.1).
7099.0001	10/02/2019	JPL	425	1.4	\$595.00	Supplement objection to ex parte application (1.0). Confer with Ross E. Evans regarding same (.2). Evaluate and respond to numerous correspondence [REDACTED] (.2).
7099.0001	10/02/2019	REE	285	6.5	\$1,852.50	Review [REDACTED] Opposition (.5); Conference with [REDACTED] (1.0); Conference with Michaelson 2x regarding [REDACTED] (.8); Conference with Jeffrey P. Luszeck to [REDACTED] (.3); Finalize revisions to Opposition (3.0); Assemble exhibits to Opposition (.4); Review Opposition filed by Ty Kehoe (.5).
7099.0001	10/03/2019	JPL	425	1	\$425.00	Numerous conference calls [REDACTED] (.6). Evaluate supplement filed by Ty Kehoe, and order from hearing (.4).
7099.0001	10/03/2019	REE	285	3.5	\$997.50	Conference with Jeffrey P. Luszeck (.2); Review Supplement filed by Ty Kehoe (.1); Meeting with clients and counsel [REDACTED] (.6); Attend hearing (2.0); Conference with Michaelson following hearing (.3); Conference with Jeffrey P. Luszeck regarding hearing outcome (.3).
7099.0001	10/04/2019	JPL	425	0.9	\$382.50	Evaluate hearing video (.6). Confer with Ross E. Evans and [REDACTED] (.3).
7099.0001	10/04/2019	REE	285	0.2	\$57.00	Review correspondence from Opposing counsel (.1); Draft email to client and review response (.1); Draft email to Michaelson (0.0).
7099.0001	10/07/2019	JPL	425	0.2	\$85.00	Evaluate numerous correspondence from prior week (.1). Confer with Ross E. Evans regarding same (.1).
7099.0001	10/07/2019	REE	285	0.2	\$57.00	Draft email to client and review response (.1); Review letter from Michaelson (.1).
7099.0001	10/08/2019	JPL	425	0.5	\$212.50	Telephone conference with client and opposing counsel (.3). Evaluate and respond to correspondence from same (.2).
7099.0001	10/09/2019	JPL	425	2.3	\$977.50	Prepare for and participate in conference with client and John Michaelson (1.5). Evaluate and respond to numerous correspondence (.8).

7099.0001	10/10/2019	JPL	425	0.6	\$255.00	Evaluate questionnaire responses (x 2). Numerous telephone conferences with client regarding same.
7099.0001	10/11/2019	JDC	95	2	\$190.00	Confer with Jeffrey P. Luszeck regarding [REDACTED] [REDACTED] (.3); conduct legal research [REDACTED] draft memorandum of same (1.7).
7099.0001	10/11/2019	JPL	425	0.8	\$340.00	Evaluate supplemental opposition to petition to appoint temporary guardian and declaration of Gerry Yoeman (.3). Evaluate legal research [REDACTED] (.2). Evaluate correspondence from client (.1). Telephone conference with client (.2).
7099.0001	10/14/2019	JPL	425	1.6	\$680.00	Begin to evaluate response to objections filed by Michaelson and begin outlining response to same (1). Evaluate financial disclosure (.2). Telephone conference with client (.2). Evaluate and respond to correspondence from client (.2).
7099.0001	10/14/2019	REE	285	0.2	\$57.00	Review Reply brief filed by Michaelson (.1); Conference with Jeffrey P. Luszeck (0.0); Draft email to Michaelson regarding [REDACTED] (.1).
7099.0001	10/15/2019	JPL	425	6.5	\$2,762.50	Continue evaluating response to objections to petition for guardianship filed by John Michaelson (.4). Meet with client before hearing (.6). Travel to hearing (.6). Wait for and attend hearing (2.8). Evaluate and respond to correspondence from client and John Michaelson (.2). Conduct legal research regarding [REDACTED] (.7). Prepare outline and oral argument for hearing (1).
7099.0001	10/16/2019	JPL	425	0.2	\$85.00	Evaluate and respond to correspondence.
7099.0001	10/16/2019	REE	285	0.1	\$28.50	Conference with Jeffrey P. Luszeck regarding Order and letters of guardianship.
7099.0001	10/17/2019	JPL	425	1.2	\$510.00	Prepare order from hearing (1). Evaluate and respond to correspondence (.2).
7099.0001	10/17/2019	REE	285	0.1	\$28.50	Conference with Jeffrey P. Luszeck regarding [REDACTED] regarding guardianship.
7099.0001	10/18/2019	JPL	425	0.8	\$340.00	Evaluate and respond to numerous correspondence (.2). Supplement order (.3). Evaluate notary book pages and correspondence regarding same (.3).
7099.0001	10/21/2019	JPL	425	0.4	\$170.00	Telephone conference with client (.2). Evaluate numerous correspondence from client (.1). Supplement order (.1).
7099.0001	10/22/2019	JPL	425	0.3	\$127.50	Evaluate and respond to numerous correspondence.
7099.0001	10/22/2019	REE	285	0.1	\$28.50	Conference with Jeffrey P. Luszeck regarding terms of proposed Order and drafting letters of guardianship.
7099.0001	10/23/2019	JPL	425	0.1	\$42.50	Evaluate and respond to correspondence. Confer with Ross E. Evans regarding same.
7099.0001	10/24/2019	JPL	425	0.5	\$212.50	Evaluate and respond to correspondence from John Michaelson (.1). Supplement order (.3). Draft correspondence to all counsel regarding same.
7099.0001	10/27/2019	JPL	425	0.2	\$85.00	Evaluate and respond to correspondence from Kimberly.
7099.0001	10/28/2019	JPL	425	0.3	\$127.50	Evaluate numerous emails from counsel regarding proposed revisions to orders (.2). Evaluate correspondence regarding appraisal of Kraft home (.1).
7099.0001	10/29/2019	JPL	425	0.5	\$212.50	Supplement order to incorporate counsel's requests (.3). Draft correspondence to client (x2). Ty Kehoe (x1) and all counsel regarding order (.2).
7099.0001	10/30/2019	JPL	425	0.3	\$127.50	Evaluate and respond to numerous correspondence

						from counsel.
7099.0001	10/30/2019	REE	285	0.3	\$85.50	Draft email to client regarding guardianship (.3); Review client response and forward to Jeffrey P. Luszeck (0.0).
7099.0001	10/31/2019	JPL	425	0.4	\$170.00	Evaluate and respond to numerous correspondence from other counsel regarding order (.3). Evaluate and respond to client (.1).
7099.0001	11/04/2019	JPL	425	0.1	\$42.50	Evaluate and respond to correspondence from Ty Kehoe.
7099.0001	11/04/2019	JPL	425	0.3	\$127.50	Telephone conference with client (.2). Evaluate and respond to multiple correspondence from Ty Kehoe (.1).
7099.0001	11/05/2019	JPL	425	0.3	\$127.50	Evaluate and respond to correspondence from David Johnson. Confer with Ross E. Evans regarding same.
7099.0001	11/07/2019	JPL	425	0.1	\$42.50	Confer with Ross E. Evans regarding publication.
7099.0001	11/07/2019	REE	285	0.3	\$85.50	Conference with client [REDACTED]
7099.0001	11/08/2019	JPL	425		\$0.00	Travel to and attend conference with John Michaelson.
7099.0001	11/09/2019	JPL	425	0.1	\$42.50	Evaluate correspondence from client.
7099.0001	11/12/2019	JPL	425	0.8	\$340.00	Prepare for and participate in telephone conference with client (.5). Evaluate and respond to correspondence from client (.3).
7099.0001	11/13/2019	JPL	425	0.6	\$255.00	Telephone conferences with Kimberly Jones (.3). Evaluate and respond to multiple correspondence from Marquis Aurbach Coffing (.3). Confer with Ross E. Evans regarding same (.1). Evaluate and respond to correspondence from client (.2).
7099.0001	11/14/2019	JPL	425	1.4	\$595.00	Prepare for and participate in numerous telephone conferences with Kimberly (.5), Marquis Aurbach Coffing (.3) and John Michaelson (.3). Evaluate and respond to correspondence from client (.2). Evaluate minute order from (.1).
7099.0001	11/15/2019	JPL	425	0.1	\$42.50	Evaluate and respond to correspondence.
7099.0001	11/18/2019	JPL	425	0.5	\$212.50	Prepare for and participate in conference call with client (.4). Evaluate and respond to correspondence from David Johnson (.1).
7099.0001	11/20/2019	JPL	425	0.3	\$127.50	Telephone conference with Marquis Aurbach Coffing and client.
7099.0001	11/21/2019	JPL	425	0.6	\$255.00	Telephone conference with Marquis Aurbach Coffing (.2). Evaluate and respond to numerous correspondence from client (.2). Evaluate and respond to correspondence from Ty Kehoe (.2).
7099.0001	11/22/2019	JPL	425	0.8	\$340.00	Evaluate order and correspondence from Ty Kehoe (.4). Evaluate and respond to numerous correspondence from Marquis Aurbach Coffing (.2). Evaluate and respond to correspondence from client (.2).
7099.0001	11/22/2019	REE	285	0.2	\$57.00	Conference with Ty Kehoe regarding status; Conference with Jeffrey P. Luszeck.
7099.0001	11/23/2019	JPL	425	1.4	\$595.00	Evaluate correspondence (.1). Evaluate multiple voicemails (.1). Continue to evaluate Ty's proposed order and correspondence thereto (.2). Draft response to Ty's proposed order (1). Draft correspondence to client regarding same.
7099.0001	11/24/2019	JPL	425	0.3	\$127.50	Evaluate and respond to correspondence from client (.1). Supplement correspondence to Judge Marquis (.2).
7099.0001	11/25/2019	JPL	425	0.6	\$255.00	Evaluate correspondence from Ty Kehoe (.1). Evaluate correspondence from John Michaelson (.1). Evaluate and respond to numerous correspondence from client (.2). Supplement correspondence to court and evaluate correspondence from same (.2).
7099.0001	11/29/2019	JPL	425	0.2	\$85.00	Evaluate email and declaration attached thereto.



7099.0001	12/03/2019	JPL	425	0.1	\$42.50	Evaluate correspondence.
7099.0001	12/04/2019	JPL	425	0.6	\$255.00	Telephone conference with client (.2). Evaluate numerous correspondence from James, John and Ty regarding upcoming hearing (.3). Evaluate notices of hearing and orders shortening time (.1).
7099.0001	12/05/2019	JPL	425	0.2	\$85.00	Evaluate and respond to correspondence.
7099.0001	12/06/2019	JPL	425	0.8	\$340.00	Evaluate and respond to correspondence from Ty Kehoe (.2). Evaluate and respond to numerous correspondence from client (.3). Evaluate oppositions filed by Ty Kehoe (.4).
7099.0001	12/09/2019	JPL	425	0.1	\$42.50	Evaluate and respond to correspondence.
7099.0001	12/10/2019	JPL	425	0.4	\$170.00	Evaluate numerous correspondence from client, Ty Kehoe, Marquis Aurbach Coffing and court-appointed investigator (over 10 emails).
7099.0001	12/11/2019	JPL	425	0.1	\$42.50	Evaluate numerous correspondence regarding dogs and order.
7099.0001	12/12/2019	JPL	425	0.1	\$42.50	Evaluate correspondence from Ty Kehoe.
7099.0001	12/18/2019	JPL	425	0.2	\$85.00	Evaluate and respond to correspondence.
7099.0001	12/19/2019	REE	285	2.6	\$741.00	Conference with Jeffrey P. Luszeck regarding Petition for fees and draft petition for fees.
7099.0001	12/19/2019	JPL	425	0.1	\$42.50	Confer with Ross E. Evans regarding petition for fees.
7099.0001	12/20/2019	REE	285	1.3	\$370.50	Revise petition for reimbursement of attorney fees to Guardian.
7099.0001	12/24/2019	JPL	425	0.1	\$42.50	Confer with Ross E. Evans regarding matter.
<b>Total for Client ID 7099.0001</b>			<b>Billable</b>	<b>58.5</b>	<b>\$21,346.50</b>	<b>Jones/Kimberly June Jones Guardianship/Power of Attorney</b>

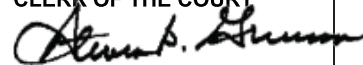
EXHIBIT “2”

EXHIBIT “2”

Date: 01/03/2020

**Detail Cost Transaction File List**  
**Solomon Dwiggin & Freer, Ltd.**

Client	Trans Date	Rate	Amount	Description
7099.0001	10/02/2019		\$85.90	Electronic Filing Fee for Opposition to Ex Parte Petition for Appointment of Temporary and General Guardian of the Person and Estate; and Alternatively, Counter-Petition for Appointment of Kimberly Jones as Temporary and General Guardian of the Person and Estate
7099.0001	10/03/2019		\$3.50	Electronic Filing Fee for Supplement to Counter-Petition for Appointment of Kimberly Jones as Temporary and General Guardian of the Person and Estate
7099.0001	10/09/2019	0.1	\$0.50	Laser copy charges.
7099.0001	10/14/2019	0.1	\$15.25	Laser copy charges.
7099.0001	10/15/2019	0.1	\$9.25	Laser copy charges.
7099.0001	10/16/2019	0.1	\$1.25	Laser copy charges.
7099.0001	10/17/2019		\$24.00	Parking
7099.0001	10/18/2019	0.1	\$0.50	Laser copy charges.
7099.0001	10/29/2019	0.1	\$0.50	Laser copy charges.
7099.0001	10/31/2019	5	\$1,216.50	Westlaw online legal research.
7099.0001	10/31/2019	8	\$8.00	Courier fee.
7099.0001	10/31/2019	8	\$8.00	Courier fee.
7099.0001	10/31/2019	8	\$8.00	Courier fee.
7099.0001	11/01/2019	8	\$8.00	Courier fee.
7099.0001	11/13/2019	0.25	\$0.50	Copy charges.
7099.0001	11/15/2019	0.1	\$0.60	Scan charges.
7099.0001	11/22/2019	0.25	\$6.75	Copy charges.
7099.0001	11/22/2019	0.5	\$1.50	Color photocopies.
7099.0001	11/25/2019	0.1	\$0.90	Scan charges.
7099.0001	11/25/2019	0.25	\$9.00	Copy charges.
7099.0001	11/25/2019	0.5	\$1.50	Color photocopies.
7099.0001	11/25/2019	8	\$8.00	Courier fee.
7099.0001	11/25/2019	8	\$8.00	Courier fee.
7099.0001	11/25/2019		\$3.50	Electronic Filing Fee for Order from October 15, 2019 Hearing
7099.0001	11/25/2019		\$3.50	Electronic Filing Fee for Notice of Entry of Order
7099.0001	11/27/2019	0.1	\$0.20	Scan charges.
7099.0001	11/27/2019	0.25	\$1.50	Copy charges.
7099.0001	11/27/2019	0.25	\$0.50	Copy charges.
7099.0001	11/27/2019		\$3.50	Electronic Filing Fee for Letters of Guardianship
7099.0001	12/02/2019	0.25	\$12.75	Copy charges.
7099.0001	12/05/2019		\$25.00	Certified Copies of Letters of Guardianship
7099.0001	12/05/2019	0.25	\$2.75	Copy charges.
7099.0001	12/05/2019	8	\$8.00	Courier fee.
7099.0001	12/06/2019		\$90.00	Certified copies of Letters of Guardianship (x30)
7099.0001	12/06/2019	0.25	\$38.00	Copy charges.
7099.0001	12/09/2019		\$60.00	Certified copies of Letters of Guardianship (x30)
7099.0001	12/09/2019	0.25	\$0.75	Copy charges.
7099.0001	12/09/2019	8	\$8.00	Courier fee.
7099.0001	12/23/2019	0.25	\$1.00	Copy charges.
<b>Total for Client ID 7099.0001</b>		<b>Billable</b>	<b>\$1,684.85</b>	<b>Jones/Kimberly</b> <b>June Jones Guardianship/Power of Attorney</b>



**Marquis Aurbach Coffing**  
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*Attorneys for Kimberly Jones,  
 Guardian of Kathleen June Jones*

**DISTRICT COURT**  
**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 JUNE JONES

**HEARING REQUESTED**

An Adult Protected Person.

**MOTION FOR PROTECTIVE ORDER**

☐ **TEMPORARY GUARDIANSHIP**

☒ **GENERAL GUARDIANSHIP**

☐ Person

☐ Person

☐ Estate

☐ Estate ☐ Summary Admin.

☐ Person and Estate

☒ Person and Estate

☐ **SPECIAL GUARDIANSHIP**

☐ **NOTICES/SAFEGUARDS**

☐ Person

☐ Blocked Account Required

☐ Estate ☐ Summary Admin.

☐ Bond Required

☐ Person and Estate

Kimberly Jones, by and through her counsel of record, Geraldine Tomich, Esq. and James  
 A. Beckstrom, Esq. of the law firm of Marquis Aurbach Coffing, hereby files her Motion for  
 Clarification.

1 This Motion is made and based upon all papers, pleadings, and records on file herein, the  
2 attached Memorandum of Points and Authorities, and any oral argument allowed at a hearing on  
3 this matter.

4 Dated this 6th day of February, 2020.

5 MARQUIS AURBACH COFFING

6  
7 By /s/ James A. Beckstrom  
8 Geraldine Tomich, Esq.  
9 Nevada Bar No. 8369  
10 James A. Beckstrom, Esq.  
11 Nevada Bar No. 14032  
12 10001 Park Run Drive  
13 Las Vegas, Nevada 89145  
14 *Attorneys for Kimberly Jones, Guardian*  
15 *of Kathleen June Jones*

16 **MEMORANDUM OF POINTS AND AUTHORITIES**

17 **I. INTRODUCTION**

18 Rodney Gerald Yeoman's ("Yeoman") legal counsel continues to misunderstand and abuse  
19 the procedures of this guardianship court. Once again, counsel for the protected person has been  
20 forced to move the Court for relief based on Mr. Kehoe's attempt to increase the costs of litigation  
21 by unilaterally setting depositions and propounding discovery in a case that has no pending issue  
22 before the Court.

23 This case had one issue pending before it—an evidentiary hearing (requested by Yeoman)  
24 on the Guardian's Motion for Return of Property (relating to two dogs). Since then, Yeoman has  
25 stipulated that the dogs at issue are the sole and separate property of the protected person and all  
26 parties have asked the Court to vacate the evidentiary hearing on the Motion for Return of Property  
27 (previously set for 2/20).

28 Notwithstanding the fact that the Petition for Return of Property was the only issue pending  
before the Court, counsel for Yeoman has propounded aimless discovery on both the Guardian and  
non-parties to this case. In addition, counsel for Yeoman unilaterally set three depositions, two of

1 which are for non-parties (and one deponent that lives in California). With no issues pending before  
2 the Court, counsel for both the protected person, the Guardian, and the non-parties subject to the  
3 above stated abusive discovery asked Mr. Kehoe to withdraw the inappropriate discovery and  
4 vacate the depositions. However, Mr. Kehoe has refused these requests and instead maintains he  
5 is entitled to discovery, despite the fact no one in this case knows what Yeoman seeks to  
6 “discover.” Based on Mr. Kehoe informing counsel for the protected person, the Guardian, and  
7 the non-parties at issue that the depositions and discovery would not be vacated (one deposition  
8 which is scheduled for 2/7/20), the instant Motion seeks a protective order from the discovery  
9 propounded as well as the depositions that were improperly set in a case that currently has no open  
10 issues to litigate.

## 11 **II. STATEMENT OF FACTS**

12 1. On September 23, 2019, this Court entered its Order Granting Ex Parte Petition for  
13 Temporary Guardianship wherein it appointed Robyn Friedman and Donna Simmons as  
14 Temporary Guardians. On October 3, 2019, this Court extended the temporary guardianship.

15 2. On October 2, 2019, Rodney Gerald Yeoman, the husband of Kathleen June Jones, filed  
16 his Opposition to Appointment of Temporary Guardian and General Guardian and Counter-  
17 Petition for Appointment of Temporary Guardian of the Person and Estate and Issuance of Letters  
18 of Temporary Guardianship and Estate and Issuance of Letters of Temporary Guardianship and  
19 Counter-Petition for Appointment of General Guardian of the Person and Estate and Issuance of  
20 Letters of General Guardianship ("Yeoman's Counter-Petition").

21 3. On October 2, 2019, Kimberly Jones filed her Opposition to Ex Parte Petition for  
22 Appointment of Temporary and General Guardian of the Person and Estate; Alternatively,  
23 Counter-Petition for Appointment of Kimberly Jones as Temporary and General Guardian of the  
24 Person and Estate ("Kimberly's Counter-Petition").

25 4. On October 15, 2019 at the Citation to Appear and Show Cause Hearing, Kathleen June  
26 Jones, by and through her Court appointed Counsel, Maria L. Parra-Sandoval, ***advised the Court***  
27 ***that it was Kathleen June Jones' desire that Kimberly Jones be appointed as her client's***  
28 ***guardian.***

1 5. On November 25, 2019, the Court signed and an entry of order was made with the  
2 following by the Court:

3 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Kimberly Jones'  
4 Counter-Petition is hereby GRANTED.

5 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Kimberly Jones  
6 is hereby appointed as guardian of the Estate and Person of Kathleen June Jones  
7 and Letters of General Guardianship shall issue to Kimberly Jones.

