

**IN THE SUPREME COURT OF THE STATE OF NEVADA**

THOMAS A. PICKENS,  
INDIVIDUALLY AND AS TRUSTEE  
OF THE LV BLUE TRUST,

Appellant,

vs.

DR. DANKA K. MICHAELS,  
INDIVIDUALLY AND AS TRUSTEE  
OF THE MICH-MICH TRUST,

Respondent;

Electronically Filed  
Feb 23 2022 10:32 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

**S.C. DOCKET NO.: 83491**  
D.C. Case No. D-17-560737-D

**APPENDIX**

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**ATTORNEYS FOR APPELLANT**

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<b>Plaintiff's Trial Exhibit 37</b> - 2008 1120S Income Tax Return for Danka K. Michaels MD, PC	02/14/2020	XXII/AA05060- 05200
<b>Plaintiff's Trial Exhibit 38</b> - 2009 1120S Income Tax Return for Danka K. Michaels MD, PC	02/14/2020	XXII/AA05201- XXIII/AA05305
<b>Plaintiff's Trial Exhibit 39</b> - 2010 1120S Income Tax Return for Danka K. Michaels MD, PC	02/14/2020	XXIII/AA05306- 05391
<b>Plaintiff's Trial Exhibit 40</b> - 2011 1120S Income Tax Return for Danka K. Michaels MD, PC	02/14/2020	XXIII/AA05392- 05488
<b>Plaintiff's Trial Exhibit 41</b> - 2012 1120S Income Tax Return for Danka K. Michaels MD, PC	02/14/2020	XXIII/AA05489- XXIV/AA05577
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<b>Plaintiff's Trial Exhibit 44</b> - 2015 1120S Income Tax Return for Danka K. Michaels MD, PC	02/14/2020	XXV/AA05759- 05802
<b>Plaintiff's Trial Exhibit 45</b> - 2016 1120S Income Tax Return for Danka K. Michaels MD, PC	02/14/2020	XXV/AA05803- 05934
<b>Plaintiff's Trial Exhibit 46</b> - 2017 1120S Income Tax Return for Danka K. Michaels MD, PC	02/14/2020	XXV/AA005935- XXVI/AA06106

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<b>Plaintiff's Trial Exhibit 51</b> - 2016 1065 Income Tax Return for Patience One LLC	02/14/2020	XXVIII/ AA06673-06691
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<b>Plaintiff's Trial Exhibit 63</b> - Wells Fargo Business Checking #9112 titled in the name of Blue Point Development 05/29/2014 through 12/31/2014	02/14/2020	XXX/AA07001- 07002
<b>Plaintiff's Trial Exhibit 65</b> - Wells Fargo Business Checking #9112 titled in the name of Blue Point Development 01/01/2015 through 12/31/2015	02/14/2020	XXX/AA07003- 07006
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<b>Plaintiff's Trial Exhibit 78</b> - Wells Fargo Checking ending 3436 titled in the names of Thomas A. Pickens and Danka K. Michaels 01/01/2016 through 12/31/16	02/14/2020	XXX/AA07017- 07050
<b>Plaintiff's Trial Exhibit 79</b> - Wells Fargo Checking ending 3436 titled in the names of Thomas A. Pickens and Danka K. Michaels 01/01/2017 through 12/31/17	02/14/2020	XXX/AA07051
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<b>Plaintiff's Trial Exhibit 88</b> - American Express Statements #72004 Thomas Pickens card #73002 Danka Michaels card #72020 12/16/16 through 12/15/17	02/14/2020	XXX/AA07093-07095
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<b>Plaintiff's Trial Exhibit 93</b> - Lowes house summary with supporting Wells Fargo Home Mortgage #9607 (PMA #3436) titled in the names of Danka Katarina Michaels and Thomas A. Pickens 07/02/14 through 07/01/2016	02/14/2020	XXX/AA07229-07230
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<b>Plaintiff’s Trial Exhibit 71</b> - Wells Fargo Business Checking #9112 titled in the name of Blue Point Development 01/01/2019 through 04/30/19	02/14/2020	XXX/AA07012-07013
<b>Plaintiff’s Trial Exhibit 74</b> - Wells Fargo Checking ending 3436 titled in the names of Thomas A. Pickens and Danka K. Michaels 07/01/2014 through 12/31/14	02/14/2020	XXX/AA07014
<b>Plaintiff’s Trial Exhibit 76</b> - Wells Fargo Checking ending 3436 titled in the names of Thomas A. Pickens and Danka K. Michaels 01/01/2015 through 12/31/15	02/14/2020	XXX/AA07015-07016
<b>Plaintiff’s Trial Exhibit 78</b> - Wells Fargo Checking ending 3436 titled in the names of Thomas A. Pickens and Danka K. Michaels 01/01/2016 through 12/31/16	02/14/2020	XXX/AA07017-07050
<b>Plaintiff’s Trial Exhibit 79</b> - Wells Fargo Checking ending 3436 titled in the names of Thomas A. Pickens and Danka K. Michaels 01/01/2017 through 12/31/17	02/14/2020	XXX/AA07051
<b>Plaintiff’s Trial Exhibit 8</b> - Certificate of Custodian of Records for Ticor Title of Nevada—purchase of 7608 Lowe Avenue, Las Vegas, Nevada 89131 on February 28, 2011	02/14/2020	XIV/AA03151-03164
<b>Plaintiff’s Trial Exhibit 80</b> - Wells Fargo Checking ending 3436 titled in the names of Thomas A. Pickens and Danka K. Michaels 01/01/2018 through 04/30/18	02/14/2020	XXX/AA07052

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<b>Plaintiff's Trial Exhibit 83</b> - American Express Statements #72004 Thomas Pickens card #72004 Danka Michaels card #72020 12/16/11 through 12/14/12	02/14/2020	XXX/AA07054- 07057
<b>Plaintiff's Trial Exhibit 84</b> - American Express Statements #72004 Thomas Pickens card #72004 Danka Michaels card #72020 12/15/12 through 12/15/13	02/14/2020	XXX/AA07058
<b>Plaintiff's Trial Exhibit 85</b> - American Express Statements #72004 Thomas Pickens card #72004 Danka Michaels card #72020 12/16/13 through 12/15/14	02/14/2020	XXX/AA07059
<b>Plaintiff's Trial Exhibit 86</b> - American Express Statements #72004 Thomas Pickens card #72004 Danka Michaels card #72020 12/16/14 through 12/15/15	02/14/2020	XXX/AA07060
<b>Plaintiff's Trial Exhibit 87</b> - American Express Statements #72004 Thomas Pickens card #72004 #73002 Danka Michaels card #72020 12/16/15 through 12/15/16	02/14/2020	XXX/AA07061- 07092
<b>Plaintiff's Trial Exhibit 88</b> - American Express Statements #72004 Thomas Pickens card #73002 Danka Michaels card #72020 12/16/16 through 12/15/17	02/14/2020	XXX/AA07093- 07095

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<b>Plaintiff's Trial Exhibit 9</b> - 2005 1040 Income Tax Return for Thomas A. Pickens	02/14/2020	XIV/AA3165-03180
<b>Plaintiff's Trial Exhibit 90</b> - American Express Statements #72004 Thomas Pickens card #73002 Danka Michaels card #72020 12/16/18 through 04/14/19	02/14/2020	XXX/AA07205-07228
<b>Plaintiff's Trial Exhibit 93</b> - Lowes house summary with supporting Wells Fargo Home Mortgage #9607 (PMA #3436) titled in the names of Danka Katarina Michaels and Thomas A. Pickens 07/02/14 through 07/01/2016	02/14/2020	XXX/AA07229-07230
<b>Plaintiff's Trial Exhibit 97</b> - American Express Statements #63006 titled in the name of Thomas Pickens 12/08/10 through 12/08/11	02/14/2020	XXX/AA07231
<b>Plaintiff's Trial Exhibit 98</b> - American Express Statements #63006 titled in the name of Thomas Pickens 12/09/11 through 12/07/12	02/14/2020	XXX/AA07232-07236
<b>Plaintiff's Trial Exhibit 99</b> - American Express Statements #63006 titled in the name of Thomas Pickens 12/08/12 through 12/08/13	02/14/2020	XXX/AA07237-07239
Receipt of Check	06/03/2019	III/AA00544
Receipt of Copy	02/11/2020	V/AA00963
Receipt of Copy	11/10/2021	XIV/AA03055-03069
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Reply to Opposition to Defendant's Motion to Dismiss and Opposition to Countermotion for Attorney's Fees and Costs	01/09/2018	I/AA00125-00141
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Second Amended Complaint for Equitable Relief Under (1) the Putative Spouse Doctrine, and (2) Pursuant to Express and/or Implied Agreement to Hold Property as if the Parties Were Married Under <i>Michoff</i> ; and to Set Aside Deeds of Real Property and Assignment of L.L.C. Interest	10/15/2018	II/AA00288-00305
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Stipulation and Order to Continue Hearing	12/28/2017	I/AA00114-000115
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Supplemental Exhibit in Support of Notice of Non-Opposition to Plaintiff’s Request for the Court to Take Judicial Notice Pursuant to NRS 47.130	02/13/2020	VII/AA01255-VIII/AA01727
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Transcript RE: Non-Jury Trial Day 3	10/28/2021	XIII/AA02957- XIV/AA03007
Transcript RE: Non-Jury Trial Day 4	10/28/2021	XIV/AA03008- 03040
Transcript RE: Non-Jury Trial Day 5	10/28/2021	XIV/AA03041- 03054
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Trial Subpoena Robert Semonian	01/28/2020	V/AA00892- 00898
Trial Subpoena Shannon L. Evans, Esq.	01/28/2020	V/AA00899- 00905

1 majority of the pendency of the Motion to Compel, the parties had been discussing  
2 settlement and the same was anticipated to occur, at least from the perspective of  
3 Tom.

4 Ms. LoBello relayed the news to Tom, that day, that the priority in the case  
5 would have to be providing additional documents and information sought by Danka,  
6 and to prepare a Response and Opposition to the pending Motion to Compel. Since  
7 Tom is currently working in California, there was no ability to meet in person prior  
8 to the deadline of Monday, May 13, 2019. Tom nevertheless immediately worked  
9 to compile the additional information, and the same was provided to undersigned  
10 counsel early on Monday, May 13, 2019. The same will be produced this date or  
11 tomorrow, at the latest, to Danka.<sup>2</sup>

12 Certainly, had Tom and his attorney believed the Motion to Compel would go  
13 forward between April 25, 2019 and May 8, 2019, the focus of the case would have  
14 been on the discovery issues—not on settlement. Moreover, there would have been  
15 additional discussions pursuant to EDCR 2.34, regarding *Danka's failure to provide*  
16 *any response whatsoever* to Tom's outstanding written discovery requests. Clearly,  
17 BOTH parties thought settlement was imminent. Danka's deficiencies will be  
18 addressed once this Response is filed, and after the mandates of the legal authorities  
19 set forth herein have been fully complied with by Tom and his counsel.

20 The point of this discussion, without disclosing specific settlement  
21 negotiations, is to ensure the Court understands that both Tom and undersigned  
22 counsel have worked in good faith to attempt to avoid the necessity of the Motion,  
23 and there was certainly no deliberate delay in either filing this Response or providing  
24 the supplemental information sought, where both Tom and his attorney were focused  
25 on settling the case. Nevertheless, as set forth below, some of the discovery must be

26  
27 <sup>2</sup> Undersigned counsel had an emergency on Monday, May 13, 2019 (sadly involving the death of an  
28 adverse party in a divorce case). Unfortunately, this has delayed the supplemental production, but there is  
no question the documents will be produced as soon as possible and well before the May 22, 2019 hearing.



1 provided. Tom acknowledges that any objections were waived with the failure to  
2 timely respond to the written discovery propounded by Danka. In fact, both sides  
3 have waived all objections to the outstanding written discovery Requests served by  
4 both parties, and Tom is doing his best to provide information even where much of  
5 what was sought truly is irrelevant or otherwise objectionable, or it simply does not  
6 exist. At this point, the goal should be to mitigate further wasting time and resources,  
7 including the Court's time and resources.

## 8 **II. ARGUMENT**

9 Danka and her counsel arguably should have conducted further negotiations  
10 pursuant to EDCR 5.602(d), following their learning that the parties' settlement had  
11 fallen apart. Until May 8, 2019, Tom and his attorney understood the focus of the  
12 case was settlement, rather than the pending Motion and exchanging additional  
13 information, at great expense to both parties. Based upon the good faith efforts of  
14 Tom and his counsel to participate in achieving settlement, Tom first respectfully  
15 requests this Court allow him ample time to comply with all the requests before the  
16 discovery conference goes forward. Either way, Danka arguably did not make a  
17 good faith effort to resolve this dispute where she led Tom to believe that the case  
18 was settled.

19 EDCR 5.602. Discovery disputes, conferences, motions, stays.

20 (a) Unless otherwise ordered, all discovery disputes (except  
21 disputes presented at a pretrial conference or at trial) must first be heard  
22 by the discovery hearing master.

23 (b) Upon reasonable notice, the discovery hearing master may  
24 direct the parties to appear for a conference with the hearing master  
25 concerning any discovery dispute. Unless otherwise directed, points  
26 and authorities need not be filed prior to a conference noticed by the  
27 hearing master. Counsel may not stipulate to vacate or continue a  
28 conference without the hearing master's consent.

(c) The hearing master may shorten or extend any of the times for  
any discovery motion.

1 (d) A discovery motion must set forth that after a discovery dispute  
2 conference or *a good-faith effort to confer*, counsel were unable to  
3 resolve the matter satisfactorily, detailing what attempts to resolve the  
4 dispute were made, what was resolved and what was not resolved, and  
5 why. A conference requires either a personal or telephone conference  
6 between or among the parties; if a personal or telephone conference was  
7 not possible, the motion shall set forth the reasons. Such a motion must  
8 be supported by affidavit.

9 (e) If the responding party failed to answer discovery, the motion  
10 shall set forth what good-faith attempts were made to obtain  
11 compliance. If, after request, the responding party fails to participate in  
12 good faith in the conference or to answer the discovery, the court may  
13 require such party to pay to any other party the reasonable expenses,  
14 including attorney fees, caused by the failure.

15 (f) The hearing master may stay any disputed discovery proceeding  
16 pending resolution by the judge.

17 (g) Following the hearing of any discovery motion, the hearing  
18 master must prepare and file a report with a recommendation for the  
19 court's order. The hearing master may direct counsel to prepare the  
20 hearing master's report, including findings and recommendations. The  
21 clerk of the court or the discovery hearing master designee shall  
22 forthwith serve a copy of the report on all parties. The report is deemed  
23 received 5 calendar days after the clerk of the court or discovery hearing  
24 master designee places a copy in the attorney's folder in the clerk's  
25 office or 5 calendar days after mailing to a party or the party's attorney.  
26 Within 7 calendar days after being served with a copy, any party may  
27 serve and file specific written objections to the recommendations with  
28 a courtesy copy delivered to the office of the discovery hearing master.  
Failure to file a timely objection may result in an automatic affirmance  
of the recommendation. All time periods set forth in this rule are  
inclusive of the 3 days provided by EDCR 8.06(a) and NRCP 6(e) (i.e.,  
2 or 4 days, plus 3 days after service).

(h) Papers or other materials submitted for the discovery hearing  
master's in camera inspection must be accompanied by a captioned  
cover sheet complying with Rule 7.20 that indicates it is being  
submitted in camera. All in camera submissions must also contain an  
index of the specific items submitted. A copy of the index must be  
furnished to all other parties. If the *in camera* materials consist of  
documents, counsel must provide to the hearing master an envelope of  
sufficient size into which the in camera papers can be sealed without  
being folded.

NRCP 26 provides in pertinent part:

### General Provisions Governing Discovery

(a) Discovery Methods. At any time after the filing of a joint case conference report, or not sooner than 14 days after a party has filed a separate case conference report, or upon order by the court or discovery commissioner, any party who has complied with Rule 16.1(a)(1), 16.2, or 16.205 may obtain discovery by any means permitted by these rules.

(b) Discovery Scope and Limits.

(1) Scope. Unless otherwise limited by order of the court in accordance with these rules, the scope of discovery is as follows: **Parties may obtain discovery regarding any nonprivileged matter that is relevant to any party's claims or defenses and proportional to the needs of the case, considering the importance of the issues at stake in the action, the amount in controversy, the parties' relative access to relevant information, the parties' resources, the importance of the discovery in resolving the issues, and *whether the burden or expense of the proposed discovery outweighs its likely benefit.*** Information within this scope of discovery need not be admissible in evidence to be discoverable.

(2) Limitations.

(A) Frequency. The court may alter the limits in these rules on the number of depositions and interrogatories, the length of depositions under Rule 30, or the number of requests under Rule 36.

(B) Electronically Stored Information. A party need not provide discovery of electronically stored information from sources that the party identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the party from whom discovery is sought must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery, including costs of complying with the court's order.

(C) When Required. On motion or on its own, the court must limit the frequency or extent of discovery otherwise allowed by these rules or by local rule if it determines that:

(i) the discovery sought is unreasonably cumulative or duplicative, or can be obtained from some other source that is more convenient, less burdensome, or less expensive;

(ii) the party seeking discovery has had ample opportunity to obtain the information by discovery in the action; or

(iii) the proposed discovery is outside the scope permitted by Rule 26(b)(1).

...

(e) Supplementing Disclosures and Responses.

(1) In General. A party who has made a disclosure under Rule 16.1, 16.2, or 16.205 — or responded to a request for discovery with a disclosure or response — is under a duty to timely supplement or correct the disclosure or response to include information thereafter acquired if the party learns that in some material respect the information disclosed is incomplete or incorrect and if the additional or corrective information has not otherwise been made known to the other parties during the discovery process or in writing.

...

(f) Form of Responses. Answers and objections to interrogatories or requests for production must identify and quote each interrogatory or request for production in full immediately preceding the statement of any answer or objections thereto. Answers, denials, and objections to requests for admission must identify and quote each request for admission in full immediately preceding the statement of any answer, denial, or objection thereto.

Tom respectfully submits that his original Responses to Danka's Requests, which were served by mailing on December 21, 2018, largely complied with not only the Requests themselves, but also with this Court's governing Rules. A copy of the written Response (without the attached responsive documents which comprised of over 3,700 pages) is included in the accompanying Appendix of Exhibits as **Exhibit "2"**. Pursuant to Danka's correspondence seeking supplemental information, she objects to Responses provided to the following specific requests:

1           *Request Number 2: Produce copies of all educational degrees*  
2           *and achievements you acquired including, but not limited to college*  
3           *degree(s) and transcripts. Please include documents supporting the*  
4           *claims that you have a degree in psychology or have any other mental*  
          *health training.*

5           Tom responded to this Request: "Plaintiff does not possess the requested  
6           documentation." This is a proper Response. Danka well knows this, now that she  
7           has conducted the deposition of Tom on March 7, 2019. Tom testified he had never  
8           received anything greater than a high school diploma, notwithstanding the fact that  
9           he did take many college courses, some of which were in psychology. This request  
10          specifies the need for Tom to provide documents "supporting the claims that you  
11          have a degree in psychology or have any other mental health training". Tom  
12          possesses no such documents as he does not have a degree or any other certification  
13          or "achievement" in psychology.

14          Tom has conceded the parties were never married and accordingly, his level  
15          of education is irrelevant. The Request for additional information to which Tom  
16          does not have easy access is not proportional to the needs of the case, considering  
17          the importance of the issues at stake in the action, the amount in controversy, the  
18          parties' relative access to relevant information, the parties' resources, the importance  
19          of the discovery in resolving the issues, and *whether the burden or expense of the*  
20          *proposed discovery outweighs its likely benefit.* The burden of the expense of the  
21          proposed discovery absolutely outweighs its benefit in this matter. These documents  
22          are likely not even maintained electronically, and accordingly, Tom's original  
23          Response is sufficient.

24          *Request Number 5: In an Affidavit signed by you on May 24, 2018,*  
25          *attached hereto as Exhibit 1, you allege that "During a business trip to*  
26          *Florida from Bluepoint, Jakub racked up a \$200 bar tab, which the*  
27          *company had to pay for." Please produce copies of all documents*  
28          *supporting your claim including, but not limited to, the billing*  
          *statement for said alleged charge(s).*

1  
2 *Request Number 6: In an Affidavit signed by you on May 24, 2018,*  
3 *attached hereto as Exhibit 1, you allege that Jakub “would not show up*  
4 *for work. He would leave early. He left whatever he wanted. As a result,*  
5 *my other employees actually wrote a letter to me and threatened to quit*  
6 *if Jakub was not fired.” Please produce copies of all documents*  
7 *supporting your allegations including, but not limited to, time entries,*  
8 *payroll stubs, any notices that were issued to Jakub, and a copy of the*  
9 *“letter” wherein all of your other employees allegedly “threatened to*  
10 *quit” if “Jakub was not fired.”*

11  
12 *Request Number 7: In an Affidavit signed by you on May 24, 2018,*  
13 *attached hereto as Exhibit 1, you allege that “Jakub would drip Lukas*  
14 *off with me and Jakub’s mother to babysit. Jakub would be gone for*  
15 *hours.” Please produce any and all evidence to support your*  
16 *allegations.*

17 *Request Number 8: In an Affidavit signed by you on May 24, 2018,*  
18 *attached hereto as Exhibit 1, you allege that “Jakub was drinking and*  
19 *driving all the time. He was driving himself when he was going out*  
20 *nightly and drinking for hours.” Please produce any and all evidence*  
21 *to support your allegations.*

22 Tom responded to each of these Requests: “The reference Affidavit was  
23 offered in a legal action styled as Subertova v. Michalecko, with regard to factual  
24 matters completely outside the ambit of this legal action. As such, the requested  
25 discovery is not relevant to the subject matter involved in the pending action and is  
26 not reasonably calculated to lead to the discovery of admissible evidence in the  
27 pending action. Plaintiff therefore objects and declines to respond to Request No.  
28 [5, 6, 7 and 8] on that basis. No otherwise responsive materials are being withheld  
on the basis of that objection.”

These are proper Responses. Tom points out that notwithstanding his  
disagreement that the discovery is relevant or reasonably calculated to lead to  
discovery of admissible evidence, he is “not withholding otherwise responsive  
materials.” These four Requests were obviously designed to harass since they have

1 nothing to do with this lawsuit but rather, with the domestic relations matter  
2 involving a family member of Danka. Danka should not be permitted to conduct  
3 discovery in this case related to a child custody matter.

4 What is more telling as to the lack of any relevance or importance of these  
5 four Requests to this case is the fact that during the lengthy deposition of Tom taken  
6 by Danka on March 7, 2019, *she asked none of the questions posed in these written*  
7 *Requests.* Obviously, information responsive to these Requests, if the same was  
8 relevant at all, would be largely evidenced in the form of Tom's testimony. Danka  
9 did not ask Tom to provide any testimony regarding these matters during his  
10 deposition because she knows the information is not relevant. She is simply trying  
11 to conduct discovery for her family member's other case in this case, on Tom's dime.

12 *Request Number 10: Please produce any and all evidence that you*  
13 *represented to anyone at Evans & Associates that you and Dr. Michaels*  
14 *were married.*

15 Tom responded to this Request: "Plaintiff does not possess the requested  
16 documentation." This is, again, a proper Response. Without going into the  
17 extensive background, Shannon Evans represented both parties in their estate  
18 planning. Danka is a physician. Due to her being sued for malpractice and the risk  
19 of large judgments at the time the parties got together, their tax filing in the estate  
20 planning was centered on asset protection from these judgment creditors. Thus,  
21 while the parties intended to legally marry, the they did not file jointly, nor did they  
22 have a joint estate plan. Tom ultimately learned that while it was his intent to legally  
23 marry Danka, discovery in this case resulted in finding, through an expert, that the  
24 parties were not legally married. It was for this reason Tom amended his original  
25 Complaint.

26 Ms. Evans prepared the parties' respective estate plans, representing both  
27 parties at the same time notwithstanding their adverse interests. Danka has already  
28 subpoenaed her entire file. Ms. Evans was also the attorney who prepared the

1 documents whereby Tom executed Deeds and Assignments relinquishing his interest  
2 in joint property exclusively to Danka with no consideration in return (which  
3 resulted in what he was originally advised would be a gift tax consequence in the  
4 millions). Obviously, Ms. Evans has not disclosed anything that would support  
5 Tom's contention that it was always his understanding Danka and he were legally  
6 married. Tom has no other documents or evidence, other than his word, to prove  
7 that he in fact advised his representatives in this regard.

8 Danka, nevertheless, insists that Tom state what documents responsive to this  
9 request exist, and where they can be located. This is certainly disingenuous where  
10 such documents, if they exist, would be in Ms. Evans file *which has already been*  
11 *produced to Danka.*

12 *Request Number 11: Please produce any and all evidence that you*  
13 *represented to anyone at The Semonian Group that you and Dr.*  
14 *Michaels were married.*

15 Tom responded to this Request: "Plaintiff does not possess the requested  
16 documentation." This is, again, a proper Response. Undersigned counsel, in  
17 discussing providing any additional information as requested by Danka, discussed  
18 with Tom whether there would be any written communications evidencing his  
19 having represented to his lawyers and accountants the fact he believed he and Danka  
20 were legally married. Tom did not believe such documents existed until undersigned  
21 counsel suggested he might be able to recover any written text messages from his  
22 phone. Tom knows that he had text message communications with Mr. Semonian  
23 that will prove he advised the parties' accountant he believed the parties were  
24 married. While this is no longer an issue since Tom has conceded there was no legal  
25 marriage, he is purchasing the appropriate application and will attempt to download  
26 his text messages with Mr. Semonian and produce those if he is successful.  
27 Otherwise, his original Response should suffice.

28 ///



1       *Request Number 13: Produce a recent credit report for yourself.*

2       Tom responded to this Request: “Plaintiff does not possess the requested  
3 documentation.” Tom has since obtained a copy of his current credit report which  
4 will be provided. Danka should arguably do the same, as she has failed to produce  
5 any meaningful financial information equivalent to that which she has sought from  
6 Tom.

7       *Request Number 15: Produce any and all documents reflecting your*  
8 *income from January 1, 2016 through the present, whether cash, check*  
9 *payment, or any other form of compensation for services, including, but*  
10 *not limited to, your pay check stubs, documentation regarding tips,*  
11 *bonuses, commissions, deferred compensation, reimburse business*  
12 *expenses, W-2s, 1099s, dividends, interest, proceeds from sale of*  
13 *property, any and all employment contracts signed by you as an*  
14 *employee, independent contractor or subcontractor, and any verbal or*  
15 *written promises of future compensation, including but not limited to,*  
16 *bonuses, commissions, or stocks/notes for services.*

17       Tom responded to this Request: “Plaintiff does not currently possess the  
18 documents that are requested (his last he filed federal income tax returns). Plaintiff  
19 is obtaining them, however, and will timely supplement his response.” Tom has  
20 since obtained documents responsive and is providing those notwithstanding  
21 Danka’s failure to provide equivalent financial information.