8 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that **Rodney Gerald**  
9 **Yeoman's Counter-Petition is hereby DENIED in its entirety.**

10 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Letters of  
11 Temporary Guardianship entered on September 23, 2019 are **hereby revoked.**

12 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Clerk of the  
13 Court is hereby directed to issue Letters of Guardianship to Kimberly Jones upon  
14 subscribing to the appropriate oath of office, and bond be waived, since there are  
15 no liquid assets.

16 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Kimberly Jones  
17 shall investigate the facts and circumstances regarding the purported transfer of real  
18 property located at 6277 Kraft Avenue, Las Vegas, Nevada 89130, APN 138-02-  
19 511-076, from June Jones to Richard & Kandi Powell on or around January 16,  
20 2018, and pursue any potential claims and/or resolution relating to the same.

21 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Kimberly Jones  
22 shall disseminate the medical records and/or information relating to Kathleen June  
23 Jones to Robyn Friedman, Donna Simmons and Rodney Gerald Yeoman.

24 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Rodney Gerald  
25 Yeoman shall be allowed to participate in visits with Kathleen June Jones, however,  
26 because Rodney Gerald Yeoman was unwilling to provide any information  
27 regarding his health/medical conditions said visits must be supervised by Kimberly  
28 Jones and/or an agent of her choosing so as to ensure the safety of Kathleen June  
Jones.

...

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a return hearing  
on the Investigative Reports is hereby scheduled for January 14, 2020, **and if**  
**necessary**, an evidentiary hearing **on the Investigative reports** is scheduled for  
**February 20, 2020.**

See Order From October 15, 2019 Hearing, attached as **Exhibit 1.**

6. On December 10, 2019, this Court heard oral argument on the Guardian's Petition for  
Return of Property of Protected Person and Petition for Confirmation to Bring Civil Actions of  
Behalf of Kathleen June Jones. The Court concluded this hearing with agreeing that the dogs—the  
real property at issue were the separate property of June Jones, but because Mr. Yeoman indicated



1 he would file an appeal, an evidentiary hearing was set out of an abundance of caution. That  
2 hearing was set for February 20, 2020.

3 7. On January 6, 2020, the State Guardianship Compliance Office requested an additional  
4 60 days to conduct a financial review of the case. *See* Request, on file.

5 8. On January 24, 2020, counsel for Yeoman issued three “Notices of Deposition” to the  
6 following persons: (1) Donna Simmons; (2) Robyn Friedman; and (3) Kimberly Jones. *See* Notice  
7 of Deposition Subpoenas, collectively enclosed as **Exhibit 2**.

8 9. These depositions were e-served for the appearance of *two non-parties* (Simmons and  
9 Friedman) and the Guardian Kimberly Jones. The depositions *were set unilaterally, with no*  
10 *communication to opposing counsel* and while the only outstanding issue in this case was a Motion  
11 for Return of Property.

12 10. In addition to the improper deposition notices, Mr. Yeoman’s counsel propounded  
13 aimless written discovery on both the Guardian and the same non-parties he unilaterally set  
14 depositions for. *See* Interrogatories, Requests for Admissions, and Requests for Production of  
15 Documents to Robyn Friedman, Donna Simmons, and Kimberly Jones, collectively enclosed as  
16 **Exhibit 3**.

17 11. On January 31, 2020, the Guardian of the protected person, counsel for the protected  
18 person, and Yeoman entered into a stipulation that the two dogs subject to the Motion for Return  
19 of Property were the sole and separate property of the protected person. *See* Unsigned Stipulation  
20 and Order on Petition for Return of Property of Protected Person, attached as **Exhibit 4**.

21 12. In the same stipulation and order, the parties agreed that the forthcoming February 20,  
22 2020 hearing on the Return of Property was to be vacated. *Id.*

23 13. With the issue of the return of property completely resolved and because no pending  
24 petition for relief was in front of the Court, counsel for the protected person and Guardian notified  
25 the Court and the Court confirmed the February 20, 2020 evidentiary hearing would be vacated.

26 14. With the evidentiary hearing vacated and the Motion for Return of Property resolved,  
27 counsel for the Guardian, protected person, and the non-party deponents (Friedman and Simmons)  
28

1 met and conferred with Mr. Kehoe on a number of occasions via e-mail, asking for the outstanding  
2 discovery (which was improper) to be retracted and for the depositions to be vacated.

3 15. Notwithstanding the undisputed fact that there is no pending petition for relief in front  
4 of the Court, counsel for Yeoman *refused* to (1) vacate what were already improperly set  
5 depositions; (2) or withdraw his burdensome written discovery. Instead, counsel for Mr. Yeoman  
6 continues to be operating under the belief that some open question as to guardianship exists and  
7 broadly asserts, he is “entitled to discovery” on issues never presented to the Court, counsel for  
8 the protected person, or the Guardian.

9 16. Now, with the deposition of Simmons set for February 7, 2020, who was never served  
10 with a subpoena in this case and lives in California, the Guardian has been forced to bring the  
11 instant Motion to once again reveal the abusive litigation tactics to this Court’s attention and avoid  
12 the undue expense of (1) responding to discovery that has no bearing to any claims pending before  
13 this Court; and (2) avoid wasting financial resources of the protected person and every other  
14 individual involved in this case that would occur in attending depositions in a guardianship case  
15 with no active claims between the parties.

16 **III. LEGAL STANDARD**

17 Rule 26(b)(1) of the Nevada Rules of Civil Procedure provides, in pertinent part, “[p]arties  
18 may obtain discovery regarding any non-privileged matter that is relevant to any party’s claims or  
19 defenses and proportional to the needs of the case, considering the importance of the issues at stake  
20 in the action, the amount in controversy, the parties’ relative access to relevant information, the  
21 parties’ resources, the importance of the discovery in resolving the issues, and whether the burden  
22 or expense of the proposed discovery outweighs its likely benefit.”

23 “The court may, for good cause, issue an order to protect a party or person from annoyance,  
24 embarrassment, oppression, *or undue burden or expense* . . . .” *See* NRCP 26(c)(1) (emphasis  
25 added.) In particular, the Court may specify the terms of discovery sought, including the time and  
26 place for disclosure or discovery. *See* NRCP 26(c)(1)(B). The Court has wide discretion regarding  
27 discovery matters. *See Club Vista Fin. Servs., LLC v. Eighth Judicial Dist. Court*, 128 Nev. 224,  
28 228, 276 P.3d 246, 249 (2012). The Court’s discretion includes resolving disputes related to the

1 time and place of depositions. *See Okada v. Eighth Judicial Dist. Court*, 131 Nev. 834, 843, 359  
2 P.3d 1106, 1112 (2015); *see also Hyde & Drath v. Baker*, 24 F.3d 1162, 1166 (9th Cir. 1994).  
3 Pursuant to NRCP 32(a)(5)(A) once a protective order is filed challenging the setting or scope of  
4 a deposition, no deposition that moves forward can be used in the judicial proceedings.

5 **IV. LEGAL ARGUMENT**

6 **A. A PROTECTIVE ORDER MUST ISSUE TO PREVENT YEOMAN**  
7 **IMPOSING YET ANOTHER FINANCIAL BURDEN ON THE GUARDIAN**  
8 **AND PROTECTED PERSON.**

9 This is a very straightforward issue. Yeoman cannot propound discovery when there is no  
10 issue pending before the Court. Yeoman filed a counter-petition for guardianship almost four  
11 months ago. That petition was DENIED. *See Exhibit 1.* To date, Yeoman, nor any other person  
12 has filed any other petition that would necessitate discovery, with the exception of the Guardian—  
13 who was tasked with investigating the highly suspect transfer of the protected person's real  
14 property for NO VALUE to Yeoman's son in law, Dick Powell. *Id.*

15 In addition, this Court already authorized the Guardian to file a separate civil lawsuit  
16 concerning the transfer of the property and the other concerns the Guardian raised. That lawsuit is  
17 pending in its ordinary course. *See District Court Case No. A-19-807458-C.* Notwithstanding  
18 these undisputed facts, Yeoman has (1) propounded discovery on the Guardian on a host of issues,  
19 ranging from the return of property, financial transactions, and issues. *See Exhibits 2 & 3.* (2)  
20 propounded similar written discovery on non-parties to this case (June's daughters) Robyn  
21 Friedman and Donna Simmons (who lives in California); and (3) unilaterally set the depositions  
22 of the Guardian, Robyn Friedman, and Donna Simmons.

23 The above state discovery is nothing more than an attempt to increase the cost of litigation  
24 and is highly burdensome to the protected person, her estate, and non-parties to this litigation. Each  
25 of the above discovery devices is inappropriate, because it is undisputed that Yeoman maintains  
26 no action in front of this Court. This Court DENIED Yeoman's Counter-petition for guardianship  
27 months ago and Yeoman *failed to file a timely appeal.* *See Docket.* With Yeoman having no active  
28 petition or request in front of the Court, his attempts to force the Guardian and the protected person  
through an aimless discovery charade is a waste of resources, abusive, and highly burdensome.

1 The litigation between Yeoman, Dick Powell, and Kandi Powell is ongoing in another district  
2 court case—while Yeoman can conduct as much discovery as he wants in that case to defend  
3 against the claims against him, the guardianship court is not the proper forum to conduct aimless  
4 discovery on civil claims not pending before this Court.

5 **B. THE GUARDIAN IS ENTITLED TO FEES AND COSTS INCURRED FOR**  
6 **HAVING TO BRING THE INSTANT MOTION.**

7 NRCP 26 (c)(3) governs fees to a party who prevails on moving for a protective order and  
8 incorporates the provisions of NRCP 37(a)(5), which states in relevant part as follows:

9 If the motion is granted — or if the disclosure or requested discovery is provided  
10 after the motion was filed — *the court must*, after giving an opportunity to be heard,  
11 *require the party* or deponent *whose conduct necessitated the motion, the party or*  
*attorney advising that conduct, or both to pay the movant's reasonable expenses*  
*incurred in making the motion, including attorney fees.* But the court must not  
order this payment if:

12 (i) the movant filed the motion before attempting in good faith  
13 to obtain the disclosure or discovery without court action;

14 (ii) the opposing party's nondisclosure, response, or objection  
15 was substantially justified; or

16 (iii) other circumstances make an award of expenses unjust.

17 Here, there is no doubt that the discovery sought is (1) improper and (2) abusive. There is  
18 no pending petition or motion in front of the Court—despite this counsel for Yeoman continues to  
19 improperly propound discovery and set depositions. The email exchanges between the attorneys  
20 representing each person relevant to this Motion paint a surprisingly clear picture of yeoman's  
21 counsel's inability to follow proper procedures. See E-Mail Correspondence, attached as **Exhibit**  
22 **5**. This is sanctionable and fees and costs should not be required to come from the protected person  
23 or Guardian's pocket. Instead, fees are required and should be ordered against Yeoman and his  
24 attorney. Upon the Court ordering fees and costs, counsel for the Guardian will timely submit a  
memorandum and points of authorities as to the fees sought.

25 **V. CONCLUSION**

26 As such, this Court should issue a protective order (1) quashing the deposition notices for  
27 Kimberly Jones, Robyn Friedman, and Donna Simmons; (2) ordering Yeoman to withdraw the  
28 written discovery propounded on Kimberly Jones, Robyn Friedman, and Donna Simmons; and (3)

**MARQUIS AURBACH COFFING**

10001 Park Run Drive  
Las Vegas, Nevada 89145  
(702) 382-0711 FAX: (702) 382-5816

1 award fees and costs to the Guardian for having to force Yeoman to follow the very basic rules of  
2 procedure.

3 Dated this 6th day of February, 2020.

4  
5 MARQUIS AURBACH COFFING

6  
7 By /s/ James A. Beckstrom  
8 Geraldine Tomich, Esq.  
9 Nevada Bar No. 8369  
10 James A. Beckstrom, Esq.  
11 Nevada Bar No. 14032  
12 10001 Park Run Drive  
13 Las Vegas, Nevada 89145  
14 *Attorneys for Kimberly Jones, Guardian*  
15 *of Kathleen June Jones*  
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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **MOTION FOR PROTECTIVE ORDER** was submitted electronically for filing and/or service with the Eighth Judicial District Court on the 6th day of February, 2020. Electronic service of the foregoing document shall be made in accordance with the E-Service List as follows:<sup>1</sup>

Ty E. Kehoe, Esq.  
KEHOE & ASSOCIATES  
871 Coronado Center Drive, Ste. 200  
Henderson, NV 89052  
Email: tykehoelaw@gmail.com

Matthew C. Piccolo, Esq.  
PICCOLO LAW OFFICES  
2450 St. Rose Pkwy., Ste. 210  
Henderson, NV 89074  
Email: matt@piccololawoffices.com

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage prepaid, addressed to:

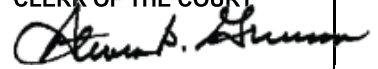
N/A

/s/ Cheryl Becnel  
An employee of Marquis Aurbach Coffing

<sup>1</sup> Pursuant to EDCR 8.05(a), each party who submits an E-Filed document through the E-Filing System consents to electronic service in accordance with NRCP 5(b)(2)(D).

# Exhibit 1





1 **NEOJ**  
JEFFREY P. LUSZECK, ESQ., Bar No. 09619  
2 jluszeck@sdfnvlaw.com  
ROSS E. EVANS, ESQ., Bar No. 11374  
3 revans@sdfnvlaw.com  
SOLOMON DWIGGINS & FREER, LTD.  
4 9060 West Cheyenne Avenue  
Las Vegas, Nevada 89129  
5 Telephone: (702) 853-5483  
Facsimile: (702) 853-5485

6 *Attorneys for Kimberly Jones*

7  
8 **DISTRICT COURT**  
9 **CLARK COUNTY, NEVADA**

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

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

12 KATHLEEN JUNE JONES

**NOTICE OF ENTRY OF ORDER**

13 An Adult Protected Person.

14 ☐ **TEMPORARY GUARDIANSHIP**

- 15 ☐ Person  
☐ Estate  
☐ Person and Estate

☒ **GENERAL GUARDIANSHIP**

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

16 ☐ **SPECIAL GUARDIANSHIP**

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

☐ **NOTICES/SAFEGUARDS**

- ☐ Blocked Account Required  
☐ Bond Required

19 PLEASE TAKE NOTICE that an *Order from October 15, 2019 Hearing* was entered in  
20 the above-entitled matter on the 25<sup>th</sup> day of November, 2019, a true and correct copy of which is  
21 attached hereto.

22 DATED this 25<sup>th</sup> day of November, 2019.

23 SOLOMON DWIGGINS & FREER, LTD.

24 *Jeffrey P. Luszeck*

25 By: JEFFREY P. LUSZECK, ESQ. (#9619)  
ROSS E. EVANS, ESQ. (#11374)  
26 9060 West Cheyenne Avenue  
Las Vegas, Nevada 89129

27 *Attorneys for Kimberly Jones*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 25<sup>th</sup> day of November, 2019, pursuant to NRCP 5(b), I caused a true and correct copy of the foregoing **NOTICE OF ENTRY OF ORDER**, to be served to the following in the manner set forth below:

**Via:**

☐ Hand Delivery  
☐ U.S. Mail, Postage Prepaid  
☐ Certified Mail, Receipt No.: \_\_\_\_\_  
☐ Return Receipt Request  
☒ E-Service through Wiznet

Robyn Friedman and Donna Simmons:

John P. Michaelson, Esq.  
MICHAELSON & ASSOCIATES, LTD.  
[john@michaelsonlaw.com](mailto:john@michaelsonlaw.com)

Kathleen Jones, Adult Protected Person:

Maria L. Parra Sandoval, Esq.  
LEGAL AID CENTER OF SOUTHERN NEVADA, INC.  
[mparra@lacs.org](mailto:mparra@lacs.org)

Rodney Gerald Yeoman:

Ty E. Kehoe, Esq.  
KEHOE & ASSOCIATES  
[TyKehoe@gmail.com](mailto:TyKehoe@gmail.com)

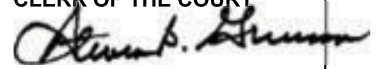
Matthew C. Piccolo  
PICCOLO LAW OFFICES  
[matt@piccololawoffices.com](mailto:matt@piccololawoffices.com)

Kimberly Jones

Geraldine Tomich, Esq.  
James A. Beckstrom, Esq.  
MARQUIS AURBACH & COFFING  
[gtomich@maclaw.com](mailto:gtomich@maclaw.com)  
[jbeckstrom@maclaw.com](mailto:jbeckstrom@maclaw.com)

*/s/ Gretta McCall*

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



**ORDR**

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Facsimile: (702) 853-5485

*Attorneys for Respondent Kimberly Jones*

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

**Date of Hearing: October 15, 2019**  
**Time of Hearing: 9:00 a.m.**

**ORDER FROM OCTOBER 15, 2019 HEARING**

☐ **TEMPORARY GUARDIANSHIP**

- ☐ Person
- ☐ Estate
- ☐ 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 Required
- ☐ Bond Required

This matter having come on for hearing before the above entitled Court on October 15, 2019. Present at the hearing were: Jeffrey P. Luszeck, Esq. of the law firm of Solomon Dwiggins & Freer, Ltd. on behalf of Kimberly Jones; Maria L. Parra-Sandoval, Esq. of Legal Aid Center of Southern Nevada, on behalf of Kathleen June Jones, Protected Person; Ty E. Kehoe, Esq. of the law firm Kehoe & Associates, and Matthew C. Piccolo, Esq. of the law firm Piccolo Law Offices, on behalf of Rodney Gerald Yeoman; and John P. Michaelson, Esq. of the law firm Michaelson & Associates, Ltd., on behalf of Robyn Friedman and Donna Simmons (collectively, the "Parties"). After considering the papers and pleadings on file herein and the argument of counsel

**RECEIVED**

NOV 01 2019

1 at the time of hearing and good cause appearing, the Court finds as follows:

2 1. That on December 27, 2005, Kathleen June Jones executed a Healthcare Power of  
3 Attorney naming her daughter, Kimberly Jones, as her Attorney-in-Fact for healthcare decisions.

4 2. That on October 24, 2012, Kathleen June Jones executed a Financial Power of  
5 Attorney naming her daughter, Kimberly Jones, as her Attorney-in-Fact for financial matters.

6 3. That on November 23, 2012, Kathleen June Jones executed a Last Will and  
7 Testament naming her daughter, Kimberly Jones, as her Personal Representative and chosen  
8 guardian over her person and estate, should the need for a guardian ever arise.

9 4. That on September 19, 2019, Robyn Friedman and Donna Simmons filed their *Ex*  
10 *Parte* Petition for Appointment of Temporary Guardian of the Person and Estate and Issuance of  
11 Letters of Temporary Guardianship, and Petition for Appointment of General Guardian of the  
12 Person and Estate and Issuance of Letters of General Guardianship ("*Ex Parte* Petition for  
13 Temporary Guardianship").

14 5. That on September 19, 2019, the Clerk of the Court issued a Citation to Appear and  
15 Show Cause scheduling a hearing for October 15, 2019 to "show cause, if any, why Kathleen June  
16 Jones ("Protected Person"), should not be declared incapacitated or in need of a guardian to manage  
17 the Protected Person's personal and financial affairs and to further show cause, if any, why Robyn  
18 Friedman and Donna Simmons, should not be appointed to act as Guardian of the protected person's  
19 Person and Estate."

20 6. That on September 23, 2019, this Court entered its Order Granting *Ex Parte Petition*  
21 for Temporary Guardianship wherein it appointed Robyn Friedman and Donna Simmons as  
22 Temporary Guardians. On October 3, 2019, this Court extended the temporary guardianship.

23 7. That on October 2, 2019, Rodney Gerald Yecoman, the husband of Kathleen June  
24 Jones, filed his Opposition to Appointment of Temporary Guardian and General Guardian and  
25 Counter-Petition for Appointment of Temporary Guardian of the Person and Estate and Issuance of  
26 Letters of Temporary Guardianship and Estate and Issuance of Letters of Temporary Guardianship  
27 and Counter-Petition for Appointment of General Guardian of the Person and Estate and Issuance  
28

1 of Letters of General Guardianship ("Rodney's Counter-Petition").

2 8. That on October 2, 2019, Kimberly Jones filed her Opposition to *Ex Parte* Petition  
3 for Appointment of Temporary and General Guardian of the Person and Estate; Alternatively,  
4 Counter-Petition for Appointment of Kimberly Jones as Temporary and General Guardian of the  
5 Person and Estate ("Kimberly's Counter-Petition").

6 9. That on October 15, 2019 at the Citation to Appear and Show Cause Hearing,  
7 Kathleen June Jones, by and through her Court appointed Counsel, Maria L. Parra-Sandoval,  
8 advised the Court that it was Kathleen June Jones' desire that Kimberly Jones be appointed as her  
9 client's guardian.

10 Good Cause Appearing Therefore,

11 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Kimberly Jones' Counter-  
12 Petition is hereby GRANTED.

13 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Kimberly Jones is  
14 hereby appointed as guardian of the Estate and Person of Kathleen June Jones and Letters of General  
15 Guardianship shall issue to Kimberly Jones.

16 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Rodney Gerald  
17 Yeoman's Counter-Petition is hereby DENIED in its entirety.

18 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Letters of Temporary  
19 Guardianship entered on September 23, 2019 are hereby revoked.

20 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Clerk of the Court is  
21 hereby directed to issue Letters of Guardianship to Kimberly Jones upon subscribing to the  
22 appropriate oath of office, and bond be waived, since there are no liquid assets.