22       *Request Number 16: Produce all documentation regarding each*  
23 *retirement, investment, profit-sharing, health savings plan, Deferred*  
24 *Compensation Account, IRA, Keogh, 401(k), pension plan, mutual*  
25 *funds, and stocks and bonds accounts in which you have or had an*  
26 *interest in from January 1, 2016 through the present, whether vested or*  
27 *unvested, whether under your name or an alias or other individual or*  
28 *entity or with or to another individual, including but not limited to, all*  
*benefit statements, most recent year-end or quarterly benefit*  
*statements, and Plan benefits booklet.*

Tom responded to this Request: “Plaintiff does not possess the requested  
documentation. Plaintiff had a single retirement account that was liquidated

1 ancillary to the purchase of his home and 2017, and he has searched for the  
2 statements predating liquidation. He does not have them. Any such documents as  
3 they are likely in Danka's possession. When the parties terminated their  
4 relationship, many of Tom's personal possessions were left in the former marital  
5 residence which has since been in Danka's exclusive possession and control. If there  
6 is any documentation available related to the retirement account Tom cashed out and  
7 2017, Danka already has it. She is also aware of the limited nature and extent of  
8 Tom's assets as they were discussed during the deposition and in the context of  
9 settlement, much of which is part of the record in the deposition transcript.

10 In summary, Danka is somewhat disingenuous in her insistence on pursuing  
11 this Motion to Compel where Tom was under the impression the matter was settled,  
12 and now, he has made it priority to produce everything sought within his possession  
13 and control. Danka, in the meantime, has not even bother to file a written Response  
14 to his outstanding written discovery Requests which are now four months overdue.

15 Clearly, the Motion to Compel is not being pursued in good faith, and  
16 accordingly, Tom requests the same be denied and that no fees be awarded to either  
17 party. Tom intends to continue to pursue settlement in good faith, and the hopes that  
18 Danka will resume good faith negotiations as well.

### 19 III. CONCLUSION

20 Pursuant to this Court's Rules, discovery motions should not be pursued  
21 unless or until a good faith effort to confer has been conducted. Undersigned counsel  
22 has not had a conference to discuss the discovery dispute with Danka's counsel until  
23 May 8, 2019. While Ms. Abrams was gracious enough to grant an extension of time  
24 for this Response in Opposition to be filed, it is frankly disingenuous of Danka to  
25 pursue the Motion as set forth above. The same should be denied or, at the very  
26 least, continue to allow Tom time to provide the information sought to the extent the  
27  
28

1 same is available, since for the majority of the time this Motion was pending, he was  
2 under the impression the matter was settled and the discovery was not necessary.

3 RESPECTFULLY SUBMITTED this 13<sup>th</sup> day of May, 2019.

4 BLACK & LOBELLO

5 

6 Michele Touby LoBello, Esq.,  
7 Nevada State Bar No. 5527  
8 10777 West Twain Avenue, Suite 300  
9 Las Vegas, Nevada 89135  
10 Attorneys for Plaintiff,  
11 THOMAS A. PICKENS  
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1                   **AFFIDAVIT OF COUNSEL FOR PLAINTIFF IN SUPPORT OF**  
2                   **PLAINTIFF'S RESPONSE AND OPPOSITION TO DEFENDANT'S**  
3                   **MOTION TO COMPEL DISCOVERY RESPONSES**

4       STATE OF NEVADA    )  
5                                    ) §.  
6       COUNTY OF CLARK   )

7                   MICHELE TOUBY LOBELLO, ESQ., does solemnly swear and state as  
8       follows:

9                   1.       That I am an attorney duly license to practice law in the State of  
10                   Nevada. I have personal knowledge of the matters stated herein and am competent  
11                   to testify thereto. I am counsel of record for Plaintiff, THOMAS PICKENS, in this  
12                   matter, and I am making this Declaration in support of his RESPONSE AND  
13                   OPPOSITION TO DEFENDANT'S MOTION TO COMPEL DISCOVERY  
14                   RESPONSES.


15                   2.       As outlined in greater detail above, during the entire time the Motion to  
16                   Compel has been pending, until May 8, 2019, settlement negotiations were ongoing,  
17                   and Tom and his counsel believed that the matter had been settled and the Motion  
18                   and discovery would not be pursued. This is supported by the fact that Danka never  
19                   served written Responses to Tom's written Requests for Production of Documents  
20                   which were served on her on January 9, 2019.

21                   3.       As set forth in detail above, as soon as Tom and his counsel learned that  
22                   there would not be a settlement, priority was immediately placed on preparing this  
23                   Response in Opposition and providing any necessary discovery which has not been  
24                   produced.

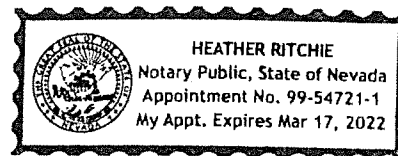
25                   4.       It is also concerning that notwithstanding undersigned counsel being  
26                   involved in this case during the entire pendency of the Motion to Compel, no direct  
27                   discussions concerning the Motion were conducted with undersigned counsel until  
28                   May 8, 2019. I have no doubt Danka is being very unreasonable in pursuing this


1 Motion at present, seeking to gain leverage in hopes of gaining more favorable  
2 settlement terms by refusing to vacate this Motion, or to at least continue the hearing.

3 5. I have prepared the Points and Authorities in support of this Response  
4 and Opposition, and I have reviewed them carefully and can testify that, upon  
5 information and belief, all the facts contained in the above Response and Opposition  
6 are true and correct.

7   
8 Michele Touby LoBello

9 Subscribed and sworn to before me  
10 this 13 day of May, 2019.



11   
12 NOTARY PUBLIC in and for said  
13 County and State

**CERTIFICATE OF SERVICE**

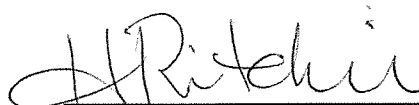
Pursuant to NRCP 5(b), I certify that I am an employee of BLACK & LOBELLO and that on the 13 day of May, 2019, I caused the above and foregoing document entitled **PLAINTIFF'S RESPONSE AND OPPOSITION TO DEFENDANT'S MOTION TO COMPEL DISCOVERY RESPONSES** to be served as follows:

- ☐ by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada; and
- ☒ pursuant to N.E.F.C.R. 9, to be sent via electronic service;
- ☐ pursuant to EDCR 7.26, to be sent via facsimile;
- ☒ by email to
- ☐ hand delivered

to the party or their attorney(s) listed below at the address and/or facsimile number indicated below:

Jennifer V. Abrams, Esq.  
The Abrams & Mayo Law Firm  
6252 South Rainbow Blvd., #100  
Las Vegas, NV 89118  
Email: [JVAGroup@TheAbramsLawFirm.com](mailto:JVAGroup@TheAbramsLawFirm.com)  
Attorney for Defendant

and that there is regular communication by mail between the place of mailing and the place(s) so addressed.



\_\_\_\_\_  
An Employee of Black & LoBello

MOFI

DISTRICT COURT  
FAMILY DIVISION  
CLARK COUNTY, NEVADA

Thomas A. Pickens

Plaintiff/Petitioner

v.

Danka K. Michaels

Defendant/Respondent

Case No. D-17-560737-D

Dept. S

**MOTION/OPPOSITION  
FEE INFORMATION SHEET**

**Notice:** Motions and Oppositions filed after entry of a final order issued pursuant to NRS 125, 125B or 125C are subject to the reopen filing fee of \$25, unless specifically excluded by NRS 19.0312. Additionally, Motions and Oppositions filed in cases initiated by joint petition may be subject to an additional filing fee of \$129 or \$57 in accordance with Senate Bill 388 of the 2015 Legislative Session.

**Step 1.** Select either the \$25 or \$0 filing fee in the box below.

☐ **\$25** The Motion/Opposition being filed with this form is subject to the \$25 reopen fee.

-OR-

☒ **\$0** The Motion/Opposition being filed with this form is not subject to the \$25 reopen fee because:

☒ The Motion/Opposition is being filed before a Divorce/Custody Decree has been entered.

☐ The Motion/Opposition is being filed solely to adjust the amount of child support established in a final order.

☐ The Motion/Opposition is for reconsideration or for a new trial, and is being filed within 10 days after a final judgment or decree was entered. The final order was entered on \_\_\_\_\_.

☐ Other Excluded Motion (must specify) \_\_\_\_\_.

**Step 2.** Select the \$0, \$129 or \$57 filing fee in the box below.

☒ **\$0** The Motion/Opposition being filed with this form is not subject to the \$129 or the \$57 fee because:

☒ The Motion/Opposition is being filed in a case that was not initiated by joint petition.

☐ The party filing the Motion/Opposition previously paid a fee of \$129 or \$57.

-OR-

☐ **\$129** The Motion being filed with this form is subject to the \$129 fee because it is a motion to modify, adjust or enforce a final order.

-OR-

☐ **\$57** The Motion/Opposition being filing with this form is subject to the \$57 fee because it is an opposition to a motion to modify, adjust or enforce a final order, or it is a motion and the opposing party has already paid a fee of \$129.

**Step 3.** Add the filing fees from Step 1 and Step 2.

The total filing fee for the motion/opposition I am filing with this form is:

☒ **\$0** ☐ **\$25** ☐ **\$57** ☐ **\$82** ☐ **\$129** ☐ **\$154**

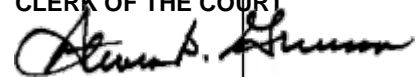
Party filing Motion/Opposition: Thomas A. Pickens

Date 5-13-19

Signature of Party or Preparer



AA00516



**RPLY**

Jennifer V. Abrams, Esq.  
Nevada State Bar Number: 7575  
THE ABRAMS & MAYO LAW FIRM  
6252 South Rainbow Blvd., Suite 100  
Las Vegas, Nevada 89118  
Tel: (702) 222-4021  
Fax: (702) 248-9750  
Email: vmgroup@theabramslawfirm.com  
Attorney for Defendant

Eighth Judicial District Court  
Family Division  
Clark County, Nevada

THOMAS A. PICKENS, individually, ) Case No.: D-17-560737-D  
and as trustee of the LV Blue Trust, )

Plaintiff,

vs.

DANKA K. MICHAELS, individually, )  
and as trustee of the Mich-Mich )  
Trust, )

Defendant.

) Department: B/Discovery

) Hearing Date: May 22, 2019

) Hearing Time: 1:30 p.m.

**REPLY IN SUPPORT OF DEFENDANT'S MOTION TO COMPEL  
DISCOVERY RESPONSES**

NOW INTO COURT comes Defendant, Danka K. Michaels, by and  
through her attorney of record, Jennifer V. Abrams, Esq., of The Abrams  
& Mayo Law Firm, and hereby submits her *Reply in Support of*  
*Defendant's Motion to Compel Discovery Responses.*

///



1           **MEMORANDUM OF POINTS AND AUTHORITIES**

2           **A. Danka and her Counsel were more than**  
3           **accommodating regarding the discovery deadline.**

4           Tom's argument that the case was about to settle, and additional  
5 discovery was not necessary is inaccurate, at best. Tom did not send his  
6 severely deficient discovery responses until fifty-three days **after** they  
7 were due. As stated in the *Motion to Compel* no less than **six** attempts  
8 were made to obtain Tom's responses prior to filing the *Motion to*  
9 *Compel*. Danka's attempts to obtain the additional responses began  
10 **ninety-two days before the conversation with Mr. Semonian**  
11 and yet every single deadline was missed. How long was Danka  
12 supposed to allow these discovery responses to remain deficient before  
13 filing a Motion? For Tom to now claim that Danka did not make a good  
14 faith effort, after all this time, and after **voluntarily offering an**  
15 **extension of time** to Tom when he retained new counsel is  
16 astonishing.

17           The undersigned did have a lengthy and personal conversation  
18 with Attorney LoBello on Sunday, March 31<sup>st</sup>. While the majority of the  
19 conversation surrounded the merits of the case and a potential  
20 settlement, the procedural history was discussed in some detail -  
21 including the request to Attorney Lemcke to cure discovery deficiencies,

1 Attorney Lemcke's withdrawal, the multiple requests directly to Tom to  
2 supplement his discovery responses, and the email with the deficiency  
3 letter that was sent to Attorney LoBello just three days earlier, on March  
4 29, 2019.

5 It is unclear to Danka how Tom can use settlement negotiations as an  
6 excuse for not providing his complete responses when discovery was  
7 propounded in November 2018, supplemental responses have been  
8 sought since January 23, 2019 and the settlement negotiations did not  
9 take place until March 7, 2019, **forty-three** days later!

10 It was about **seventy-four days**, or over ten weeks from the time  
11 Tom's supplemental discovery responses were due to the date that  
12 Danka's counsel filed the *Motion to Compel* (or about **one-hundred**  
13 **and sixty-five days** from the date the requests were propounded).  
14 Danka's counsel went above and beyond to be accommodating regarding  
15 the transition of lawyers. However, with Tom's new counsel even  
16 missing the discovery deadlines and the lack of discovery causing a  
17 negative impact on the case, Attorney Abrams had no choice but to bring  
18 the matter before the Court.

19 **B. Danka responded timely to Tom's discovery requests**

20 To be clear, Danka timely responded to Tom's discovery requests.  
21 The responses were mailed to Tom on February 8, 2019 (as he was pro

1 per at this time) at the same address his previous counsel listed for him  
2 in their Motion to Withdraw as Attorney of Record.

3 **C. Tom's discovery responses are deficient.**

4 In response to Requests 5, 6, 7 and 8, Tom responds stating these  
5 requests are not relevant, in Tom's Response and Opposition he states  
6 this response is proper. That is simply untrue. These requests (as stated  
7 in Danka's deficiency letter sent on January 23, 2019) go to Tom's  
8 credibility which is extremely relevant in most cases but particularly so  
9 in this case.

10 Tom goes on to state that his response to Requests number 10 and  
11 11 are proper and that Danka subpoenaed the entire file from Ms. Evans  
12 and Mr. Semonian. On the very next page Tom admits he has text  
13 messages that he apparently did not recall until his counsel reminded  
14 him. Clearly his initial responses were not complete, as he did have  
15 additional information that would not have been in the files subpoenaed,  
16 and "forgot" about it.

17 Most importantly, complete responses have not been provided to  
18 requests 15 and 16, seeking income information and asset information,  
19 respectively.

20 It has now been one-hundred and eighty-seven days (**over six**  
21 **months**) since the discovery requests were propounded and Danka

1 does not have even complete information pertaining to Tom's income,  
2 assets, or his credit report, much less items that speak to his credibility  
3 (or lack thereof).

4 Given the egregiousness of Tom's lack of cooperation with  
5 discovery and the fact that his responses have **still** not been  
6 supplemented, Danka should be awarded the reasonable fees and costs  
7 incurred for every communication, every request, every extension, the  
8 motion, this response, etc.

### 9 CONCLUSION

10 Based upon the foregoing, Danka respectfully requests an order for  
11 the relief requested in her Motion to Compel any other relief the Court  
12 deems just and proper.

13 Dated Wednesday, May 15, 2019.

14 Respectfully Submitted:

15 THE ABRAMS & MAYO LAW FIRM

16 /s/ Jennifer V. Abrams, Esq.

17 Jennifer V. Abrams, Esq.

18 Nevada State Bar Number: 7575

6252 South Rainbow Blvd., Suite 100

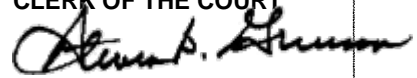
Las Vegas, Nevada 89118

19 Attorney for Defendant

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Michele T. LoBello, Esq.  
Attorney for Plaintiff

/s/ Chantel Wade  
An Employee of The Abrams & Mayo Law Firm

1 **SUPP**

2 **BLACK & LOBELLO**  
 3 Michele Touby LoBello, Esq.  
 4 Nevada Bar No. 5527  
 10777 West Twain Avenue, Suite 300  
 4 Las Vegas, Nevada 89135  
 5 Telephone No.: 702-869-8801  
 6 Facsimile No.: 702-869-2669  
 6 Email: [mlobello@blacklobello.law](mailto:mlobello@blacklobello.law)  
 7 Attorneys for Plaintiff,  
 7 **THOMAS A. PICKENS**

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

10 **THOMAS A. PICKENS,**  
 11  
 12 **Plaintiff**

**CASE NO.: D-17-560737-D**  
**DEPT. S**

13 **vs.**

**Date of Hearing: May 22, 2019**  
**Time of Hearing: 1:30 p.m.**

14 **DANKA K. MICHAELS,**  
 15  
 16 **Defendant;**  
 17 **and related Counterclaims.**

18  
 19 **PLAINTIFF'S SUPPLEMENT TO RESPONSE AND OPPOSITION TO**  
 20 **DEFENDANT'S MOTION TO COMPEL DISCOVERY RESPONSES**

21 Plaintiff, Thomas A. Pickens ("Tom"), by and through his counsel of record,  
 22 Michele Touby LoBello and Black & LoBello, hereby files his Supplement to his  
 23 Response and Opposition to Defendant's Motion to Compel Discovery Responses.

24 **MEMORANDUM OF POINTS AND AUTHORITIES**

25 Yesterday, Tom served Danka's counsel with the following documents:

26 ///

27 ///

28

**I. LIST OF DOCUMENTS:**

No.	Document	
1.	Text Messages between Plaintiff and Robert Semonian from 04/13/2017 to 12/31/2018	TP03788-TP03792
2.	Thomas Pickens Personal Tax Returns 2013, 2014, 2015 and 2016; and 2017 W2	TP03793-TP03866
3.	AMEX Blue Sky 63003 11/18/17 to 05/08/19	TP03867-TP03997
4.	Wells Fargo Tom Perkins #8952 10/15/18 – 04/30/19	TP03998-TP04063
5.	Wells Fargo Visa #0648 Plaintiff 06/06/17 – 05/13/19	TP04064-TP04158
6.	Thomas Pickens Credit Reports: 08/03/17 and 05/13/19	TP04159-TP04242
7.	AMEX statement Plaintiff 73002; Def 72020 12/11/17 – 04/14/19	TP04243-TP04372
8.	Wells Fargo #3436 and 6105; Thomas A Pickens and Danka K. Michaels – 01/11/17 – 04/30/18	TP04373-TP04412
9.	Wells Fargo Mortgage Statements – Blue Mesa residence 06/29/18 – 05/06/19	TP04413-TP04436
10.	Queen Charlotte Dr. ASC Mortgage Statement 12/14/13 and 2/19/16	TP04437-TP04439
11.	Lowe Avenue Wells Fargo Mortgage Statement 12/24/13	TP04440
12.	Land Rover Financial Group statement 12/13/13 – 01/12/14	TP04441
13.	Lexus Statement – 12/24/13	TP04442
14.	Southwest Pension Services – Danka Michaels. Statements 09/03/2013 and 12/31/13	TP04443-TP04444
15.	Valic – Danka Michalecko statements 9/30/13, 12/31/13, and 9/30/15	TP04445-TP04448
16.	Pinnacle Health Systems – Danka K. Michaels. Statements 9/30/13 and 12/31/13	TP04449-TP04450
17.	Danka Michaels M.D. Financials. 12/31/07, 12/31/08, 12/31/09, 7/31/10, 12/31/10, 12/31/11, 6/30/13, 11/30/13	TP04451-TP04474



18.	Danka Michaels M.D. Tax Returns: 2007, 2008, 2009, 2011, 2012, 2013 and	TP04475-TP04603
19.	Danka Michaels Personal Tax Returns: 2007 to 2012 and 2014	TP04604-TP04664
20.	Blue Point Developments AMEX #51001: 11/20/17 to 4/19/19	TP04665-TP04773
21.	Blue Point Developments Wells Fargo #9112: 01/01/18 to 4/30/19	TP04774-TP04839
22.	Patience One Bank of America Loan Documentation for 3320 North Buffalo Drive	TP04840-TP05306
23.	Danka Michaels, M.D. General Ledger dated July 2015	TP05307-TP05325
24.	Danka Michaels M.D. Profit & Loss dated July 2015	TP05326-TP05327
25.	Danka Michaels M.D., dba Bluepoint Medical Group, Bank of America #9088 statement dated 1/31/2016	TP05328-TP05345
26.	Danka Michaels M.D., dba Bluepoint Medical Spa, Bank of American business account statement #9108 dated 1/31/2016	TP05346-TP05349
27.	Danka Michaels UBS Statement 12/2015	TP05350-TP05351
28.	Danka Michaels Pinnacle Health Systems Statement 7/1/15	TP05352
29.	Bank of the West – 2015 Porsche statement 12.2.14	TP05353-TP05354
30.	Bank of America #8910 Danka Michaels ITF Thomas Pickens statement dated 3/17/16	TP05355
31.	Life Insurance Statement 11/25/15	TP05356
32.	Wells Fargo Loan Billing Statement #3364 2/16/16	TP05357
33.	Capital One Account Statement 2/29/16	TP05358
34.	Thomas Pickens UBS Retirement statement February 2016	TP05359
35.	US Bank letter 1.31.16	TP05360
36.	BluePoint Development Balance Sheet 12/31/13	TP05361-TP05363



37.	Miscellaneous emails regarding building financing and renovations	TP05364-TP05400
38.	Miscellaneous emails regarding lease of building	TP05401-TP05405
39.	Miscellaneous personal emails	TP05406-TP05417

This is in addition to the over 3,000 documents originally served with Tom's Responses to Danka's First Request for Production of Documents served January 9, 2019. This date, Tom offered, through counsel, to pay Danka \$1,000 in fees for the necessity of the Motion to Compel so the hearing and Motion may be vacated. That will hopefully alleviate the need for a hearing on this matter.

Finally, undersigned counsel, since filing the Response and Opposition, was provided a copy of Danka's discovery Responses which were mailed to Tom. The Responses were dated February 8, 2019, but the Certificate of Service does not indicate the date they were mailed. They provided a single document in Response. Tom did not receive the Responses. Nevertheless, this is NOT an issue before the Court at this time.

In summary, Tom has provided all of the information in his possession or readily available to him which was requested by Danka and discussed in her Motion to Compel.

RESPECTFULLY SUBMITTED this 21<sup>ST</sup> day of May, 2019.

BLACK & LOBELLO



Michele Touby LoBello, Esq.,

Nevada State Bar No. 5527

10777 West Twain Avenue, Suite 300

Las Vegas, Nevada 89135

Attorneys for Plaintiff,

THOMAS A. PICKENS

**CERTIFICATE OF SERVICE**

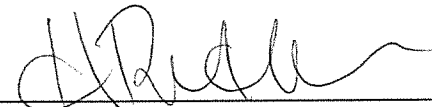
Pursuant to NRCP 5(b), I certify that I am an employee of BLACK & LOBELLO and that on the 21 day of May, 2019, I caused the above and foregoing document entitled **PLAINTIFF'S SUPPLEMENT TO RESPONSE AND OPPOSITION TO DEFENDANT'S MOTION TO COMPEL DISCOVERY RESPONSES** to be served as follows:

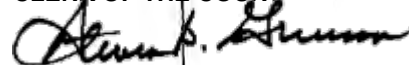
- ☐ by placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada; and
- ☒ pursuant to N.E.F.C.R. 9, to be sent via electronic service;
- ☐ pursuant to EDCR 7.26, to be sent via facsimile;
- ☒ by email to
- ☐ hand delivered

to the party or their attorney(s) listed below at the address and/or facsimile number indicated below:

Jennifer V. Abrams, Esq.  
The Abrams & Mayo Law Firm  
6252 South Rainbow Blvd., #100  
Las Vegas, NV 89118  
Email: [JVAGroup@TheAbramsLawFirm.com](mailto:JVAGroup@TheAbramsLawFirm.com)  
Attorney for Defendant

and that there is regular communication by mail between the place of mailing and the place(s) so addressed.

  
An Employee of Black & LoBello


1 **SAO**

Jennifer V. Abrams, Esq.

2 Nevada State Bar Number: 7575

THE ABRAMS &amp; MAYO LAW FIRM

3 6252 South Rainbow Blvd., Suite 100

Las Vegas, Nevada 89118

4 Tel: (702) 222-4021

Fax: (702) 248-9750

5 Email: jvagroup@theabramslawfirm.com

Attorney for Defendant

6 Eighth Judicial District Court

Family Division

7 Clark County, Nevada

8 THOMAS A. PICKENS, individually, ) Case No.: D-17-560737-D  
and as trustee of the LV Blue Trust, )

9 Plaintiff, )

) Department: B/Discovery

10 vs. )

) Hearing Date: May 22, 2019

11 DANKA K. MICHAELS, individually, ) Hearing Time: 1:30 p.m.  
12 and as trustee of the Mich-Mich )  
Trust, )

13 Defendant. )

14 **STIPULATION AND ORDER RE: MOTION TO COMPEL**

15 **COME NOW** the parties, Plaintiff, THOMAS A. PICKENS, by and  
16 through his attorney of record, Michele T. LoBello, Esq., of Black & LoBello,  
17 and Defendant, DANKA K. MICHAELS, by and through her attorney of  
18 record, Jennifer V. Abrams, Esq., of The Abrams & Mayo Law Firm, and  
19 hereby stipulate to the following:

20 **WHEREAS** Tom originally filed his *Complaint for Divorce and for*  
21 *Set aside of Deeds of Real Property and Assignment of LLC Interest on*

1 October 24, 2017. After his expert conceded that the parties were not in fact  
2 legally married Tom filed his *First Amended Complaint for Divorce; for Set*  
3 *Aside of Deeds of Real Property and Assignment of LLC Interest; and for*  
4 *Alternative Equitable Relief Under the Punitive Spouse Doctrine* on March  
5 18, 2018. Danka filed her Answer and Counterclaim on May 2, 2018. Then,  
6 on October 15, 2018 Tom filed his *Second Amended Complaint for Equitable*  
7 *Relief under (1) The Putative Spouse Doctrine, and (2) Pursuant to Express*  
8 *and/or Implied Agreement to Hold Property as if the Parties Were Married*  
9 *Under Michoff; and to Set Aside Deeds of Real Property and Assignment of*  
10 *LLC Interest.* Danka filed her Answer and Counterclaim on November 19,  
11 2018.

12 **WHEREAS** on November 8, 2018 Danka electronically served Tom,  
13 through his then-counsel Attorney Lemcke, with *Defendant's First Requests*  
14 *for Production of Documents and Tangible Things from Plaintiff.*

15 **WHEREAS** Tom's responses were severely deficient. Therefore,  
16 Danka sent a deficiency letter to Attorney Lemcke on January 23, 2019 After  
17 not receiving additional documents by the requested deadline of February  
18 7<sup>th</sup>, an e-mail was sent to Tom, who was no longer represented by counsel,  
19 containing the deficiency letter sent on January 23, 2019. For good measure,  
20 the letter was also mailed to Tom on February 20, 2019.

21

1       **WHEREAS** on March 4, 2019 Attorney Abrams and Tom had a  
2 telephone conference. Attorney Abrams agreed to give Tom a two-week  
3 extension on the discovery responses still due. Upon learning that Tom  
4 retained Attorney Michele LoBello, the March 4, 2019 correspondence to  
5 Tom, the January 23, 2019 deficiency letter, and the February 23, 2019 e-  
6 mail were all sent to Attorney LoBello on March 29, 2019, eleven days after  
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8 still no documents were received. Understanding that Attorney LoBello  
9 would need time to catch up with the case, another week extension was  
10 offered and a lengthy telephone conference about the case, including  
11 discovery, was held on Sunday March 31<sup>st</sup>.

12       **WHEREAS** Danka's Motion to Compel was filed on April 22, 2019.

13       **WHEREAS** Attorney LoBello served the Second Set of 16.2  
14 Disclosures on May 20, 2019.

15       **WHEREAS** it is the desire of the parties to resolve the current  
16 discovery dispute without incurring additional fees and costs.

17       **NOW THEREFORE**, in consideration of the aforementioned,

18       **IT IS HEREBY STIPULATED AND AGREED** that Tom shall  
19 provide the following additional documentation or a statement that no  
20 additional documentation exists within ten calendar days from today's date  
21 (no later than June 1, 2019)!

- 1       1. Request number 2 – A statement in writing that, to his knowledge,  
2       no documents exist in response to this request or, a description of  
3       the documents that he believes exist and where they can be found  
4       or copies of any education degrees and achievements Tom received.
- 5       2. Request number 5 – A statement in writing that, to his knowledge,  
6       no documents exist in response to this request or, a description of  
7       the documents that he believes exist and where they can be found,  
8       or copies of documentation supporting Tom's claim that Jakub  
9       racked up a \$200 bar tab the company had to pay for.
- 10      3. Request number 6 – A statement in writing that, to his knowledge,  
11      no documents exist in response to this request or, a description of  
12      the documents that he believes exist and where they can be found,  
13      or copies of documentation supporting Tom's claim that Jakub  
14      would not show up for work, would leave early or leave whenever he  
15      wanted, that other employees threatened to quit if Jakub wasn't  
16      fired.
- 17      4. Request number 7 – A statement in writing that, to his knowledge,  
18      no documents exist in response to this request or, a description of  
19      the documents that he believes exist and where they can be found,  
20      or copies of documentation aside from the one e-mail provided  
21



1 supporting Tom's claim that Jakub would leave Lukas with him and  
2 Dr. Michaels and be gone for hours.

3 5. Request number 8 – A statement in writing that, to his knowledge,  
4 no documents exist in response to this request or, a description of  
5 the documents that he believes exist and where they can be found,  
6 or copies of documentation supporting Tom's claim that Jakub was  
7 drinking and driving all the time.

8 6. Request number 10 – A statement in writing that, to his knowledge,  
9 no documents exist in response to this request or, a description of  
10 the documents that he believes exist and where they can be found,  
11 or copies of documentation that Tom represented to anyone at  
12 Evans & Associates that he and Dr. Michaels were married.

13 7. Request number 11 - A statement in writing that, to his knowledge,  
14 no documents exist in response to this request or, a description of  
15 the documents that he believes exist and where they can be found,  
16 or copies of supplemental documents that Tom represented to  
17 anyone at Semonian Group, Inc. that he and Dr. Michaels were  
18 married.

19 8. Request number 15 - Documentation which has not already been  
20 provided pertaining to Tom's 2018 income and his 2019 year-to-  
21 date income.

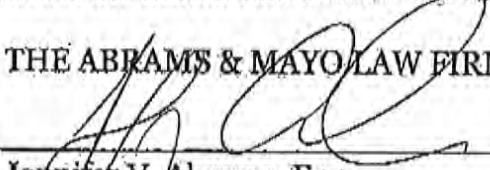
1 9. Request number 16 - Documentation of Tom's current account  
2 balance information to date for the UBS account he provided one  
3 page for dated February 2016 and confirm whether or not there are  
4 any other accounts that exist in response to this request.

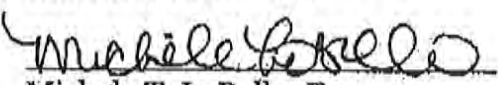
5 **IT IS FURTHER STIPULATED AND AGREED** that within ten  
6 calendar days from today's date (no later than June 1, 2019) Tom shall pay  
7 Danko the sum of \$1,000 as and for Attorney fees for the Motion to Compel.

8 **IT IS FURTHER STIPULATED AND AGREED** that the hearing  
9 scheduled for May 22, 2019 at 1:30 p.m. shall be vacated. If the hearing  
10 cannot be vacated, Attorney Abrams and Attorney LoBello shall appear  
11 telephonically.

12 **IT IS FURTHER STIPULATED AND AGREED** that a status check  
13 shall be set for the Courts first available date after June 24, 2019. If all  
14 documentation and payments have been received, a Stipulation and Order to  
15 vacate the Status Check shall be submitted.

16 THE ABRAMS & MAYO LAW FIRM BLACK & LOBELLO

17   
18 Jennifer V. Abrams, Esq.  
19 Nevada State Bar Number: 7575  
6252 S. Rainbow Blvd., Suite 100  
Las Vegas, Nevada 89118  
Attorney for Defendant

20   
Michele T. LoBello, Esq.  
Nevada State Bar Number: 5527  
10777 W. Twain Ave., Suite 300  
Las Vegas, Nevada 89135  
Attorney for Plaintiff



1 **ORDER**

2 Based upon the stipulation of the parties,

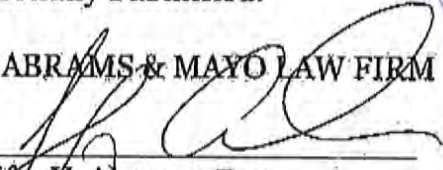
3 **IT IS HEREBY ORDERED** that the terms and conditions of the  
4 above Stipulation and Order are hereby adopted as an order of this Court.

5 **IT IS HEREBY ORDERED** that the hearing currently scheduled for  
6 May 22, 2019 at 1:30 p.m. shall vacated/Attorney Abrams and Attorney  
7 Lobello shall appear telephonically if the hearing is not vacated and a Status  
8 check shall be set for June 12, 2019 at 2:00 PM.

9 Dated this 22 day of May, 2019.

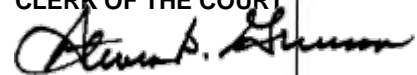
10  
11  
12 Respectfully Submitted:

13 THE ABRAMS & MAYO LAW FIRM

14   
15 Jennifer V. Abrams, Esq.  
16 Nevada State Bar Number: 7575  
6252 South Rainbow Blvd., Suite 100  
Las Vegas, Nevada 89118  
Attorney for Defendant

  
~~DISTRICT COURT JUDGE~~

**DISCOVERY COMMISSIONER**



1 **NTSO**

Jennifer V. Abrams, Esq.

2 Nevada State Bar Number: 7575

THE ABRAMS & MAYO LAW FIRM

3 6252 South Rainbow Blvd., Suite 100

Las Vegas, Nevada 89118

4 Tel: (702) 222-4021

Fax: (702) 248-9750

5 Email: vmgroup@theabramslawfirm.com

Attorney for Defendant

6 Eighth Judicial District Court

Family Division

7 Clark County, Nevada

8 THOMAS A. PICKENS, individually, ) Case No.: D-17-560737-D  
and as trustee of the LV Blue Trust, )

9 Plaintiff, )  
10 )  
11 )

vs. )  
12 )  
13 )

DANKA K. MICHAELS, individually, )  
12 and as trustee of the Mich-Mich )  
Trust, )  
13 )

14 Defendant. )

15 **NOTICE OF ENTRY OF STIPULATION AND ORDER RE:**

16 **MOTION TO COMPEL**

17 PLEASE TAKE NOTICE that the Stipulation and Order Re: Motion  
18 to Compel was duly entered in the above-referenced matter.

19 ///

20 ///

21 ///

1 A true and correct copy of said Stipulation and Order is attached hereto.  
2 DATED Wednesday, May 29, 2019.

3 Respectfully Submitted,

4 THE ABRAMS & MAYO LAW FIRM

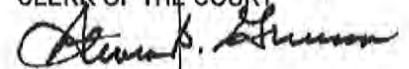
5 /s/ Jennifer V. Abrams, Esq.  
6 Jennifer V. Abrams, Esq.  
7 Nevada State Bar Number: 7575  
8 6252 South Rainbow Blvd., Suite 100  
9 Las Vegas, Nevada 89118  
10 Attorney for Defenant

9 **CERTIFICATE OF SERVICE**

10 I hereby certify that the foregoing NOTICE OF ENTRY OF  
11 STIPULATION AND ORDER RE: MOTION TO COMPEL was filed  
12 electronically with the Eighth Judicial District Court in the above-entitled  
13 matter, on Wednesday, May 29, 2019. Electronic service of the foregoing  
14 document shall be made in accordance with the Master Service List,  
15 pursuant to NEFCR 9, as follows:

16 Michele T. LoBello, Esq.  
17 Attorney for Plaintiff

18 /s/ Chantel Wade  
19 An Employee of The Abrams & Mayo Law Firm  
20  
21



1 **SAO**  
 Jennifer V. Abrams, Esq.  
 2 Nevada State Bar Number: 7575  
 THE ABRAMS & MAYO LAW FIRM  
 3 6252 South Rainbow Blvd., Suite 100  
 Las Vegas, Nevada 89118  
 4 Tel: (702) 222-4021  
 Fax: (702) 248-9750  
 5 Email: jvagroup@theabramslawfirm.com  
 Attorney for Defendant

6 Eighth Judicial District Court  
 Family Division  
 7 Clark County, Nevada

8 THOMAS A. PICKENS, individually, ) Case No.: D-17-560737-D  
 and as trustee of the LV Blue Trust, )  
 9 Plaintiff, ) Department: B/Discovery  
 10 vs. )  
 11 DANKA K. MICHAELS, individually, ) Hearing Date: May 22, 2019  
 and as trustee of the Mich-Mich ) Hearing Time: 1:30 p.m.  
 12 Trust, )  
 13 Defendant. )

14 **STIPULATION AND ORDER RE: MOTION TO COMPEL**

15 **COME NOW** the parties, Plaintiff, THOMAS A. PICKENS, by and  
 16 through his attorney of record, Michele T. LoBello, Esq., of Black & LoBello,  
 17 and Defendant, DANKA K. MICHAELS, by and through her attorney of  
 18 record, Jennifer V. Abrams, Esq., of The Abrams & Mayo Law Firm, and  
 19 hereby stipulate to the following:

20 **WHEREAS** Tom originally filed his *Complaint for Divorce and for*  
 21 *Set aside of Deeds of Real Property and Assignment of LLC Interest on*

1 October 24, 2017. After his expert conceded that the parties were not in fact  
2 legally married Tom filed his *First Amended Complaint for Divorce; for Set*  
3 *Aside of Deeds of Real Property and Assignment of LLC Interest; and for*  
4 *Alternative Equitable Relief Under the Punitive Spouse Doctrine* on March  
5 18, 2018. Danka filed her Answer and Counterclaim on May 2, 2018. Then,  
6 on October 15, 2018 Tom filed his *Second Amended Complaint for Equitable*  
7 *Relief under (1) The Putative Spouse Doctrine, and (2) Pursuant to Express*  
8 *and/or Implied Agreement to Hold Property as if the Parties Were Married*  
9 *Under Michoff; and to Set Aside Deeds of Real Property and Assignment of*  
10 *LLC Interest.* Danka filed her Answer and Counterclaim on November 19,  
11 2018.

12 **WHEREAS** on November 8, 2018 Danka electronically served Tom,  
13 through his then-counsel Attorney Lemcke, with *Defendant's First Requests*  
14 *for Production of Documents and Tangible Things from Plaintiff.*

15 **WHEREAS** Tom's responses were severely deficient. Therefore,  
16 Danka sent a deficiency letter to Attorney Lemcke on January 23, 2019 After  
17 not receiving additional documents by the requested deadline of February  
18 7<sup>th</sup>, an e-mail was sent to Tom, who was no longer represented by counsel,  
19 containing the deficiency letter sent on January 23, 2019. For good measure,  
20 the letter was also mailed to Tom on February 20, 2019.

21



1       **WHEREAS** on March 4, 2019 Attorney Abrams and Tom had a  
2 telephone conference. Attorney Abrams agreed to give Tom a two-week  
3 extension on the discovery responses still due. Upon learning that Tom  
4 retained Attorney Michele LoBello, the March 4, 2019 correspondence to  
5 Tom, the January 23, 2019 deficiency letter, and the February 23, 2019 e-  
6 mail were all sent to Attorney LoBello on March 29, 2019, eleven days after  
7 the extended deadline agreed upon between Tom and Attorney Abrams, and  
8 still no documents were received. Understanding that Attorney LoBello  
9 would need time to catch up with the case, another week extension was  
10 offered and a lengthy telephone conference about the case, including  
11 discovery, was held on Sunday March 31<sup>st</sup>.

12       **WHEREAS** Dank's Motion to Compel was filed on April 22, 2019.

13       **WHEREAS** Attorney LoBello served the Second Set of 16.2  
14 Disclosures on May 20, 2019.

15       **WHEREAS** it is the desire of the parties to resolve the current  
16 discovery dispute without incurring additional fees and costs.

17       **NOW THEREFORE**, in consideration of the aforementioned,

18       **IT IS HEREBY STIPULATED AND AGREED** that Tom shall  
19 provide the following additional documentation or a statement that no  
20 additional documentation exists within ten calendar days from today's date  
21 (no later than June 1, 2019)!

- 1       1. Request number 2 – A statement in writing that, to his knowledge,  
2       no documents exist in response to this request or, a description of  
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- 10      3. Request number 6 – A statement in writing that, to his knowledge,  
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13      or copies of documentation supporting Tom's claim that Jakub  
14      would not show up for work, would leave early or leave whenever he  
15      wanted, that other employees threatened to quit if Jakub wasn't  
16      fired.
- 17      4. Request number 7 – A statement in writing that, to his knowledge,  
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1 supporting Tom's claim that Jakub would leave Lukas with him and  
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3 5. Request number 8 – A statement in writing that, to his knowledge,  
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6 or copies of documentation supporting Tom's claim that Jakub was  
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11 or copies of documentation that Tom represented to anyone at  
12 Evans & Associates that he and Dr. Michaels were married.

13 7. Request number 11 - A statement in writing that, to his knowledge,  
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16 or copies of supplemental documents that Tom represented to  
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19 8. Request number 15 - Documentation which has not already been  
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21 date income.



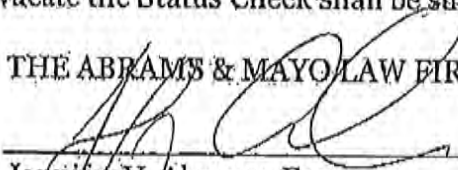
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2 balance information to date for the UBS account he provided one  
3 page for dated February 2016 and confirm whether or not there are  
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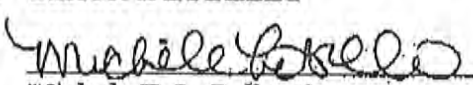
5 **IT IS FURTHER STIPULATED AND AGREED** that within ten  
6 calendar days from today's date (no later than June 1, 2019) Tom shall pay  
7 Danko the sum of \$1,000 as and for Attorney fees for the Motion to Compel.

8 **IT IS FURTHER STIPULATED AND AGREED** that the hearing  
9 scheduled for May 22, 2019 at 1:30 p.m. shall be vacated. If the hearing  
10 cannot be vacated, Attorney Abrams and Attorney LoBello shall appear  
11 telephonically.

12 **IT IS FURTHER STIPULATED AND AGREED** that a status check  
13 shall be set for the Courts first available date after June 24, 2019. If all  
14 documentation and payments have been received, a Stipulation and Order to  
15 vacate the Status Check shall be submitted.

16 THE ABRAMS & MAYO LAW FIRM BLACK & LOBELLO

17   
18 Jennifer V. Abrams, Esq.  
19 Nevada State Bar Number: 7575  
6252 S. Rainbow Blvd., Suite 100  
Las Vegas, Nevada 89118  
Attorney for Defendant

20   
Michele T. LoBello, Esq.  
Nevada State Bar Number: 5527  
10777 W. Twain Ave., Suite 300  
Las Vegas, Nevada 89135  
Attorney for Plaintiff

1 **ORDER**

2 Based upon the stipulation of the parties,

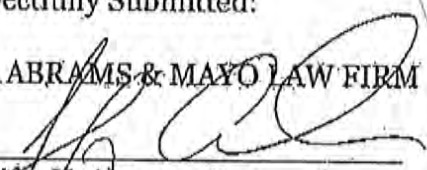
3 **IT IS HEREBY ORDERED** that the terms and conditions of the  
4 above Stipulation and Order are hereby adopted as an order of this Court.


5 **IT IS HEREBY ORDERED** that the hearing currently scheduled for  
6 May 22, 2019 at 1:30 p.m. shall vacated/Attorney Abrams and Attorney  
7 Lobello shall appear telephonically if the hearing is not vacated and a Status  
8 check shall be set for June 12, 2019 at 2:00 PM

9 Dated this 22 day of May, 2019.

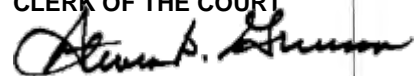
10  
11  
12 Respectfully Submitted:

13 THE ABRAMS & MAYO LAW FIRM

14   
15 Jennifer V. Abrams, Esq.  
16 Nevada State Bar Number: 7575  
17 6252 South Rainbow Blvd., Suite 100  
18 Las Vegas, Nevada 89118  
19 Attorney for Defendant  
20  
21

  
~~DISTRICT COURT JUDGE~~

**DISCOVERY COMMISSIONER**



1 **ROC**

2 **BLACK & LOBELLO**  
3 Michele Touby LoBello, Esq.  
4 Nevada Bar No. 5527  
5 10777 West Twain Avenue, Suite 300  
6 Las Vegas, Nevada 89135  
7 Telephone No.: 702-869-8801  
8 Facsimile No.: 702-869-2669  
9 Email: [mlobello@blacklobello.law](mailto:mlobello@blacklobello.law)  
10 Attorneys for Plaintiff,  
11 **THOMAS A. PICKENS**

12 **DISTRICT COURT**  
13 **FAMILY DIVISION**  
14 **CLARK COUNTY, NEVADA**

15 **THOMAS A. PICKENS,**  
16  
17 **Plaintiff**

CASE NO.: D-17-560737-D  
DEPT. B

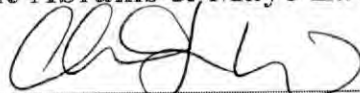
18 vs.

19 **DANKA K. MICHAELS,**  
20  
21 **Defendant**

22 **RECEIPT OF CHECK**

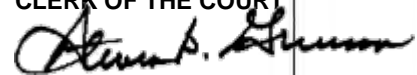
23 RECEIPT of Black & LoBello's check number 1782, payable to "Danka  
24 Michaels and Abrams Mayo Law Firm", in the amount of \$1,000.00, for attorney's  
25 fees pursuant to the Stipulation and Order Re: Motion to Compel filed May 28, 2019,  
26 is hereby acknowledged this 31<sup>st</sup> day of May, 2019.

27 **The Abrams & Mayo Law Firm**

28  for  
Jennifer V. Abrams, Esq.  
6252 South Rainbow Blvd., #100  
Las Vegas, NV 89118  
Attorney for Defendant

**BLACK & LOBELLO**

10777 West Twain Avenue, Suite 300  
Las Vegas, Nevada 89135  
702-869-8801 FAX: 702-869-2669



1 **NTSO**

Jennifer V. Abrams, Esq.

2 Nevada State Bar Number: 7575

THE ABRAMS & MAYO LAW FIRM

3 6252 South Rainbow Blvd., Suite 100

Las Vegas, Nevada 89118

4 Tel: (702) 222-4021

Fax: (702) 248-9750

5 Email: vmgroup@theabramslawfirm.com

Attorney for Defendant

Eighth Judicial District Court

Family Division

Clark County, Nevada

8 THOMAS A. PICKENS, individually, ) Case No.: D-17-560737-D  
and as trustee of the LV Blue Trust, )

9 Plaintiff, )  
10 )  
11 )

vs. )  
12 )  
13 )

DANKA K. MICHAELS, individually, )  
12 and as trustee of the Mich-Mich )  
Trust, )  
13 )

Defendant. )  
14 )

15 **NOTICE OF ENTRY OF STIPULATION AND ORDER TO**

16 **CONTINUE**

17 PLEASE TAKE NOTICE that the Stipulation and Order to Continue  
18 was duly entered in the above-referenced matter.

19 ///

20 ///

21 ///

1 A true and correct copy of said Stipulation and Order is attached hereto.

2 DATED Thursday, June 13, 2019.

3 Respectfully Submitted,

4 THE ABRAMS & MAYO LAW FIRM

5 /s/ Jennifer V. Abrams, Esq.

Jennifer V. Abrams, Esq.

6 Nevada State Bar Number: 7575

6252 South Rainbow Blvd., Suite 100

7 Las Vegas, Nevada 89118

8 Attorney for Defenant

9 **CERTIFICATE OF SERVICE**

10 I hereby certify that the foregoing NOTICE OF ENTRY OF  
11 STIPULATION AND ORDER TO CONTINUE was filed electronically with  
12 the Eighth Judicial District Court in the above-entitled matter, on  
13 Thursday, June 13, 2019. Electronic service of the foregoing document  
14 shall be made in accordance with the Master Service List, pursuant to  
15 NEFCR 9, as follows:

16 Michele T. LoBello, Esq.

Attorney for Plaintiff

17  
18 /s/ Chantel Wade

An Employee of The Abrams & Mayo Law Firm

*Steven D. Grierson*

1 **SAO**

Jennifer V. Abrams, Esq.  
2 Nevada State Bar Number: 7575  
THE ABRAMS & MAYO LAW FIRM  
3 6252 South Rainbow Blvd., Suite 100  
Las Vegas, Nevada 89118  
4 Tel: (702) 222-4021  
Fax: (702) 248-9750  
5 Email: jvagroup@theabramslawfirm.com  
Attorney for Defendant

6 Eighth Judicial District Court  
7 Family Division  
Clark County, Nevada

8 THOMAS A. PICKENS, individually, ) Case No.: D-17-560737-D  
and as trustee of the LV Blue Trust, )

9 Plaintiff, )  
10 )

11 vs. )

12 DANKA K. MICHAELS, individually, ) Hearing Date: June 12, 2019  
and as trustee of the Mich-Mich ) Hearing Time: 2:00 p.m.  
Trust, )

13 Defendant. )  
14 )

15 **STIPULATION AND ORDER TO CONTINUE**

16 **COME NOW** the parties, Plaintiff, THOMAS A. PICKENS, by and  
17 through his attorney of record, Michele T. LoBello, Esq., of Black & LoBello,  
18 and Defendant, DANKA K. MICHAELS, by and through her attorney of  
19 record, Jennifer V. Abrams, Esq., of The Abrams & Mayo Law Firm, and  
20 hereby stipulate to the following:

21 **WHEREAS** Tom originally filed his *Complaint for Divorce and for*  
*Set aside of Deeds of Real Property and Assignment of LLC Interest on*

RECEIVED

JUN 11 2019

DISCOVERY

AA00547



1 October 24, 2017. After his expert conceded that the parties were not in fact  
2 legally married Tom filed his *First Amended Complaint for Divorce; for Set*  
3 *Aside of Deeds of Real Property and Assignment of LLC Interest; and for*  
4 *Alternative Equitable Relief Under the Punitive Spouse Doctrine* on March  
5 18, 2018. Danka filed her Answer and Counterclaim on May 2, 2018. Then,  
6 on October 15, 2018 Tom filed his *Second Amended Complaint for Equitable*  
7 *Relief under (1) The Putative Spouse Doctrine, and (2) Pursuant to Express*  
8 *and/or Implied Agreement to Hold Property as if the Parties Were Married*  
9 *Under Michoff; and to Set Aside Deeds of Real Property and Assignment of*  
10 *LLC Interest.* Danka filed her Answer and Counterclaim on November 19,  
11 2018.

12 **WHEREAS** on November 8, 2018 Danka electronically served Tom,  
13 through his then-counsel Attorney Lemcke, with *Defendant's First Requests*  
14 *for Production of Documents and Tangible Things from Plaintiff.*

15 **WHEREAS** Tom's responses were severely deficient. Therefore,  
16 Danka sent a deficiency letter to Attorney Lemcke on January 23, 2019 After  
17 not receiving additional documents by the requested deadline of February  
18 7<sup>th</sup>, an e-mail was sent to Tom, who was no longer represented by counsel,  
19 containing the deficiency letter sent on January 23, 2019. For good measure,  
20 the letter was also mailed to Tom on February 20, 2019.

21

1       **WHEREAS** on March 4, 2019 Attorney Abrams and Tom had a  
2 telephone conference. Attorney Abrams agreed to give Tom a two-week  
3 extension on the discovery responses still due. Upon learning that Tom  
4 retained Attorney Michele LoBello, the March 4, 2019 correspondence to  
5 Tom, the January 23, 2019 deficiency letter, and the February 23, 2019 e-  
6 mail were all sent to Attorney LoBello on March 29, 2019, eleven days after  
7 the extended deadline agreed upon between Tom and Attorney Abrams, and  
8 still no documents were received. Understanding that Attorney LoBello  
9 would need time to catch up with the case, another week extension was  
10 offered and a lengthy telephone conference about the case, including  
11 discovery, was held on Sunday March 31<sup>st</sup>.

12       **WHEREAS** Danka's Motion to Compel was filed on April 22, 2019.

13       **WHEREAS** Tom has provided some, but not all the documentation.  
14 Attorney LoBello indicated the outstanding responses to Discovery Requests  
15 would be received this week.

16       **WHEREAS** it is the desire of the parties to resolve the current  
17 discovery dispute without incurring additional fees and costs.