23 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Kimberly Jones shall  
24 investigate the facts and circumstances regarding the purported transfer of real property located at  
25 6277 Kraft Avenue, Las Vegas, Nevada 89130, APN 138-02-511-076, from June Jones to Richard  
26 & Kandi Powell on or around January 16, 2018, and pursue any potential claims and/or resolution  
27 relating to the same.  
28

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Kimberly Jones shall  
2 disseminate the medical records and/or information relating to Kathleen June Jones to Robyn  
3 Friedman, Donna Simmons and Rodney Gerald Yeoman.

4 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Rodney Gerald Yeoman  
5 shall be allowed to participate in visits with Kathleen June Jones, however, because Rodney Gerald  
6 Yeoman was unwilling to provide any information regarding his health/medical conditions said  
7 visits must be supervised by Kimberly Jones and/or an agent of her choosing so as to ensure the  
8 safety of Kathleen June Jones.


9 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Court approve  
10 payment of attorneys' fees and costs from the guardianship estate to the law firm of Solomon  
11 Dwiggin & Freer, Ltd. at the conclusion of the guardianship proceeding, subject to Court  
12 confirmation.

13 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a return hearing on the  
14 Investigative Reports is hereby scheduled for January 14, 2020, and if necessary, an evidentiary  
15 hearing on the Investigative Reports is scheduled for February 20, 2020.

16 DATED this 25<sup>th</sup> day of November, 2019.

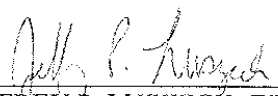
17   
18 \_\_\_\_\_  
19 DISTRICT COURT JUDGE  
LINDA MARQUIS

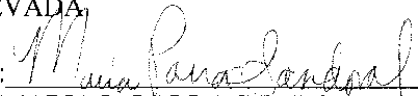
20 Submitted by:

Approved as to Form and Content:  
  
MLPS

21 SOLOMON DWIGGINS & FREER, LTD.

LEGAL AID CENTER OF SOUTHERN  
NEVADA

22  
23 By:   
24 JEFFREY P. LUSZECK, ESQ.  
25 Nevada Bar No. 09619  
26 ROSS E. EVANS, ESQ.  
27 Nevada Bar No. 11374  
28 9060 West Cheyenne Avenue  
Las Vegas, Nevada 89129

By:   
MARIA L. PARRA SANDOVAL, ESQ.  
Nevada Bar No. 13736  
725 E. Charleston Blvd.  
Las Vegas, NV 89104

*Attorney for Kathleen Jones, Protected Person*

*Attorneys for Kimberly Jones*

1 ~~Approved as to Form and Content:~~

2 KEHOE & ASSOCIATES

3 *DISAPPROVED*

4 By:

5 *Ty E. Kehoe 10-31-19*  
TY E. KEHOE, ESQ.

6 Nevada Bar No. 6011

7 871 Coronado Center Dr. Ste. 200

8 Henderson, NV 89052

9 *Attorney for Rodney Gerald Yeoman*

Approved as to Form and Content:

MICHAELSON & ASSOCIATES, LTD.

By:

JOHN P. MICHAELSON, ESQ.

Nevada Bar No. 7822

2200 Paseo Verde Parkway, Suite 160

Henderson, NV 89052

*Attorneys for Robyn Friedman and Donna  
Simmons*



9060 WEST CHEYENNE AVENUE  
LAS VEGAS, NEVADA 89129  
TELEPHONE (702) 853-5483  
FACSIMILE (702) 853-5485  
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28

Approved as to Form and Content:

KEHOE & ASSOCIATES

By: \_\_\_\_\_

TY E. KEHOE, ESQ.  
Nevada Bar No. 6011  
871 Coronado Center Dr. Ste. 200  
Henderson, NV 89052

*Attorney for Rodney Gerald Yeoman*

Approved as to Form and Content:

MICHAELSON & ASSOCIATES, LTD.

By: \_\_\_\_\_

JOHN P. MICHAELSON, ESQ.  
Nevada Bar No. 7822  
2200 Paseo Verde Parkway, Suite 160  
Henderson, NV 89052

*Attorneys for Robyn Friedman and Donna  
Simmons*

## Exhibit 2

1 KEHOE & ASSOCIATES  
2 TY E. KEHOE, ESQ.  
3 Nevada Bar No. 006011  
4 871 Coronado Center Drive, Suite 200  
5 Henderson, Nevada 89052  
6 Telephone: (702) 837-1908  
7 Facsimile: (702) 837-1932  
8 TyKehoeLaw@gmail.com

9 Matthew C. Piccolo, Esq.  
10 Nevada Bar No. 14331  
11 PICCOLO LAW OFFICES  
12 8565 S Eastern Ave Ste 150  
13 Las Vegas, NV 89123  
14 Tel: (702) 749-3699  
15 Fax: (702) 944-6630  
16 matt@piccololawoffices.com

17 Attorneys for Rodney Gerald Yeoman

18 **DISTRICT COURT**  
19 **CLARK COUNTY, NEVADA**

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

22 KATHLEEN JUNE JONES,

23 Protected Person.

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

24 **NOTICE OF DEPOSITION OF KIMBERLY JONES**

25 **TO: Kimberly Jones by and through her attorneys Jeffrey P. Luszeck, Esq. and James**  
26 **A. Beckstrom, Esq.;**

27 **TO: All Other Parties**

28 PLEASE TAKE NOTICE that pursuant to Rule 30 Nevada Rules of Civil Procedure,  
commencing on **February 12, 2020 at 10:00 a.m.**, Ty E. Kehoe, Esq., of the law firm of Kehoe  
& Associates, and Matthew C. Piccolo, Esq., of the law firm of Piccolo Law Offices, counsel  
for Rodney Gerald Yeoman, will take the deposition of the above captioned individual at the  
law office of **Kehoe & Associates, 871 Coronado Center Drive, Suite 200, Henderson, NV**  
**89052**, upon oral examination, by a method authorized pursuant to Nevada Rules of Civil  
Procedure, including possible videotaped deposition, before an officer authorized by law to  
administer oaths.

KEHOE & ASSOCIATES  
871 Coronado Center Drive, Suite 200  
Henderson, Nevada 89052  
(702) 837-1908

1 You are invited to attend and cross-examine.

2 Dated this 24<sup>th</sup> day of January, 2020.

Submitted by:

3 KEHOE & ASSOCIATES

4 /s/ Ty E. Kehoe

5 Ty E. Kehoe, Esq.

6 **CERTIFICATE OF SERVICE**

7 I HEREBY CERTIFY that on the 24<sup>th</sup> day of January, 2020, I served a true and correct  
8 copy of the NOTICE OF DEPOSITION OF KIMBERLY JONES via electronic service to the  
9 following, or via US First Class Mail postage pre-paid to the addresses listed:  
10

11 Jeffrey P. Luszeck, Esq.

Ross E. Evans, Esq.

12 jluszeck@sdfnvlaw.com

revans@sdfnvlaw.com

13 Counsel for Kimberly Jones

John P. Michaelson, Esq.

john@michaelsonlaw.com

Counsel for Robyn Friedman and Donna  
14 Simmons

15 Maria L. Parra-Sandoval, Esq.

16 Legal Aid Center of Southern Nevada, Inc.

17 mparra@lacs.org

18 Counsel for June Jones

Geraldine Tomich, Esq.

gtomich@maclaw.com

James A. Beckstrom, Esq.

19 jbeckstrom@maclaw.com

Counsel for Kimberly Jones

20 /s/ Ty E. Kehoe

21 Ty E. Kehoe

1 KEHOE & ASSOCIATES  
2 TY E. KEHOE, ESQ.  
3 Nevada Bar No. 006011  
4 871 Coronado Center Drive, Suite 200  
5 Henderson, Nevada 89052  
6 Telephone: (702) 837-1908  
7 Facsimile: (702) 837-1932  
8 TyKehoeLaw@gmail.com

9 Matthew C. Piccolo, Esq.  
10 Nevada Bar No. 14331  
11 PICCOLO LAW OFFICES  
12 8565 S Eastern Ave Ste 150  
13 Las Vegas, NV 89123  
14 Tel: (702) 749-3699  
15 Fax: (702) 944-6630  
16 matt@piccololawoffices.com

17 Attorneys for Rodney Gerald Yeoman

18 **DISTRICT COURT**  
19 **CLARK COUNTY, NEVADA**

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

22 KATHLEEN JUNE JONES,  
23 Protected Person.

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

26 **NOTICE OF DEPOSITION OF ROBYN FRIEDMAN**

27 **TO: Robyn Friedman by and through her attorney John P. Michaelson, Esq.;**  
28 **TO: All Other Parties**

PLEASE TAKE NOTICE that pursuant to Rule 30 Nevada Rules of Civil Procedure, commencing on **February 11, 2020 at 10:00 a.m.**, Ty E. Kehoe, Esq., of the law firm of Kehoe & Associates, and Matthew C. Piccolo, Esq., of the law firm of Piccolo Law Offices, counsel for Rodney Gerald Yeoman, will take the deposition of the above captioned individual at the law office of **Kehoe & Associates, 871 Coronado Center Drive, Suite 200, Henderson, NV 89052**, upon oral examination, by a method authorized pursuant to Nevada Rules of Civil Procedure, including possible videotaped deposition, before an officer authorized by law to administer oaths.

1 You are invited to attend and cross-examine.

2 Dated this 24<sup>th</sup> day of January, 2020.

Submitted by:

3 KEHOE & ASSOCIATES

4 /s/ Ty E. Kehoe

5 Ty E. Kehoe, Esq.

6 **CERTIFICATE OF SERVICE**

7 I HEREBY CERTIFY that on the 24<sup>th</sup> day of January, 2020, I served a true and correct  
8 copy of the NOTICE OF DEPOSITION OF ROBYN FRIEDMAN via electronic service to the  
9 following, or via US First Class Mail postage pre-paid to the addresses listed:  
10

11 Jeffrey P. Luszeck, Esq.

Ross E. Evans, Esq.

12 jluszeck@sdfnvlaw.com

revans@sdfnvlaw.com

13 Counsel for Kimberly Jones

John P. Michaelson, Esq.

john@michaelsonlaw.com

Counsel for Robyn Friedman and Donna  
14 Simmons

15 Maria L. Parra-Sandoval, Esq.

16 Legal Aid Center of Southern Nevada, Inc.

17 mparra@lacs.org

18 Counsel for June Jones

Geraldine Tomich, Esq.

gtomich@maclaw.com

James A. Beckstrom, Esq.

19 jbeckstrom@maclaw.com

Counsel for Kimberly Jones

20 /s/ Ty E. Kehoe

21 Ty E. Kehoe

1 KEHOE & ASSOCIATES  
2 TY E. KEHOE, ESQ.  
3 Nevada Bar No. 006011  
4 871 Coronado Center Drive, Suite 200  
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6 Telephone: (702) 837-1908  
7 Facsimile: (702) 837-1932  
8 TyKehoeLaw@gmail.com

9 Matthew C. Piccolo, Esq.  
10 Nevada Bar No. 14331  
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14 Tel: (702) 749-3699  
15 Fax: (702) 944-6630  
16 matt@piccololawoffices.com

17 Attorneys for Rodney Gerald Yeoman

18 **DISTRICT COURT**  
19 **CLARK COUNTY, NEVADA**

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

22 KATHLEEN JUNE JONES,  
23 Protected Person.

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

26 **NOTICE OF DEPOSITION OF DONNA SIMMONS**

27 **TO: Donna Simmons by and through her attorney John P. Michaelson, Esq.;**  
28 **TO: All Other Parties**

PLEASE TAKE NOTICE that pursuant to Rule 30 Nevada Rules of Civil Procedure, commencing on **February 7, 2020 at 10:00 a.m.**, Ty E. Kehoe, Esq., of the law firm of Kehoe & Associates, and Matthew C. Piccolo, Esq., of the law firm of Piccolo Law Offices, counsel for Rodney Gerald Yeoman, will take the deposition of the above captioned individual at the law office of **Kehoe & Associates, 871 Coronado Center Drive, Suite 200, Henderson, NV 89052**, upon oral examination, by a method authorized pursuant to Nevada Rules of Civil Procedure, including possible videotaped deposition, before an officer authorized by law to administer oaths.

KEHOE & ASSOCIATES  
871 Coronado Center Drive, Suite 200  
Henderson, Nevada 89052  
(702) 837-1908



1 You are invited to attend and cross-examine.

2 Dated this 24<sup>th</sup> day of January, 2020.

Submitted by:

3 KEHOE & ASSOCIATES

4 /s/ Ty E. Kehoe

5 Ty E. Kehoe, Esq.

6 **CERTIFICATE OF SERVICE**

7 I HEREBY CERTIFY that on the 24<sup>th</sup> day of January, 2020, I served a true and correct  
8 copy of the NOTICE OF DEPOSITION OF DONNA SIMMONS via electronic service to the  
9 following, or via US First Class Mail postage pre-paid to the addresses listed:  
10

11 Jeffrey P. Luszeck, Esq.  
12 Ross E. Evans, Esq.  
13 jluszeck@sdfnvlaw.com  
14 revans@sdfnvlaw.com  
15 Counsel for Kimberly Jones

John P. Michaelson, Esq.  
john@michaelsonlaw.com

Counsel for Robyn Friedman and Donna  
Simmons

15 Maria L. Parra-Sandoval, Esq.  
16 Legal Aid Center of Southern Nevada, Inc.  
17 mparra@lacs.org  
18 Counsel for June Jones

Geraldine Tomich, Esq.  
gtomich@maclaw.com  
James A. Beckstrom, Esq.  
jbeckstrom@maclaw.com  
Counsel for Kimberly Jones

19 /s/ Ty E. Kehoe

20 Ty E. Kehoe

## Exhibit 3

1 KEHOE & ASSOCIATES  
2 TY E. KEHOE, ESQ.  
3 Nevada Bar No. 006011  
4 871 Coronado Center Drive, Suite 200  
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6 Telephone: (702) 837-1908  
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8 TyKehoeLaw@gmail.com

9 Matthew C. Piccolo, Esq.  
10 Nevada Bar No. 14331  
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12 8565 S Eastern Ave Ste 150  
13 Las Vegas, NV 89123  
14 Tel: (702) 749-3699  
15 Fax: (702) 944-6630  
16 matt@piccololawoffices.com

Attorneys for Rodney Gerald Yeoman

**DISTRICT COURT  
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 JUNE JONES,  
  
Protected Person.

**GERRY'S FIRST SET OF INTERROGATORIES, FIRST SET OF REQUESTS FOR  
ADMISSIONS, AND FIRST SET OF REQUESTS FOR PRODUCTION OF  
DOCUMENTS TO ROBYN FRIEDMAN**

TO: ROBYN FRIEDMAN

Rodney Gerald Yeoman, by and through his attorneys Ty E. Kehoe, Esq. and Matthew C. Piccolo, Esq., hereby submits his First Set of Interrogatories, First Set of Requests for Admissions, and First Set of Requests for Production of Documents to Robyn Friedman. These Requests are made pursuant to Nevada Rules of Civil Procedure 33, 34, and 36.

DATED this 20th day of January, 2020.

KEHOE & ASSOCIATES

/s/ Ty E. Kehoe

Ty E. Kehoe, Esq.

Matthew C. Piccolo, Esq.

PICCOLO LAW OFFICES

///

KEHOE & ASSOCIATES  
871 Coronado Center Drive, Suite  
200  
Henderson, Nevada 89052  
(702) 837-1908

## DEFINITIONS

1. As used herein, the terms “you” and “your” refer to Robyn Freidman in the above-entitled litigation responding to this written discovery, together with agents, employees, other representatives or successors in interest.
2. As used herein, the term “June” refers to Kathleen June Jones, the Protected Person herein.
3. As used herein, the term “Gerry” refers to Rodney Gerald Yeoman, the husband of the Protected Person herein.
4. As used herein, the term “Guardianship” refers to the above captioned guardianship matter and all issues, claims, disputes and arguments flowing from and related to the same.
5. As used herein, the term “Evidentiary Hearing” refers to the evidentiary hearing currently scheduled herein for February 20, 2020.
6. As used herein, the term “Kandi” refers to Kandi Powell, a daughter of Gerry and husband of Richard Powell.
7. As used herein, the term “Dick” refers to Richard Powell, a son-in-law of Gerry and husband of Kandi.
8. Of the two dogs that were living with June and Gerry in January 2019, the dog that was purchased in approximately October 2010 is referred to herein as “First Dog.”
9. Of the two dogs that were living with June and Gerry in January 2019, the dog that was mothered by the First Dog is referred to herein as “Second Dog.”
10. As used herein, the term “Dogs” refers to the First Dog and Second Dog collectively.
11. As used herein, the term “Account 7492” refers to a Bank of America account with June’s name ending in 7492.

- 1 12. As used herein, the term “Lawsuit” refers to the proceeding in Clark County Nevada  
2 District Court known as Case No. A-19-807458-C.
- 3 13. As used herein, the term “Anaheim Property” refers to the real property that June owns  
4 in California.
- 5 14. As used herein, the term “Kraft Property” refers to the real property that June resides  
6 in in Nevada.
- 7 15. As used herein, the term “Medical Power of Attorney” refers to the Durable Power of  
8 Attorney produced herein dated December 27, 2005.
- 9 16. As used herein, the term “General Power of Attorney” refers to the Power of Attorney  
10 produced herein dated October 24, 2012.
- 11 17. As used herein, the term “Holographic Document” refers to the alleged Holographic  
12 Will produced herein dated November 23, 2012.
- 13 18. As used herein, the terms “document” and “documents” mean the original, drafts, or  
14 exact copies thereof, of any kind of written or graphic matter, however produced or  
15 reproduced, of any kind or description, and all copies thereof which are different in  
16 any way from the original including, without limitation, any paper, correspondence,  
17 telegram, telex, facsimile, contract, book, manual, account, invoice, report, record,  
18 transcript, letter, memorandum, statement, check, checkstub, note, chart, log, ledger,  
19 drawing, sketch, inventory or survey whether written, typed, printed, punched, filmed  
20 or marked in any way, and any records, tape or wire, film computer disc, photograph,  
21 movie, or other graphic or electronic sound recordings or transcripts thereof, to which  
22 you have or have had access to, or of which you have knowledge.
- 23 19. As used herein, the term “person” includes natural persons, corporations, partnerships  
24 and all other forms of organization or association.
- 25  
26  
27  
28

1 20. As used herein, the term "identify" when used with reference to an individual person  
2 means to state (i) the person's full name, (ii) the person's present or last known  
3 business address and telephone number, (iii) the person's present or last known home  
4 address and telephone number, and (iv) the person's present employer and position.

5  
6 21. As used herein, the term "identify" when used with reference to a person other than  
7 an individual person means to state (i) such person's name, (ii) whether such person  
8 is a corporation partnership or other organization, (iii) such person's present or last  
9 known address and telephone number, and (iv) such person's principal place of  
10 business.

11 22. As used herein, the term "identify" when used with reference to a document means to  
12 state (i) the date that such document bears, or if not dated, the date that it was prepared,  
13 (ii) the identity of the person who prepared such document, (iii) the present location  
14 and identity of the custodian of the original of such document and all known copies  
15 thereof, and (iv) the type of document or means to identify the document with  
16 sufficient particularity to meet the requirements for inclusion in a request for  
17 production of documents under Rule 34, Federal Rules of Civil Procedure.  
18

### 19 INSTRUCTIONS

20  
21 As to each Request for Admission:

22 1. If, in good faith, only a part of said statement should be denied, you should specify  
23 that portion of the statement which is true and admit to the same and deny the  
24 remainder of the statement. If the responding party is unable to admit or deny, the  
25 responding party shall set forth in detail the reason why as to each Request for  
26 Admission.  
27

28 As to each Request for Production:

1. If you are unable to locate any document called for in this request after conducting a reasonable investigation, so state and (i) identify the specific documents which you could not obtain, (ii) your efforts to obtain such document and (iii) the person or persons who are likely to have custody of the document.
2. In producing these documents, you are requested to furnish all documents known or available to you regardless of whether these documents are possessed directly by you or your agents, accountants, employees, representatives, investigators, or by your attorneys, including former attorneys, or their agents, employees, representatives or investigators.
3. **IN PRODUCING THESE DOCUMENTS, YOU ARE TO INDICATE THE PARAGRAPH NUMBER OF THE PARTICULAR REQUEST IN RESPONSE TO WHICH EACH DOCUMENT IS PRODUCED.**
4. If any of the requested documents cannot be produced in full, you are to produce to the extent possible, specifying whatever information, knowledge or belief you do have concerning the unproduced portion.
5. Each document you produce should have a Bates Number on the bottom indicating “Robyn” and the specific number assigned to that document (ie. The first document you produce will be noted on the bottom of the page as Robyn 0001, the second document you produce will be Robyn 0002, etc.). Providing Bates Numbers on the documents will assist in insuring that documents are not lost, and will assist in referencing the documents during depositions and trial.
6. If any documents or thing requested was at one time in existence, but is no longer in existence, please so state, specifying for each document or thing, (i) the type of document or thing, (ii) the types of information contained therein, (iii) the date

1 upon which the document or thing was destroyed or ceased to exist, (iv) the  
2 circumstances under which it was destroyed or ceased to exist, (v) the identity of  
3 all persons having knowledge of the circumstances under which it was destroyed  
4 or ceased to exist, and (vi) the identity of all persons having knowledge or persons  
5 who had knowledge of the contents thereof.  
6

7 7. If you seek to withhold any documents on the basis of attorney-client privilege, as  
8 work product or other legal protection, you shall, at the time of your response to  
9 this Request, supply a numerical list of the documents for which limitation of  
10 discovery is claimed, providing the following information:

11 (i) Identify each person who wrote it or participated in any way in its  
12 preparation;

13 (ii) Identify each person who signed it;

14 (iii) Identify each person to whom it was addressed, to whom a copy was  
15 addressed or who received a copy of each such document;

16 (iv) Identify each person who presently has custody of each such document  
17 or a copy thereof;

18 (v) The date of each such document, if any, or estimate thereof and so  
19 indicated as an estimate if no date appears on said documents;

20 (vi) The general subject matter as described in each such document, or, if  
21 no such description exists, then such other description sufficient to identify  
22 said document; and  
23

24 (vii) A specific statement of the privilege, doctrine, or other legal  
25 protection on which you rely in refusing to produce such document.  
26  
27



*All discovery Requests and Interrogatories are continuing ones. If after responding to these discovery Requests and Interrogatories, you obtain or become aware of any further documents or information responsive to the Requests or Interrogatories, you are required to produce such additional documents or information.*

## FIRST SET OF INTERROGATORIES

1. Identify all persons who have any knowledge of the facts and circumstances related to the Guardianship, and for each person identified, summarize the nature, extent or subject matter of its/his/her knowledge.
2. Identify all persons who you intend to call as a witness at the Evidentiary Hearing, and for each person identified, summarize the nature, extent or subject matter of its/his/her knowledge.
3. What conditions were expressed to June by any of her family when June obtained the First Dog?
4. What was expressed to June and Gerry to indicate to them that the Dogs were a gift specifically to June (and not to June and Gerry) from her family?
5. How was the purchase of the First Dog paid for, including who paid, what form of payment was used and the date on which such payment was made?
6. Who was involved in choosing and picking up the First Dog?
7. What information suggests June did not decide to share ownership of the Dogs with Gerry?
8. Detail what care June provided for the Dogs, since she first obtained possession of them.
9. What steps did you take since January 1, 2014 to ensure that June's finances were being properly handled by June?