18       **NOW THEREFORE**, in consideration of the aforementioned,

19       **IT IS HEREBY STIPULATED AND AGREED** that Tom shall  
20 provide the following additional documentation or a statement that no  
21 additional documentation exists by no later than June 17, 2019:

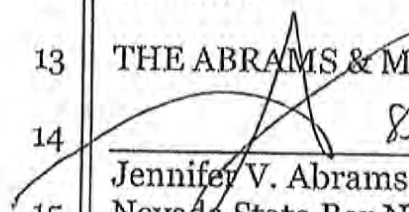


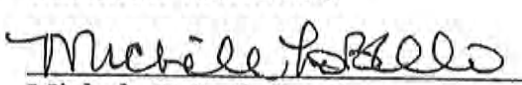
1 1. Request number 15 - Documentation which has not already been  
2 provided pertaining to Tom's 2018 income and his 2019 year-to-  
3 date income.

4 2. Request number 16 - Documentation of Tom's current account  
5 balance information to date for the UBS account he provided one  
6 page for dated February 2016 and confirm whether or not there are  
7 any other accounts that exist in response to this request.

8 **IT IS FURTHER STIPULATED AND AGREED** that the status  
9 check currently set for June 12, 2019 at 2:00 p.m. shall be continued to the  
10 Courts first available date after June 18, 2019. If all documentation is  
11 received, a Stipulation and Order to vacate the Status Check shall be  
12 submitted.

13 THE ABRAMS & MAYO LAW FIRM BLACK & LOBELLO

14  8564  
15 Jennifer V. Abrams, Esq.  
16 Nevada State Bar Number: 7575  
6252 S. Rainbow Blvd., Suite 100  
Las Vegas, Nevada 89118  
Attorney for Defendant

  
Michele T. LoBello, Esq.  
Nevada State Bar Number: 5527  
10777 W. Twain Ave., Suite 300  
Las Vegas, Nevada 89135  
Attorney for Plaintiff

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21

**ORDER**

Based upon the stipulation of the parties,

**IT IS HEREBY ORDERED** that the terms and conditions of the above Stipulation and Order are hereby adopted as an order of this Court.

**IT IS HEREBY ORDERED** that the status check currently set for June 12, 2019 at 2:00 p.m. shall be continued to Jun 19, 2019 at 1:30 pm. If all documentation is received, a Stipulation and Order to vacate the Status Check shall be submitted.

Dated this 11 day of June, 2019.

Respectfully Submitted:

THE ABRAMS & MAYO LAW FIRM

8564  
Jennifer V. Abrams, Esq.  
Nevada State Bar Number: 7575  
6252 South Rainbow Blvd., Suite 100  
Las Vegas, Nevada 89118  
Attorney for Defendant

~~DISTRICT COURT JUDGE~~  
DISCOVERY COMMISSIONER

*Steven D. Grierson*

1 **SAO**

Jennifer V. Abrams, Esq.

2 Nevada State Bar Number: 7575

THE ABRAMS & MAYO LAW FIRM

3 6252 South Rainbow Blvd., Suite 100

Las Vegas, Nevada 89118

4 Tel: (702) 222-4021

Fax: (702) 248-9750

5 Email: jvagroup@theabramslawfirm.com

Attorney for Defendant

Eighth Judicial District Court

Family Division

Clark County, Nevada

8 THOMAS A. PICKENS, individually, ) Case No.: D-17-560737-D  
and as trustee of the LV Blue Trust, )

9 Plaintiff, )  
10 )

11 vs. )

12 DANKA K. MICHAELS, individually, ) Hearing Date: June 12, 2019  
and as trustee of the Mich-Mich ) Hearing Time: 2:00 p.m.  
Trust, )

13 Defendant. )  
14 )

15 **STIPULATION AND ORDER TO CONTINUE**

16 **COME NOW** the parties, Plaintiff, THOMAS A. PICKENS, by and  
17 through his attorney of record, Michele T. LoBello, Esq., of Black & LoBello,  
18 and Defendant, DANKA K. MICHAELS, by and through her attorney of  
19 record, Jennifer V. Abrams, Esq., of The Abrams & Mayo Law Firm, and  
20 hereby stipulate to the following:

21 **WHEREAS** Tom originally filed his *Complaint for Divorce and for*  
*Set aside of Deeds of Real Property and Assignment of LLC Interest on*

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JUN 11 2019

DISCOVERY

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1 October 24, 2017. After his expert conceded that the parties were not in fact  
2 legally married Tom filed his *First Amended Complaint for Divorce; for Set*  
3 *Aside of Deeds of Real Property and Assignment of LLC Interest; and for*  
4 *Alternative Equitable Relief Under the Punitive Spouse Doctrine* on March  
5 18, 2018. Danka filed her Answer and Counterclaim on May 2, 2018. Then,  
6 on October 15, 2018 Tom filed his *Second Amended Complaint for Equitable*  
7 *Relief under (1) The Putative Spouse Doctrine, and (2) Pursuant to Express*  
8 *and/or Implied Agreement to Hold Property as if the Parties Were Married*  
9 *Under Michoff; and to Set Aside Deeds of Real Property and Assignment of*  
10 *LLC Interest*. Danka filed her Answer and Counterclaim on November 19,  
11 2018.

12 **WHEREAS** on November 8, 2018 Danka electronically served Tom,  
13 through his then-counsel Attorney Lemcke, with *Defendant's First Requests*  
14 *for Production of Documents and Tangible Things from Plaintiff*.

15 **WHEREAS** Tom's responses were severely deficient. Therefore,  
16 Danka sent a deficiency letter to Attorney Lemcke on January 23, 2019 After  
17 not receiving additional documents by the requested deadline of February  
18 7<sup>th</sup>, an e-mail was sent to Tom, who was no longer represented by counsel,  
19 containing the deficiency letter sent on January 23, 2019. For good measure,  
20 the letter was also mailed to Tom on February 20, 2019.

21

1       **WHEREAS** on March 4, 2019 Attorney Abrams and Tom had a  
2 telephone conference. Attorney Abrams agreed to give Tom a two-week  
3 extension on the discovery responses still due. Upon learning that Tom  
4 retained Attorney Michele LoBello, the March 4, 2019 correspondence to  
5 Tom, the January 23, 2019 deficiency letter, and the February 23, 2019 e-  
6 mail were all sent to Attorney LoBello on March 29, 2019, eleven days after  
7 the extended deadline agreed upon between Tom and Attorney Abrams, and  
8 still no documents were received. Understanding that Attorney LoBello  
9 would need time to catch up with the case, another week extension was  
10 offered and a lengthy telephone conference about the case, including  
11 discovery, was held on Sunday March 31<sup>st</sup>.

12       **WHEREAS** Danka's Motion to Compel was filed on April 22, 2019.

13       **WHEREAS** Tom has provided some, but not all the documentation.  
14 Attorney LoBello indicated the outstanding responses to Discovery Requests  
15 would be received this week.

16       **WHEREAS** it is the desire of the parties to resolve the current  
17 discovery dispute without incurring additional fees and costs.

18       **NOW THEREFORE**, in consideration of the aforementioned,

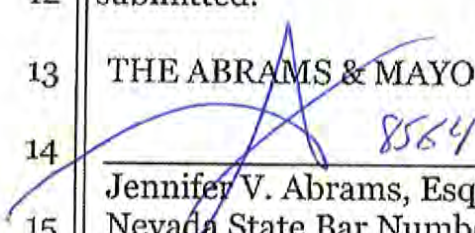
19       **IT IS HEREBY STIPULATED AND AGREED** that Tom shall  
20 provide the following additional documentation or a statement that no  
21 additional documentation exists by no later than June 17, 2019:

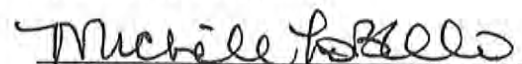


- 1 1. Request number 15 - Documentation which has not already been  
2 provided pertaining to Tom's 2018 income and his 2019 year-to-  
3 date income.  
4 2. Request number 16 - Documentation of Tom's current account  
5 balance information to date for the UBS account he provided one  
6 page for dated February 2016 and confirm whether or not there are  
7 any other accounts that exist in response to this request.

8 **IT IS FURTHER STIPULATED AND AGREED** that the status  
9 check currently set for June 12, 2019 at 2:00 p.m. shall be continued to the  
10 Courts first available date after June 18, 2019. If all documentation is  
11 received, a Stipulation and Order to vacate the Status Check shall be  
12 submitted.

13 THE ABRAMS & MAYO LAW FIRM BLACK & LOBELLO

14  8564  
15 Jennifer V. Abrams, Esq.  
16 Nevada State Bar Number: 7575  
17 6252 S. Rainbow Blvd., Suite 100  
18 Las Vegas, Nevada 89118  
19 Attorney for Defendant  
20  
21

  
Michele T. LoBello, Esq.  
Nevada State Bar Number: 5527  
10777 W. Twain Ave., Suite 300  
Las Vegas, Nevada 89135  
Attorney for Plaintiff

1  
2  
3 **ORDER**

4 Based upon the stipulation of the parties,

5 **IT IS HEREBY ORDERED** that the terms and conditions of the  
6 above Stipulation and Order are hereby adopted as an order of this Court.

7 **IT IS HEREBY ORDERED** that the status check currently set for  
8 June 12, 2019 at 2:00 p.m. shall be continued to June 19, 2019 at  
9 1:30 pm. If all documentation is received, a Stipulation and Order to vacate  
10 the Status Check shall be submitted.

11 Dated this 11 day of June, 2019.

12 Respectfully Submitted:

13 THE ABRAMS & MAYO LAW FIRM

14 8564  
15 Jennifer V. Abrams, Esq.  
16 Nevada State Bar Number: 7575  
17 6252 South Rainbow Blvd., Suite 100  
18 Las Vegas, Nevada 89118  
19 Attorney for Defendant  
20  
21

~~DISTRICT COURT JUDGE~~

DISCOVERY COMMISSIONER

*Steven D. Grierson*

1 **SAO**

Jennifer V. Abrams, Esq.

2 Nevada State Bar Number: 7575

THE ABRAMS & MAYO LAW FIRM

3 6252 South Rainbow Blvd., Suite 100

Las Vegas, Nevada 89118

4 Tel: (702) 222-4021

Fax: (702) 248-9750

5 Email: jvagroup@theabramslawfirm.com

Attorney for Defendant

6 Eighth Judicial District Court

Family Division

7 Clark County, Nevada

8 THOMAS A. PICKENS, individually, ) Case No.: D-17-560737-D  
and as trustee of the LV Blue Trust, )

9 Plaintiff, )

10 vs. )

11 DANKA K. MICHAELS, individually, ) Hearing Date: June 19, 2019  
and as trustee of the Mich-Mich ) Hearing Time: 1:30 p.m.  
Trust, )

13 Defendant. )

14  
15 **STIPULATION AND ORDER TO VACATE DISCOVERY HEARING**

16 **COME NOW** the parties, Plaintiff, THOMAS A. PICKENS  
17 (hereinafter referred to as "Tom"), by and through his attorney of record,  
18 Michele T. LoBello, Esq., of Black & LoBello, and Defendant, DANKA K.  
19 MICHAELS (hereinafter referred to as "Danka"), by and through her  
20 attorney of record, Jennifer V. Abrams, Esq., of The Abrams & Mayo Law  
21 Firm, and hereby stipulate to the following:

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JUN 18 2019

DISCOVERY

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1       **WHEREAS** a Status Check hearing was set regarding Danka's Motion  
2 to Compel to confirm that Tom provided the remaining documentation  
3 outlined in the Stipulation and Order to Continue filed June 13, 2019.

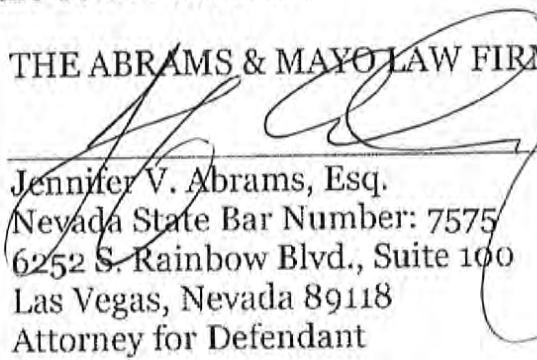
4       **WHEREAS** Tom has represented that he has provided any and all  
5 documentation that he is aware of and/or exists in response to the discovery  
6 requests.

7       **NOW THEREFORE,**

8       **IT IS HEREBY STIPULATED AND AGREED** that the Status  
9 Check hearing scheduled for June 19, 2019, at 1:30 p.m. shall be vacated from  
10 the Court's calendar.

11       THE ABRAMS & MAYO LAW FIRM

BLACK & LOBELLO

12         
Jennifer V. Abrams, Esq.

13       Nevada State Bar Number: 7575

14       6252 S. Rainbow Blvd., Suite 100

Las Vegas, Nevada 89118

Attorney for Defendant

12         
Michele T. LoBello, Esq.

13       Nevada State Bar Number: 5527

14       19777 W. Twain Ave., Suite 300

Las Vegas, Nevada 89135

Attorney for Plaintiff

1 Stipulation and Order to Vacate Discovery Hearing  
2 Case Number: D-17-560737-D  
3 Department: J / Discovery

4 **ORDER**

5 Based upon the stipulation of the parties,

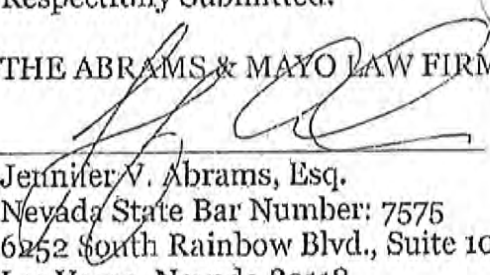
6 **IT IS HEREBY ORDERED** that the Status Check hearing scheduled  
7 for June 19, 2019, at 1:30 p.m. is vacated from the Court's calendar.

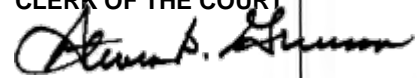
8 Dated this 18 day of June, 2019.

9 Respectfully Submitted:

  
**DISCOVERY COMMISSIONER**

10 THE ABRAMS & MAYO LAW FIRM

11   
12 Jennifer V. Abrams, Esq.  
13 Nevada State Bar Number: 7575  
14 6252 South Rainbow Blvd., Suite 100  
15 Las Vegas, Nevada 89118  
16 Attorney for Defendant  
17  
18  
19  
20  
21



1 **NTSO**

Jennifer V. Abrams, Esq.

2 Nevada State Bar Number: 7575

**THE ABRAMS & MAYO LAW FIRM**

3 6252 South Rainbow Blvd., Suite 100

Las Vegas, Nevada 89118

4 Tel: (702) 222-4021

Fax: (702) 248-9750

5 Email: jvagroup@theabramslawfirm.com

Attorney for Defendant

Eighth Judicial District Court

Family Division

Clark County, Nevada

8 THOMAS A. PICKENS, individually, ) Case No.: D-17-560737-D  
and as trustee of the LV Blue Trust, )

9 ) Department: J / Discovery  
Plaintiff, )

10 vs. )

11 )  
DANKA K. MICHAELS, individually, )  
12 and as trustee of the Mich-Mich )  
Trust, )

13 )  
Defendant. )  
14

15 **NOTICE OF ENTRY OF STIPULATION AND ORDER**

16 **TO VACATE DISCOVERY HEARING**

17 PLEASE TAKE NOTICE that the Stipulation and Order to Vacate

18 Discovery Hearing was duly entered in the above-referenced matter.

19 ///

20 ///

21 ///

1 A true and correct copy of said Stipulation and Order is attached hereto.

2 DATED Wednesday, June 19, 2019.

3 Respectfully Submitted,

4 THE ABRAMS & MAYO LAW FIRM

5 /s/ Jennifer V. Abrams, Esq.

Jennifer V. Abrams, Esq.

6 Nevada State Bar Number: 7575

6252 South Rainbow Blvd., Suite 100

7 Las Vegas, Nevada 89118

8 Attorney for Defendant

9 **CERTIFICATE OF SERVICE**

10 I hereby certify that the foregoing NOTICE OF ENTRY OF  
11 STIPULATION AND ORDER TO VACATE DISCOVERY HEARING was  
12 filed electronically with the Eighth Judicial District Court in the above-  
13 entitled matter, on Wednesday, June 19, 2019. Electronic service of the  
14 foregoing document shall be made in accordance with the Master Service  
15 List, pursuant to NEFCR 9, as follows:

16 Michele T. LoBello, Esq.

Attorney for Plaintiff

17  
18 /s/ Chantel Wade

An Employee of The Abrams & Mayo Law Firm

*Steven D. Grierson*

1 **SAO**

Jennifer V. Abrams, Esq.

2 Nevada State Bar Number: 7575

**THE ABRAMS & MAYO LAW FIRM**

3 6252 South Rainbow Blvd., Suite 100

Las Vegas, Nevada 89118

4 Tel: (702) 222-4021

Fax: (702) 248-9750

5 Email: jvagroup@theabramslawfirm.com

Attorney for Defendant

Eighth Judicial District Court

Family Division

Clark County, Nevada

8 THOMAS A. PICKENS, individually, ) Case No.: D-17-560737-D  
and as trustee of the LV Blue Trust, )

9 Plaintiff, )  
10 )

11 vs. )

12 DANKA K. MICHAELS, individually, ) Hearing Date: June 19, 2019  
and as trustee of the Mich-Mich ) Hearing Time: 1:30 p.m.  
Trust, )

13 Defendant. )  
14 )

15 **STIPULATION AND ORDER TO VACATE DISCOVERY HEARING**

16 **COME NOW** the parties, Plaintiff, THOMAS A. PICKENS  
17 (hereinafter referred to as "Tom"), by and through his attorney of record,  
18 Michele T. LoBello, Esq., of Black & LoBello, and Defendant, DANKA K.  
19 MICHAELS (hereinafter referred to as "Danka"), by and through her  
attorney of record, Jennifer V. Abrams, Esq., of The Abrams & Mayo Law  
Firm, and hereby stipulate to the following:

1       **WHEREAS** a Status Check hearing was set regarding Danka's Motion  
2 to Compel to confirm that Tom provided the remaining documentation  
3 outlined in the Stipulation and Order to Continue filed June 13, 2019.

4       **WHEREAS** Tom has represented that he has provided any and all  
5 documentation that he is aware of and/or exists in response to the discovery  
6 requests.

7       **NOW THEREFORE,**

8       **IT IS HEREBY STIPULATED AND AGREED** that the Status  
9 Check hearing scheduled for June 19, 2019, at 1:30 p.m. shall be vacated from  
10 the Court's calendar.

11       **THE ABRAMS & MAYO LAW FIRM**

**BLACK & LOBELLO**

12       Jennifer V. Abrams, Esq.  
13 Nevada State Bar Number: 7575  
14 6252 S. Rainbow Blvd., Suite 100  
Las Vegas, Nevada 89118  
Attorney for Defendant

12       Michele T. LoBello, Esq.  
13 Nevada State Bar Number: 5527  
14 19777 W. Twain Ave., Suite 300  
Las Vegas, Nevada 89135  
Attorney for Plaintiff

Stipulation and Order to Vacate Discovery Hearing  
Case Number: D-17-560737-D  
Department: J / Discovery

**ORDER**

Based upon the stipulation of the parties,

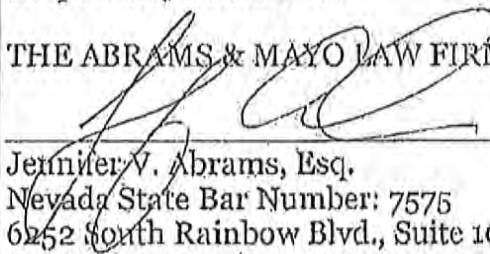
**IT IS HEREBY ORDERED** that the Status Check hearing scheduled  
for June 19, 2019, at 1:30 p.m. is vacated from the Court's calendar.

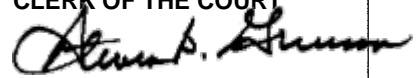
Dated this 18 day of June, 2019.

Respectfully Submitted:

  
**DISCOVERY COMMISSIONER**

THE ABRAMS & MAYO LAW FIRM

  
Jennifer V. Abrams, Esq.  
Nevada State Bar Number: 7575  
6252 South Rainbow Blvd., Suite 100  
Las Vegas, Nevada 89118  
Attorney for Defendant



**SAT**  
**BLACK & LOBELLO**  
Michele Touby LoBello, Esq.  
Nevada Bar No. 5527  
10777 West Twain Avenue, Suite 300  
Las Vegas, Nevada 89135  
Telephone No.: 702-869-8801  
Facsimile No.: 702-869-2669  
Email: [mlobello@blacklobello.law](mailto:mlobello@blacklobello.law)  
Attorneys for Plaintiff,  
THOMAS A. PICKENS

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

THOMAS A. PICKENS, individually,  
and as Trustee of the LV Blue Trust,

CASE NO.: D-17-560737-D  
DEPT. S

Plaintiff

vs.

DANKA K. MICHAELS, individually,  
and as trustee of the Mich-Mich Trust,

Defendant.

**SATISFACTION AND RELEASE OF LIEN**

IT IS HEREBY ACKNOWLEDGED by the undersigned, in consideration of the payment to PECOS LAW GROUP of \$5,000.00, the receipt and sufficiency of which is hereby acknowledged, that Plaintiff, THOMAS A. PICKENS, is hereby released and forever discharged of the claimed Attorney's Lien in the amount of \$5290.44, served on or about April 5, 2019, as well as any and all other claims of PECOS LAW GROUP against THOMAS A. PICKENS, relating to the engagement for legal services between THOMAS A. PICKENS and PECOS LAW GROUP. It


///



1 is understood and agreed that this payment is made and received in full and complete  
2 settlement and satisfaction of the aforesaid claims and demands.

3 DATED this 2<sup>nd</sup> day of ~~April~~<sup>MAY</sup>, 2019.

4  
5 PECOS LAW GROUP

6 

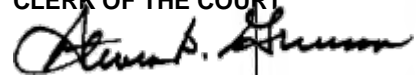
7 Paul A. Lemcke, Esq.,  
8 Nevada State Bar No. 003466  
9 8925 Pecos Road, Suite 14A  
Henderson, Nevada 89074

10 Respectfully submitted by:

11 BLACK & LOBELLO

12  
13 

14 Michele Touby LoBello  
15 Nevada Bar No. 5527  
16 10777 W. Twain Avenue, Suite 300  
17 Las Vegas, Nevada 89135  
18 (702) 869-8801  
Attorneys for Plaintiff,  
THOMAS A. PICKENS



1 **EXH**

Jennifer V. Abrams, Esq.

2 Nevada State Bar Number: 7575

THE ABRAMS & MAYO LAW FIRM

3 6252 South Rainbow Blvd., Suite 100

Las Vegas, Nevada 89118

4 Tel: (702) 222-4021

Fax: (702) 248-9750

5 Email: JVAGroup@TheAbramsLawFirm.com

Attorney for Defendant

Eighth Judicial District Court

Family Division

Clark County, Nevada

8 THOMAS A. PICKENS, individually, ) Case No.: D-17-560737-D  
and as trustee of the LV Blue Trust, )

9 Plaintiff, )  
10 )  
11 )

vs. )  
12 )

11 DANKA K. MICHAELS, individually, )  
12 and as trustee of the Mich-Mich Trust, )  
13 )

Defendant. )  
14 )  
15 )

15 **APPENDIX OF EXHIBITS IN SUPPORT OF**

16 **DEFENDANT'S MOTION FOR SUMMARY JUDGMENT, TO DISMISS,**

17 **FOR PROTECTIVE ORDER AND FOR ATTORNEY FEES**

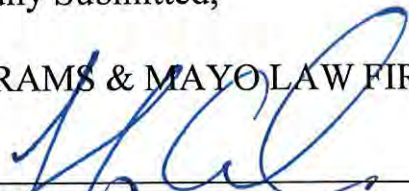
Exhibit	Description
A	Plaintiff's prior Decree of Divorce filed June 26, 2001

<b>B</b>	Pages twenty-four (24) through twenty-five (25) from the transcript of Deposition of Thomas Pickens
<b>C</b>	Plaintiff's Social Security Statement
<b>D</b>	2014 U.S. Corporation Income Tax Return, Form 1120 for Blue Point Development, Inc.
<b>E</b>	Plaintiff's 2014 U.S. Individual Income Tax Return, Form 1040
<b>F</b>	Declaration of Shannon Evans, Esq. and Waiver of Conflict
<b>G</b>	Grant, Bargain, Sale Deed
<b>H</b>	Declaration of Robert Semonian
<b>I</b>	Escrow documents for 4514 Blue Mesa Way property
<b>J</b>	Escrow document for the Queen Charlotte Drive property
<b>K</b>	Defendant's Last Will and Testament
<b>L</b>	Pages of the Mich-Mich Trust
<b>M</b>	Escrow document for the Lowe Avenue rental property
<b>N</b>	Plaintiff's Last Will and Testament of 2012
<b>O</b>	Pages of the LV Blue Trust
<b>P</b>	Excerpts from the transcript of Deposition of Thomas Pickens
<b>Q</b>	Excerpts from the transcript of Deposition of Thomas Pickens
<b>R</b>	Excerpts from the transcript of Deposition of Thomas Pickens

S	Excerpts from the transcript of Deposition of Thomas Pickens
---	--

Respectfully Submitted,

THE ABRAMS & MAYO LAW FIRM

  
 \_\_\_\_\_  
 Jennifer V. Abrams, Esq.  
 Nevada State Bar Number: 7575  
 6252 South Rainbow Blvd., Suite 100  
 Las Vegas, Nevada 89118  
 Attorney for Defendant

### CERTIFICATE OF SERVICE

I hereby certify that the foregoing *Appendix of Exhibits in Support of Defendant's Motion for Summary Judgment, to Dismiss, for Protective Order, and for Attorney Fees* was filed electronically with the Eighth Judicial District Court in the above-entitled matter on ~~Wednesday, July 31~~<sup>Thursday, August 01</sup>, 2019. Electronic service of the foregoing document shall be made in accordance with the Master Service List, pursuant to NEFCR 9, as follows:

Michele T. LoBello, Esq.  
 Attorney for Plaintiff

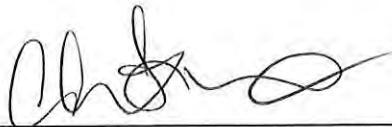
  
 \_\_\_\_\_  
 An Employee of The Abrams & Mayo Law Firm

EXHIBIT A

EXHIBIT A

EXHIBIT A



ORIGINAL

DECD

Terrie Lynne Meadows-Pickens  
PETITIONER IN PROPER PERSON  
6771 Bodega Drive  
Las Vegas, Nevada 89103  
(702) 592-4497

JUN 26 9 43 AM '01

*Shirley L. Pickens*  
CLERK

DISTRICT COURT  
CLARK COUNTY, NEVADA

In the Matter of the )  
Joint Petition for )  
Divorce of: )  
Terrie Lynne Meadows-Pickens )  
and )  
Thomas Allen Pickens, )  
PETITIONERS. )

Case No.:  
Dept. No.:  
Docket

D270526

F

DECREE OF DIVORCE

This cause having been submitted to the above-entitled Court for decision pursuant to Chapter 125 of the Nevada Revised Statutes, and based upon the Joint Petition of Petitioners Terrie Lynne Meadows-Pickens, and Thomas Allen Pickens, on the Affidavit of Resident Witness, and finding all of the allegations contained therein to be true, and that the requirements of Chapter 125.181 of the Nevada Revised Statutes have been met; the Court finds that it has complete jurisdiction as to the subject matter, and all other relevant provisions of Chapter 125.181 of the Nevada Revised Statutes; that the Petitioner, Terrie Lynne Meadows-Pickens, has been a resident of the State of Nevada for six weeks prior to the filing of this action; that there are no minor children the issue of the relationship of the parties born before or during the marriage, none adopted by the parties during the marriage, and the wife to the best of her knowledge not now pregnant; that the parties have community property and

COUNTY CLERK

JUN 26 2001

FILED

1 community debts to be divided by the Courts, for which an agreement  
2 has been made between the parties hereto attached as Exhibit "A" to  
3 be adopted and ratified by the Court and incorporated by reference  
4 herein; that the parties are incompatible; that both parties waive all  
5 rights to present and/or future spousal support; that both parties  
6 waive all rights to Written Notice of Entry of Decree of Divorce, to  
7 appeal, to request Findings of Fact and Conclusions of Law, and to  
8 move for a new trial; and with good cause appearing therefor and the  
9 Court having complete jurisdiction as to the subject matter, and the  
10 cause having been submitted for decision and judgment by the Court,  
11 the Court being fully advised in the premises finds:

12 IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

13 1. That the parties are granted a final Decree of Divorce, and  
14 that the bonds of matrimony heretofore existing between the  
15 Petitioners are forever and completely dissolved, and that each of the  
16 parties are hereto freed and released from all of the responsibilities  
17 and obligations hereof, and each of the parties hereto are restored  
18 to the status of single, unmarried persons.