- 1 10. Who was involved in facilitating the most recent Anaheim Property refinance or new  
2 mortgage?
- 3 11. Provide an accounting of June's finances, including income, receipts, expenses and  
4 assets and liabilities from January 1, 2014, through the present.
- 5 12. Detail any efforts you have made to ensure your brother is paying fair market value  
6 for rental of the Anaheim Property.
- 7 13. Account for each payment you made to an attorney related to the Guardianship or  
8 related to the Lawsuit for the benefit of June or Kimberly.
- 9 14. Provide a list of all financial accounts in which June had an interest from January 1,  
10 2014 to the present.
- 11 15. Detail any assets you believe Gerry, Dick or Kandi converted from June.
- 12 16. How did you first discover that June sold the Kraft Property to Dick and Kandi?
- 13 17. What causes you to believe that June did not voluntarily sell the Kraft Property to  
14 Dick and Kandi?
- 15 18. Detail any information you have indicating that Dick and Kandi intended to harm June  
16 by June's sale of the Kraft Property to Dick and Kandi.
- 17 19. Detail any concerns expressed by you to anyone in the world regarding June's care  
18 and condition from January 1, 2014 to the present, including to whom you expressed  
19 the concern, the medium by which such concern was expressed, and the date on which  
20 such concern was expressed.
- 21 20. Describe who filed a complaint with Las Vegas Metro related to June's care and  
22 condition, when such complaint was filed, and the case number and current status of  
23 such complaint.
- 24  
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- 1 21. Detail which of June's children offered to provide assistance for June when Gerry's  
2 family requested such assistance in approximately April 2019, including who offered  
3 assistance, how such assistance was offered, when such assistance was offered, and  
4 whether such assistance was actually provided.  
5  
6 22. Describe how much money you have paid for June's care or other expenses, including  
7 an amount and purpose of each payment, from January 1, 2014 to present.  
8  
9 23. Detail any and all allegations of elder abuse against June.  
10  
11 24. Detail any harm or benefits which might be caused to June if Gerry and June were  
12 again living together.  
13  
14 25. Account for any financial benefits received by June from Dick or Kandi from January  
15 1, 2014 to the present.  
16  
17 26. Detail your in-person visits with June from January 1, 2014 to September 7, 2019.  
18  
19 27. Describe any complaints you had or are aware of prior to August 2019 made about  
20 Gerry's care for June.  
21  
22 28. Detail where and who with June lived between January 1, 2014 and September 7,  
23 2019.  
24  
25 29. Account for any expenses related to June's use of Dick's motorhome that June paid  
26 for.  
27  
28 30. Describe any reason in detail why you believe Gerry is mentally or physically unable  
to care for June as he did while they were living together.  
31. Explain what interaction you had with Dick, if any, in the courtroom hallway after the  
court hearing on January 14, 2020, including what you said and did and how Dick and  
John Michaelson reacted.

- 1 32. Describe your understanding of the history and progression of June's mental  
2 impairment?
- 3 33. Describe every instance in which you communicated to Gerry or any member of  
4 Gerry's family about June's mental state, including when, where, and what you  
5 communicated, from January 1, 2014 to present.
- 6 34. Describe the conversation you had with a member of Gerry's family approximately  
7 six years ago wherein you were asked to assist with June's expenses, as you discussed  
8 with Dick and others in the courtroom hallway on September 6, 2019.
- 9 35. Describe how and why the Medical Power of Attorney was created.
- 10 36. Describe how and why the General Power of Attorney was created.
- 11 37. Describe how and why the Holographic Document was created.
- 12 38. Identify all documents you are aware of or have heard about related to this  
13 Guardianship, whether or not you have ever had possession of the same, that you are  
14 not otherwise producing in response to a Request for Production herein.
- 15 39. If you deny any of the Requests for Admission, state with specificity why you are  
16 denying the same.
- 17 40. Set forth all other facts you believe are relevant to this Guardianship and the  
18 Evidentiary Hearing.

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21  
22 **FIRST REQUESTS FOR ADMISSIONS**

- 23 1. Admit that Gerry provided more care for the Dogs than June since they were first  
24 obtained by June and Gerry.
- 25 2. Admit that June has expressed during the pendency of the Guardianship a desire to  
26 share possession of the Dogs with Gerry.
- 27

3. Admit that if the Dogs were gifted to June, then once she owned them, she could do anything she wanted with them, including sharing ownership with Gerry.
4. Admit that your brother is renting the Anaheim Property and is paying less than fair market value.
5. Admit that even if Kimberly had a valid power of attorney at the time of the Kraft Property sale to Dick and Kandi, June is legally permitted to conduct her personal financial transactions without the permission or involvement of Kimberly or any of her other adult children.
6. Admit that June has not paid any mortgage payment or rental payment related to use of the Kraft Property since December 2017.
7. Admit that Gerry lived in the Kraft Property with June for approximately 9 years, until approximately April 2019.
8. Admit that Dick paid off June's mortgage on the Kraft Property in the total amount of approximately \$140,000.
9. Admit that June was benefited in the amount of approximately \$140,000 by Dick paying of June's mortgage on the Kraft Property.
10. Admit that June has expressed an interest in living with Gerry again, since she was taken from Gerry on September 7, 2019.
11. Admit that June expressed an interest in staying in Phoenix with Gerry when she was taken on September 7, 2019.
12. Admit that you encouraged or supported the taking of June from Phoenix against her will and the will of Gerry on September 7, 2019.
13. Admit that June and Gerry shared their finances as a marital community.
14. Admit that June had problems with defecating on herself prior to April 2019.

- 1 15. Admit that Gerry's family reached out to June's family and requested June's family  
2 to assist June with her financial obligations.
- 3 16. Admit that Gerry's family ask you to assist with June's finances approximately six  
4 years ago.
- 5 17. Admit that in response to the request from Gerry's family you declined to assist with  
6 June's finances approximately six years ago.
- 7 18. Admit that you were aware prior to May 2019 of Dick financially helping June and  
8 Gerry.
- 9 19. Admit that June's social security income and rental income from June's Anaheim  
10 house are June's only sources of income.
- 11 20. Admit that prior to January 2018, June's social security income and rental income  
12 from June's Anaheim Property were insufficient to pay the mortgage on the Anaheim  
13 Property and the Kraft Property and June's other living expenses.
- 14 21. Admit that for years June and Gerry traveled together in a motorhome provided by  
15 Dick.
- 16 22. Admit that you are not aware of any present physical or mental condition that would  
17 prevent Gerry from caring for June as he did while they were living together.
- 18 23. Admit that you have no medical records indicating June suffers from a medical  
19 impairment which are dated prior to September 5, 2019.
- 20 24. Admit that no legal authority existed to take June from the care of her husband Gerry  
21 on September 7, 2019.
- 22 25. Admit that you are not aware of the existence of the original copies of the Medical  
23 Power of Attorney, General Power of Attorney, or Holographic Document.
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**FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

1. Produce any documents evidencing June providing care for the Dogs.
2. Produce any documents evidencing June's ownership of the Dogs.
3. Produce any documentation you have evidencing that you or June asked for possession of the Dogs after September 7, 2019 and prior to the Petition for Return of the Dogs filed herein.
4. Produces any documents related to June obtaining the Dogs.
5. Produce any and all documents related to the most recent Anaheim Property refinance or new mortgage.
6. Produce all of June's financial records from January 1, 2017 to the present.
7. Produce any of Gerry's documents that you have located at the Kraft Property.
8. Produce any documents evidencing your belief that Gerry, Dick or Kandi converted assets from June.
9. Produce any documents evidencing your belief during the past six months that June had a financial account sometime in the past with approximately \$800,000, which you believe Gerry or Dick converted money from.
10. Produce any documentation which evidences that June was gifted tens of thousands of dollars in gift cards from her children.
11. Produce any documentation which evidences that Gerry, Dick or Kandi stole gift cards from June.
12. Produce all documents evidencing your communications with Gerry or any member of his family regarding your concerns about June's mental condition.
13. Produce all medical records which describe June's physical and mental condition in January 2018.

- 1 14. Produce all records of any type evidencing June's alleged mental impairment.
- 2 15. Produce all medical records for June from January 2014 through the present.
- 3 16. Produce any and all documents evidencing complaints you are aware of made about
- 4 Gerry's care for June prior to August 2019.
- 5 17. Produce evidence of any and all communications you have had regarding June from
- 6 April 1, 2019 to the present, excluding communications have had with your attorneys.
- 7 18. Produce all documents related to a complaint with Las Vegas Metro related to June's
- 8 care and condition.
- 9 19. Produce all documents that evidence that Gerry is mentally or physically unable to
- 10 care for June as he did while they were living together.
- 11 20. Produce all documents evidencing who stayed with June during the January 14, 2020
- 12 court hearing.
- 13 21. Produce all documents identified or referred to in the above interrogatories and/or
- 14 your responses to those interrogatories.
- 15 22. Produce all documents identified or referred to in the above requests for admission
- 16 and/or your responses to those requests.
- 17 23. Produce all additional documents you relied upon when responding to any of these
- 18 discovery requests.
- 19 24. To the extent any other documents exist which are related in any way to this
- 20 proceeding, which have not already been requested herein, produce the same.
- 21
- 22
- 23

24 DATED this 20th day of January, 2020.

KEHOE & ASSOCIATES

25 /s/ Ty E. Kehoe

26 Ty E. Kehoe, Esq.  
27 Matthew C. Piccolo, Esq.  
28 PICCOLO LAW OFFICES



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3 Nevada Bar No. 006011  
4 871 Coronado Center Drive, Suite 200  
5 Henderson, Nevada 89052  
6 Telephone: (702) 837-1908  
7 Facsimile: (702) 837-1932  
8 TyKehoeLaw@gmail.com

9 Matthew C. Piccolo, Esq.  
10 Nevada Bar No. 14331  
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14 Tel: (702) 749-3699  
15 Fax: (702) 944-6630  
16 matt@piccololawoffices.com

Attorneys for Rodney Gerald Yeoman

**DISTRICT COURT  
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 JUNE JONES,  
  
Protected Person.

**GERRY'S SECOND SET OF REQUESTS FOR ADMISSIONS, AND SECOND SET OF  
REQUESTS FOR PRODUCTION OF DOCUMENTS TO KIMBERLY JONES**

TO: KIMBERLY JONES

Rodney Gerald Yeoman, by and through his attorneys Ty E. Kehoe, Esq. and Matthew C. Piccolo, Esq., hereby submits his Second Set of Requests for Admissions, and Second Set of Requests for Production of Documents to Kimberly Jones. These Requests are made pursuant to Nevada Rules of Civil Procedure 33, 34, and 36.

DATED this 20<sup>th</sup> day of January, 2020.

KEHOE & ASSOCIATES  
/s/ Ty E. Kehoe  
Ty E. Kehoe, Esq.  
Matthew C. Piccolo, Esq.  
PICCOLO LAW OFFICES

KEHOE & ASSOCIATES  
871 Coronado Center Drive, Suite  
200  
Henderson, Nevada 89052  
(702) 837-1908

///

## DEFINITIONS

1. As used herein, the terms “you” and “your” refer to Kimberly Jones in the above-entitled litigation responding to this written discovery, together with agents, employees, other representatives or successors in interest.
2. As used herein, the term “June” refers to Kathleen June Jones, the Protected Person herein.
3. As used herein, the term “Gerry” refers to Rodney Gerald Yeoman, the husband of the Protected Person herein.
4. As used herein, the term “Guardianship” refers to the above captioned guardianship matter and all issues, claims, disputes and arguments flowing from and related to the same.
5. As used herein, the term “Evidentiary Hearing” refers to the evidentiary hearing currently scheduled herein for February 20, 2020.
6. As used herein, the term “Kandi” refers to Kandi Powell, a daughter of Gerry and husband of Richard Powell.
7. As used herein, the term “Dick” refers to Richard Powell, a son-in-law of Gerry and husband of Kandi.
8. Of the two dogs that were living with June and Gerry in January 2019, the dog that was purchased in approximately October 2010 is referred to herein as “First Dog.”
9. Of the two dogs that were living with June and Gerry in January 2019, the dog that was mothered by the First Dog is referred to herein as “Second Dog.”
10. As used herein, the term “Dogs” refers to the First Dog and Second Dog collectively.
11. As used herein, the term “Account 7492” refers to a Bank of America account with June’s name ending in 7492.

- 1 12. As used herein, the term “Lawsuit” refers to the proceeding in Clark County Nevada  
2 District Court known as Case No. A-19-807458-C.
- 3 13. As used herein, the term “Anaheim Property” refers to the real property that June owns  
4 in California.
- 5 14. As used herein, the term “Kraft Property” refers to the real property that June resides  
6 in in Nevada.
- 7 15. As used herein, the term “Medical Power of Attorney” refers to the Durable Power of  
8 Attorney produced herein dated December 27, 2005.
- 9 16. As used herein, the term “General Power of Attorney” refers to the Power of Attorney  
10 produced herein dated October 24, 2012.
- 11 17. As used herein, the term “Holographic Document” refers to the alleged Holographic  
12 Will produced herein dated November 23, 2012.
- 13 18. As used herein, the terms “document” and “documents” mean the original, drafts, or  
14 exact copies thereof, of any kind of written or graphic matter, however produced or  
15 reproduced, of any kind or description, and all copies thereof which are different in  
16 any way from the original including, without limitation, any paper, correspondence,  
17 telegram, telex, facsimile, contract, book, manual, account, invoice, report, record,  
18 transcript, letter, memorandum, statement, check, checkstub, note, chart, log, ledger,  
19 drawing, sketch, inventory or survey whether written, typed, printed, punched, filmed  
20 or marked in any way, and any records, tape or wire, film computer disc, photograph,  
21 movie, or other graphic or electronic sound recordings or transcripts thereof, to which  
22 you have or have had access to, or of which you have knowledge.
- 23 19. As used herein, the term “person” includes natural persons, corporations, partnerships  
24 and all other forms of organization or association.
- 25  
26  
27  
28

1 20. As used herein, the term "identify" when used with reference to an individual person  
2 means to state (i) the person's full name, (ii) the person's present or last known  
3 business address and telephone number, (iii) the person's present or last known home  
4 address and telephone number, and (iv) the person's present employer and position.

5  
6 21. As used herein, the term "identify" when used with reference to a person other than  
7 an individual person means to state (i) such person's name, (ii) whether such person  
8 is a corporation partnership or other organization, (iii) such person's present or last  
9 known address and telephone number, and (iv) such person's principal place of  
10 business.

11 22. As used herein, the term "identify" when used with reference to a document means to  
12 state (i) the date that such document bears, or if not dated, the date that it was prepared,  
13 (ii) the identity of the person who prepared such document, (iii) the present location  
14 and identity of the custodian of the original of such document and all known copies  
15 thereof, and (iv) the type of document or means to identify the document with  
16 sufficient particularity to meet the requirements for inclusion in a request for  
17 production of documents under Rule 34, Federal Rules of Civil Procedure.  
18

### 19 INSTRUCTIONS

20  
21 As to each Request for Admission:

22 1. If, in good faith, only a part of said statement should be denied, you should specify  
23 that portion of the statement which is true and admit to the same and deny the  
24 remainder of the statement. If the responding party is unable to admit or deny, the  
25 responding party shall set forth in detail the reason why as to each Request for  
26 Admission.  
27

28 As to each Request for Production:

1. If you are unable to locate any document called for in this request after conducting a reasonable investigation, so state and (i) identify the specific documents which you could not obtain, (ii) your efforts to obtain such document and (iii) the person or persons who are likely to have custody of the document.
2. In producing these documents, you are requested to furnish all documents known or available to you regardless of whether these documents are possessed directly by you or your agents, accountants, employees, representatives, investigators, or by your attorneys, including former attorneys, or their agents, employees, representatives or investigators.
3. **IN PRODUCING THESE DOCUMENTS, YOU ARE TO INDICATE THE PARAGRAPH NUMBER OF THE PARTICULAR REQUEST IN RESPONSE TO WHICH EACH DOCUMENT IS PRODUCED.**
4. If any of the requested documents cannot be produced in full, you are to produce to the extent possible, specifying whatever information, knowledge or belief you do have concerning the unproduced portion.
5. Each document you produce should have a Bates Number on the bottom indicating “Kimberly” and the specific number assigned to that document (ie. The first document you produce will be noted on the bottom of the page as Kimberly 0001, the second document you produce will be Kimberly 0002, etc.). Providing Bates Numbers on the documents will assist in insuring that documents are not lost, and will assist in referencing the documents during depositions and trial.
6. If any documents or thing requested was at one time in existence, but is no longer in existence, please so state, specifying for each document or thing, (i) the type of document or thing, (ii) the types of information contained therein, (iii) the date

1 upon which the document or thing was destroyed or ceased to exist, (iv) the  
2 circumstances under which it was destroyed or ceased to exist, (v) the identity of  
3 all persons having knowledge of the circumstances under which it was destroyed  
4 or ceased to exist, and (vi) the identity of all persons having knowledge or persons  
5 who had knowledge of the contents thereof.  
6

7 7. If you seek to withhold any documents on the basis of attorney-client privilege, as  
8 work product or other legal protection, you shall, at the time of your response to  
9 this Request, supply a numerical list of the documents for which limitation of  
10 discovery is claimed, providing the following information:

11 (i) Identify each person who wrote it or participated in any way in its  
12 preparation;

13 (ii) Identify each person who signed it;

14 (iii) Identify each person to whom it was addressed, to whom a copy was  
15 addressed or who received a copy of each such document;

16 (iv) Identify each person who presently has custody of each such document  
17 or a copy thereof;

18 (v) The date of each such document, if any, or estimate thereof and so  
19 indicated as an estimate if no date appears on said documents;

20 (vi) The general subject matter as described in each such document, or, if  
21 no such description exists, then such other description sufficient to identify  
22 said document; and  
23

24 (vii) A specific statement of the privilege, doctrine, or other legal  
25 protection on which you rely in refusing to produce such document.  
26  
27

1           *All discovery Requests and Interrogatories are continuing ones. If after responding to*  
2 *these discovery Requests and Interrogatories, you obtain or become aware of any further*  
3 *documents or information responsive to the Requests or Interrogatories, you are required to*  
4 *produce such additional documents or information.*

5                           **SECOND SET OF REQUESTS FOR ADMISSIONS**

6  
7           25. Admit that Gerry provided more care for the Dogs than June since they were first  
8           obtained by June and Gerry.

9                           **SECOND SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS**

10           20. Produce any documents related to June obtaining the Dogs.

11           21. Produce any documents evidencing your belief that Gerry, Dick or Kandi converted  
12           assets from June.

13           22. Produce all documents evidencing your communications with Gerry or any member  
14           of his family regarding your concerns about June's mental condition.

15           23. Produce all documents that evidence that Gerry is mentally or physically unable to  
16           care for June as he did while they were living together.

17           24. Produce all documents evidencing who stayed with June during the January 14, 2020  
18           court hearing.

19  
20  
21       DATED this 20<sup>th</sup> day of January, 2020.

KEHOE & ASSOCIATES

22                           /s/ Ty E. Kehoe

23                           Ty E. Kehoe, Esq.  
24                           Matthew C. Piccolo, Esq.  
25                           PICCOLO LAW OFFICES

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17 Attorneys for Rodney Gerald Yeoman

18 **DISTRICT COURT**  
19 **CLARK COUNTY, NEVADA**

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

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

22 KATHLEEN JUNE JONES,

23 Protected Person.

24 **GERRY'S FIRST SET OF INTERROGATORIES, FIRST SET OF REQUESTS FOR**  
25 **ADMISSIONS, AND FIRST SET OF REQUESTS FOR PRODUCTION OF**  
26 **DOCUMENTS TO DONNA SIMMONS**

27 TO: DONNA SIMMONS

28 Rodney Gerald Yeoman, by and through his attorneys Ty E. Kehoe, Esq. and Matthew C. Piccolo, Esq., hereby submits his First Set of Interrogatories, First Set of Requests for Admissions, and First Set of Requests for Production of Documents to Donna Simmons. These Requests are made pursuant to Nevada Rules of Civil Procedure 33, 34, and 36.

DATED this 20th day of January, 2020.

KEHOE & ASSOCIATES

/s/ Ty E. Kehoe

Ty E. Kehoe, Esq.

Matthew C. Piccolo, Esq.

PICCOLO LAW OFFICES

KEHOE & ASSOCIATES  
871 Coronado Center Drive, Suite  
200  
Henderson, Nevada 89052  
(702) 837-1908

///



## DEFINITIONS

1. As used herein, the terms “you” and “your” refer to Donna Simmons in the above-entitled litigation responding to this written discovery, together with agents, employees, other representatives or successors in interest.
2. As used herein, the term “June” refers to Kathleen June Jones, the Protected Person herein.
3. As used herein, the term “Gerry” refers to Rodney Gerald Yeoman, the husband of the Protected Person herein.
4. As used herein, the term “Guardianship” refers to the above captioned guardianship matter and all issues, claims, disputes and arguments flowing from and related to the same.
5. As used herein, the term “Evidentiary Hearing” refers to the evidentiary hearing currently scheduled herein for February 20, 2020.
6. As used herein, the term “Kandi” refers to Kandi Powell, a daughter of Gerry and husband of Richard Powell.
7. As used herein, the term “Dick” refers to Richard Powell, a son-in-law of Gerry and husband of Kandi.
8. Of the two dogs that were living with June and Gerry in January 2019, the dog that was purchased in approximately October 2010 is referred to herein as “First Dog.”
9. Of the two dogs that were living with June and Gerry in January 2019, the dog that was mothered by the First Dog is referred to herein as “Second Dog.”
10. As used herein, the term “Dogs” refers to the First Dog and Second Dog collectively.
11. As used herein, the term “Account 7492” refers to a Bank of America account with June’s name ending in 7492.

- 1 12. As used herein, the term “Lawsuit” refers to the proceeding in Clark County Nevada  
2 District Court known as Case No. A-19-807458-C.
- 3 13. As used herein, the term “Anaheim Property” refers to the real property that June owns  
4 in California.
- 5 14. As used herein, the term “Kraft Property” refers to the real property that June resides  
6 in in Nevada.
- 7 15. As used herein, the term “Medical Power of Attorney” refers to the Durable Power of  
8 Attorney produced herein dated December 27, 2005.
- 9 16. As used herein, the term “General Power of Attorney” refers to the Power of Attorney  
10 produced herein dated October 24, 2012.
- 11 17. As used herein, the term “Holographic Document” refers to the alleged Holographic  
12 Will produced herein dated November 23, 2012.
- 13 18. As used herein, the terms “document” and “documents” mean the original, drafts, or  
14 exact copies thereof, of any kind of written or graphic matter, however produced or  
15 reproduced, of any kind or description, and all copies thereof which are different in  
16 any way from the original including, without limitation, any paper, correspondence,  
17 telegram, telex, facsimile, contract, book, manual, account, invoice, report, record,  
18 transcript, letter, memorandum, statement, check, checkstub, note, chart, log, ledger,  
19 drawing, sketch, inventory or survey whether written, typed, printed, punched, filmed  
20 or marked in any way, and any records, tape or wire, film computer disc, photograph,  
21 movie, or other graphic or electronic sound recordings or transcripts thereof, to which  
22 you have or have had access to, or of which you have knowledge.
- 23 19. As used herein, the term “person” includes natural persons, corporations, partnerships  
24 and all other forms of organization or association.
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1 20. As used herein, the term "identify" when used with reference to an individual person  
2 means to state (i) the person's full name, (ii) the person's present or last known  
3 business address and telephone number, (iii) the person's present or last known home  
4 address and telephone number, and (iv) the person's present employer and position.

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9 known address and telephone number, and (iv) such person's principal place of  
10 business.

11 22. As used herein, the term "identify" when used with reference to a document means to  
12 state (i) the date that such document bears, or if not dated, the date that it was prepared,  
13 (ii) the identity of the person who prepared such document, (iii) the present location  
14 and identity of the custodian of the original of such document and all known copies  
15 thereof, and (iv) the type of document or means to identify the document with  
16 sufficient particularity to meet the requirements for inclusion in a request for  
17 production of documents under Rule 34, Federal Rules of Civil Procedure.  
18

### 19 INSTRUCTIONS

20  
21 As to each Request for Admission:

22 1. If, in good faith, only a part of said statement should be denied, you should specify  
23 that portion of the statement which is true and admit to the same and deny the  
24 remainder of the statement. If the responding party is unable to admit or deny, the  
25 responding party shall set forth in detail the reason why as to each Request for  
26 Admission.  
27

28 As to each Request for Production:

1. If you are unable to locate any document called for in this request after conducting a reasonable investigation, so state and (i) identify the specific documents which you could not obtain, (ii) your efforts to obtain such document and (iii) the person or persons who are likely to have custody of the document.
2. In producing these documents, you are requested to furnish all documents known or available to you regardless of whether these documents are possessed directly by you or your agents, accountants, employees, representatives, investigators, or by your attorneys, including former attorneys, or their agents, employees, representatives or investigators.
3. **IN PRODUCING THESE DOCUMENTS, YOU ARE TO INDICATE THE PARAGRAPH NUMBER OF THE PARTICULAR REQUEST IN RESPONSE TO WHICH EACH DOCUMENT IS PRODUCED.**
4. If any of the requested documents cannot be produced in full, you are to produce to the extent possible, specifying whatever information, knowledge or belief you do have concerning the unproduced portion.
5. Each document you produce should have a Bates Number on the bottom indicating “Donna” and the specific number assigned to that document (ie. The first document you produce will be noted on the bottom of the page as Donna 0001, the second document you produce will be Donna 0002, etc.). Providing Bates Numbers on the documents will assist in insuring that documents are not lost, and will assist in referencing the documents during depositions and trial.
6. If any documents or thing requested was at one time in existence, but is no longer in existence, please so state, specifying for each document or thing, (i) the type of document or thing, (ii) the types of information contained therein, (iii) the date

1 upon which the document or thing was destroyed or ceased to exist, (iv) the  
2 circumstances under which it was destroyed or ceased to exist, (v) the identity of  
3 all persons having knowledge of the circumstances under which it was destroyed  
4 or ceased to exist, and (vi) the identity of all persons having knowledge or persons  
5 who had knowledge of the contents thereof.  
6

7 7. If you seek to withhold any documents on the basis of attorney-client privilege, as  
8 work product or other legal protection, you shall, at the time of your response to  
9 this Request, supply a numerical list of the documents for which limitation of  
10 discovery is claimed, providing the following information:

11 (i) Identify each person who wrote it or participated in any way in its  
12 preparation;

13 (ii) Identify each person who signed it;

14 (iii) Identify each person to whom it was addressed, to whom a copy was  
15 addressed or who received a copy of each such document;

16 (iv) Identify each person who presently has custody of each such document  
17 or a copy thereof;

18 (v) The date of each such document, if any, or estimate thereof and so  
19 indicated as an estimate if no date appears on said documents;

20 (vi) The general subject matter as described in each such document, or, if  
21 no such description exists, then such other description sufficient to identify  
22 said document; and  
23

24 (vii) A specific statement of the privilege, doctrine, or other legal  
25 protection on which you rely in refusing to produce such document.  
26  
27

*All discovery Requests and Interrogatories are continuing ones. If after responding to these discovery Requests and Interrogatories, you obtain or become aware of any further documents or information responsive to the Requests or Interrogatories, you are required to produce such additional documents or information.*

## FIRST SET OF INTERROGATORIES

1. Identify all persons who have any knowledge of the facts and circumstances related to the Guardianship, and for each person identified, summarize the nature, extent or subject matter of its/his/her knowledge.
2. Identify all persons who you intend to call as a witness at the Evidentiary Hearing, and for each person identified, summarize the nature, extent or subject matter of its/his/her knowledge.
3. What conditions were expressed to June by any of her family when June obtained the First Dog?
4. What was expressed to June and Gerry to indicate to them that the Dogs were a gift specifically to June (and not to June and Gerry) from her family?
5. How was the purchase of the First Dog paid for, including who paid, what form of payment was used and the date on which such payment was made?
6. Who was involved in choosing and picking up the First Dog?
7. What information suggests June did not decide to share ownership of the Dogs with Gerry?
8. Detail what care June provided for the Dogs, since she first obtained possession of them.
9. What steps did you take since January 1, 2014 to ensure that June's finances were being properly handled by June?

- 1 10. Who was involved in facilitating the most recent Anaheim Property refinance or new
- 2 mortgage?
- 3 11. Provide an accounting of June's finances, including income, receipts, expenses and
- 4 assets and liabilities from January 1, 2014, through the present.
- 5 12. Detail any efforts you have made to ensure your brother is paying fair market value
- 6 for rental of the Anaheim Property.
- 7 13. Provide a list of all financial accounts in which June had an interest from January 1,
- 8 2014 to the present.
- 9 14. Detail any assets you believe Gerry, Dick or Kandi converted from June.
- 10 15. How did you first discover that June sold the Kraft Property to Dick and Kandi?
- 11 16. What causes you to believe that June did not voluntarily sell the Kraft Property to
- 12 Dick and Kandi?
- 13 17. Detail any information you have indicating that Dick and Kandi intended to harm June
- 14 by June's sale of the Kraft Property to Dick and Kandi.
- 15 18. Detail any concerns expressed by you to anyone in the world regarding June's care
- 16 and condition from January 1, 2014 to the present, including to whom you expressed
- 17 the concern, the medium by which such concern was expressed, and the date on which
- 18 such concern was expressed.
- 19 19. Describe who filed a complaint with Las Vegas Metro related to June's care and
- 20 condition, when such complaint was filed, and the case number and current status of
- 21 such complaint.
- 22 20. Detail which of June's children offered to provide assistance for June when Gerry's
- 23 family requested such assistance in approximately April 2019, including who offered
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1 assistance, how such assistance was offered, when such assistance was offered, and  
2 whether such assistance was actually provided.

3 21. Describe how much money you have paid for June's care or other expenses, including  
4 an amount and purpose of each payment, from January 1, 2014 to present.

5 22. Detail any and all allegations of elder abuse against June.

6 23. Detail any harm or benefits which might be caused to June if Gerry and June were  
7 again living together.

8 24. Account for any financial benefits received by June from Dick or Kandi from January  
9 1, 2014 to the present.

10 25. Detail your in-person visits with June from January 1, 2014 to September 7, 2019.

11 26. Describe any complaints you had or are aware of prior to August 2019 made about  
12 Gerry's care for June.

13 27. Detail where and who with June lived between January 1, 2014 and September 7,  
14 2019.

15 28. Account for any expenses related to June's use of Dick's motorhome that June paid  
16 for.

17 29. Describe any reason in detail why you believe Gerry is mentally or physically unable  
18 to care for June as he did while they were living together.

19 30. If you were told about, by someone other than your attorney, your sister Robyn  
20 interacting with Dick in the courtroom hallway after the court hearing on January 14,  
21 2020, describe the interaction as it was described to you.

22 31. Describe your understanding of the history and progression of June's mental  
23 impairment?



1 32. Describe every instance in which you communicated to Gerry or any member of  
2 Gerry's family about June's mental state, including when, where, and what you  
3 communicated, from January 1, 2014 to present.

4 33. If you were told about, by someone other than your attorney, the conversation your  
5 sister Robyn had with a member of Gerry's family approximately six years ago  
6 wherein she was asked to assist with June's expenses, as she discussed with Dick and  
7 others in the courtroom hallway on September 6, 2019, then describe your  
8 understanding of the same.  
9

10 34. Describe how and why the Medical Power of Attorney was created.

11 35. Describe how and why the General Power of Attorney was created.

12 36. Describe how and why the Holographic Document was created.

13 37. Describe your understanding of how and why June was taken from Phoenix against  
14 her will and the will of Gerry on September 7, 2019.  
15

16 38. Identify all documents you are aware of or have heard about related to this  
17 Guardianship, whether or not you have ever had possession of the same, that you are  
18 not otherwise producing in response to a Request for Production herein.

19 39. If you deny any of the Requests for Admission, state with specificity why you are  
20 denying the same.  
21

22 40. Set forth all other facts you believe are relevant to this Guardianship and the  
23 Evidentiary Hearing.

24 **FIRST REQUESTS FOR ADMISSIONS**

25 1. Admit that Gerry provided more care for the Dogs than June since they were first  
26 obtained by June and Gerry.  
27

2. Admit that June has expressed during the pendency of the Guardianship a desire to share possession of the Dogs with Gerry.
3. Admit that if the Dogs were gifted to June, then once she owned them, she could do anything she wanted with them, including sharing ownership with Gerry.
4. Admit that your brother is renting the Anaheim Property and is paying less than fair market value.
5. Admit that even if Kimberly had a valid power of attorney at the time of the Kraft Property sale to Dick and Kandi, June is legally permitted to conduct her personal financial transactions without the permission or involvement of Kimberly or any of her other adult children.
6. Admit that June has not paid any mortgage payment or rental payment related to use of the Kraft Property since December 2017.
7. Admit that Gerry lived in the Kraft Property with June for approximately 9 years, until approximately April 2019.
8. Admit that Dick paid off June's mortgage on the Kraft Property in the total amount of approximately \$140,000.
9. Admit that June was benefited in the amount of approximately \$140,000 by Dick paying of June's mortgage on the Kraft Property.
10. Admit that June has expressed an interest in living with Gerry again, since she was taken from Gerry on September 7, 2019.
11. Admit that June expressed an interest in staying in Phoenix with Gerry when she was taken on September 7, 2019.
12. Admit that you encouraged or supported the taking of June from Phoenix against her will and the will of Gerry on September 7, 2019.

- 1 13. Admit that June and Gerry shared their finances as a marital community.
- 2 14. Admit that June had problems with defecating on herself prior to April 2019.
- 3 15. Admit that Gerry's family reached out to June's family and requested June's family
- 4 to assist June with her financial obligations.
- 5 16. Admit that you were aware prior to May 2019 of Dick financially helping June and
- 6 Gerry.
- 7 17. Admit that June's social security income and rental income from June's Anaheim
- 8 house are June's only sources of income.
- 9 18. Admit that prior to January 2018, June's social security income and rental income
- 10 from June's Anaheim Property were insufficient to pay the mortgage on the Anaheim
- 11 Property and the Kraft Property and June's other living expenses.
- 12 19. Admit that for years June and Gerry traveled together in a motorhome provided by
- 13 Dick.
- 14 20. Admit that you are not aware of any present physical or mental condition that would
- 15 prevent Gerry from caring for June as he did while they were living together.
- 16 21. Admit that you have no medical records indicating June suffers from a medical
- 17 impairment which are dated prior to September 5, 2019.
- 18 22. Admit that no legal authority existed to take June from the care of her husband Gerry
- 19 on September 7, 2019.
- 20 23. Admit that you are not aware of the existence of the original copies of the Medical
- 21 Power of Attorney, General Power of Attorney, or Holographic Document.
- 22
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- 24

25 **FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

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- 27 1. Produce any documents evidencing June providing care for the Dogs.
- 28 2. Produce any documents evidencing June's ownership of the Dogs.

3. Produce any documentation you have evidencing that you or June asked for possession of the Dogs after September 7, 2019 and prior to the Petition for Return of the Dogs filed herein.
4. Produce any documents related to June obtaining the Dogs.
5. Produce any and all documents related to the most recent Anaheim Property refinance or new mortgage.
6. Produce all of June's financial records from January 1, 2017 to the present.
7. Produce any of Gerry's documents that you have located at the Kraft Property.
8. Produce any documents evidencing your belief that Gerry, Dick or Kandi converted assets from June.
9. Produce any documents evidencing your belief during the past six months that June had a financial account sometime in the past with approximately \$800,000, which you believe Gerry or Dick converted money from.
10. Produce any documentation which evidences that June was gifted tens of thousands of dollars in gift cards from her children.
11. Produce any documentation which evidences that Gerry, Dick or Kandi stole gift cards from June.
12. Produce all documents evidencing your communications with Gerry or any member of his family regarding your concerns about June's mental condition.
13. Produce all medical records which describe June's physical and mental condition in January 2018.
14. Produce all records of any type evidencing June's alleged mental impairment.
15. Produce all medical records for June from January 2014 through the present.

- 1 16. Produce any and all documents evidencing complaints you are aware of made about  
2 Gerry's care for June prior to August 2019.
- 3 17. Produce evidence of any and all communications you have had regarding June from  
4 April 1, 2019 to the present, excluding communications have had with your attorneys.
- 5 18. Produce all documents related to a complaint with Las Vegas Metro related to June's  
6 care and condition.
- 7 19. Produce all documents that evidence that Gerry is mentally or physically unable to  
8 care for June as he did while they were living together.
- 9 20. Produce all documents evidencing who stayed with June during the January 14, 2020  
10 court hearing.
- 11 21. Produce all documents identified or referred to in the above interrogatories and/or  
12 your responses to those interrogatories.
- 13 22. Produce all documents identified or referred to in the above requests for admission  
14 and/or your responses to those requests.
- 15 23. Produce all additional documents you relied upon when responding to any of these  
16 discovery requests.
- 17 24. To the extent any other documents exist which are related in any way to this  
18 proceeding, which have not already been requested herein, produce the same.

19 DATED this 20th day of January, 2020.

20 KEHOE & ASSOCIATES

21 /s/ Ty E. Kehoe

22 Ty E. Kehoe, Esq.  
23 Matthew C. Piccolo, Esq.  
24 PICCOLO LAW OFFICES  
25  
26  
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1 KEHOE & ASSOCIATES  
2 TY E. KEHOE, ESQ.  
3 Nevada Bar No. 006011  
4 871 Coronado Center Drive, Suite 200  
5 Henderson, Nevada 89052  
6 Telephone: (702) 837-1908  
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8 TyKehoeLaw@gmail.com

9 Matthew C. Piccolo, Esq.  
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12 8565 S Eastern Ave Ste 150  
13 Las Vegas, NV 89123  
14 Tel: (702) 749-3699  
15 Fax: (702) 944-6630  
16 matt@piccololawoffices.com

17 Attorneys for Rodney Gerald Yeoman

18 **DISTRICT COURT**  
19 **CLARK COUNTY, NEVADA**

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

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

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24 **GERRY'S FIRST SET OF INTERROGATORIES, FIRST SET OF REQUESTS FOR**  
25 **ADMISSIONS, AND FIRST SET OF REQUESTS FOR PRODUCTION OF**  
26 **DOCUMENTS TO KIMBERLY JONES**

27 TO: KIMBERLY JONES

28 Rodney Gerald Yeoman, by and through his attorneys Ty E. Kehoe, Esq. and Matthew C.  
Piccolo, Esq., hereby submits his First Set of Interrogatories, First Set of Requests for  
Admissions, and First Set of Requests for Production of Documents to Kimberly Jones. These  
Requests are made pursuant to Nevada Rules of Civil Procedure 33, 34, and 36.

DATED this 18th day of January, 2020.

KEHOE & ASSOCIATES

/s/ Ty E. Kehoe

Ty E. Kehoe, Esq.

Matthew C. Piccolo, Esq.