19 2. That the Property Settlement Agreement attached hereto as  
20 Exhibit "A" is hereby adopted and ratified by the Court and  
21 incorporated by reference into the Decree of Divorce as though fully  
22 set forth therein.

23 3. That Petitioner Terrie Lynne Meadows-Pickens may be restored  
24 to her former name, to wit: Terrie Lynne Meadows.

25 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that both parties are  
26 required to provide their Social Security numbers on a separate form  
27 to the Court and to the Welfare Division of the Department of Human  
28 Resources within ten days from the date this Decree is filed pursuant



1 to NRS 125.130. Such information shall be maintained by the Clerk in  
2 a confidential manner and not part of the public record.

3 IT IS SO ORDERED this 25 day of June, 2001.

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Submitted by:

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Terrie Lynne Meadows-Pickens  
Terrie Lynne Meadows-Pickens  
PETITIONER IN PROPER PERSON  
6771 Bodega Drive  
Las Vegas, Nevada 89103  
(702) 592-4497

DISTRICT JUDGE

Thomas Allen Pickens  
Thomas Allen Pickens  
PETITIONER IN PROPER PERSON  
6771 Bodega Drive  
Las Vegas, Nevada 89103  
(702) 367-2065



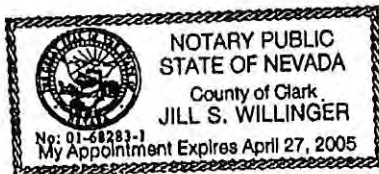
1 STATE OF NEVADA )  
2 COUNTY OF CLARK ) ss.

3 ACKNOWLEDGMENT

4 On this 2/4th day of June, 2001,  
5 personally appeared before me, a Notary Public, in and for the State  
6 of Nevada, County of Clark, Terrie Lynne Meadows-Pickens, known to me  
7 to be the person described in and who executed the foregoing  
8 instrument, Decree of Divorce, who acknowledged to me that she executed  
9 the same freely and voluntarily and for the same uses and purposes  
10 therein mentioned.

11 Witness my hand and official seal the day and year in this  
12 certificate first written above.

13  
14 Jill S. Willinger  
15 Notary Public in and for the  
16 State of Nevada, County of Clark



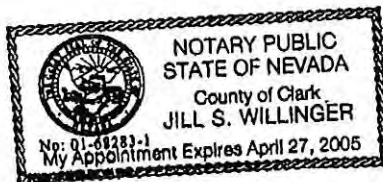
1 STATE OF NEVADA )  
2 COUNTY OF CLARK ) ss.

3 ACKNOWLEDGMENT

4 On this 4th day of June, 2001, personally  
5 appeared before me, a Notary Public, in and for the State of Nevada,  
6 County of Clark, Thomas Allen Pickens, known to me to be the person  
7 described in and who executed the foregoing instrument, Decree of  
8 Divorce, who acknowledged to me that he executed the same freely and  
9 voluntarily and for the same uses and purposes therein mentioned.

10 Witness my hand and official seal the day and year in this  
11 certificate first written above.

12  
13 Jill S. Willinger  
14 Notary Public in and for the  
15 State of Nevada, County of Clark







1 direct or indirect, by the other as fully as though unmarried. Each  
2 may for his or her separate benefit, engage in any employment,  
3 business, or profession he or she may choose.

4 IT IS THEREFORE AGREED;

5 2. AGREEMENT TO DIVORCE

6 The parties shall file a Joint Petition for Divorce by Summary  
7 Procedure.

8 3. SPOUSAL SUPPORT, NOTICE OF ENTRY

9 Petitioners waive any and all rights to spousal support and to  
10 written Notice of Entry of Decree of Divorce, to appeal, to request  
11 Findings of Fact and Conclusions of Law, and to move for a new trial.

12 4. MINOR CHILDREN

13 That there are no minor children the issue of the relationship  
14 of the parties born before or during the marriage, none adopted by the  
15 parties during the marriage, and the wife to the best of her knowledge  
16 is not now pregnant.

17 5. DIVISION OF COMMUNITY PROPERTY

18 That there is community property of the marriage to be divided  
19 between the parties, for which the parties have agreed as follows:

20 1. The wife shall keep as her sole and separate property the  
21 following:

- 22 a. All of her personal effects.
- 23 b. 1993 Mazda MX3, VIN JM1EC4315P0233116.
- 24 c. Master bedroom suite.
- 25 d. Big screen TV.
- 26 e. TV with built-in VCR.
- 27 f. Dining table and chairs.
- 28 g. Futon.

- 1 h. Living room set.  
2 i. Entire kitchen.  
3 2. The husband shall keep as his sole and separate property the  
4 following:  
5 a. All of his personal effects.  
6 b. 1999 Dodge Durango, VIN 1B4HS28ZXXF699492.

7 6. DIVISIONS OF COMMUNITY DEBTS

8 That there are community debts of the marriage to be divided  
9 between the parties, for which the parties have agreed as follows:

- 10 1. The wife shall pay the following debts:  
11 a. All of her current personal debts.  
12 b. Mervyn's credit account # \*2641.  
13 c. Goodyear credit account # \*2561.  
14 2. The husband shall pay the following debts:  
15 a. All of his current personal debts.  
16 b. Encumbrance on the 1999 Dodge Durango, owed to Chrysler  
17 Financial, account # \*7355.  
18 c. Citibank MasterCard account #XXXX XXXX XXXX 1451.  
19 d. Fleet Visa account #XXXX XXXX XXXX 8938.  
20 e. Orchard Bank MasterCard account #XXXX XXXX XXXX 0470.  
21 3. There are no other debts owed to each other.

22 7. DIVORCE DECREE

23 That the parties desire that this agreement be incorporated as  
24 a part of any final Decree of Divorce that may hereafter be entered  
25 in the County of Clark, State of Nevada or in any other court having  
26 appropriate jurisdiction over the parties, and to that end agree that  
27 it shall be submitted to said court for ratification and approval.  
28 ...



1 8. ENTIRE AGREEMENT

2 That this agreement constitutes the entire understanding of the  
3 parties. It supersedes any and all prior agreements between them.  
4 There are no representations or warranties other than those expressly  
5 herein set forth.

6 9. VOLUNTARY

7 That it is understood and agreed by and between the parties that  
8 this agreement is entered into without any undue influence, fraud,  
9 coercion, or misrepresentation or for any reason not herein stated.  
10 Each party acknowledges that they have read this agreement and that  
11 it is fair and equitable and that it is being entered into  
12 voluntarily. Each party agrees to abide by the provisions of this  
13 agreement.

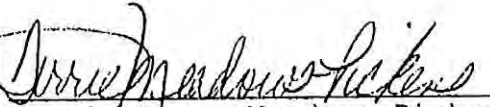
14 10. LAW USED


15 That this agreement shall be construed and governed in accordance  
16 with the laws of the State of Nevada.

17 11. PARTIAL INVALIDITY

18 That if any provision of this agreement is held to be invalid or  
19 unenforceable, it shall not affect the validity of any other  
20 provision.

21  
22 DATED this 4th day of June, 2001.

23  
24   
25 Terrie Lynne Meadows-Pickens  
26 PETITIONER IN PROPER PERSON  
27 6771 Bodega Drive  
28 Las Vegas, Nevada 89103  
(702) 592-4497

  
Thomas Allen Pickens  
PETITIONER IN PROPER PERSON  
6771 Bodega Drive  
Las Vegas, Nevada 89103  
(702) 367-2065

1 STATE OF NEVADA )  
2 COUNTY OF CLARK ) ss.

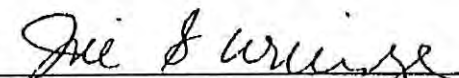
3 VERIFICATION

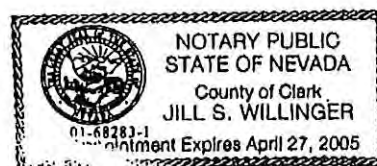
4 Terrie Lynne Meadows-Pickens, being first duly sworn according  
5 to law, deposes and says:

6 That she is one of the Petitioners in the above-entitled action;  
7 that she has read the above and foregoing Property Settlement  
8 Agreement and knows the contents thereof; that the same is true of her  
9 own knowledge, except for any matters therein stated upon information  
10 and belief, and as to those matters therein stated, she believes them  
11 to be true.

12   
13 Terrie Lynne Meadows-Pickens  
14  
15  
16  
17  
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21

22 SUBSCRIBED and SWORN to before me  
23 this 24th day of June, 2001.  
24

25   
26 Notary Public in and for the  
27 State of Nevada, County of Clark  
28



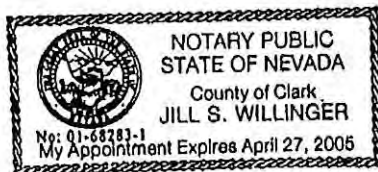
1 STATE OF NEVADA )  
2 COUNTY OF CLARK ) ss.

3 ACKNOWLEDGMENT

4 On this 2/4 day of June, 2001,  
5 personally appeared before me, a Notary Public, in and for the State  
6 of Nevada, County of Clark, Terrie Lynne Meadows-Pickens, known to me  
7 to be the person described in and who executed the foregoing  
8 instrument, Property Settlement Agreement, who acknowledged to me that  
9 she executed the same freely and voluntarily and for the same uses and  
10 purposes therein mentioned.

11 Witness my hand and official seal the day and year in this  
12 certificate first written above.

13  
14 Jill S. Willinger  
15 Notary Public in and for the  
16 State of Nevada, County of Clark





1 STATE OF NEVADA )  
2 COUNTY OF CLARK ) ss.

3 VERIFICATION

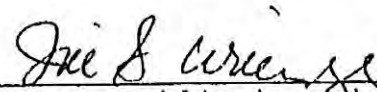
4 Thomas Allen Pickens, being first duly sworn according to law,  
5 deposes and says:

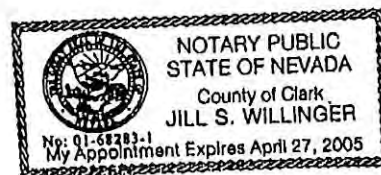
6 That he is one of the Petitioners in the above-entitled action;  
7 that he has read the above and foregoing Property Settlement Agreement  
8 and knows the contents thereof; that the same is true of his own  
9 knowledge, except for any matters therein stated upon information and  
10 belief, and as to those matters stated, he believes them to be true.

11  
12  
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14 

15 Thomas Allen Pickens  
16  
17  
18  
19  
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21  
22

23 SUBSCRIBED and SWORN to before me  
24 this 2/14 day of June, 2001.

25  
26   
27 Notary Public in and for the  
28 State of Nevada, County of Clark



1 STATE OF NEVADA )  
2 COUNTY OF CLARK ) ss.

3 ACKNOWLEDGMENT

4 On this 14th day of June, 2001, personally  
5 appeared before me, a Notary Public, in and for the State of Nevada,  
6 County of Clark, Thomas Allen Pickens, known to me to be the person  
7 described in and who executed the foregoing instrument, Property  
8 Settlement Agreement, who acknowledged to me that he executed the same  
9 freely and voluntarily and for the same uses and purposes therein  
10 mentioned.

11 Witness my hand and official seal the day and year in this  
12 certificate first written above.

13  
14 Jill S. Willinger  
15 Notary Public in and for the  
16 State of Nevada, County of Clark

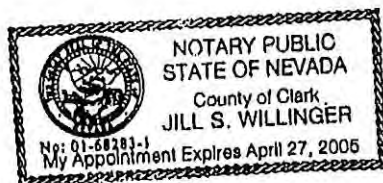


EXHIBIT B

EXHIBIT B

EXHIBIT B

1 A. Terrie Meadows (phonetic).

2 Q. How long were you married to Terrie?

3 A. Probably two years, I think. I don't know,  
4 not long.

5 Q. Okay. And when did you and Terrie get  
6 divorced?

7 A. We got divorced, I think, May -- May or June  
8 of 2000, is when I think it was. It was when I was  
9 going through my heart attack -- or heart condition,  
10 whatever it is.

11 Q. Is that when you met Danka?

12 A. Yes.

13 Q. Okay. When you divorced Terrie, did you and  
14 Terrie own a home together?

15 A. No. We rented.

16 Q. Okay. What -- what property did you and  
17 Terrie have together that you split up in your  
18 divorce?

19 A. Nothing.

20 Q. Did you have debt?

21 A. We both -- we both had debt, not a lot of  
22 debt, just normal debt, like a car payment, credit  
23 cards, but nothing abnormal.

24 Q. Okay. Roughly how much would you say you owed  
25 on credit cards?



1       A.    I can't tell you.  I don't really know what  
2   that is.

3       Q.    Was it a hundred dollars to twenty to thirty  
4   thousand dollars?

5       A.    No.  I think it -- I think maybe eight  
6   thousand on a credit card maybe.  I'm not sure.

7       Q.    Did your -- did Terrie have credit card debt  
8   as well?

9       A.    She had a little bit but not a lot.

10      Q.    Were you ordered to pay her credit cards?

11      A.    No.

12      Q.    You each took your own credit card debt --

13      A.    Yeah.

14      Q.    -- and --

15      A.    We both took our debts.

16      Q.    And had no assets?

17      A.    Right.

18      Q.    Okay.  What kind of work were you doing at  
19   that time?

20      A.    Construction.

21      Q.    You were employed in the construction  
22   industry?

23      A.    Yes.

24      Q.    Who was your employer?

25      A.    Peck Jones.

EXHIBIT C

EXHIBIT C

EXHIBIT C



Your payment would be about  
**\$2,577 a month**  
at full retirement age

# 000043568 I=000000 0701 11 SSS



43546 1 AT 0.396



THOMAS A. PICKENS  
9517 QUEEN CHARLOTTE DR  
LAS VEGAS NV 89145-8673

July 01, 2016

## Your Social Security Statement

Are you thinking about retirement? Are you ready for retirement?

We have tools that can help you!

- Estimate your future retirement benefits at [www.socialsecurity.gov/estimator](http://www.socialsecurity.gov/estimator)
- Apply for retirement, spouse's, Medicare or disability benefits at [www.socialsecurity.gov/applyforbenefits](http://www.socialsecurity.gov/applyforbenefits)
- And once you receive benefits, manage your benefits at [www.socialsecurity.gov/myaccount](http://www.socialsecurity.gov/myaccount)

Your *Social Security Statement* tells you about how much you or your family would receive in disability, survivor or retirement benefits. It also includes our record of your lifetime earnings. Check out your earnings history, and let us know right away if you find an error. This is important because we base your benefits on our record of your lifetime earnings.

Social Security benefits are not intended to be your only source of income when you retire. On average, Social Security will replace about

To view your *Social Security Statement* online anytime create a *my Social Security* account today!



**my Social Security**  
[www.socialsecurity.gov/myaccount](http://www.socialsecurity.gov/myaccount)

40 percent of your annual preretirement earnings. You will need other savings, investments, pensions or retirement accounts to live comfortably when you retire.

To view your *Statement* online anytime, create a *my Social Security* account at [www.socialsecurity.gov/myaccount](http://www.socialsecurity.gov/myaccount).

*Carolyn W. Colvin*

Carolyn W. Colvin  
Acting Commissioner



Follow the Social Security Administration at these social media sites.



AA00588



## Your Estimated Benefits

<b>*Retirement</b>	You have earned enough credits to qualify for benefits. At your current earnings rate, if you continue working until...	
	your full retirement age (66 years and 4 months), your payment would be about.....\$	2,577 a month
	age 70, your payment would be about.....\$	3,452 a month
	age 62, your payment would be about.....\$	1,781 a month
<b>*Disability</b>	You have earned enough credits to qualify for benefits. If you become disabled right now your payment would be about.....\$	
		2,389 a month
<b>*Family</b>	If you get retirement or disability benefits, your spouse or children may also qualify for benefits.	
<b>*Survivors</b>	You have earned enough credits for your family to receive survivors benefits. If you die this year, certain members of your family may qualify for the following benefits.	
	Your child .....	1,818 a month
	Your spouse who is caring for your child .....	1,818 a month
	Your spouse, if benefits start at full retirement age .....	2,424 a month
	Total family benefits cannot be more than.....\$	4,243 a month
	Your spouse or minor child may be eligible for a special one-time death benefit of \$255.	
<b>Medicare</b>	You have earned enough credits to qualify for Medicare at age 65. Even if you do not retire at age 65, be sure to contact Social Security three months before your 65th birthday to enroll in Medicare.	

\*Your estimated benefits are based on current law. Congress has made changes to the law in the past and can do so at any time. The law governing benefit amounts may change because, by 2034, the payroll taxes collected will be enough to pay only about 79 percent of scheduled benefits. We based your benefit estimates on these facts:

Your date of birth (please verify your name on page 1 and this date of birth).....October 05, 1956  
 Your estimated taxable earnings per year after 2015.....Over \$118,500  
 Your Social Security number (only the last four digits are shown to help prevent identity theft) XXX-XX-XXXX

## How Your Benefits Are Estimated

To qualify for benefits, you earn "credits" through your work — up to four each year. This year, for example, you earn one credit for each \$1,260 of wages or self-employment income. When you've earned \$5,040, you've earned your four credits for the year. Most people need 40 credits, earned over their working lifetime, to receive retirement benefits. For disability and survivors benefits, young people need fewer credits to be eligible.

We checked your records to see whether you have earned enough credits to qualify for benefits. If you haven't earned enough yet to qualify for any type of benefit, we can't give you a benefit estimate now. If you continue to work, we'll give you an estimate when you do qualify.

**What we assumed** — If you have enough work credits, we estimated your benefit amounts using your average earnings over your working lifetime. For 2016 and later (up to retirement age), we assumed you'll continue to work and make about the same as you did in 2014 or 2015. We also included credits we assumed you earned last year and this year.

Generally, the older you are and the closer you are to retirement, the more accurate the retirement estimates will be because they are based on a longer work history with fewer uncertainties such as earnings fluctuations and future law changes. We encourage you to use our online Retirement Estimator at [www.socialsecurity.gov/estimator](http://www.socialsecurity.gov/estimator) to obtain immediate and personalized benefit estimates.

We can't provide your actual benefit amount until you apply for benefits. And that amount may differ from the estimates stated above because:

- (1) Your earnings may increase or decrease in the future.
- (2) After you start receiving benefits, they will be adjusted for cost-of-living increases.

- (3) Your estimated benefits are based on current law. The law governing benefit amounts may change.
- (4) Your benefit amount may be affected by military service, railroad employment or pensions earned through work on which you did not pay Social Security tax. Visit [www.socialsecurity.gov/myaccount](http://www.socialsecurity.gov/myaccount) to learn more.

**Windfall Elimination Provision (WEP)** — If you receive a pension from employment in which you did not pay Social Security taxes and you also qualify for your own Social Security retirement or disability benefit, your Security benefit may be reduced, but not eliminated, by WEP. The amount of the reduction, if any, depends on your earnings and number of years in jobs in which you paid Social Security taxes, and the year you are age 62 or become disabled. To estimate WEP's effect on your Social Security benefit, visit [www.socialsecurity.gov/WEP-CHART](http://www.socialsecurity.gov/WEP-CHART). In 2016, the maximum monthly reduction is \$428. For more information, please see *Windfall Elimination Provision* (Publication No. 05-10045) at [www.socialsecurity.gov/WEP](http://www.socialsecurity.gov/WEP).

**Government Pension Offset (GPO)** — If you receive a pension based on federal, state or local government work in which you did not pay Social Security taxes and you qualify, now or in the future, for Social Security benefits as a current or former spouse, widow or widower, you are likely to be affected by GPO. If GPO applies, your Social Security benefit will be reduced by an amount equal to two-thirds of your government pension, and could be reduced to zero. Even if your benefit is reduced to zero, you will be eligible for Medicare at age 65 on your spouse's record. To learn more, please see *Government Pension Offset* (Publication No. 05-10007) at [www.socialsecurity.gov/GPO](http://www.socialsecurity.gov/GPO).



## Your Earnings Record

Years You Worked	Your Taxed Social Security Earnings	Your Taxed Medicare Earnings	Years You Worked	Your Taxed Social Security Earnings	Your Taxed Medicare Earnings
1975	\$ 2,817	\$ 2,817	2000	\$ 76,200	\$ 102,637
1976	4,888	4,888	2001	80,400	102,495
1977	5,308	5,308	2002	35,332	35,332
1978	5,307	5,307	2003	2,000	2,000
1979	2,800	2,800	2004	87,611	87,611
1980	5,005	5,005	2005	90,000	155,311
1981	1,815	1,815	2006	94,200	194,448
1982	16,119	16,119	2007	97,500	193,795
1983	17,869	17,869	2008	102,000	137,169
1984	3,375	3,375	2009	22,950	22,950
1985	20,966	20,966	2010	23,100	23,100
1986	10,083	10,083	2011	25,100	25,100
1987	36,450	36,450	2012	35,100	35,100
1988	34,555	34,555	2013	113,700	187,407
1989	48,000	48,000	2014	117,000	508,177
1990	50,400	50,400	2015	118,500	236,527
1991	53,400	67,252			
1992	15,578	15,578			
1993	0	0			
1994	38,165	38,165			
1995	42,388	42,388			
1996	59,512	59,512			
1997	54,900	54,900			
1998	68,400	80,025			
1999	72,600	87,643			

Total Social Security and Medicare taxes paid over your working career through the last year reported on the chart above:

Estimated taxes paid for Social Security:

You paid: \$110,304  
Your employers paid: \$124,441

Estimated taxes paid for Medicare:

You paid: \$40,166  
Your employers paid: \$39,532

Note: Currently, you and your employer each pay a 6.2 percent Social Security tax on up to \$118,500 of your earnings and a 1.45\* percent Medicare tax on all your earnings. If you are self-employed, you pay the combined employee and employer amount, which is a 12.4 percent Social Security tax on up to \$118,500 of your net earnings and a 2.9\* percent Medicare tax on your entire net earnings.

\*If you have earned income of more than \$200,000 (\$250,000 for married couples filing jointly), you must pay 0.9 percent more in Medicare taxes.

## Help Us Keep Your Earnings Record Accurate

You, your employer and Social Security share responsibility for the accuracy of your earnings record. Since you began working, we recorded your reported earnings under your name and Social Security number. We have updated your record each time your employer (or you, if you're self-employed) reported your earnings.

Remember, it's your earnings, not the amount of taxes you paid or the number of credits you've earned, that determine your benefit amount. When we figure that amount, we base it on your average earnings over your lifetime. If our records are wrong, you may not receive all the benefits to which you're entitled.

Review this chart carefully using your own records to make sure our information is correct and that we've recorded each year you worked. You're the only person who can look at the earnings chart and know whether it is complete and correct.

Some or all of your earnings from last year may not be shown on your *Statement*. It could be that we still were

processing last year's earnings reports when your *Statement* was prepared. Your complete earnings for last year will be shown on next year's *Statement*. Note: If you worked for more than one employer during any year, or if you had both earnings and self-employment income, we combined your earnings for the year.

There's a limit on the amount of earnings on which you pay Social Security taxes each year. The limit increases yearly. Earnings above the limit will not appear on your earnings chart as Social Security earnings. (For Medicare taxes, the maximum earnings amount began rising in 1991. Since 1994, all of your earnings are taxed for Medicare.)

Call us right away at 1-800-772-1213 (7 a.m. - 7 p.m. your local time, TTY 1-800-825-0778) if any earnings for years before last year are shown incorrectly. Please have your W-2 or tax return for those years available. (If you live outside the U.S., follow the directions at the bottom of page 4.)

# Some Facts About Social Security

## About Social Security and Medicare...

Social Security pays retirement, disability, family and survivors benefits. Medicare, a separate program run by the Centers for Medicare & Medicaid Services, helps pay for inpatient hospital care, nursing care, doctors' fees, drugs, and other medical services and supplies to people age 65 and older, as well as to people who have been receiving Social Security disability benefits for two years or more. Your Social Security covered earnings qualify you for both programs. Medicare does not pay for long-term care, so you may want to consider options for private insurance. For more information about Medicare, visit [www.medicare.gov](http://www.medicare.gov) or call 1-800-633-4227 (TTY 1-877-486-2048 if you are deaf or hard of hearing).

**Retirement** — If you were born before 1938, your full retirement age is 65. Because of a 1983 change in the law, the full retirement age will increase gradually to 67 for people born in 1960 and later.

Some people retire before their full retirement age. You can retire as early as 62 and take benefits at a reduced rate. If you work after your full retirement age, you can receive higher benefits because of additional earnings and credits for delayed retirement.

**Disability** — If you become disabled before full retirement age, you can receive disability benefits after six months if you have:

- enough credits from earnings (depending on your age, you must have earned six to 20 of your credits in the three to 10 years before you became disabled); and
- a physical or mental impairment that's expected to prevent you from doing "substantial" work for a year or more or result in death.