PICCOLO LAW OFFICES

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16 any way from the original including, without limitation, any paper, correspondence,  
17 telegram, telex, facsimile, contract, book, manual, account, invoice, report, record,  
18 transcript, letter, memorandum, statement, check, checkstub, note, chart, log, ledger,  
19 drawing, sketch, inventory or survey whether written, typed, printed, punched, filmed  
20 or marked in any way, and any records, tape or wire, film computer disc, photograph,  
21 movie, or other graphic or electronic sound recordings or transcripts thereof, to which  
22 you have or have had access to, or of which you have knowledge.
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1. If you are unable to locate any document called for in this request after conducting a reasonable investigation, so state and (i) identify the specific documents which you could not obtain, (ii) your efforts to obtain such document and (iii) the person or persons who are likely to have custody of the document.
2. In producing these documents, you are requested to furnish all documents known or available to you regardless of whether these documents are possessed directly by you or your agents, accountants, employees, representatives, investigators, or by your attorneys, including former attorneys, or their agents, employees, representatives or investigators.
3. **IN PRODUCING THESE DOCUMENTS, YOU ARE TO INDICATE THE PARAGRAPH NUMBER OF THE PARTICULAR REQUEST IN RESPONSE TO WHICH EACH DOCUMENT IS PRODUCED.**
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5. Each document you produce should have a Bates Number on the bottom indicating “Kimberly” and the specific number assigned to that document (ie. The first document you produce will be noted on the bottom of the page as Kimberly 0001, the second document you produce will be Kimberly 0002, etc.). Providing Bates Numbers on the documents will assist in insuring that documents are not lost, and will assist in referencing the documents during depositions and trial.
6. If any documents or thing requested was at one time in existence, but is no longer in existence, please so state, specifying for each document or thing, (i) the type of document or thing, (ii) the types of information contained therein, (iii) the date

1 upon which the document or thing was destroyed or ceased to exist, (iv) the  
2 circumstances under which it was destroyed or ceased to exist, (v) the identity of  
3 all persons having knowledge of the circumstances under which it was destroyed  
4 or ceased to exist, and (vi) the identity of all persons having knowledge or persons  
5 who had knowledge of the contents thereof.  
6

7 7. If you seek to withhold any documents on the basis of attorney-client privilege, as  
8 work product or other legal protection, you shall, at the time of your response to  
9 this Request, supply a numerical list of the documents for which limitation of  
10 discovery is claimed, providing the following information:

11 (i) Identify each person who wrote it or participated in any way in its  
12 preparation;

13 (ii) Identify each person who signed it;

14 (iii) Identify each person to whom it was addressed, to whom a copy was  
15 addressed or who received a copy of each such document;

16 (iv) Identify each person who presently has custody of each such document  
17 or a copy thereof;

18 (v) The date of each such document, if any, or estimate thereof and so  
19 indicated as an estimate if no date appears on said documents;

20 (vi) The general subject matter as described in each such document, or, if  
21 no such description exists, then such other description sufficient to identify  
22 said document; and  
23

24 (vii) A specific statement of the privilege, doctrine, or other legal  
25 protection on which you rely in refusing to produce such document.  
26  
27

*All discovery Requests and Interrogatories are continuing ones. If after responding to these discovery Requests and Interrogatories, you obtain or become aware of any further documents or information responsive to the Requests or Interrogatories, you are required to produce such additional documents or information.*

## FIRST SET OF INTERROGATORIES

1. Identify all persons who have any knowledge of the facts and circumstances related to the Guardianship, and for each person identified, summarize the nature, extent or subject matter of its/his/her knowledge.
2. Identify all persons who you intend to call as a witness at the Evidentiary Hearing, and for each person identified, summarize the nature, extent or subject matter of its/his/her knowledge.
3. What conditions were expressed to June by any of her family when June obtained the First Dog?
4. What was expressed to June and Gerry to indicate to them that the Dogs were a gift specifically to June (and not to June and Gerry) from her family?
5. How was the purchase of the First Dog paid for, including who paid, what form of payment was used and the date on which such payment was made?
6. Who was involved in choosing and picking up the First Dog.
7. What information suggests June did not decide to share ownership of the Dogs with Gerry?
8. Detail what care June provided for the Dogs, since she first obtained possession of them.
9. When, why and how were you added to Account 7492?

- 1 10. What steps did you take since January 1, 2014 to ensure that June's finances were
- 2 being properly handled by June?
- 3 11. Who was involved in facilitating the most recent Anaheim Property refinance or new
- 4 mortgage?
- 5 12. Provide an accounting of June's finances, including income, receipts, expenses and
- 6 assets and liabilities from January 1, 2014, through the present.
- 7 13. Detail any efforts you have made as June's power of attorney to ensure your brother
- 8 is paying fair market value for rental of the Anaheim Property.
- 9 14. Detail all actions you have taken as the agent named in the Medical Power of Attorney
- 10 or General Power of Attorney since such documents were created.
- 11 15. Account for any cash you withdrew from a bank account with June's name since
- 12 January 1, 2014, including the \$2,000.00 cash withdrawn on July 22, 2019 from
- 13 Account 7492 and \$4,836.00 cash withdrawn on September 10, 2019 from Bank of
- 14 America account No. ending in 6668.
- 15 16. Explain the benefit to June of each withdrawal that you made or authorized from
- 16 Account 7492.
- 17 17. Explain how you made each payment to an attorney related to the Guardianship or
- 18 related to the Lawsuit.
- 19 18. Provide a list of all financial accounts in which June had an interest from January 1,
- 20 2014 to the present.
- 21 19. Detail any assets you believe Gerry, Dick or Kandi converted from June.
- 22 20. How did you first discovery that June sold the Kraft Property to Dick and Kandi?
- 23 21. What causes you to believe that June did not voluntarily sell the Kraft Property to
- 24 Dick and Kandi?
- 25
- 26
- 27
- 28

- 1 22. Detail any information you have indicating that Dick and Kandi intended to harm June  
2 by June's sale of the Kraft Property to Dick and Kandi.
- 3 23. Detail any concerns expressed to you by your siblings regarding June's care and  
4 condition from January 1, 2014 to the present, including who expressed the concern,  
5 when the concern was expressed, the medium by which such concern was expressed  
6 and the date on which such concern was expressed.
- 7
- 8 24. Describe who filed a complaint with Las Vegas Metro related to June's care and  
9 condition, when such complaint was filed, and the case number and current status of  
10 such complaint.
- 11 25. Detail which of June's children offered to provide assistance for June when Gerry's  
12 family requested such assistance in approximately April 2019, including who offered  
13 assistance, how such assistance was offered, when such assistance was offered, and  
14 whether such assistance was actually provided.
- 15
- 16 26. Detail any and all allegations of elder abuse against June.
- 17 27. Detail any harm or benefits which might be caused to June if Gerry and June were  
18 again living together.
- 19 28. Account for any financial benefits received by June from Dick or Kandi from January  
20 1, 2014 to the present.
- 21 29. Detail your in-person visits with June from January 1, 2014 to September 7, 2019.
- 22 30. Describe any complaints you had or are aware of prior to August 2019 made about  
23 Gerry's care for June.
- 24
- 25 31. Detail where and who with June lived between January 1, 2014 and September 7,  
26 2019.
- 27

- 1 32. Account for any expenses related to June's use of Dick's motorhome that June paid  
2 for.
- 3 33. If you saw your sister Robyn interacting with Dick in the courtroom hallway after the  
4 court hearing on January 14, 2020, describe the interaction as you observed it.
- 5 34. Describe your understanding of the history and progression of June's mental  
6 impairment?
- 7 35. Describe how and why the Medical Power of Attorney was created.
- 8 36. Describe how and why the General Power of Attorney was created.
- 9 37. Describe how and why the Holographic Document was created.
- 10 38. Identify all documents you are aware of or have heard about related to this  
11 Guardianship, whether or not you have ever had possession of the same, that you are  
12 not otherwise producing in response to a Request for Production herein.
- 13 39. If you deny any of the Requests for Admission, state with specificity why you are  
14 denying the same.
- 15 40. Set forth all other facts you believe are relevant to this Guardianship and the  
16 Evidentiary Hearing.

17  
18  
19 **FIRST REQUESTS FOR ADMISSIONS**

- 20 1. Admit that Gerry provided more care for the Dogs than June since they were first  
21 obtained by June and Gerry.
- 22 2. Admit that June has expressed during the pendency of the Guardianship a desire to  
23 share possession of the Dogs with Gerry.
- 24 3. Admit that if the Dogs were gifted to June, then once she owned them, she could do  
25 anything she wanted with them, including sharing ownership with Gerry.
- 26  
27

4. Admit that your brother is renting the Anaheim Property and is paying less than fair market value.
5. Admit that without permission from Gerry you took \$4,836.00 out of an account on which Gerry was an account holder.
6. Admit that even if Kimberly had a valid power of attorney at the time of the Kraft Property sale to Dick and Kandi, June is legally permitted to conduct her personal financial transactions without the permission or involvement of Kimberly or any of her other adult children.
7. Admit that June has not paid any mortgage payment or rental payment related to use of the Kraft Property since December 2017.
8. Admit that neither you nor your boyfriend Dean have paid June or Dick any rental payment related to your use of the Kraft Property.
9. Admit that Gerry lived in the Kraft Property with June for approximately 9 years, until approximately April 2019.
10. Admit that Dick paid off June's mortgage on the Kraft Property in the total amount of approximately \$140,000.
11. Admit that June was benefited in the amount of approximately \$140,000 by Dick paying of June's mortgage on the Kraft Property.
12. Admit that June has expressed an interest in living with Gerry again, since she was taken from Gerry on September 7, 2019.
13. Admit that June expressed an interest in staying in Phoenix with Gerry when she was taken on September 7, 2019.
14. Admit that you were involved in taking June from Phoenix against her will and the will of Gerry on September 7, 2019.



- 1 15. Admit that June and Gerry shared their finances as a marital community.
- 2 16. Admit that June had problems with defecating on herself prior to April 2019.
- 3 17. Admit that Gerry's family reached out to June's family and requested June's family
- 4 to assist June with her financial obligations.
- 5 18. Admit that you were aware prior to May 2019 of Dick financially helping June and
- 6 Gerry.
- 7 19. Admit that June's social security income and rental income from June's Anaheim
- 8 house are June's only sources of income.
- 9 20. Admit that prior to January 2018, June's social security income and rental income
- 10 from June's Anaheim Property were insufficient to pay the mortgage on the Anaheim
- 11 Property and the Kraft Property and June's other living expenses.
- 12 21. Admit that for years June and Gerry traveled together in a motorhome provided by
- 13 Dick.
- 14 22. Admit that you have no medical records indicating June suffers from a medical
- 15 impairment which are dated prior to September 5, 2019.
- 16 23. Admit you had no legal authority to take June from the care of her husband Gerry on
- 17 September 7, 2019.
- 18 24. Admit that you are not aware of the existence of the original copies of the Medical
- 19 Power of Attorney, General Power of Attorney, or Holographic Document.
- 20
- 21
- 22

23 **FIRST REQUEST FOR PRODUCTION OF DOCUMENTS**

- 24 1. Produce any documents evidencing June providing care for the Dogs.
- 25 2. Produce any documents evidencing June's ownership of the Dogs.
- 26
- 27

3. Produce any documentation you have evidencing that you or June asked for possession of the Dogs after September 7, 2019 and prior to the Petition for Return of the Dogs filed herein.
4. Produce any and all documents related to the most recent Anaheim Property refinance or new mortgage.
5. Produce all of June's financial records from January 1, 2017 to the present.
6. Produce any of Gerry's documents that you have located at the Kraft Property.
7. Produce any documents evidencing your belief during the past six months that June had a financial account sometime in the past with approximately \$800,000, which you believe Gerry or Dick converted money from.
8. Produce any documentation which evidences that June was gifted tens of thousands of dollars in gift cards from her children.
9. Produce any documentation which evidences that Gerry, Dick or Kandi stole gift cards from June.
10. Produce all medical records which describe June's physical and mental condition in January 2018.
11. Produce all records of any type evidencing June's alleged mental impairment.
12. Produce all medical records for June from January 2014 through the present.
13. Produce any and all documents evidencing complaints you are aware of made about Gerry's care for June prior to August 2019.
14. Produce evidence of any and all communications you have had regarding June from April 1, 2019 to the present, excluding communications have had with your attorneys.
15. Produce all documents related to a complaint with Las Vegas Metro related to June's care and condition.

1 16. Produce all documents identified or referred to in the above interrogatories and/or  
2 your responses to those interrogatories.

3 17. Produce all documents identified or referred to in the above requests for admission  
4 and/or your responses to those requests.

5 18. Produce all additional documents you relied upon when responding to any of these  
6 discovery requests.

7  
8 19. To the extent any other documents exist which are related in any way to this  
9 proceeding, which have not already been requested herein, produce the same.

10 DATED this 18th day of January, 2020.

KEHOE & ASSOCIATES

11 /s/ Ty E. Kehoe

12  
13 Ty E. Kehoe, Esq.  
14 Matthew C. Piccolo, Esq.  
15 PICCOLO LAW OFFICES  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27

# Exhibit 4



DIRECT LINE: (702) 207-6081  
DIRECT FAX: (702) 856-8981  
EMAIL: JBECKSTROM@MACLAW.COM

ALBERT G. MARQUIS  
PHILLIP S. AURBACH  
AVECE M. HIGBEE  
TERRY A. COFFING  
SCOTT A. MARQUIS  
JACK CHEN MIN JUAN  
CRAIG R. ANDERSON  
TERRY A. MOORE  
GERALDINE TOMICH  
NICHOLAS D. CROSBY  
TYE S. HANSEEN  
LIANE K. WAKAYAMA  
DAVID G. ALLEMAN  
CODY S. MOUNTEER  
CHAD F. CLEMENT  
CHRISTIAN T. BALDUCCI

JARED M. MOSER  
MICHAEL D. MAUPIN  
PATRICK C. McDONNELL  
KATHLEEN A. WILDE  
JACKIE V. NICHOLS  
RACHEL S. TYGRET  
JORDAN B. PEEL  
TOM W. STEWART  
JAMES A. BECKSTROM  
EMILY D. ANDERSON  
COLLIN M. JAYNE  
ALEXANDER K. CALAWAY

JOHN M. SACCO [RET.]  
LANCE C. EARL  
WILLIAM P. WRIGHT  
TROY R. DICKERSON  
BRIAN R. HARDY  
OF COUNSEL

February 3, 2020

Honorable Judge Linda Marquis  
EJDC Dept. B

Re: Guardianship of Kathleen June Jones  
Case No.: G-19-052263-A  
Our File No. 15820-1

Dear Honorable Judge Marquis:

Enclosed is a Stipulation and Order resolving the outstanding Motion for Return of Property filed on behalf of the protected person June Jones. As you can see, the dispute concerning ownership of the dogs has been fully resolved in favor of the protected person. As a result, it is the understanding of the protected person's attorney, Maria Parra-Sandoval, Esq. and I, that the evidentiary hearing currently set for February 20, 2020 concerning the Motion for Return of Property is no longer necessary. As such, we would ask the Court to vacate the forthcoming evidentiary hearing consistent with the enclosed Stipulation. Should the Court feel any additional issues remain subject to an evidentiary hearing, I would ask the Court to set a telephonic status check to clarify any such issues.

Sincerely,

MARQUIS AURBACH COFFING

*/s James A. Beckstrom*

James A. Beckstrom, Esq.

JAB:cb

Cc: Maria Parra-Sandoval, Esq., - mparra@lacs.org  
Ty Kehoe, Esq. - tykehoelaw@gmail.com  
John Michaelson, Esq. - John@michaelsonlaw.com

MAC: 3961034 2/3/2020 10:34 AM

1 **Marquis Aurbach Coffing**  
Geraldine Tomich, Esq.  
2 Nevada Bar No. 8369  
James A. Beckstrom, Esq.  
3 Nevada Bar No. 14032  
10001 Park Run Drive  
4 Las Vegas, Nevada 89145  
Telephone: (702) 382-0711  
5 Facsimile: (702) 382-5816  
gtomich@maclaw.com  
6 jbeckstrom@maclaw.com  
*Attorneys for Kimberly Jones,*  
7 *Guardian of Kathleen June Jones*

8  
9 **DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

10  
11 **IN THE MATTER OF THE GUARDIANSHIP**  
12 **OF THE PERSON AND ESTATE OF:**

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

13 **KATHLEEN JUNE JONES**

14 **An Adult Protected Person.**  
15

16 **STIPULATION AND ORDER ON PETITION FOR RETURN OF PROPERTY OF**  
17 **PROTECTED PERSON**

18 Kimberly Jones, Guardian of Protected Person Kathleen June Jones, by and through her  
19 attorneys of the law firm of Marquis Aurbach Coffing; Maria Parra-Sandoval, Esq. counsel for  
20 the Protected Person; and Rodney Gerald Yeoman, by and through his attorneys of the law firm  
21 Kehoe & Associates and Piccolo Law Firm, hereby stipulate and agree as follows:

22 1. On October 15, 2019, Kimberly Jones ("Kimberly") was appointed as Guardian  
23 of the Person and Estate of Kathleen June Jones, an Adult Protected Person (the "Protected  
24 Person") and vested with the authority to act on behalf of the Protected Person as provided by  
25 Nevada law.

26 2. On November 22, 2019, Kimberly filed a Petition for Return of Property of  
27 Protected Person concerning two Shih Tzu dogs commonly referred to as "Nikki" and "Charlie."  
28

1 3. Within the Petition for Return of Property, Kimberly asserted Nikki and Charlie  
2 were the sole and separate property of the Protected Person and were being wrongfully retained  
3 by the Protected Person's husband Rodney Gerald Yeoman ("Yeoman").

4 4. On December 6, 2019, Yeoman, filed an Opposition to the Petition for Return of  
5 Property, asserting among other things, he maintained an ownership interest in Nikki and  
6 Charlie.

7 5. On December 10, 2019, following oral argument on the Motion for Return of  
8 Property, the Court set an evidentiary hearing on February 20, 2020, to establish ownership of  
9 Nikki and Charlie.

10 6. Yeoman and Kimberly, through their counsel of record have agreed to resolve  
11 their disputes related to Nikki and Charlie as a compromise of disputed claims and to avoid  
12 further disputes and the costs of potential litigation concerning Nikki and Charlie. Neither  
13 Yeoman nor Kimberly admit to any fault, wrongdoing or liability to the other.

14 7. As a resolution, Yeoman and Kimberly, through their counsel of record hereby  
15 agree, and stipulate that Nikki and Charlie shall be the sole and separate personal property of the  
16 Protected Person.

17 8. Yeoman and Kimberly, through their counsel of record further hereby agree that  
18 Cause of Action No. 10 for Intentional Infliction of Emotional Distress in Clark County District  
19 Court Case No. A-19-807458-C, concerning the alleged wrongful retention of Nikki and Charlie,  
20 shall be dismissed with prejudice.

21 9. Yeoman and Kimberly, through their counsel of record further intend that this  
22 Stipulation and Order shall constitute an enforceable contract between the parties.

23 10. Each party hereto shall bear their own costs and attorneys' fees incurred in  
24 connection with this this Stipulation and Order, and the Motion for Return of Property.

25 ///

26 ///

27 ///

28

MARQUIS AURBACH COFFING

10001 Park Run Drive  
Las Vegas, Nevada 89145  
(702) 382-0711 FAX: (702) 382-5816

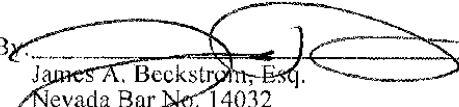
11. Based on the resolution of the above stated dispute, the parties further stipulate to vacate the evidentiary hearing, as to the issues related to ownership of Nikki and Charlie, set to begin on February 20, 2020.

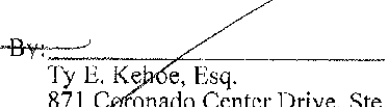
Dated this 31<sup>st</sup> day of January, 2020.

Dated this \_\_\_\_ day of January, 2020.

MARQUIS AURBACH COFFING

KEHOE & ASSOCIATES

By:   
James A. Beckstrom, Esq.  
Nevada Bar No. 14032  
10001 Park Run Drive  
Las Vegas, Nevada 89145  
Attorneys for Kimberly Jones, Guardian  
of Kathleen June Jones

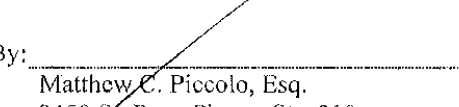
By:   
Ty E. Kehoe, Esq.  
871 Coronado Center Drive, Ste. 200  
Henderson, NV 89052  
Attorney for Rodney Gerald Yeoman


Dated this \_\_\_\_ day of January, 2020.

Dated this 31<sup>st</sup> day of January, 2020.

PICCOLO LAW OFFICES

LEGAL AID CENTER OF SOUTHERN  
NEVADA, INC.

By:   
Matthew C. Piccolo, Esq.  
2450 St. Rose Pkwy., Ste. 210  
Henderson, NV 89074  
Attorney for Rodney Gerald Yeoman

By:   
Maria Parra-Sandoval, Esq.  
725 E. Charleston Blvd.  
Las Vegas, NV 89104  
Attorney for Protected Person Kathleen  
June Jones


**ORDER**

Pursuant to the foregoing Stipulation, it is hereby ORDERED, ADJUDGED and DECREED that the terms thereof are hereby approved and enforceable, and the evidentiary hearing, as to the issues related to ownership of Nikki and Charlie, set to begin February 20, 2020 is vacated.

IT IS SO ORDERED.

HONORABLE LINDA MARQUIS

Submitted by:  
MARQUIS AURBACH COFFING

By:   
James A. Beckstrom, Esq.  
10001 Park Run Drive  
Las Vegas, Nevada 89145



11. Based on the resolution of the above stated dispute, the parties further stipulate to vacate the evidentiary hearing, as to the issues related to ownership of Nikki and Charlie, set to begin on February 20, 2020.

Dated this \_\_\_\_ day of January, 2020.

MARQUIS AURBACH COFFING

By: \_\_\_\_\_

James A. Beckstrom, Esq.  
Nevada Bar No. 14032  
10001 Park Run Drive  
Las Vegas, Nevada 89145  
*Attorneys for Kimberly Jones, Guardian  
of Kathleen June Jones*

Dated this 31 day of January, 2020.

PICCOLO LAW OFFICES

By: \_\_\_\_\_

Matthew C. Piccolo, Esq.  
2450 St. Rose Pkwy., Ste. 210  
Henderson, NV 89074  
*Attorney for Rodney Gerald Yeoman*

Dated this 1st FEB day of January, 2020.

KEHOE & ASSOCIATES

By: \_\_\_\_\_

Ty E. Kehoe, Esq.  
871 Coronado Center Drive, Ste. 200  
Henderson, NV 89052  
*Attorney for Rodney Gerald Yeoman*

Dated this \_\_\_\_ day of January, 2020.

LEGAL AID CENTER OF SOUTHERN  
NEVADA, INC.

By: \_\_\_\_\_

Maria Parra-Sandoval, Esq.  
725 E. Charleston Blvd.  
Las Vegas, NV 89104  
*Attorney for Protected Person Kathleen  
June Jones*

### ORDER

Pursuant to the foregoing Stipulation, it is hereby ORDERED, ADJUDGED and DECREED that the terms thereof are hereby approved and enforceable, and the evidentiary hearing, as to the issues related to ownership of Nikki and Charlie, set to begin February 20, 2020 is vacated.

IT IS SO ORDERED.

DISTRICT COURT JUDGE

Submitted by: MARQUIS AURBACH COFFING

By: \_\_\_\_\_

James A. Beckstrom, Esq.  
10001 Park Run Drive  
Las Vegas, Nevada 89145

## Exhibit 5

## James A. Beckstrom

---

**From:** James A. Beckstrom  
**Sent:** Wednesday, February 5, 2020 6:25 PM  
**To:** 'Ty Kehoe'; Maria Parra-Sandoval  
**Cc:** Matthew C. Piccolo; John Michaelson; '15820\_001 \_Friedman\_ Robyn \_ Simmons\_ Donna\_Quiet Title \_ Lis Pendens\_ 4\_ E\_Mails \_EMAIL\_ 15820\_001'  
**Subject:** RE: In the guardianship matter of Kathleen June Jones, Case no. G-19-052263-A [IWOV-iManage.FID1091261]  
**Attachments:** G-19-052263-A (12).pdf

Your attempt to discover something that doesn't exist is a waste of time and money. You need to file a petition for whatever "relief" you are seeking first. You don't just aimlessly propound discovery in a guardianship case. The result of what you have done has caused unnecessary confusion and expense for everyone.

To be clear, your counter-petition for guardianship was DENIED months ago. The court made findings as required and appointed Kimberly as guardian. There was never a hearing set on changing that, rather the order set a hearing for the results of the investigators reports—to see what if anything they found. I have enclosed that order for your review.

The sole reason I had to issue subpoenas in the guardianship case was because Kimberly has an obligation to obtain these records. I was forced to subpoena them because to date you have not turned over a single document.

As such, I do object to the discovery. As I view this case, guardianship has been established. If you believe you have a basis to remove my client as Guardian, you need to file a motion to do so. The scope of discovery cannot be established until a pending issue is in front of the court. Judge Marquis will not look fondly on your attempts to increase the costs of litigation on the guardian and the protected person, for no apparent reason. If I am forced to file a motion to bring these points to Judge Marquis, as I have stated before it will be accompanied with a request for fees and costs.

To be clear, your discovery should be (1) withdrawn; (2) depositions vacated; and (3) your letter regarding the need for an evidentiary hearing retracted. There is no adversarial issues pending in the guardianship court at this time.



**James A. Beckstrom, Esq.**

10001 Park Run Drive  
Las Vegas, NV 89145  
t | 702.207.6081  
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[jbeckstrom@maclaw.com](mailto:jbeckstrom@maclaw.com)  
[maclaw.com](http://maclaw.com)



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**From:** Ty Kehoe <tykehoelaw@gmail.com>  
**Sent:** Wednesday, February 5, 2020 6:01 PM

**To:** Maria Parra-Sandoval <mparra@lacsns.org>

**Cc:** Matthew C. Piccolo <Matt@piccololawoffices.com>; James A. Beckstrom <jbeckstrom@maclaw.com>; John Michaelson <john@michaelsonlaw.com>

**Subject:** Re: In the guardianship matter of Kathleen June Jones, Case no. G-19-052263-A

All but the Law Clerk,

To be clear, we do not believe a decision in either direction regarding the February 20th evidentiary hearing resolves the underlying discovery requests. Such requests are valid, relevant and enforceable even if the February 20th hearing is taken off calendar. The scope of information being sought exceeds neither the original scope of the evidentiary hearing nor exceeds relevant concerns currently existing in the guardianship case (other than those specific written discovery requests related to ownership of the dogs). Kimberly is relevant as the current guardian and Robyn and Donna are relevant as the temporary guardians. We are allowed to pursue discovery regarding the same. Additionally, my client is entitled to file a motion to modify the guardianship and is entitled to conduct discovery regarding the same (even if the court vacates the evidentiary hearing, and even if no pleading is currently pending). The Court specifically stated: "discovery is open, discover away." There were no limitations expressed, and no parties asked for limitations.

Furthermore, my understanding from James is that he has not objected to the discovery, and my understanding from John is that he does not intend to proceed with his original objections to the discovery (other than as to rescheduling Robyn's deposition date).

Sincerely,

Ty E. Kehoe, Esq.  
Kehoe & Associates  
871 Coronado Center Drive  
Suite 200  
Henderson, NV 89052  
Telephone: 702.837.1908  
Facsimile: 702.837.1932  
Cellular: 702.528.8704  
E-Mail: [TyKehoeLaw@gmail.com](mailto:TyKehoeLaw@gmail.com) (Changed from [TyKehoeLaw@aol.com](mailto:TyKehoeLaw@aol.com))

#### CONFIDENTIALITY NOTICE

This message and any attachments are for the named person's use only. The message and any attachment may contain confidential, proprietary or privileged information. No confidentiality or privilege is waived or lost by any mistransmission. If you receive this message in error, please DO NOT OPEN ANY ATTACHMENTS, immediately notify the sender, delete all copies of it from your system, and destroy any hard copies of it. Please do not, directly or indirectly, use, disclose, distribute, print or copy any part of this message if you are not the intended recipient. Thank you.

On Wed, Feb 5, 2020 at 5:37 PM Maria Parra-Sandoval <[MParra@lacsns.org](mailto:MParra@lacsns.org)> wrote:

Dear Sahar,

Correspondence was sent to Judge Marquis from attorneys James Beckstrom and Ty Kehoe. The issue on the ownership of the dogs has been resolved, and a stipulation and order has been attached to the correspondence filed by Mr. Beckstrom. In his letter, Mr. Beckstrom requested a telephonic hearing to clarify the scope of the upcoming evidentiary hearing.

Mr. Beckstrom and I believe there are no other pending issues, but Mr. Kehoe believes there are. Because there is a scheduled deposition for this Friday, February 7<sup>th</sup>, I was hoping we can all get an answer from Judge Marquis as soon as possible--simply to avoid any extra litigation costs related to the upcoming deposition, as well as two others scheduled the following week.

I respectfully request that the scope of the evidentiary hearing be clarified.

Thank you for your attention,

Maria Parra-Sandoval, Esq.

Attorney for Kathleen June Jones



Maria Parra-Sandoval, Esq.

Attorney, Consumer Rights Project

Legal Aid Center of Southern Nevada, Inc.

725 E. Charleston Blvd.

Las Vegas, NV 89104

702-386-1526 direct/fax

702-386-1070 ext. 1526

[mparra@lacsnn.org](mailto:mparra@lacsnn.org)

[www.lacsnn.org](http://www.lacsnn.org)

Legal Aid Center of Southern Nevada, Inc. is a 501 (c) (3) organization

and your [contribution](#) may qualify as a federally recognized tax deduction.



[Legal Aid Center E-Newsletter](#)

*Please remember Legal Aid Center of Southern Nevada in your estate plan.*

## James A. Beckstrom

---

**From:** Ty Kehoe <tykehoelaw@gmail.com>  
**Sent:** Thursday, February 6, 2020 11:07 AM  
**To:** James A. Beckstrom  
**Cc:** Maria Parra-Sandoval; Matthew C. Piccolo; John Michaelson; 15820\_001 \_Friedman\_ Robyn \_ Simmons\_ Donna\_Quiet Title \_ Lis Pendens\_ 4\_ E\_Mails \_EMAIL\_ 15820\_001  
**Subject:** Re: In the guardianship matter of Kathleen June Jones, Case no. G-19-052263-A [IWOV-iManage.FID1091261]  
**Attachments:** image006.jpg

James,

Do what you need to do. If you are going to seek a protective order, that's up to you. If you want to have a meet and confer we can do that. I disagree with your positions. If you are truly trying to limit time and expense, then it doesn't make sense for us to file a petition, have you object to the petition, have us reply, and then all of us go to a hearing just to have the Court again say that discovery is open. Our position has been clear from before the guardianship was even filed (ie in the probate court matter) and we are entitled to discovery about the same. The Court agreed at the last hearing. So, if the disputes are improper by anyone, it would not seem to be us.

Even if your arguments were correct, which we dispute, you seem to concede that if we filed a petition then we would be entitled to the discovery. Thus, your current position simply doesn't make sense, and definitely doesn't accomplish your purported objective of limiting expenses.

Ty

On Wed, Feb 5, 2020, 6:25 PM James A. Beckstrom <[jbeckstrom@maclaw.com](mailto:jbeckstrom@maclaw.com)> wrote:

Your attempt to discover something that doesn't exist is a waste of time and money. You need to file a petition for whatever "relief" you are seeking first. You don't just aimlessly propound discovery in a guardianship case. The result of what you have done has caused unnecessary confusion and expense for everyone.

To be clear, your counter-petition for guardianship was DENIED months ago. The court made findings as required and appointed Kimberly as guardian. There was never a hearing set on changing that, rather the order set a hearing for the results of the investigators reports—to see what if anything they found. I have enclosed that order for your review.

The sole reason I had to issue subpoenas in the guardianship case was because Kimberly has an obligation to obtain these records. I was forced to subpoena them because to date you have not turned over a single document.

As such, I do object to the discovery. As I view this case, guardianship has been established. If you believe you have a basis to remove my client as Guardian, you need to file a motion to do so. The scope of discovery cannot be established until a pending issue is in front of the court. Judge Marquis will not look fondly on your attempts to increase the costs of litigation on the guardian and the protected person, for no apparent reason. If I am forced to file a motion to bring these points to Judge Marquis, as I have stated before it will be accompanied with a request for fees and costs.

## James A. Beckstrom

---

**From:** Maria Parra-Sandoval <MParra@lacsns.org>  
**Sent:** Wednesday, February 5, 2020 5:40 PM  
**To:** Nawabzada, Sahar  
**Cc:** Ty Kehoe; Matthew C. Piccolo; James A. Beckstrom; John Michaelson  
**Subject:** In the guardianship matter of Kathleen June Jones, Case no. G-19-052263-A

Dear Sahar,

Correspondence was sent to Judge Marquis from attorneys James Beckstrom and Ty Kehoe. The issue on the ownership of the dogs has been resolved, and a stipulation and order has been attached to the correspondence filed by Mr. Beckstrom. In his letter, Mr. Beckstrom requested a telephonic hearing to clarify the scope of the upcoming evidentiary hearing.

Mr. Beckstrom and I believe there are no other pending issues, but Mr. Kehoe believes there are. Because there is a scheduled deposition for this Friday, February 7<sup>th</sup>, I was hoping we can all get an answer from Judge Marquis as soon as possible--simply to avoid any extra litigation costs related to the upcoming deposition, as well as two others scheduled the following week.

I respectfully request that the scope of the evidentiary hearing be clarified.

Thank you for your attention,

Maria Parra-Sandoval, Esq.  
Attorney for Kathleen June Jones



Maria Parra-Sandoval, Esq.  
Attorney, Consumer Rights Project  
Legal Aid Center of Southern Nevada, Inc.  
725 E. Charleston Blvd.  
Las Vegas, NV 89104  
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**James A. Beckstrom**

---

**From:** John Michaelson <john@Michaelsonlaw.com>  
**Sent:** Thursday, February 6, 2020 9:22 AM  
**To:** James A. Beckstrom; 'Ty Kehoe'; Maria Parra-Sandoval  
**Cc:** Matthew C. Piccolo; Lora L. Caindec-Poland; '15820\_001 \_Friedman\_ Robyn \_ Simmons\_ Donna\_Quiet Title \_ Lis Pendens\_ 4\_ E\_Mails \_EMAIL\_ 15820\_001'  
**Subject:** RE: In the guardianship matter of Kathleen June Jones, Case no. G-19-052263-A [IWOV-iManage.FID1091261]

Ty, I echo James' comments completely. I would emphasize, you objected to the guardianship, the court nevertheless implemented a guardianship for June's stability and protection and you failed to file any motion for reconsideration or notice of appeal. You have not filed any motion to remove the guardian so we can identify what your issues are. Without a pending motion for reconsideration, you are effectively conducting post-judgment discovery that is generally impermissible. Moreover, as there is no present matter in controversy (beyond my clients' entitlement to attorney fees and/or motions for sanctions which have not been filed) I have no ability to adequately prepare my clients for deposition – even if you could articulate a rational basis for the depositions.

The Court's order was clear, the evidentiary hearing was in re the reports. In context, the judge was setting a hearing to bring things to a close in the event the reports or other issues sparked motions or petitions based on the information they produced. One example, the dog issue. But that has been resolved. No motions are pending and you agreed to vacate the hearing.

Your clients' continued expressions of "concerns" over the guardianship is really an effort to punish Mrs. Jones and her family and deplete her estate. Your clients should be expressing concern over Mrs. Jones, her welfare and her estate. The issues should be naturally narrowing where appropriate. Relitigating the guardianship is a waste and anything relating to the transfer of the house should be addressed in the A-case that the Court authorized.

Also, re depositions. I informed you last week that neither Donna's nor Robyn's would go forward as they are not no longer parties inasmuch as the temporary guardianship has been revoked and the petition for the appointment of a guardian has been fully adjudicated. If you can support your request for discovery, and the Court orders the same, you must issue a valid subpoena to compel attendance. Finally, even assuming, that you are entitled to take their depositions, they are simply unavailable on the dates you have unilaterally chosen

John P. Michaelson, Esq. | MICHAELSON & ASSOCIATES, LTD. | [john@michaelsonlaw.com](mailto:john@michaelsonlaw.com) | 702.731.2333

---

**From:** James A. Beckstrom <jbeckstrom@maclaw.com>  
**Sent:** Wednesday, February 05, 2020 6:25 PM  
**To:** 'Ty Kehoe' <tykehoelaw@gmail.com>; Maria Parra-Sandoval <mparra@lacs.org>  
**Cc:** Matthew C. Piccolo <Matt@piccololawoffices.com>; John Michaelson <john@Michaelsonlaw.com>; '15820\_001 \_Friedman\_ Robyn \_ Simmons\_ Donna\_Quiet Title \_ Lis Pendens\_ 4\_ E\_Mails \_EMAIL\_ 15820\_001' <{F1091261}.iManage@AMUN.marquisaurbach.com>  
**Subject:** RE: In the guardianship matter of Kathleen June Jones, Case no. G-19-052263-A [IWOV-iManage.FID1091261]

Your attempt to discover something that doesn't exist is a waste of time and money. You need to file a petition for whatever "relief" you are seeking first. You don't just aimlessly propound discovery in a guardianship case. The result of what you have done has caused unnecessary confusion and expense for everyone.

To be clear, your counter-petition for guardianship was DENIED months ago. The court made findings as required and appointed Kimberly as guardian. There was never a hearing set on changing that, rather the order set a hearing for the results of the investigators reports—to see what if anything they found. I have enclosed that order for your review.

The sole reason I had to issue subpoenas in the guardianship case was because Kimberly has an obligation to obtain these records. I was forced to subpoena them because to date you have not turned over a single document.

As such, I do object to the discovery. As I view this case, guardianship has been established. If you believe you have a basis to remove my client as Guardian, you need to file a motion to do so. The scope of discovery cannot be established until a pending issue is in front of the court. Judge Marquis will not look fondly on your attempts to increase the costs of litigation on the guardian and the protected person, for no apparent reason. If I am forced to file a motion to bring these points to Judge Marquis, as I have stated before it will be accompanied with a request for fees and costs.

To be clear, your discovery should be (1) withdrawn; (2) depositions vacated; and (3) your letter regarding the need for an evidentiary hearing retracted. There is no adversarial issues pending in the guardianship court at this time.



**James A. Beckstrom, Esq.**

10001 Park Run Drive  
Las Vegas, NV 89145

t | 702.207.6081

f | 702.856.8981

[jbeckstrom@maclaw.com](mailto:jbeckstrom@maclaw.com)

[maclaw.com](http://maclaw.com)



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DO NOT read, copy or disseminate this communication unless you are the intended addressee. This e-mail communication contains confidential and/or privileged information intended only for the addressee. If you have received this communication in error, please call us (collect) immediately at (702) 382-0711 and ask to speak to the sender of the communication. Also please e-mail the sender and notify the sender immediately that you have received the communication in error. Thank you. Marquis Aurbach Coffing - Attorneys at Law

**From:** Ty Kehoe <[tykehoelaw@gmail.com](mailto:tykehoelaw@gmail.com)>

**Sent:** Wednesday, February 5, 2020 6:01 PM

**To:** Maria Parra-Sandoval <[mparra@lacs.org](mailto:mparra@lacs.org)>

**Cc:** Matthew C. Piccolo <[Matt@piccololawoffices.com](mailto:Matt@piccololawoffices.com)>; James A. Beckstrom <[jbeckstrom@maclaw.com](mailto:jbeckstrom@maclaw.com)>; John Michaelson <[john@michaelsonlaw.com](mailto:john@michaelsonlaw.com)>

**Subject:** Re: In the guardianship matter of Kathleen June Jones, Case no. G-19-052263-A

All but the Law Clerk,

To be clear, we do not believe a decision in either direction regarding the February 20th evidentiary hearing resolves the underlying discovery requests. Such requests are valid, relevant and enforceable even if the February 20th hearing is taken off calendar. The scope of information being sought exceeds neither the original scope of the evidentiary hearing nor exceeds relevant concerns currently existing in the guardianship case (other than those specific written discovery requests related to ownership of the dogs). Kimberly is relevant as the current guardian and Robyn and Donna are relevant as the temporary guardians. We are allowed to pursue discovery regarding the same. Additionally, my client is

entitled to file a motion to modify the guardianship and is entitled to conduct discovery regarding the same (even if the court vacates the evidentiary hearing, and even if no pleading is currently pending). The Court specifically stated: "discovery is open, discover away." There were no limitations expressed, and no parties asked for limitations.

Furthermore, my understanding from James is that he has not objected to the discovery, and my understanding from John is that he does not intend to proceed with his original objections to the discovery (other than as to rescheduling Robyn's deposition date).

Sincerely,

Ty E. Kehoe, Esq.  
Kehoe & Associates  
871 Coronado Center Drive  
Suite 200  
Henderson, NV 89052  
Telephone: 702.837.1908  
Facsimile: 702.837.1932  
Cellular: 702.528.8704  
E-Mail: [TyKehoeLaw@gmail.com](mailto:TyKehoeLaw@gmail.com) (Changed from [TyKehoeLaw@aol.com](mailto:TyKehoeLaw@aol.com))

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On Wed, Feb 5, 2020 at 5:37 PM Maria Parra-Sandoval <[MParra@lacsnsn.org](mailto:MParra@lacsnsn.org)> wrote:

Dear Sahar,

Correspondence was sent to Judge Marquis from attorneys James Beckstrom and Ty Kehoe. The issue on the ownership of the dogs has been resolved, and a stipulation and order has been attached to the correspondence filed by Mr. Beckstrom. In his letter, Mr. Beckstrom requested a telephonic hearing to clarify the scope of the upcoming evidentiary hearing.

Mr. Beckstrom and I believe there are no other pending issues, but Mr. Kehoe believes there are. Because there is a scheduled deposition for this Friday, February 7<sup>th</sup>, I was hoping we can all get an answer from Judge Marquis as soon as possible--simply to avoid any extra litigation costs related to the upcoming deposition, as well as two others scheduled the following week.

I respectfully request that the scope of the evidentiary hearing be clarified.

Thank you for your attention,

Maria Parra-Sandoval, Esq.

Attorney for Kathleen June Jones



Maria Parra-Sandoval, Esq.

Attorney, Consumer Rights Project

Legal Aid Center of Southern Nevada, Inc.

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[mparra@lacsns.org](mailto:mparra@lacsns.org)

[www.lacsns.org](http://www.lacsns.org)

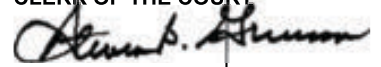
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3 JEFFREY R. SYLVESTER, ESQ.  
4 Nevada Bar No. 4396  
5 1731 Village Center Circle  
6 Las Vegas, Nevada 89134  
7 Telephone: (702) 952-5200  
8 Facsimile: (702) 952-5205  
9 Email: [jeff@SylvesterPolednak.com](mailto:jeff@SylvesterPolednak.com)  
10 Attorneys for Robyn Friedman and Donna Simmons

11 **EIGHTH JUDICIAL DISTRICT COURT**

12 **FAMILY DIVISION**

13 **CLARK COUNTY, NEVADA**

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

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

16 KATHLEEN JUNE JONES,

17 An Adult Protected Person.

18 **NOTICE OF ASSOCIATION OF COUNSEL**

19 PLEASE TAKE NOTICE that Jeffrey R. Sylvester, Esq., of the law firm of Sylvester &  
20 Polednak, Ltd., 1731 Village Center Circle, Las Vegas, Nevada 89134, is hereby associated as  
21 co-counsel for the Robyn Friedman and Donna Simmons. It is respectfully requested that all  
22 future documents in this action be served upon Sylvester & Polednak, Ltd. on behalf of Robyn  
23 Friedman and Donna Simmons.