If you are filing for disability benefits, please let us know if you are on active military duty or are a recently discharged veteran, so that we can handle your claim more quickly.

**Family** — If you're eligible for disability or retirement benefits, your current or divorced spouse, minor children or adult children disabled before age 22 also may receive benefits. Each may qualify for up to about 50 percent of your benefit amount.

**Survivors** — When you die, certain members of your family may be eligible for benefits:

- your spouse age 60 or older (50 or older if disabled, or any age if caring for your children younger than age 16); and
- your children if unmarried and younger than age 18, still in school and younger than 19 years old, or adult children disabled before age 22.

If you are divorced, your ex-spouse could be eligible for a widow's or widower's benefit on your record when you die.

**Extra Help with Medicare** — If you know someone who is on Medicare and has limited resources and income, Extra Help is available for prescription drug costs. The Extra Help can help pay the monthly premiums, annual deductibles and prescription co-payments. To learn more or to apply, visit [www.socialsecurity.gov](http://www.socialsecurity.gov) or call 1-800-772-1213 (TTY 1-800-325-0778).

## Receive benefits and still work...

You can work and still get retirement or survivors benefits. If you're younger than your full retirement age, there are limits on how much you can earn without affecting your benefit amount. When you apply for benefits, we'll tell you what the limits are and whether work would affect your monthly benefits. When you reach full retirement age, the earnings limits no longer apply.

## Before you decide to retire...

Carefully consider the advantages and disadvantages of early retirement. If you choose to receive benefits before you reach full retirement age, your monthly benefits will be reduced.

To help you decide the best time to retire, we offer a free publication, *When To Start Receiving Retirement Benefits* (Publication No. 05-10147), that identifies the many factors you should consider before applying. Most people can receive an estimate of their benefit based on their actual Social Security earnings record by going to [www.socialsecurity.gov/estimator](http://www.socialsecurity.gov/estimator). You also can calculate future retirement benefits by using the Social Security Benefit Calculators at [www.socialsecurity.gov](http://www.socialsecurity.gov).

Other helpful free publications include:

- *Retirement Benefits* (No. 05-10035)
- *Understanding The Benefits* (No. 05-10024)
- *Your Retirement Benefit: How It Is Figured* (No. 05-10070)
- *Windfall Elimination Provision* (No. 05-10045)
- *Government Pension Offset* (No. 05-10007)
- *Identity Theft And Your Social Security Number* (No. 05-10064)

We also have other leaflets and fact sheets with information about specific topics such as military service, self-employment or foreign employment. You can request Social Security publications at our website, [www.socialsecurity.gov](http://www.socialsecurity.gov), or by calling us at 1-800-772-1213 (TTY 1-800-325-0778). Our website has a list of frequently asked questions that may answer questions you have. We have easy-to-use online applications for benefits that can save you a telephone call or a trip to a field office.

You also may qualify for government benefits outside of Social Security. For more information on these benefits, visit [www.benefits.gov](http://www.benefits.gov).

**If you need more information** — Visit [www.socialsecurity.gov](http://www.socialsecurity.gov) on the Internet, contact any Social Security office, call 1-800-772-1213 or write to Social Security Administration, Office of Earnings Operations, P.O. Box 33026, Baltimore, MD 21290-3026. If you're deaf or hard of hearing, call TTY 1-800-325-0778. If you have questions about your personal information, you must provide your complete Social Security number. If your address is incorrect on this *Statement*, ask the IRS to send you a Form 8822. We don't keep your address if you're not receiving Social Security benefits.





# Thinking of retiring?

[www.socialsecurity.gov](http://www.socialsecurity.gov)

## Some things to consider

Retirement can have more than one meaning these days. It can mean that you have applied for Social Security retirement benefits or that you are no longer working. Or it can mean that you have chosen to receive Social Security while still working, either full or part-time. All of these choices are available to you. Your retirement decisions can have very real effects on your ability to maintain a comfortable retirement.

If you retire early, you may not have enough income to enjoy the years ahead of you. Likewise, if you retire late, you'll have a larger income, but fewer years to enjoy it. Everyone needs to try to find the right balance, based on his or her own circumstances.

We hope the following information will help you as you plan for your future retirement and consider your retirement options.

## Avoid a Medicare Penalty Sign Up at Age 65

Even if you don't plan to receive monthly benefits, be sure to sign up for Medicare *three months before* turning age 65. If you don't sign up for Medicare Part B (medical insurance) when you're first eligible, your coverage may not start right away and you may have to pay a late enrollment penalty for as long as you have it. You can apply online. Visit [www.socialsecurity.gov/medicareonly](http://www.socialsecurity.gov/medicareonly) for information and to apply.

## What is the best option for you?

Everyone's situation is different. That is why Social Security has created several retirement planners to help you decide what would be best for you and your family. Social Security has an online calculator that can provide immediate and accurate retirement benefit estimates to help you plan for your retirement.

The online Retirement Estimator is a convenient, secure, and quick financial planning tool. It uses your own earnings record information, thereby eliminating any need to manually key in years of earnings information. The estimator also will let you create "what if" scenarios. You can, for example, change your "stop work" date or expected future earnings to create and compare different retirement options. To use the Retirement Estimator, go to our website at [www.socialsecurity.gov/estimator](http://www.socialsecurity.gov/estimator).

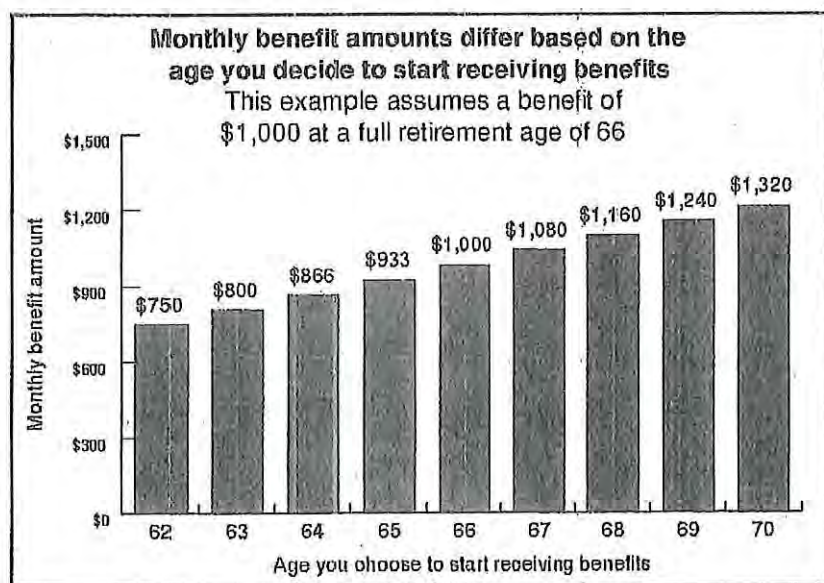
There is one more thing you should remember as you crunch the numbers for your retirement. You may need your income to be sufficient for a long time, because people are living longer than ever before, and generally, women tend to live longer than men. For example:

- The typical 65-year-old today will live to age 83;
- One in four 65-year-olds will live to age 90; and
- One in ten 65-year-olds will live to age 95.

Once you decide on the best age for you to actually retire, remember to complete your application *three months before* the month in which you want retirement benefits to begin.

## It's so easy to apply online for benefits

The easiest way to apply for Social Security retirement benefits is to go online at [www.socialsecurity.gov/applyforbenefits](http://www.socialsecurity.gov/applyforbenefits). If you do not have access to the Internet, you can call 1-800-772-1213 (TTY number, 1-800-325-0778) between 7 a.m. and 7 p.m., Monday through Friday, to apply by phone. You also can apply at any Social Security office. To avoid having to wait, call first to make an appointment.





## Receiving benefits while you work

When you reach your full retirement age, you can work and earn as much as you want and still receive your full Social Security benefit payment. If you are younger than full retirement age and if your earnings exceed certain dollar amounts, some of your benefit payments during the year will be withheld.

This does not mean you must try to limit your earnings. If we withhold some of your benefits because you continue to work, we will pay you a higher monthly benefit amount when you reach your full retirement age. In other words, if you would like to work and earn more than the exempt amount, you should know that it will not, on average, reduce the total value of lifetime benefits you receive from Social Security—and may actually increase them.

Here is how this works: after you reach full retirement age, we will recalculate your benefit amount to give you credit for any months in which you did not receive some benefit because of your earnings. In addition, as long as you continue to work, we will check your record every year to see whether the additional earnings will increase your monthly benefit.

Many people can continue to work and still receive retirement benefits. If you want more information on how earnings affect your retirement benefits, ask for *How Work Affects Your Benefits* (Publication No. 05-10069), which has current annual and monthly earnings limits, and is available on our website.

## Retirement age considerations

### Full retirement age

For persons born during the years 1943-1954, the full retirement age is 66. If you were not born in this period, you can find your full retirement age on page 2 of your *Social Security Statement*.

### Retiring early

If you've earned 40 credits (credits are explained on page 2 of your *Statement*), you can start receiving Social Security benefits at 62 or at any month between 62 and full retirement age. However, your benefits will be reduced based on the number of months you receive benefits before you reach full retirement age.

If your full retirement age is 66, benefits will be reduced:

- 25 percent at age 62;
- 20 percent at age 63;
- 13 1/3 percent at age 64; or
- 6 2/3 percent at age 65.

### Delaying retirement

You may decide to wait beyond your full retirement age before

choosing to receive benefits. If so, your benefit will be increased by a certain percentage for each month you don't receive benefits between your full retirement age and age 70. This table shows the rate your benefits increase if you delay retiring.

Year of birth	Yearly increase rate
1941 - 1942	7.5%
1943 or later	8.0%

### Rules that may affect your survivor

If you are married and die before your spouse, he or she may be eligible for a benefit based on your work record. If you start benefits before your full retirement age we cannot pay your surviving spouse a full benefit from your record. Also, if you wait until after your full retirement age to begin benefits, the surviving spouse benefits based on your record will be higher.

## Need more information?

You can find answers to frequently asked questions about Social Security, learn about factors that could affect your benefits, and much more by visiting Social Security online at [www.socialsecurity.gov](http://www.socialsecurity.gov).

If you do not have access to the Internet, you can get information about Social Security by calling 1-800-772-1213 (TTY 1-800-325-0778 for the deaf or hard of hearing) or by visiting a local Social Security office.

## Other useful websites

[www.mymoney.gov](http://www.mymoney.gov)

This website contains calculators for financial planning and information on money-related matters, such as retirement planning and starting a small business.

[www.dol.gov/ebsa/pdf/nearretirement.pdf](http://www.dol.gov/ebsa/pdf/nearretirement.pdf)

Have you determined how much money you will need in retirement? There are many tools available to help you, such as the *Taking the Mystery Out of Retirement Planning Workbook* available at this link.

[www.sec.gov/investor/seniors.shtml](http://www.sec.gov/investor/seniors.shtml)

Are you looking for information about the investment options available to you as you enter retirement? The Securities and Exchange Commission has a wealth of information on different investment products and topics available at this website.

[www.usa.gov/topics/seniors.shtml](http://www.usa.gov/topics/seniors.shtml)

This website has a variety of resources for seniors on topics including retirement planning, housing, and health.



Social Security Administration  
SSA Publication No. 05-10054  
May 2015 (Destroy prior editions)

EXHIBIT D

EXHIBIT D

EXHIBIT D



**U.S. Corporation Income Tax Return**  
For calendar year 2014 or tax year beginning \_\_\_\_\_, 2014, ending \_\_\_\_\_, 20\_\_\_\_  
► Information about Form 1120 and its separate instructions is at [www.irs.gov/form1120](http://www.irs.gov/form1120).

OMB No. 1545-0123  
**2014**

<b>A Check if:</b>  <b>1a</b> Consolidated return (attach Form 851) <input type="checkbox"/> <b>b</b> Life/nonlife consolidated return <input type="checkbox"/> <b>2</b> Personal holding co. (attach Sch. PH) <input type="checkbox"/> <b>3</b> Personal service corp. (see instructions) <input type="checkbox"/> <b>4</b> Schedule M-3 attached <input type="checkbox"/>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:10%; text-align: center;"><b>TYPE OR PRINT</b></td> <td style="width:90%;"> <b>Name</b>  <div style="border-bottom: 1px solid black; padding: 2px;">BLUE POINT DEVELOPMENT INC</div> </td> </tr> <tr> <td></td> <td> <b>Number, street, and room or suite no. If a P.O. box, see instructions.</b>  <div style="border-bottom: 1px solid black; padding: 2px;">STE 208</div> </td> </tr> <tr> <td></td> <td> <b>3320 N BUFFALO DR</b>  </td> </tr> <tr> <td></td> <td> <b>City or town, state, or province, country and ZIP or foreign postal code</b>  <div style="border-bottom: 1px solid black; padding: 2px;">LAS VEGAS NV 89129</div> </td> </tr> </table>	<b>TYPE OR PRINT</b>	<b>Name</b> <div style="border-bottom: 1px solid black; padding: 2px;">BLUE POINT DEVELOPMENT INC</div>		<b>Number, street, and room or suite no. If a P.O. box, see instructions.</b> <div style="border-bottom: 1px solid black; padding: 2px;">STE 208</div>		<b>3320 N BUFFALO DR</b> 		<b>City or town, state, or province, country and ZIP or foreign postal code</b> <div style="border-bottom: 1px solid black; padding: 2px;">LAS VEGAS NV 89129</div>	<b>B Employer identification number</b> <div style="border-bottom: 1px solid black; padding: 2px;">26-3541207</div> <b>C Date incorporated</b> <div style="border-bottom: 1px solid black; padding: 2px;">09-23-2008</div> <b>D Total assets (see instructions)</b> <div style="border-bottom: 1px solid black; padding: 2px;">\$ 144,183</div>
<b>TYPE OR PRINT</b>	<b>Name</b> <div style="border-bottom: 1px solid black; padding: 2px;">BLUE POINT DEVELOPMENT INC</div>									
	<b>Number, street, and room or suite no. If a P.O. box, see instructions.</b> <div style="border-bottom: 1px solid black; padding: 2px;">STE 208</div>									
	<b>3320 N BUFFALO DR</b> 									
	<b>City or town, state, or province, country and ZIP or foreign postal code</b> <div style="border-bottom: 1px solid black; padding: 2px;">LAS VEGAS NV 89129</div>									
<b>E Check if:</b> (1) <input type="checkbox"/> Initial return (2) <input type="checkbox"/> Final return (3) <input type="checkbox"/> Name change (4) <input type="checkbox"/> Address change										

<b>Income</b>	<b>1a</b> Gross receipts or sales ..... <b>1a</b> <div style="border-bottom: 1px solid black; padding: 2px;">2,726,284</div> <b>b</b> Returns and allowances ..... <b>1b</b> <div style="border-bottom: 1px solid black; padding: 2px;"></div> <b>c</b> Balance. Subtract line 1b from line 1a ..... <b>1c</b> <div style="border-bottom: 1px solid black; padding: 2px;">2,726,284</div> <b>2</b> Cost of goods sold (attach Form 1125-A) ..... <b>2</b> <div style="border-bottom: 1px solid black; padding: 2px;">1,441,843</div> <b>3</b> Gross profit. Subtract line 2 from line 1c ..... <b>3</b> <div style="border-bottom: 1px solid black; padding: 2px;">1,284,441</div> <b>4</b> Dividends (Schedule C, line 19) ..... <b>4</b> <div style="border-bottom: 1px solid black; padding: 2px;"></div> <b>5</b> Interest ..... <b>5</b> <div style="border-bottom: 1px solid black; padding: 2px;"></div> <b>6</b> Gross rents ..... <b>6</b> <div style="border-bottom: 1px solid black; padding: 2px;"></div> <b>7</b> Gross royalties ..... <b>7</b> <div style="border-bottom: 1px solid black; padding: 2px;"></div> <b>8</b> Capital gain net income (attach Schedule D (Form 1120)) ..... <b>8</b> <div style="border-bottom: 1px solid black; padding: 2px;"></div> <b>9</b> Net gain or (loss) from Form 4797, Part II, line 17 (attach Form 4797) ..... <b>9</b> <div style="border-bottom: 1px solid black; padding: 2px;"></div> <b>10</b> Other income (see instructions - attach statement) ..... <b>10</b> <div style="border-bottom: 1px solid black; padding: 2px;"></div> <b>11</b> <b>Total income.</b> Add lines 3 through 10 ..... <b>11</b> <div style="border-bottom: 1px solid black; padding: 2px;">1,284,441</div>	
<b>Deductions (See instructions for limitations on deductions.)</b>	<b>12</b> Compensation of officers (see instructions - attach Form 1125-E) ..... <b>12</b> <div style="border-bottom: 1px solid black; padding: 2px;">473,077</div> <b>13</b> Salaries and wages (less employment credits) ..... <b>13</b> <div style="border-bottom: 1px solid black; padding: 2px;">444,770</div> <b>14</b> Repairs and maintenance ..... <b>14</b> <div style="border-bottom: 1px solid black; padding: 2px;">7,434</div> <b>15</b> Bad debts ..... <b>15</b> <div style="border-bottom: 1px solid black; padding: 2px;"></div> <b>16</b> Rents ..... <b>16</b> <div style="border-bottom: 1px solid black; padding: 2px;">77,454</div> <b>17</b> Taxes and licenses ..... <b>17</b> <div style="border-bottom: 1px solid black; padding: 2px;">ATT-CTL 52,790</div> <b>18</b> Interest ..... <b>18</b> <div style="border-bottom: 1px solid black; padding: 2px;"></div> <b>19</b> Charitable contributions ..... <b>19</b> <div style="border-bottom: 1px solid black; padding: 2px;"></div> <b>20</b> Depreciation from Form 4562 not claimed on Form 1125-A or elsewhere on return (attach Form 4562) ..... <b>20</b> <div style="border-bottom: 1px solid black; padding: 2px;">56,121</div> <b>21</b> Depletion ..... <b>21</b> <div style="border-bottom: 1px solid black; padding: 2px;"></div> <b>22</b> Advertising ..... <b>22</b> <div style="border-bottom: 1px solid black; padding: 2px;"></div> <b>23</b> Pension, profit-sharing, etc., plans ..... <b>23</b> <div style="border-bottom: 1px solid black; padding: 2px;"></div> <b>24</b> Employee benefit programs ..... <b>24</b> <div style="border-bottom: 1px solid black; padding: 2px;">40,362</div> <b>25</b> Domestic production activities deduction (attach Form 8903) ..... <b>25</b> <div style="border-bottom: 1px solid black; padding: 2px;"></div> <b>26</b> Other deductions (attach statement) ..... <b>26</b> <div style="border-bottom: 1px solid black; padding: 2px;">Statement #5 83,031</div> <b>27</b> <b>Total deductions.</b> Add lines 12 through 26 ..... <b>27</b> <div style="border-bottom: 1px solid black; padding: 2px;">1,235,039</div> <b>28</b> Taxable income before net operating loss deduction and special deductions. Subtract line 27 from line 11 ..... <b>28</b> <div style="border-bottom: 1px solid black; padding: 2px;">49,402</div> <b>29a</b> Net operating loss deduction (see instructions) ..... <b>29a</b> <div style="border-bottom: 1px solid black; padding: 2px;"></div> <b>b</b> Special deductions (Schedule C, line 20) ..... <b>29b</b> <div style="border-bottom: 1px solid black; padding: 2px;"></div> <b>c</b> Add lines 29a and 29b ..... <b>29c</b> <div style="border-bottom: 1px solid black; padding: 2px;"></div>	
<b>Tax, Refundable Credits, and Payments</b>	<b>30</b> <b>Taxable income.</b> Subtract line 29c from line 28 (see instructions) ..... <b>30</b> <div style="border-bottom: 1px solid black; padding: 2px;">49,402</div> <b>31</b> Total tax (Schedule J, Part I, line 11) ..... <b>31</b> <div style="border-bottom: 1px solid black; padding: 2px;">7,410</div> <b>32</b> Total payments and refundable credits (Schedule J, Part II, line 21) ..... <b>32</b> <div style="border-bottom: 1px solid black; padding: 2px;"></div> <b>33</b> Estimated tax penalty (see instructions). Check if Form 2220 is attached <input type="checkbox"/> ..... <b>33</b> <div style="border-bottom: 1px solid black; padding: 2px;"></div> <b>34</b> <b>Amount owed.</b> If line 32 is smaller than the total of lines 31 and 33, enter amount owed ..... <b>34</b> <div style="border-bottom: 1px solid black; padding: 2px;">7,410</div> <b>35</b> <b>Overpayment.</b> If line 32 is larger than the total of lines 31 and 33, enter amount overpaid ..... <b>35</b> <div style="border-bottom: 1px solid black; padding: 2px;"></div> <b>36</b> Enter amount from line 35 you want: <b>Credited to 2015 estimated tax</b> <input checked="" type="checkbox"/> <b>Refunded</b> <input type="checkbox"/> ..... <b>36</b> <div style="border-bottom: 1px solid black; padding: 2px;"></div>	

**Sign Here**

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.

THOMAS PICKENS		PRESIDENT
Signature of officer	Date	Title

May the IRS discuss this return with the preparer shown below (see instructions)? ☐ Yes ☒ No

**Paid Preparer Use Only**

Print/Type preparer's name <b>ROBERT S SEMONIAN CP</b>	Preparer's signature <div style="border-bottom: 1px solid black; padding: 2px;"></div>	Date <b>09-16-2018</b>	Check <input checked="" type="checkbox"/> if self-employed	PTIN <b>P00391972</b>
Firm's name ► <b>ROBERT S SEMONIAN CPA</b>			Firm's EIN ► <b>95-4514704</b>	
Firm's address ► <b>PO BOX 5605</b> <b>Ventura CA 93005</b>			Phone no. <b>(805) 659-5344</b>	

For Paperwork Reduction Act Notice, see separate instructions.

Form 1120 (2014)

<b>Schedule C Dividends and Special Deductions</b> (see instructions)		(a) Dividends received	(b) %	(c) Special deductions (a) x (b)
1	Dividends from less-than-20%-owned domestic corporations (other than debt-financed stock) . . . . .		70	
2	Dividends from 20%-or-more-owned domestic corporations (other than debt-financed stock) . . . . .		80	
3	Dividends on debt-financed stock of domestic and foreign corporations . . . . .		see instructions	
4	Dividends on certain preferred stock of less-than-20%-owned public utilities . . . . .		42	
5	Dividends on certain preferred stock of 20%-or-more-owned public utilities . . . . .		48	
6	Dividends from less-than-20%-owned foreign corporations and certain FSCs . . . . .		70	
7	Dividends from 20%-or-more-owned foreign corporations and certain FSCs . . . . .		80	
8	Dividends from wholly owned foreign subsidiaries . . . . .		100	
9	<b>Total.</b> Add lines 1 through 8. See instructions for limitation . . . . .			
10	Dividends from domestic corporations received by a small business investment company operating under the Small Business Investment Act of 1958 . . . . .		100	
11	Dividends from affiliated group members . . . . .		100	
12	Dividends from certain FSCs . . . . .		100	
13	Dividends from foreign corporations not included on lines 3, 6, 7, 8, 11, or 12 . . . . .			
14	Income from controlled foreign corporations under subpart F (attach Form(s) 5471) . . . . .			
15	Foreign dividend gross-up . . . . .			
16	IC-DISC and former DISC dividends not included on lines 1, 2, or 3 . . . . .			
17	Other dividends . . . . .			
18	Deduction for dividends paid on certain preferred stock of public utilities . . . . .			
19	<b>Total dividends.</b> Add lines 1 through 17. Enter here and on page 1, line 4 . . . . . ▶			
20	<b>Total special deductions.</b> Add lines 9, 10, 11, 12, and 18. Enter here and on page 1, line 29b . . . . . ▶			

**Schedule J Tax Computation and Payment** (see instructions)**Part I - Tax Computation**

1	Check if the corporation is a member of a controlled group (attach Schedule O (Form 1120))	<input type="checkbox"/>	
2	Income tax. Check if a qualified personal service corporation (see instructions)	<input type="checkbox"/>	2 7,410
3	Alternative minimum tax (attach Form 4626)		3 0
4	Add lines 2 and 3		4 7,410
5a	Foreign tax credit (attach Form 1118)	5a	
b	Credit from Form 8834 (see instructions)	5b	
c	General business credit (attach Form 3800)	5c	
d	Credit for prior year minimum tax (attach Form 8827)	5d	
e	Bond credits from Form 8912	5e	
6	<b>Total credits.</b> Add lines 5a through 5e		6
7	Subtract line 6 from line 4		7 7,410
8	Personal holding company tax (attach Schedule PH (Form 1120))		8 0
9a	Recapture of investment credit (attach Form 4255)	9a	
b	Recapture of low-income housing credit (attach Form 8611)	9b	
c	Interest due under the look-back method - completed long-term contracts (attach Form 8697)	9c	
d	Interest due under the look-back method - income forecast method (attach Form 8866)	9d	
e	Alternative tax on qualifying shipping activities (attach Form 8902)	9e	
f	Other (see instructions - attach statement)	9f	
10	<b>Total.</b> Add lines 9a through 9f		10
11	<b>Total tax.</b> Add lines 7, 8, and 10. Enter here and on page 1, line 31		11 7,410

**Part II - Payments and Refundable Credits**

12	2013 overpayment credited to 2014		12
13	2014 estimated tax payments		13
14	2014 refund applied for on Form 4466		14 ( )
15	Combine lines 12, 13, and 14		15
16	Tax deposited with Form 7004		16
17	Withholding (see instructions)		17
18	<b>Total payments.</b> Add lines 15, 16, and 17		18
19	Refundable credits from:		
a	Form 2439	19a	
b	Form 4136	19b	
c	Form 8827, line 8c	19c	
d	Other (attach statement - see instructions)	19d	
20	<b>Total credits.</b> Add lines 19a through 19d		20
21	<b>Total payments and credits.</b> Add lines 18 and 20. Enter here and on page 1, line 32		21

**Schedule K Other Information** (see instructions)

1	Check accounting method: a <input type="checkbox"/> Cash b <input checked="" type="checkbox"/> Accrual c <input type="checkbox"/> Other (specify) ▶	Yes	No
2	See the instructions and enter the:		
a	Business activity code no. ▶ 236200		
b	Business activity ▶ REAL ESTATE		
c	Product or service ▶ DEVELOPMENT AND CONSTRUCTION		
3	Is the corporation a subsidiary in an affiliated group or a parent-subsidiary controlled group? If "Yes," enter name and EIN of the parent corporation ▶		X
4	At the end of the tax year:		
a	Did any foreign or domestic corporation, partnership (including any entity treated as a partnership), trust, or tax-exempt organization own directly 20% or more, or own, directly or indirectly, 50% or more of the total voting power of all classes of the corporation's stock entitled to vote? If "Yes," complete Part I of Schedule G (Form 1120) (attach Schedule G)		X
b	Did any individual or estate own directly 20% or more, or own, directly or indirectly, 50% or more of the total voting power of all classes of the corporation's stock entitled to vote? If "Yes," complete Part II of Schedule G (Form 1120) (attach Schedule G)	X	



**Schedule K** Other Information continued (see instructions)

				Yes	No
<b>5</b> At the end of the tax year, did the corporation:					
<b>a</b> Own directly 20% or more, or own, directly or indirectly, 50% or more of the total voting power of all classes of stock entitled to vote of any foreign or domestic corporation not included on Form 851, Affiliations Schedule? For rules of constructive ownership, see instructions . . . . .					X
If "Yes," complete (i) through (iv) below.					
(i) Name of Corporation	(ii) Employer Identification Number (if any)	(iii) Country of Incorporation	(iv) Percentage Owned in Voting Stock		
<b>b</b> Own directly an interest of 20% or more, or own, directly or indirectly, an interest of 50% or more in any foreign or domestic partnership (including an entity treated as a partnership) or in the beneficial interest of a trust? For rules of constructive ownership, see instructions . . . . .					X
If "Yes," complete (i) through (iv) below.					
(i) Name of Entity	(ii) Employer Identification Number (if any)	(iii) Country of Organization	(iv) Maximum Percentage Owned in Profit, Loss, or Capital		
<b>6</b> During this tax year, did the corporation pay dividends (other than stock dividends and distributions in exchange for stock) in excess of the corporation's current and accumulated earnings and profits? (See sections 301 and 316.) . . . . .					X
If "Yes," file Form 5452, Corporate Report of Nondividend Distributions.					
If this is a consolidated return, answer here for the parent corporation and on Form 851 for each subsidiary.					
<b>7</b> At any time during the tax year, did one foreign person own, directly or indirectly, at least 25% of (a) the total voting power of all classes of the corporation's stock entitled to vote or (b) the total value of all classes of the corporation's stock? . . . . .					X
For rules of attribution, see section 318. If "Yes," enter:					
(i) Percentage owned ▶ _____ and (ii) Owner's country ▶ _____					
(c) The corporation may have to file Form 5472, Information Return of a 25% Foreign-Owned U.S. Corporation or a Foreign Corporation Engaged in a U.S. Trade or Business. Enter the number of Forms 5472 attached ▶ 0					
<b>8</b> Check this box if the corporation issued publicly offered debt instruments with original issue discount . . . . .				<input type="checkbox"/>	
If checked, the corporation may have to file Form 8281, Information Return for Publicly Offered Original Issue Discount Instruments.					
<b>9</b> Enter the amount of tax-exempt interest received or accrued during the tax year ▶ \$ _____					
<b>10</b> Enter the number of shareholders at the end of the tax year (if 100 or fewer) ▶ 1					
<b>11</b> If the corporation has an NOL for the tax year and is electing to forego the carryback period, check here . . . . .				<input type="checkbox"/>	
If the corporation is filing a consolidated return, the statement required by Regulations section 1.1502-21(b)(3) must be attached or the election will not be valid.					
<b>12</b> Enter the available NOL carryover from prior tax years (do not reduce it by any deduction on line 29a.) ▶ \$ _____					
<b>13</b> Are the corporation's total receipts (page 1, line 1a, plus lines 4 through 10) for the tax year and its total assets at the end of the tax year less than \$250,000? . . . . .					X
If "Yes," the corporation is not required to complete Schedules L, M-1, and M-2. Instead, enter the total amount of cash distributions and the book value of property distributions (other than cash) made during the tax year ▶ \$ _____					
<b>14</b> Is the corporation required to file Schedule UTP (Form 1120), Uncertain Tax Position Statement (see instructions)? . . . . .					X
If "Yes," complete and attach Schedule UTP.					
<b>15a</b> Did the corporation make any payments in 2014 that would require it to file Form(s) 1099? . . . . .					X
<b>b</b> If "Yes," did or will the corporation file required Forms 1099? . . . . .				X	
<b>16</b> During this tax year, did the corporation have an 80% or more change in ownership, including a change due to redemption of its own stock? . . . . .				X	
<b>17</b> During or subsequent to this tax year, but before the filing of this return, did the corporation dispose of more than 65% (by value) of its assets in a taxable, non-taxable, or tax deferred transaction? . . . . .					X
<b>18</b> Did the corporation receive assets in a section 351 transfer in which any of the transferred assets had a fair market basis or fair market value of more than \$1 million? . . . . .					X

Form 4626

## Alternative Minimum Tax - Corporations

OMB No. 1545-0123

Department of the Treasury  
Internal Revenue Service

▶ Attach to the corporation's tax return.

2014

▶ Information about Form 4626 and its separate instructions is at [www.irs.gov/form4626](http://www.irs.gov/form4626).

Name BLUE POINT DEVELOPMENT INC		Employer identification number 26-3541207
<p><b>Note:</b> See the instructions to find out if the corporation is a small corporation exempt from the alternative minimum tax (AMT) under section 55(e).</p>		
1	Taxable income or (loss) before net operating loss deduction	1 49,402
2	<b>Adjustments and preferences:</b>	
a	Depreciation of post-1986 property	2a
b	Amortization of certified pollution control facilities	2b
c	Amortization of mining exploration and development costs	2c
d	Amortization of circulation expenditures (personal holding companies only)	2d
e	Adjusted gain or loss	2e
f	Long-term contracts	2f
g	Merchant marine capital construction funds	2g
h	Section 833(b) deduction (Blue Cross, Blue Shield, and similar type organizations only)	2h
i	Tax shelter farm activities (personal service corporations only)	2i
j	Passive activities (closely held corporations and personal service corporations only)	2j
k	Loss limitations	2k
l	Depletion	2l
m	Tax-exempt interest income from specified private activity bonds	2m
n	Intangible drilling costs	2n
o	Other adjustments and preferences	2o
3	Pre-adjustment alternative minimum taxable income (AMTI). Combine lines 1 through 2o	3 49,402
4	<b>Adjusted current earnings (ACE) adjustment:</b>	
a	ACE from line 10 of the ACE worksheet in the instructions	4a 49,402
b	Subtract line 3 from line 4a. If line 3 exceeds line 4a, enter the difference as a negative amount (see instructions)	4b 0
c	Multiply line 4b by 75% (.75). Enter the result as a positive amount	4c 0
d	Enter the excess, if any, of the corporation's total increases in AMTI from prior year ACE adjustments over its total reductions in AMTI from prior year ACE adjustments (see instructions). <b>Note:</b> You must enter an amount on line 4d (even if line 4b is positive)	4d 0
e	ACE adjustment.	
	<ul style="list-style-type: none"> <li>If line 4b is zero or more, enter the amount from line 4c</li> <li>If line 4b is less than zero, enter the <b>smaller</b> of line 4c or line 4d as a negative amount</li> </ul>	4e 0
5	Combine lines 3 and 4e. If zero or less, stop here; the corporation does not owe any AMT	5 49,402
6	Alternative tax net operating loss deduction (see instructions)	6
7	<b>Alternative minimum taxable income.</b> Subtract line 6 from line 5. If the corporation held a residual interest in a REMIC, see instructions	7 49,402
8	<b>Exemption phase-out</b> (if line 7 is \$310,000 or more, skip lines 8a and 8b and enter -0- on line 8c):	
a	Subtract \$150,000 from line 7 (if completing this line for a member of a controlled group, see instructions). If zero or less, enter -0-	8a 0
b	Multiply line 8a by 25% (.25)	8b
c	Exemption. Subtract line 8b from \$40,000 (if completing this line for a member of a controlled group, see instructions). If zero or less, enter -0-	8c 40,000
9	Subtract line 8c from line 7. If zero or less, enter -0-	9 9,402
10	Multiply line 9 by 20% (.20)	10 1,880
11	Alternative minimum tax foreign tax credit (AMTFTC) (see instructions)	11
12	Tentative minimum tax. Subtract line 11 from line 10	12 1,880
13	Regular tax liability before applying all credits except the foreign tax credit	13 7,410
14	<b>Alternative minimum tax.</b> Subtract line 13 from line 12. If zero or less, enter -0-. Enter here and on Form 1120, Schedule J, line 3, or the appropriate line of the corporation's income tax return	14 0

For Paperwork Reduction Act Notice, see separate instructions.  
EEA

Form 4626 (2014)

Danka Michaels001405  
AA00599

Form **4562****Depreciation and Amortization**  
(Including Information on Listed Property)

OMB No. 1545-0172

**2014**Attachment  
Sequence No. **179**Department of the Treasury  
Internal Revenue Service (99)  
Name(s) shown on return▶ Attach to your tax return.  
▶ Information about Form 4562 and its separate instructions is at [www.irs.gov/form4562](http://www.irs.gov/form4562).

Business or activity to which this form relates

Identifying number

BLUE POINT DEVELOPMENT INC

FORM 1120

26-3541207

**Part I Election To Expense Certain Property Under Section 179**

Note: If you have any listed property, complete Part V before you complete Part I.

1	Maximum amount (see instructions)	1	500,000
2	Total cost of section 179 property placed in service (see instructions)	2	89,565
3	Threshold cost of section 179 property before reduction in limitation (see instructions)	3	2,000,000
4	Reduction in limitation. Subtract line 3 from line 2. If zero or less, enter -0-	4	0
5	Dollar limitation for tax year. Subtract line 4 from line 1. If zero or less, enter -0-. If married filing separately, see instructions	5	500,000

6	(a) Description of property	(b) Cost (business use only)	(c) Elected cost
	COMPUTER EQUIP	10,361	10,361
	CONSTRUCTION VEHICLE	44,000	44,000

7	Listed property. Enter the amount from line 29	7	
8	Total elected cost of section 179 property. Add amounts in column (c), lines 6 and 7	8	54,361
9	Tentative deduction. Enter the smaller of line 5 or line 8	9	54,361
10	Carryover of disallowed deduction from line 13 of your 2013 Form 4562	10	
11	Business income limitation. Enter the smaller of business income (not less than zero) or line 5 (see instructions)	11	103,763
12	Section 179 expense deduction. Add lines 9 and 10, but do not enter more than line 11	12	54,361
13	Carryover of disallowed deduction to 2015. Add lines 9 and 10, less line 12	13	

Note: Do not use Part II or Part III below for listed property. Instead, use Part V.

**Part II Special Depreciation Allowance and Other Depreciation** (Do not include listed property.) (See instructions.)

14	Special depreciation allowance for qualified property (other than listed property) placed in service during the tax year (see instructions)	14	0
15	Property subject to section 168(f)(1) election	15	
16	Other depreciation (including ACRS)	16	

**Part III MACRS Depreciation** (Do not include listed property.) (See instructions.)**Section A**

17	MACRS deductions for assets placed in service in tax years beginning before 2014	17	
18	If you are electing to group any assets placed in service during the tax year into one or more general asset accounts, check here <input type="checkbox"/>		

**Section B - Assets Placed in Service During 2014 Tax Year Using the General Depreciation System**

(a) Classification of property	(b) Month and year placed in service	(c) Basis for depreciation (business/investment use only-see instructions)	(d) Recovery period	(e) Convention	(f) Method	(g) Depreciation deduction
19a 3-year property						
b 5-year property						
c 7-year property						
d 10-year property		35,204	10	HY	SL	1,760
e 15-year property						
f 20-year property						
g 25-year property			25 yrs.		S/L	
h Residential rental property			27.5 yrs.	MM	S/L	
i Nonresidential real property			39 yrs.	MM	S/L	

**Section C - Assets Placed in Service During 2014 Tax Year Using the Alternative Depreciation System**

20a Class life				S/L	
b 12-year		12 yrs.		S/L	
c 40-year		40 yrs.	MM	S/L	

**Part IV Summary** (See instructions.)

21	Listed property. Enter amount from line 28	21	
22	Total. Add amounts from line 12, lines 14 through 17, lines 19 and 20 in column (g), and line 21. Enter here and on the appropriate lines of your return. Partnerships and S corporations - see instructions	22	56,121
23	For assets shown above and placed in service during the current year, enter the portion of the basis attributable to section 263A costs	23	

For Paperwork Reduction Act Notice, see separate instructions.

Form 4562 (2014)

EEA

Danka Michaels001406  
AA00600



**SCHEDULE G  
(Form 1120)**

(Rev. December 2011)  
Department of the Treasury  
Internal Revenue Service

**Information on Certain Persons Owning the  
Corporation's Voting Stock**

▶ Attach to Form 1120.  
▶ See instructions.

OMB No. 1545-0123

Name

Employer identification number (EIN)

BLUE POINT DEVELOPMENT INC

26-3541207

**Part I**

**Certain Entities Owning the Corporation's Voting Stock.** (Form 1120, Schedule K, Question 4a). Complete columns (i) through (v) below for any foreign or domestic corporation, partnership (including any entity treated as a partnership), trust, or tax-exempt organization that owns directly 20% or more, or owns, directly or indirectly, 50% or more of the total voting power of all classes of the corporation's stock entitled to vote (see instructions).

(i) Name of Entity	(ii) Employer Identification Number (if any)	(iii) Type of Entity	(iv) Country of Organization	(v) Percentage Owned in Voting Stock

**Part II**

**Certain Individuals and Estates Owning the Corporation's Voting Stock.** (Form 1120, Schedule K, Question 4b). Complete columns (i) through (iv) below for any individual or estate that owns directly 20% or more, or owns, directly or indirectly, 50% or more of the total voting power of all classes of the corporation's stock entitled to vote (see instructions).

(i) Name of Individual or Estate	(ii) Identifying Number (if any)	(iii) Country of Citizenship (see instructions)	(iv) Percentage Owned in Voting Stock
THOMAS PICKENS		US	100

Form <b>8879-C</b>	<b>IRS e-file Signature Authorization for Form 1120</b>	OMB No. 1545-0123
Department of the Treasury Internal Revenue Service Name of corporation	For calendar year 2014, or tax year beginning _____, 2014, ending _____ <b>Do not send to the IRS. Keep for your records.</b> <b>Information about Form 8879-C and its instructions is at <a href="http://www.irs.gov/form8879c">www.irs.gov/form8879c</a>.</b>	<b>2014</b>
BLUE POINT DEVELOPMENT INC		Employer identification number 26-3541207

Part I Tax Return Information (Whole dollars only)	
1 Total income (Form 1120, line 11)	1 1,284,441
2 Taxable income (Form 1120, line 30)	2 49,402
3 Total tax (Form 1120, line 31)	3 7,410
4 Amount owed (Form 1120, line 34)	4 7,410
5 Overpayment (Form 1120, line 35)	5

**Part II Declaration and Signature Authorization of Officer (Be sure to get a copy of the corporation's return)**

Under penalties of perjury, I declare that I am an officer of the above corporation and that I have examined a copy of the corporation's 2014 electronic income tax return and accompanying schedules and statements and to the best of my knowledge and belief, it is true, correct, and complete. I further declare that the amounts in Part I above are the amounts shown on the copy of the corporation's electronic income tax return. I consent to allow my electronic return originator (ERO), transmitter, or intermediate service provider to send the corporation's return to the IRS and to receive from the IRS (a) an acknowledgement of receipt or reason for rejection of the transmission, (b) the reason for any delay in processing the return or refund, and (c) the date of any refund. If applicable, I authorize the U.S. Treasury and its designated Financial Agent to initiate an electronic funds withdrawal (direct debit) entry to the financial institution account indicated in the tax preparation software for payment of the corporation's federal taxes owed on this return, and the financial institution to debit the entry to this account. To revoke a payment, I must contact the U.S. Treasury Financial Agent at 1-888-353-4537 no later than 2 business days prior to the payment (settlement) date. I also authorize the financial institutions involved in the processing of the electronic payment of taxes to receive confidential information necessary to answer inquiries and resolve issues related to the payment. I have selected a personal identification number (PIN) as my signature for the corporation's electronic income tax return and, if applicable, the corporation's consent to electronic funds withdrawal.

Officer's PIN: check one box only

- ☒ I authorize ROBERT S SEMONIAN CPA to enter my PIN 12345 as my signature  
ERO firm name do not enter all zeros  
on the corporation's 2014 electronically filed income tax return.
- ☐ As an officer of the corporation, I will enter my PIN as my signature on the corporation's 2014 electronically filed income tax return.

Officer's signature \_\_\_\_\_ Date 05-21-2015 Title PRESIDENT

**Part III Certification and Authentication**

ERO's EFIN/PIN. Enter your six-digit EFIN followed by your five-digit self-selected PIN. 950884 98765  
do not enter all zeros

I certify that the above numeric entry is my PIN, which is my signature on the 2014 electronically filed income tax return for the corporation indicated above. I confirm that I am submitting this return in accordance with the requirements of Pub. 3112, IRS e-file Application and Participation, and Pub. 4163, Modernized e-File (MeF) Information for Authorized IRS e-file Providers for Business Returns.

ERO's signature \_\_\_\_\_ Date 09-16-2018

**ERO Must Retain This Form - See Instructions**  
**Do Not Submit This Form to the IRS Unless Requested To Do So**

# Federal Supporting Statements

2014 PG 1

Name(s) as shown on return

BLUE POINT DEVELOPMENT INC

FEIN

26-3541207

FORM 1120 PAGE 1

Statement #5

## DESCRIPTION

## AMOUNT

BANK CHARGES	6,173
COMPUTER	848
LIABILITY INSURANCE	7,174
JANITORIAL	1,520
LEGAL AND PROFESSIONAL	30,409
MEALS AND ENTERTAINMENT 50% LIMIT	5,742
OFFICE EXPENSE	2,156
OUTSIDE SERVICES AND INDEPENDENT CONTRACTORS	9,190
PAYROLL PROCESSING EXPENSES	777
SECURITY	391
TRAVEL	1,888
UTILITIES	4,639
TRUCK AND AUTO	11,874
STORAGE	250

TOTAL

83,031

Form 1120, Schedule L, Line 18

PG01  
Statement #11

## Description

## Beg Of Year End Of Year

INCOME TAXES PAYABLE

832 7,410

Total

832 7,410

1125-A Line 5

PG01  
Statement #7

## DESCRIPTION

## AMOUNT

SUB CONTRACTOR FEES	493,841
WORKERS COMP INSURANCE	2,797
OTHER CONSTRUCTION COSTS	750,247
PERMITS AND TAXES	5,949
BLUE PRINTS	2,000
CONSTRUCTION MATERIALS	187,009

TOTAL:

1,441,843



Schedule L Balance Sheets per Books		Beginning of tax year		End of tax year	
Assets		(a)	(b)	(c)	(d)
1	Cash . . . . .		50,019		110,739
2a	Trade notes and accounts receivable . . . . .				
b	Less allowance for bad debts . . . . .	( )		( )	
3	Inventories . . . . .				
4	U.S. government obligations . . . . .				
5	Tax-exempt securities (see instructions) . . . . .				
6	Other current assets (attach statement) . . . . .				
7	Loans to shareholders . . . . .				
8	Mortgage and real estate loans . . . . .				
9	Other investments (attach statement) . . . . .				
10a	Buildings and other depreciable assets . . . . .	301,084		390,649	
b	Less accumulated depreciation . . . . .	( 301,084 )		( 357,205 )	33,444
11a	Depletable assets . . . . .				
b	Less accumulated depletion . . . . .	( )		( )	
12	Land (net of any amortization) . . . . .				
13a	Intangible assets (amortizable only) . . . . .				
b	Less accumulated amortization . . . . .	( )		( )	
14	Other assets (attach statement) . . . . .				
15	Total assets . . . . .		50,019		144,183
<b>Liabilities and Shareholders' Equity</b>					
16	Accounts payable . . . . .				
17	Mortgages, notes, bonds payable in less than 1 year . . . . .		3,019		33,055
18	Other current liabilities (attach statement) . . . . .	Statement #11	832		7,410
19	Loans from shareholders . . . . .		18,840		40,140
20	Mortgages, notes, bonds payable in 1 year or more . . . . .				
21	Other liabilities (attach statement) . . . . .				
22	Capital stock: a Preferred stock . . . . .				
	b Common stock . . . . .	1,000	1,000	1,000	1,000
23	Additional paid-in capital . . . . .		25,000		25,000
24	Retained earnings-Appropriated (attach statement) . . . . .				
25	Retained earnings-Unappropriated . . . . .		1,328		37,578
26	Adjustments to shareholders' equity (attach statement) . . . . .				
27	Less cost of treasury stock . . . . .		( )		( )
28	Total liabilities and shareholders' equity . . . . .		50,019		144,183

**Schedule M-1 Reconciliation of Income (Loss) per Books With Income per Return**

Note: The corporation may be required to file Schedule M-3 (see instructions).

1	Net income (loss) per books . . . . .	36,250	7	Income recorded on books this year not included on this return (itemize):	
2	Federal income tax per books . . . . .	7,410		Tax-exempt interest \$	
3	Excess of capital losses over capital gains . . . . .				
4	Income subject to tax not recorded on books this year (itemize):				
5	Expenses recorded on books this year not deducted on this return (itemize):		8	Deductions on this return not charged against book income this year (itemize):	
a	Depreciation . . . . . \$		a	Depreciation . . . . . \$	
b	Charitable contributions . . . . . \$		b	Charitable contributions . . . . . \$	
c	Travel and entertainment . . . . . \$ 5,742				
		5,742	9	Add lines 7 and 8 . . . . .	
6	Add lines 1 through 5 . . . . .	49,402	10	Income (page 1, line 28)-line 6 less line 9	49,402

**Schedule M-2 Analysis of Unappropriated Retained Earnings per Books (Line 25, Schedule L)**

1	Balance at beginning of year . . . . .	1,328	5	Distributions: a Cash . . . . .	
2	Net income (loss) per books . . . . .	36,250		b Stock . . . . .	
3	Other increases (itemize):			c Property . . . . .	
			6	Other decreases (itemize):	
			7	Add lines 5 and 6 . . . . .	
4	Add lines 1, 2, and 3 . . . . .	37,578	8	Balance at end of year (line 4 less line 7)	37,578

**Cost of Goods Sold**

OMB No. 1545-2225

(Rev. December 2012)

Department of the Treasury  
Internal Revenue Service

▶ Attach to Form 1120, 1120-C, 1120-F, 1120S, 1065, or 1065-B.

▶ Information about Form 1125-A and its instructions is at [www.irs.gov/form1125a](http://www.irs.gov/form1125a).

Name

Employer identification number

BLUE POINT DEVELOPMENT INC

26-3541207

1	Inventory at beginning of year	1	
2	Purchases	2	
3	Cost of labor	3	
4	Additional section 263A costs (attach schedule)	4	
5	Other costs (attach schedule)	5	1,441,843
6	<b>Total.</b> Add lines 1 through 5	6	1,441,843
7	Inventory at end of year	7	
8	<b>Cost of goods sold.</b> Subtract line 7 from line 6. Enter here and on Form 1120, page 1, line 2 or the appropriate line of your tax return (see instructions)	8	1,441,843

9a Check all methods used for valuing closing inventory:

(i) ☒ Cost

(ii) ☐ Lower of cost or market

(iii) ☐ Other (Specify method used and attach explanation.) ▶

b Check if there was a writedown of subnormal goods ▶ ☐

c Check if the LIFO inventory method was adopted this tax year for any goods (if checked, attach Form 970) ▶ ☐

d If the LIFO inventory method was used for this tax year, enter amount of closing inventory computed under LIFO 9d

e If property is produced or acquired for resale, do the rules of section 263A apply to the entity (see instructions)? . . . . ☐ Yes ☒ No

f Was there any change in determining quantities, cost, or valuations between opening and closing inventory? If "Yes," attach explanation . . . . ☐ Yes ☒ No



# Depreciation Detail Listing

FORM 1120

2014

PAGE 1

\* Item was disposed  
of during current year.

For your records only

Name(s) as shown on return										Social security number/EIN					
BLUE POINT DEVELOPMENT INC										26-3541207					
No.	Description	Date	Cost	Salvage	Business percentage	Section 179	Depreciation Basis	Life	Method	Rate	Current depr.	Accumulated Depreciation	Prior expense	Bonus depreciation	AMT Current
1	TRUCK	05012011	16,000		100.00			0	SL	HY	20	16,000		PY 16,000	
2	OFFICE EQUIPMENT	04012011	9,361		100.00			0	SL	HY	20	9,361		PY 9,361	
3	CONSTRUCTION VEHICLE	12202012	46,000		100.00	46,000		0	SL	HY	20	46,000	46,000		
4	FURN	09012013	7,633		100.00	7,633		0	200 DB	HY	24.49	7,633	7,633		
5	FIXTURES	07012013	134,878		100.00	134,878		0	200 DB	HY	24.49	134,878	134,878		
6	EQUIPMENT	07012013	68,222		100.00	68,222		0	200 DB	HY	24.49	68,222	68,222		
7	OFFICE EQUIPMENT	07012013	18,990		100.00	18,990		0	200 DB	HY	24.49	18,990	18,990		
8	COMPUTER EQUIP	07012014	10,361		100.00	10,361		0	SL	HY	0	10,361			10,361
9	CONSTRUCTION VEHICLE	07012014	44,000		100.00	44,000		0	SL	HY	0	44,000			44,000
10	TENANT IMP	07012014	35,204		100.00		35,204	10	SL	HY	5	1,760			1,760

**Federal Filing Instructions****2014**

Name(s) as shown on return

BLUE POINT DEVELOPMENT INC

Your Social Security Number

26-3541207

Date to file by: 03-16-2015

Form to be filed: Form 1120 and supplemental forms and schedules

Sign and date: An officer must sign and date Form 1120 on page 1.

Address to file: Department of the Treasury  
Internal Revenue Service  
Ogden, UT 84201-0012

Payment: \$7,410

Transaction Method: Use the Electronic Federal Tax Payment System  
(EFTPS) to make federal tax deposits. Do not send  
payments directly to an IRS office.

**Bonus Depreciation Statement****2014** PG01

Name(s) as shown on return

BLUE POINT DEVELOPMENT INC

Employer Identification Number

26-3541207

THE TAXPAYER MAKES THE FOLLOWING ELECTIONS RELATED TO  
BONUS DEPRECIATION FOR THE 2014 TAX YEAR.

I ELECT OUT OF ALL BONUS DEPRECIATION FOR ALL CLASSES OF PROPERTY.