24 DATED this 6<sup>th</sup> day of February, 2020.

25 **SYLVESTER & POLEDNAK, LTD.**

26 By /s/ Jeffrey R. Sylvester

27 Jeffrey R. Sylvester, Esq.  
28 1731 Village Center Circle  
Las Vegas, Nevada 89134

Attorneys for Robyn Friedman and Donna Simmons

**CERTIFICATE OF SERVICE**

Pursuant to N.R.C.P. 5(b), I hereby certify that I am an employee of SYLVESTER & POLEDNAK, LTD. and that on this 6<sup>th</sup> day of February, 2020, I caused to be served a copy of the above-entitled document on the parties set forth below via the CM/ECF system where an email address is provided:

Jeffrey P. Luszeck, Esq.  
Ross E. Evans, Esq.  
SOLOMON DWIGGINS & FREER, LTD.  
9060 West Cheyenne Avenue  
Las Vegas, Nevada 89129  
*Attorneys for Kimberly Jones*

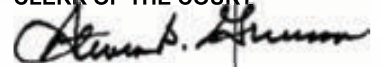
Ty Kehoe, Esq.  
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871 Coronado Center Drive, Suite 200  
Henderson, Nevada 89052  
*Attorneys for Richard Powell, Candice Powell, and Rodney Gerald Yeoman*

Matthew C. Piccolo, Esq.  
PICCOLO LAW OFFICES  
8565 S. Eastern Ave., Ste. 150  
Las Vegas, Nevada 89123  
*Attorneys for Richard Powell, Candice Powell, and Rodney Gerald Yeoman*

Maria L. Parra Sandoval, Esq.  
Legal Aid Center of Southern Nevada, Inc.  
[miparra@lacsni.org](mailto:miparra@lacsni.org)  
*Attorney for Kathleen June Jones, Adult Protected Person*

John P. Michaelson, Esq.  
MICHAELSON & ASSOCIATES, LTD.  
[john@michaelsonlaw.com](mailto:john@michaelsonlaw.com)  
*Attorney for Robyn Friedman and Donna Simmons*

/s/ Kelly L. Easton  
An employee of SYLVESTER & POLEDNAK, LTD.



**JOIN**

John P. Michaelson, Esq.

Nevada Bar No. 7822

Email: [john@michaelsonlaw.com](mailto:john@michaelsonlaw.com)

Lora Caindec-Poland, Esq.

Nevada Bar No. 14178

Email: [lora@michaelsonlaw.com](mailto:lora@michaelsonlaw.com)

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*Attorneys for Robyn Friedman and Donna Simmons*

**EIGHTH JUDICIAL DISTRICT COURT**

**FAMILY DIVISION**

**CLARK COUNTY, NEVADA**

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

KATHLEEN JUNE JONES,

An Adult Protected Person.

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

**ROBYN FRIEDMAN and DONNA  
SIMMONS' JOINDER TO KIMBERLY  
JONES' MOTION FOR PROTECTIVE  
ORDER**

Hearing Date: March 17, 2020  
Hearing Time: 9:30 a.m.

ROBYN FRIEDMAN ("Robyn") and DONNA SIMMONS ("Donna"), interested persons  
and former temporary guardians in this matter, by and through their attorneys of record, John P.



1 Michaelson, Esq., with the law firm of Michaelson & Associates, Ltd., and Jeffrey R. Sylvester,  
2 Esq., with the law firm of Sylvester & Polednak, Ltd., hereby file this Joinder in full support of  
3 Kimberly Jones' Motion for Protective Order and further allege as follows:

4 There are no pending petitions before the guardianship Court. An Order was entered on  
5 November 25, 2019, appointing Kimberly Jones as the General Guardian of her mother, Kathleen  
6 June Jones ("Ms. Jones.") Under NRS 159.375 any order granting letters of guardianship must  
7 be appealed within 30 days of the notice of entry of order. In this case, a Notice of Entry of Order  
8 was filed the same day as the Order and properly served on counsel for Rodney Gerald Yeoman  
9 ("Mr. Yeoman"). No objection to the Order or any notice of appeal was ever filed by counsel for  
10 Mr. Yeoman or any other party. Robyn and Donna are no longer guardians and, therefore, not  
11 parties to this matter. The order appointing Kimberly Jones as permanent guardian was not  
12 appealed; therefore, all pending motions or petitions were resolved. As a result, discovery cannot  
13 proceed because no issues for the Court's consideration have been identified or articulated.

14 Accordingly, Robyn and Donna request this Court quash the depositions of Donna  
15 Simmons and Robyn Friedman scheduled for February 7, and 11<sup>th</sup> and order Mr. Yeoman to  
16 withdraw the written discovery e-served upon counsel for Robyn and Donna.

17 This Joinder is based on the Memorandum of Points and Authorities in the Motion For  
18 Protective Order filed by counsel for Kimberly, all of the pleadings and papers on file in this case,  
19 and any oral argument allowed by the Court.

20 DATED this 6th day of February 2020.

21 **MICHAELSON & ASSOCIATES, LTD.**

22 By: John P. Michaelson  
23 John P. Michaelson, Esq.  
24 Nevada Bar No. 7822  
25 Lora Caindec-Poland, Esq.  
26 Nevada Bar No. 14178  
27 2200 Paseo Verde Parkway, Ste. 160  
28 Henderson, Nevada 89052  
*Attorneys for Robyn Friedman and Donna Simmons*



**CERTIFICATE OF SERVICE**

Pursuant to N.R.C.P. 5(b) and NEFCR 9, I hereby certify that I am an employee of  
MICHAELSON & ASSOCIATES, LTD. and that on this 10th day of February, 2020, I caused to  
be served a copy of the above-entitled document on the parties set forth below via the Court e-  
filing system where an email address is provided and/or by depositing the same in the United  
States Mail, first class, postage prepaid, addressed as follows:

*Geraldine Tomich, Esq.*  
[gtomich@maclaw.com](mailto:gtomich@maclaw.com)

*James A. Beckstrom, Esq.*  
[jbeckstrom@maclaw.com](mailto:jbeckstrom@maclaw.com)

*Attorneys for Kimberly Jones*

*Matthew C. Piccolo, Esq.*  
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*Sonia Jones*  
[sjones@nvcourts.nv.gov](mailto:sjones@nvcourts.nv.gov)

*Kate McCloskey*  
[NVGCO@nvcourts.nv.gov](mailto:NVGCO@nvcourts.nv.gov)

*Ty Kehoe, Esq.*  
KEHOE & ASSOCIATES  
871 Coronado Center Drive, Suite 200  
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*Attorneys for Rodney Gerald Yeoman*

*Maria L. Parra Sandoval, Esq.*  
Legal Aid Center of Southern Nevada, Inc.  
[mparra@lacs.org](mailto:mparra@lacs.org)

*Alexa Reanos*  
[areanos@lacs.org](mailto:areanos@lacs.org)

*Attorney for Kathleen June Jones, Adult  
Protected Person*

1 Teri Butler  
2 586 N. Magdalena Street  
3 Dewey, AZ 86327


4 Scott Simmons  
5 1054 S. Verde Street  
6 Anaheim, CA 92805

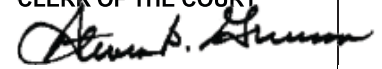
7 Courtney Simmons  
8 765 Kimbark Avenue  
9 San Bernardino, CA 92407

Jen Adamo  
14 Edgewater Drive  
Magnolia, DE 19962

Tiffany O'Neal  
177 N. Singingwood Street, Unit 13  
Orange, CA 92869

Ampersand Man  
2824 High Sail Court  
Las Vegas, Nevada 89117

  
An employee of MICHAELSON & ASSOCIATES, LTD.



**Marquis Aurbach Coffing**  
Geraldine Tomich, Esq.  
Nevada Bar No. 8369  
James A. Beckstrom, Esq.  
Nevada Bar No. 14032  
10001 Park Run Drive  
Las Vegas, Nevada 89145  
Telephone: (702) 382-0711  
Facsimile: (702) 382-5816  
gtomich@maclaw.com  
jbeckstrom@maclaw.com  
*Attorneys for Kimberly Jones,  
Guardian of Kathleen June Jones*

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

**NOTICE OF ENTRY OF STIPULATION AND ORDER**

Please take notice that a Stipulation and Order on Petition for Return of Property of Protected Person was filed on the 7th day of February, 2020, a copy of which is attached hereto.

Dated this 7th day of February, 2020.

MARQUIS AURBACH COFFING

By /s/ James A. Beckstrom

Geraldine Tomich, Esq.  
Nevada Bar No. 8369  
James A. Beckstrom, Esq.  
Nevada Bar No. 14032  
10001 Park Run Drive  
Las Vegas, Nevada 89145  
*Attorneys for Kimberly Jones,  
Guardian of Kathleen June Jones*

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **NOTICE OF ENTRY OF STIPULATION AND ORDER** was submitted electronically for filing and/or service with the Eighth Judicial District Court on the 7th day of February, 2020. Electronic service of the foregoing document shall be made in accordance with the E-Service List as follows:<sup>1</sup>

Ty E. Kehoe, Esq.  
KEHOE & ASSOCIATES  
871 Coronado Center Drive, Ste. 200  
Henderson, NV 89052  
Email: tykehoelaw@gmail.com

Matthew C. Piccolo, Esq.  
PICCOLO LAW OFFICES  
2450 St. Rose Pkwy., Ste. 210  
Henderson, NV 89074  
Email: matt@piccololawoffices.com

John P. Michaelson, Esq.  
MICHAELSON & ASSOCIATES, LTD.  
Email: john@michaelsonlaw.com

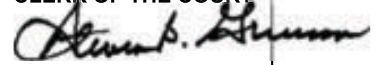
Jeffrey R. Sylvester, Esq.  
SYLVESTER & POLEDNAK, LTD.  
1731 Village Center Circle  
Las Vegas, Nevada 89134  
Email: jeff@sylvesterpolednak.com

I further certify that I served a copy of this document by mailing a true and correct copy thereof, postage prepaid, addressed to:

N/A

/s/ Cheryl Becnel  
An employee of Marquis Aurbach Coffing

<sup>1</sup> Pursuant to EDCR 8.05(a), each party who submits an E-Filed document through the E-Filing System consents to electronic service in accordance with NRCP 5(b)(2)(D).



MARQUIS AURBACH COFFING

10001 Park Run Drive,  
Las Vegas, Nevada 89145  
(702) 382-0711 FAX (702) 382-5816

1 Marquis Aurbach Coffing  
2 Geraldine Tomich, Esq.  
3 Nevada Bar No. 8369  
4 James A. Beckstrom, Esq.  
5 Nevada Bar No. 14032  
6 10001 Park Run Drive  
7 Las Vegas, Nevada 89145  
8 Telephone: (702) 382-0711  
9 Facsimile: (702) 382-5816  
10 gtomich@maclaw.com  
11 jbeckstrom@maclaw.com  
12 Attorneys for Kimberly Jones,  
13 Guardian of Kathleen June Jones

8 DISTRICT COURT  
9  
10 CLARK COUNTY, NEVADA

11 IN THE MATTER OF THE GUARDIANSHIP  
12 OF THE PERSON AND ESTATE OF:

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

13 KATHLEEN JUNE JONES

14 An Adult Protected Person.  
15

16 **STIPULATION AND ORDER ON PETITION FOR RETURN OF PROPERTY OF**  
17 **PROTECTED PERSON**

18 Kimberly Jones, Guardian of Protected Person Kathleen June Jones, by and through her  
19 attorneys of the law firm of Marquis Aurbach Coffing; Maria Parra-Sandoval, Esq. counsel for  
20 the Protected Person; and Rodney Gerald Yeoman, by and through his attorneys of the law firm  
21 Kehoe & Associates and Piccolo Law Firm, hereby stipulate and agree as follows:

22 1. On October 15, 2019, Kimberly Jones ("Kimberly") was appointed as Guardian  
23 of the Person and Estate of Kathleen June Jones, an Adult Protected Person (the "Protected  
24 Person") and vested with the authority to act on behalf of the Protected Person as provided by  
25 Nevada law.

26 2. On November 22, 2019, Kimberly filed a Petition for Return of Property of  
27 Protected Person concerning two Shih Tzu dogs commonly referred to as "Nikki" and "Charlie."  
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Page 1 of 3

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Case Number: G-19-052263-A

1 3. Within the Petition for Return of Property, Kimberly asserted Nikki and Charlie  
2 were the sole and separate property of the Protected Person and were being wrongfully retained  
3 by the Protected Person's husband Rodney Gerald Yeoman ("Yeoman").

4 4. On December 6, 2019, Yeoman, filed an Opposition to the Petition for Return of  
5 Property, asserting among other things, he maintained an ownership interest in Nikki and  
6 Charlie.

7 5. On December 10, 2019, following oral argument on the Motion for Return of  
8 Property, the Court set an evidentiary hearing on February 20, 2020, to establish ownership of  
9 Nikki and Charlie.

10 6. Yeoman and Kimberly, through their counsel of record have agreed to resolve  
11 their disputes related to Nikki and Charlie as a compromise of disputed claims and to avoid  
12 further disputes and the costs of potential litigation concerning Nikki and Charlie. Neither  
13 Yeoman nor Kimberly admit to any fault, wrongdoing or liability to the other.

14 7. As a resolution, Yeoman and Kimberly, through their counsel of record hereby  
15 agree, and stipulate that Nikki and Charlie shall be the sole and separate personal property of the  
16 Protected Person.

17 8. Yeoman and Kimberly, through their counsel of record further hereby agree that  
18 Cause of Action No. 10 for Intentional Infliction of Emotional Distress in Clark County District  
19 Court Case No. A-19-807458-C, concerning the alleged wrongful retention of Nikki and Charlie,  
20 shall be dismissed with prejudice.

21 9. Yeoman and Kimberly, through their counsel of record further intend that this  
22 Stipulation and Order shall constitute an enforceable contract between the parties.

23 10. Each party hereto shall bear their own costs and attorneys' fees incurred in  
24 connection with this this Stipulation and Order, and the Motion for Return of Property.

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MARQUIS AURBACH COFFING

10001 Park Run Drive  
Las Vegas, Nevada 89145  
(702) 382-0711 FAX: (702) 382-5816

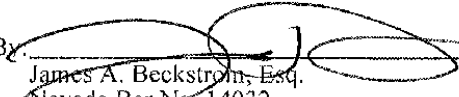
11. Based on the resolution of the above stated dispute, the parties further stipulate to vacate the evidentiary hearing, as to the issues related to ownership of Nikki and Charlie, set to begin on February 20, 2020.

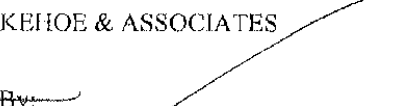
Dated this 31<sup>st</sup> day of January, 2020.

Dated this \_\_\_\_ day of January, 2020.

MARQUIS AURBACH COFFING

KEHOE & ASSOCIATES

By:   
James A. Beckstrom, Esq.  
Nevada Bar No. 14032  
10001 Park Run Drive  
Las Vegas, Nevada 89145  
Attorneys for Kimberly Jones, Guardian  
of Kathleen June Jones


By:   
Ty E. Kehoe, Esq.  
871 Coronado Center Drive, Ste. 200  
Henderson, NV 89052  
Attorney for Rodney Gerald Yeoman


Dated this \_\_\_\_ day of January, 2020.

Dated this 31<sup>st</sup> day of January, 2020.

PICCOLO LAW OFFICES

LEGAL AID CENTER OF SOUTHERN  
NEVADA, INC.

By:   
Matthew C. Piccolo, Esq.  
2450 St. Rose Pkwy., Ste. 210  
Henderson, NV 89074  
Attorney for Rodney Gerald Yeoman

By:   
Maria Parra-Sandoval, Esq.  
725 E. Charleston Blvd.  
Las Vegas, NV 89104  
Attorney for Protected Person Kathleen  
June Jones


**ORDER**

Pursuant to the foregoing Stipulation, it is hereby ORDERED, ADJUDGED and DECREED that the terms thereof are hereby approved and enforceable, and the evidentiary hearing, as to the issues related to ownership of Nikki and Charlie, set to begin February 20, 2020 is vacated.

IT IS SO ORDERED.

HONORABLE LINDA MARQUIS

Submitted by:  
MARQUIS AURBACH COFFING

By:   
James A. Beckstrom, Esq.  
10001 Park Run Drive  
Las Vegas, Nevada 89145

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Dated this \_\_\_\_ day of January, 2020.

MARQUIS AURBACH COFFING

By: \_\_\_\_\_  
James A. Beckstrom, Esq.  
Nevada Bar No. 14032  
10001 Park Run Drive  
Las Vegas, Nevada 89145  
*Attorneys for Kimberly Jones, Guardian  
of Kathleen June Jones*

Dated this 31 day of January, 2020.

PICCOLO LAW OFFICES

By: \_\_\_\_\_  
Matthew C. Piccolo, Esq.  
2450 St. Rose Pkwy., Ste. 210  
Henderson, NV 89074  
*Attorney for Rodney Gerald Yeoman*

Dated this 1st day of FEB January, 2020.

KEHOE & ASSOCIATES

By: \_\_\_\_\_  
Ty E. Kehoe, Esq.  
871 Coronado Center Drive, Ste. 200  
Henderson, NV 89052  
*Attorney for Rodney Gerald Yeoman*

Dated this \_\_\_\_ day of January, 2020.

LEGAL AID CENTER OF SOUTHERN  
NEVADA, INC.

By: \_\_\_\_\_  
Maria Parra-Sandoval, Esq.  
725 E. Charleston Blvd.  
Las Vegas, NV 89104  
*Attorney for Protected Person Kathleen  
June Jones*

**ORDER**

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IT IS SO ORDERED.

Submitted by: MARQUIS AURBACH COFFING

By: \_\_\_\_\_  
James A. Beckstrom, Esq.  
10001 Park Run Drive  
Las Vegas, Nevada 89145

\_\_\_\_\_  
DISTRICT COURT JUDGE  
*February 5, 2020.*  
LINDA MARQUIS *SM*



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Guardianship of Adult****COURT MINUTES**

February 07, 2020

G-19-052263-A      In the Matter of the Guardianship of:  
Kathleen Jones, Protected Person(s)

**February 07, 2020      7:30 AM      Minute Order**

**HEARD BY:** Marquis, Linda**COURTROOM:** RJC Courtroom 10A**COURT CLERK:** Karen Christensen**PARTIES:**

Donna Simmons, Petitioner, Temporary Guardian, not present	John Michaelson, Attorney, not present
Kathleen Jones, Protected Person, not present	Maria Parra-Sandoval, Attorney, not present
Kimberly Jones, Other, Guardian of Person and Estate, not present	Geraldine Tomich, Attorney, not present
Richard Powell, Other, not present	Pro Se
Robyn Friedman, Petitioner, Temporary Guardian, not present	John Michaelson, Attorney, not present
Rodney Yeoman, Other, not present	Ty Kehoe, Attorney, not present
State Guardianship Compliance Officer, Agency, not present	

<b>JOURNAL ENTRIES</b>
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**MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES****RE: G-19-052263-A**

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to ensure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c), this Court can consider a motion and issue a decision on the papers at any time without a hearing.

At the October 15, 2019 hearing, the Court ordered that Kimberly Jones shall be appointed as the Guardian over the Person and Estate of the Protected Person in this matter. The Court ordered the

PRINT DATE:	02/07/2020	Page 1 of 3	Minutes Date:	February 07, 2020
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**Notice: Journal entries are prepared by the courtroom clerk and are not the official record of the Court.**

Guardian to file an Inventory within 60 days. The Court set a Status Check for February 20, 2020 at 1:30 p.m. to determine if an Evidentiary Hearing was needed in this matter.

On December 10, 2019, the Court held a Hearing on the Petition for Return of Property of Protected Person and related matters. At this hearing, the Court ordered that it would make the final determination as to the issue of the Return of Property of the Protected Person at the Evidentiary Hearing on February 20, 2020.

On February 4, 2020, the Court received a Stipulation and Order resolving the issue of the Petition for Return of Property of Protected Person. The Court signed this Order, and it was filed on February 7, 2020.

There are no unresolved issues remaining in this matter. The Court orders stand. Accordingly, the Evidentiary Hearing on February 20, 2020 SHALL be vacated.

A copy of this minute order shall be provided to all Parties.

CLERK'S NOTE: A copy of this Minute Order was mailed to parties at the address(es) listed in court records 2/7/20. (kc)

**INTERIM CONDITIONS:**

**FUTURE HEARINGS:** February 13, 2020 10:00 AM Hearing  
RJC Courtroom 10A  
Marquis, Linda  
Christensen, Karen  
Stengel, Tanya

*Canceled: February 20, 2020 1:30 PM Evidentiary Hearing  
Reason: Canceled as the result of a hearing cancel, Hearing Canceled Reason: Vacated - per  
Stipulation and Order  
RJC Courtroom 10A  
Marquis, Linda  
Stengel, Tanya  
Christensen, Karen*

March 17, 2020 9:30 AM Motion for Protective Order  
RJC Courtroom 10A  
Marquis, Linda  
Christensen, Karen

PRINT DATE:	02/07/2020	Page 2 of 3	Minutes Date:	February 07, 2020
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Stengel, Tanya

March 17, 2020 9:30 AM Motion for Protective Order  
RJC Courtroom 10A  
Marquis, Linda  
Christensen, Karen  
Stengel, Tanya

PRINT DATE:	02/07/2020	Page 3 of 3	Minutes Date:	February 07, 2020
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