EXHIBIT E

EXHIBIT E

EXHIBIT E

Form	<b>1040</b> Department of the Treasury - Internal Revenue Service <b>U.S. Individual Income Tax Return</b>	(99)	<b>2014</b>	OMB No. 1545-0074	IRS Use Only-Do not write or staple in this space.																																																						
For the year Jan. 1-Dec. 31, 2014, or other tax year beginning , 2014, ending , 20																																																											
Your first name and initial <b>THOMAS A</b>		Last name <b>PICKENS</b>		See separate instructions.																																																							
If a joint return, spouse's first name and initial		Last name		Your social security number <div style="background-color: black; width: 100px; height: 1.2em;"></div>																																																							
				Spouse's social security number																																																							
Home address (number and street). <b>9517 QUEEN CHARLOTTE DR</b>				Apt. no.																																																							
City, town or post office, state, and ZIP code. If you have a foreign address, also complete spaces below (see instructions).																																																											
<b>LAS VEGAS</b>		<b>NV</b>		<b>89145</b>																																																							
Foreign country name		Foreign province/state/county		Foreign postal code																																																							
				<div style="display: flex; justify-content: space-between;"> <span><input type="checkbox"/> You</span> <span><input type="checkbox"/> Spouse</span> </div>																																																							
<b>Filing Status</b> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> 1 <input checked="" type="checkbox"/> Single  2 <input type="checkbox"/> Married filing jointly (even if only one had income)  3 <input type="checkbox"/> Married filing separately. Enter spouse's SSN above and full name here. ▶ </div> <div style="width: 50%;"> 4 <input type="checkbox"/> Head of household (with qualifying person). (See instructions.) If the qualifying person is a child but not your dependent, enter this child's name here.  5 <input type="checkbox"/> Qualifying widow(er) with dependent child </div> </div>																																																											
<b>Exemptions</b> <div style="display: flex; justify-content: space-between;"> <div style="width: 70%;"> 6a <input checked="" type="checkbox"/> Yourself. If someone can claim you as a dependent, do not check box 6a  6b <input type="checkbox"/> Spouse  6c Dependents: <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>(1) First name</th> <th>Last name</th> <th>(2) Dependent's social security number</th> <th>(3) Dependent's relationship to you</th> <th>(4) Chk if child under age 17 qualifying for child tax credit (see instructions)</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td><td><input type="checkbox"/></td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td><input type="checkbox"/></td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td><input type="checkbox"/></td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td><input type="checkbox"/></td></tr> </tbody> </table> </div> <div style="width: 25%;"> Boxes checked on 6a and 6b  No. of children on 6c who:  • lived with you  • did not live with you due to divorce or separation (see instructions)  Dependents on 6c not entered above  Add numbers on lines above ▶ <b>1</b> </div> </div>						(1) First name	Last name	(2) Dependent's social security number	(3) Dependent's relationship to you	(4) Chk if child under age 17 qualifying for child tax credit (see instructions)					<input type="checkbox"/>					<input type="checkbox"/>					<input type="checkbox"/>					<input type="checkbox"/>																													
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For Disclosure, Privacy Act, and Paperwork Reduction Act Notice, see separate instructions.

Form 1040 (2014)

Danka Michaels001263  
AA00611



<b>Tax and Credits</b>		38 Amount from line 37 (adjusted gross income) <span style="float: right;">38 493,448</span> 39a Check <input type="checkbox"/> You were born before January 2, 1950, <input type="checkbox"/> Blind. } Total boxes if: <input type="checkbox"/> Spouse was born before January 2, 1950, <input type="checkbox"/> Blind. checked <input checked="" type="checkbox"/> 39a <input type="checkbox"/> b If your spouse itemizes on a separate return or you were a dual-status alien, check here <input type="checkbox"/> 39b <input type="checkbox"/>			
Standard Deduction for - • People who check any box on line 39a or 39b or who can be claimed as a dependent, see instructions. • All others: Single or Married filing separately, \$6,200 Married filing jointly or Qualifying widow(er), \$12,400 Head of household, \$9,100		40 Itemized deductions (from Schedule A) or your standard deduction (see left margin) <span style="float: right;">40 6,200</span> 41 Subtract line 40 from line 38 <span style="float: right;">41 487,248</span> 42 Exemptions. If line 38 is \$152,525 or less, multiply \$3,950 by the number on line 6d. Otherwise, see instructions <span style="float: right;">42 0</span> 43 Taxable income. Subtract line 42 from line 41. If line 42 is more than line 41, enter -0- <span style="float: right;">43 487,248</span> 44 Tax (see instructions). Check if any from: a <input type="checkbox"/> Form(s) 8814 b <input type="checkbox"/> Form 4972 c <input type="checkbox"/> <span style="float: right;">44 149,996</span> 45 Alternative minimum tax (see instructions). Attach Form 6251 <span style="float: right;">45</span> 46 Excess advance premium tax credit repayment. Attach Form 8962 <span style="float: right;">46</span> 47 Add lines 44, 45, and 46 <span style="float: right;">47 149,996</span> 48 Foreign tax credit. Attach Form 1116 if required <span style="float: right;">48</span> 49 Credit for child and dependent care expenses. Attach Form 2441 <span style="float: right;">49</span> 50 Education credits from Form 8863, line 19 <span style="float: right;">50</span> 51 Retirement savings contributions credit. Attach Form 8880 <span style="float: right;">51</span> 52 Child tax credit. Attach Schedule 8812, if required <span style="float: right;">52</span> 53 Residential energy credit. Attach Form 5695 <span style="float: right;">53</span> 54 Other credits from Form: a <input type="checkbox"/> 3800 b <input type="checkbox"/> 8801 c <input type="checkbox"/> <span style="float: right;">54</span> 55 Add lines 48 through 54. These are your total credits <span style="float: right;">55</span> 56 Subtract line 55 from line 47. If line 55 is more than line 47, enter -0- <span style="float: right;">56 149,996</span> 57 Self-employment tax. Attach Schedule SE <span style="float: right;">57</span> 58 Unreported social security and Medicare tax from Form: a <input type="checkbox"/> 4137 b <input type="checkbox"/> 8919 <span style="float: right;">58</span> 59 Additional tax on IRAs, other qualified retirement plans, etc. Attach Form 5329 if required <span style="float: right;">59</span> 60 a Household employment taxes from Schedule H <span style="float: right;">60a</span> b First-time homebuyer credit repayment. Attach Form 5405 if required <span style="float: right;">60b</span> 61 Health care: individual responsibility (see instructions) Full-year coverage <input checked="" type="checkbox"/> <span style="float: right;">61</span> 62 Taxes from: a <input checked="" type="checkbox"/> Form 8959 b <input type="checkbox"/> Form 8960 c <input type="checkbox"/> Instructions; enter code(s) <span style="float: right;">62 2,774</span> 63 Add lines 56 through 62. This is your total tax <span style="float: right;">63 152,770</span>			
<b>Other Taxes</b>		64 Federal income tax withheld from Forms W-2 and 1099 <span style="float: right;">64 120,330</span> 65 2014 estimated tax payments and amount applied from 2013 return <span style="float: right;">65</span> 66a Earned income credit (EIC) <span style="float: right;">66a</span> b Nontaxable combat pay election <span style="float: right;">66b</span> 67 Additional child tax credit. Attach Schedule 8812 <span style="float: right;">67</span> 68 American opportunity credit from Form 8863, line 8 <span style="float: right;">68</span> 69 Net premium tax credit. Attach Form 8962 <span style="float: right;">69</span> 70 Amount paid with request for extension to file <span style="float: right;">70</span> 71 Excess social security and tier 1 RRTA tax withheld <span style="float: right;">71 2,176</span> 72 Credit for federal tax on fuels. Attach Form 4136 <span style="float: right;">72</span> 73 Credits from Form: a <input type="checkbox"/> 2439 b <input type="checkbox"/> Reserved c <input type="checkbox"/> Reserved d <input type="checkbox"/> <span style="float: right;">73</span> 74 Add lines 64, 65, 66a, and 67 through 73. These are your total payments <span style="float: right;">74 122,506</span>			
<b>Payments</b>		75 If line 74 is more than line 63, subtract line 63 from line 74. This is the amount you overpaid <span style="float: right;">75</span> 76a Amount of line 75 you want refunded to you. If Form 8888 is attached, check here <input type="checkbox"/> <span style="float: right;">76a</span> b Routing number <span style="float: right;">b</span> c Type: <input type="checkbox"/> Checking <input type="checkbox"/> Savings <span style="float: right;">c</span> d Account number <span style="float: right;">d</span> 77 Amount of line 75 you want applied to your 2015 estimated tax <span style="float: right;">77</span> 78 Amount you owe. Subtract line 74 from line 63. For details on how to pay, see instructions <span style="float: right;">78 30,264</span> 79 Estimated tax penalty (see instructions) <span style="float: right;">79</span>			
<b>Refund</b>		75 If line 74 is more than line 63, subtract line 63 from line 74. This is the amount you overpaid <span style="float: right;">75</span> 76a Amount of line 75 you want refunded to you. If Form 8888 is attached, check here <input type="checkbox"/> <span style="float: right;">76a</span> b Routing number <span style="float: right;">b</span> c Type: <input type="checkbox"/> Checking <input type="checkbox"/> Savings <span style="float: right;">c</span> d Account number <span style="float: right;">d</span> 77 Amount of line 75 you want applied to your 2015 estimated tax <span style="float: right;">77</span> 78 Amount you owe. Subtract line 74 from line 63. For details on how to pay, see instructions <span style="float: right;">78 30,264</span> 79 Estimated tax penalty (see instructions) <span style="float: right;">79</span>			
<b>Amount You Owe</b>		78 Amount you owe. Subtract line 74 from line 63. For details on how to pay, see instructions <span style="float: right;">78 30,264</span> 79 Estimated tax penalty (see instructions) <span style="float: right;">79</span>			
<b>Third Party Designee</b>		Do you want to allow another person to discuss this return with the IRS (see instructions)? <input type="checkbox"/> Yes. Complete below. <input checked="" type="checkbox"/> No Designee's name <span style="float: right;">Designee's name</span> Phone no. <span style="float: right;">Phone no.</span> Personal identification number (PIN) <span style="float: right;">Personal identification number (PIN)</span>			
<b>Sign Here</b>		Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge. Your signature <span style="float: right;">Your signature</span> Date <span style="float: right;">Date</span> Your occupation <span style="float: right;">Your occupation</span> Daytime phone number <span style="float: right;">Daytime phone number</span> Spouse's signature. If a joint return, both must sign. <span style="float: right;">Spouse's signature</span> Date <span style="float: right;">Date</span> Spouse's occupation <span style="float: right;">Spouse's occupation</span> Identity Protection PIN (see inst.) <span style="float: right;">Identity Protection PIN (see inst.)</span>			
<b>Joint return? See instructions. Keep a copy for your records.</b>		Preparer's signature <span style="float: right;">Preparer's signature</span> Date <span style="float: right;">Date</span> Check <input checked="" type="checkbox"/> if self-employed <span style="float: right;">Check <input checked="" type="checkbox"/> if self-employed</span> PTIN <span style="float: right;">PTIN</span>			
<b>Paid Preparer Use Only</b>		Print/Type preparer's name <span style="float: right;">Print/Type preparer's name</span> Firm's name <span style="float: right;">Firm's name</span> Firm's address <span style="float: right;">Firm's address</span> Firm's EIN <span style="float: right;">Firm's EIN</span> Phone no. <span style="float: right;">Phone no.</span>			



SCHEDULE E  
(Form 1040)

Department of the Treasury  
Internal Revenue Service (99)

Supplemental Income and Loss

(From rental real estate, royalties, partnerships, S corporations, estates, trusts, REMICs, etc.)

▶ Attach to Form 1040, 1040NR, or Form 1041.

▶ Information about Schedule E and its separate instructions is at [www.irs.gov/schedulee](http://www.irs.gov/schedulee).

OMB No. 1545-0074

2014

Attachment  
Sequence No. 13

Name(s) shown on return

Your social security number

THOMAS A PICKENS

**Part I** Income or Loss From Rental Real Estate and Royalties Note. If you are in the business of renting personal property, use Schedule C or C-EZ (see instructions). If you are an individual, report farm rental income or loss from Form 4835 on page 2, line 40.

A Did you make any payments in 2014 that would require you to file Form(s) 1099? (see instructions)

☐ Yes ☒ No

B If "Yes," did you or will you file required Forms 1099?

☐ Yes ☐ No

1a Physical address of each property (street, city, state, ZIP code)

A 7608 LOWE AVE LAS VEGAS NV 89131

B

C

1b Type of Property  
(from list below)

A 1

B

C

2 For each rental real estate property listed above, report the number of fair rental and personal use days. Check the QJV box only if you meet the requirements to file as a qualified joint venture. See instructions.

Fair Rental  
Days

A 365

B

C

Personal Use  
Days

0

QJV

☐

☐

☐

Type of Property:

1 Single Family Residence

3 Vacation/Short-Term Rental

5 Land

7 Self-Rental

2 Multi-Family Residence

4 Commercial

6 Royalties

8 Other (describe)

Income:

Properties:

A

B

C

3 Rents received

3

4,800

4 Royalties received

4

Expenses:

5 Advertising

5

6 Auto and travel (see instructions)

6

7 Cleaning and maintenance

7

8 Commissions

8

9 Insurance

9

502

10 Legal and other professional fees

10

11 Management fees

11

12 Mortgage interest paid to banks, etc. (see instructions)

12

2,734

13 Other interest

13

14 Repairs

14

15 Supplies

15

16 Taxes

16

571

17 Utilities

17

18 Depreciation expense or depletion

18

1,653

19 Other (list) ▶ HOA

19

780

20 Total expenses. Add lines 5 through 19

20

6,240

21 Subtract line 20 from line 3 (rents) and/or 4 (royalties). If result is a (loss), see instructions to find out if you must file Form 6198

21

(1,440)

22 Deductible rental real estate loss after limitation, if any, on Form 8582 (see instructions)

22

( ) ( ) ( )

23a Total of all amounts reported on line 3 for all rental properties

23a

4,800

b Total of all amounts reported on line 4 for all royalty properties

23b

c Total of all amounts reported on line 12 for all properties

23c

2,734

d Total of all amounts reported on line 18 for all properties

23d

1,653

e Total of all amounts reported on line 20 for all properties

23e

6,240

24 Income. Add positive amounts shown on line 21. Do not include any losses

24

0

25 Losses. Add royalty losses from line 21 and rental real estate losses from line 22. Enter total losses here

25

( 0 )

26 Total rental real estate and royalty income or (loss). Combine lines 24 and 25. Enter the result here.

26

0

If Parts II, III, IV, and line 40 on page 2 do not apply to you, also enter this amount on Form 1040, line 17, or Form 1040NR, line 18. Otherwise, include this amount in the total on line 41 on page 2

For Paperwork Reduction Act Notice, see the separate instructions.

Schedule E (Form 1040) 2014

EEA

Danka Michaels001265

AA00613

Name(s) shown on return. Do not enter name and social security number if shown on page 1.

THOMAS A PICKENS

Your social security number

Caution. The IRS compares amounts reported on your tax return with amounts shown on Schedule(s) K-1.

**Part II Income or Loss From Partnerships and S Corporations** Note. If you report a loss from an at-risk activity for which any amount is not at risk, you must check the box in column (e) on line 28 and attach Form 6198. See instructions.

- 27 Are you reporting any loss not allowed in a prior year due to the at-risk, excess farm loss, or basis limitations, a prior year unallowed loss from a passive activity (if that loss was not reported on Form 8582), or unreimbursed partnership expenses? If you answered "Yes," see instructions before completing this section. ☐ Yes ☒ No

28	(a) Name	(b) Enter P for partnership; S for S corporation	(c) Check if foreign partnership	(d) Employer identification number	(e) Check if any amount is not at risk
A	PATIENCE ONE LLC	P	<input type="checkbox"/>	45-5302432	<input type="checkbox"/>
B			<input type="checkbox"/>		<input type="checkbox"/>
C			<input type="checkbox"/>		<input type="checkbox"/>
D			<input type="checkbox"/>		<input type="checkbox"/>

Passive Income and Loss		Nonpassive Income and Loss	
(f) Passive loss allowed (attach Form 8582 if required)	(g) Passive income from Schedule K-1	(h) Nonpassive loss from Schedule K-1	(i) Section 179 expense deduction from Form 4562
A		2,048	
B			
C			
D			
29a Totals			
b Totals		2,048	
30 Add columns (g) and (i) of line 29a	30		
31 Add columns (f), (h), and (i) of line 29b	31 ( 2,048 )		
32 Total partnership and S corporation income or (loss). Combine lines 30 and 31. Enter the result here and include in the total on line 41 below	32 ( 2,048 )		

**Part III Income or Loss From Estates and Trusts**

33	(a) Name	(b) Employer identification number
A		
B		

Passive Income and Loss		Nonpassive Income and Loss	
(c) Passive deduction or loss allowed (attach Form 8582 if required)	(d) Passive income from Schedule K-1	(e) Deduction or loss from Schedule K-1	(f) Other income from Schedule K-1
A			
B			
34a Totals			
b Totals			
35 Add columns (d) and (f) of line 34a	35		
36 Add columns (c) and (e) of line 34b	36 ( )		
37 Total estate and trust income or (loss). Combine lines 35 and 36. Enter the result here and include in the total on line 41 below	37		

**Part IV Income or Loss From Real Estate Mortgage Investment Conduits (REMICs) - Residual Holder**

38	(a) Name	(b) Employer identification number	(c) Excess inclusion from Schedules Q, line 2c (see instructions)	(d) Taxable income (net loss) from Schedules Q, line 1b	(e) Income from Schedules Q, line 3b

39 Combine columns (d) and (e) only. Enter the result here and include in the total on line 41 below . . . . . 39

**Part V Summary**

40 Net farm rental income or (loss) from Form 4835. Also, complete line 42 below	40	
41 Total income or (loss). Combine lines 26, 32, 37, 39, and 40. Enter the result here and on Form 1040, line 17, or Form 1040NR, line 18	41	( 2,048 )
42 Reconciliation of farming and fishing income. Enter your gross farming and fishing income reported on Form 4835, line 7; Schedule K-1 (Form 1065), box 14, code B; Schedule K-1 (Form 1120S), box 17, code V; and Schedule K-1 (Form 1041), box 14, code F (see instructions)	42	
43 Reconciliation for real estate professionals. If you were a real estate professional (see instructions), enter the net income or (loss) you reported anywhere on Form 1040 or Form 1040NR from all rental real estate activities in which you materially participated under the passive activity loss rules	43	



Form 4562

# Depreciation and Amortization (Including Information on Listed Property)

OMB No. 1545-0172

2014

Attachment  
Sequence No. 179
Department of the Treasury  
Internal Revenue Service (99)  
Name(s) shown on return

► Attach to your tax return.  
► Information about Form 4562 and its separate instructions is at [www.irs.gov/form4562](http://www.irs.gov/form4562).

Business or activity to which this form relates

Identifying number

THOMAS A PICKENS

SCHEDULE E - 1

**Part I Election To Expense Certain Property Under Section 179**

Note: If you have any listed property, complete Part V before you complete Part I.

1	Maximum amount (see instructions)	1	
2	Total cost of section 179 property placed in service (see instructions)	2	
3	Threshold cost of section 179 property before reduction in limitation (see instructions)	3	
4	Reduction in limitation. Subtract line 3 from line 2. If zero or less, enter -0-	4	
5	Dollar limitation for tax year. Subtract line 4 from line 1. If zero or less, enter -0-. If married filing separately, see instructions	5	
6	(a) Description of property	(b) Cost (business use only)	(c) Elected cost
7	Listed property. Enter the amount from line 29	7	
8	Total elected cost of section 179 property. Add amounts in column (c), lines 6 and 7	8	
9	Tentative deduction. Enter the smaller of line 5 or line 8	9	
10	Carryover of disallowed deduction from line 13 of your 2013 Form 4562	10	
11	Business income limitation. Enter the smaller of business income (not less than zero) or line 5 (see instructions)	11	
12	Section 179 expense deduction. Add lines 9 and 10, but do not enter more than line 11	12	
13	Carryover of disallowed deduction to 2015. Add lines 9 and 10, less line 12	13	

Note: Do not use Part II or Part III below for listed property. Instead, use Part V.

**Part II Special Depreciation Allowance and Other Depreciation** (Do not include listed property.) (See instructions.)

14	Special depreciation allowance for qualified property (other than listed property) placed in service during the tax year (see instructions)	14	
15	Property subject to section 168(f)(1) election	15	
16	Other depreciation (including ACRS)	16	

**Part III MACRS Depreciation** (Do not include listed property.) (See instructions.)**Section A**

17	MACRS deductions for assets placed in service in tax years beginning before 2014	17	1,653
18	If you are electing to group any assets placed in service during the tax year into one or more general asset accounts, check here <input type="checkbox"/>		

**Section B - Assets Placed in Service During 2014 Tax Year Using the General Depreciation System**

(a) Classification of property	(b) Month and year placed in service	(c) Basis for depreciation (business/investment use only-see instructions)	(d) Recovery period	(e) Convention	(f) Method	(g) Depreciation deduction
19a 3-year property						
b 5-year property						
c 7-year property						
d 10-year property						
e 15-year property						
f 20-year property						
g 25-year property			25 yrs.		S/L	
h Residential rental property			27.5 yrs.	MM	S/L	
i Nonresidential real property			39 yrs.	MM	S/L	

**Section C - Assets Placed in Service During 2014 Tax Year Using the Alternative Depreciation System**

20a Class life					S/L	
b 12-year			12 yrs.		S/L	
c 40-year			40 yrs.	MM	S/L	

**Part IV Summary** (See instructions.)

21	Listed property. Enter amount from line 28	21	
22	Total. Add amounts from line 12, lines 14 through 17, lines 19 and 20 in column (g), and line 21. Enter here and on the appropriate lines of your return. Partnerships and S corporations - see instructions	22	1,653
23	For assets shown above and placed in service during the current year, enter the portion of the basis attributable to section 263A costs	23	

For Paperwork Reduction Act Notice, see separate instructions.

Form 4562 (2014)

EEA

Danka Michaels001267  
AA00615



Form **8582****Passive Activity Loss Limitations**

OMB No. 1545-1008

**2014**Attachment  
Sequence No. **88**Department of the Treasury  
Internal Revenue Service (99)

▶ See separate instructions.

▶ Attach to Form 1040 or Form 1041.

▶ Information about Form 8582 and its instructions is available at [www.irs.gov/form8582](http://www.irs.gov/form8582).

Name(s) shown on return

Identifying number

THOMAS A PICKENS

**Part I 2014 Passive Activity Loss**

Caution: Complete Worksheets 1, 2, and 3 before completing Part I.

**Rental Real Estate Activities With Active Participation** (For the definition of active participation, see**Special Allowance for Rental Real Estate Activities** in the instructions.)

1a	Activities with net income (enter the amount from Worksheet 1, column (a))	1a		
b	Activities with net loss (enter the amount from Worksheet 1, column (b))	1b	( 1,440 )	
c	Prior years unallowed losses (enter the amount from Worksheet 1, column (c))	1c	( 1,762 )	
d	Combine lines 1a, 1b, and 1c	1d		( 3,202 )

**Commercial Revitalization Deductions From Rental Real Estate Activities**

2a	Commercial revitalization deductions from Worksheet 2, column (a)	2a	( )	
b	Prior year unallowed commercial revitalization deductions from Worksheet 2, column (b)	2b	( )	
c	Add lines 2a and 2b	2c	( )	

**All Other Passive Activities**

3a	Activities with net income (enter the amount from Worksheet 3, column (a))	3a		
b	Activities with net loss (enter the amount from Worksheet 3, column (b))	3b	( )	
c	Prior years unallowed losses (enter the amount from Worksheet 3, column (c))	3c	( )	
d	Combine lines 3a, 3b, and 3c	3d		

4	Combine lines 1d, 2c, and 3d. If this line is zero or more, stop here and include this form with your return; all losses are allowed, including any prior year unallowed losses entered on line 1c, 2b, or 3c. Report the losses on the forms and schedules normally used	4		( 3,202 )
---	---	---	--	-----------

If line 4 is a loss and:

- Line 1d is a loss, go to Part II.
- Line 2c is a loss (and line 1d is zero or more), skip Part II and go to Part III.
- Line 3d is a loss (and lines 1d and 2c are zero or more), skip Parts II and III and go to line 15.

**Caution:** If your filing status is married filing separately and you lived with your spouse at any time during the year, **do not** complete Part II or Part III. Instead, go to line 15.

**Part II Special Allowance for Rental Real Estate Activities With Active Participation**

Note: Enter all numbers in Part II as positive amounts. See instructions for an example.

5	Enter the <b>smaller</b> of the loss on line 1d or the loss on line 4	5		3,202
6	Enter \$150,000. If married filing separately, see instructions	6	150,000	
7	Enter modified adjusted gross income, but not less than zero (see inst.)	7	493,448	
8	Subtract line 7 from line 6	8		
9	Multiply line 8 by 50% (.5). <b>Do not</b> enter more than \$25,000. If married filing separately, see instructions	9		
10	Enter the <b>smaller</b> of line 5 or line 9	10		0

If line 2c is a loss, go to Part III. Otherwise, go to line 15.

**Part III Special Allowance for Commercial Revitalization Deductions From Rental Real Estate Activities**

Note: Enter all numbers in Part III as positive amounts. See the example for Part II in the instructions.

11	Enter \$25,000 reduced by the amount, if any, on line 10. If married filing separately, see instructions	11		
12	Enter the loss from line 4	12		
13	Reduce line 12 by the amount on line 10	13		
14	Enter the <b>smallest</b> of line 2c (treated as a positive amount), line 11, or line 13	14		

**Part IV Total Losses Allowed**

15	Add the income, if any, on lines 1a and 3a and enter the total	15		
16	<b>Total losses allowed from all passive activities for 2014.</b> Add lines 10, 14, and 15. See instructions to find out how to report the losses on your tax return	16		0

For Paperwork Reduction Act Notice, see instructions.

Form 8582 (2014)

EEA

Danka Michaels001268  
AA00616

# Payment Voucher Filing Instructions

2014

Date to file by: 04-15-2015

Payment: \$30,264

Address to file: Internal Revenue Service  
P.O. Box 7704  
San Francisco, CA 94120-7704

Other Instructions: If paper-filing your 2014 return, mail the tax return, voucher, and check to the address on the voucher. Do not staple the voucher and payment to the return or to each other.

If your return was e-filed, mail the voucher and check to the address on the voucher.

Make your check or money order payable to "United States Treasury". Enter your SSN and "2014 Form 1040" on your check or money order.

To pay by credit card, go to [www.1040paytax.com](http://www.1040paytax.com).

## Taxpayer Records:

Amount Paid \_\_\_\_\_

Check Number \_\_\_\_\_

Date Mailed \_\_\_\_\_

Form 1040-V (2014)

Detach Here and Mail With Your Payment and Return

<b>Form 1040-V</b> Department of the Treasury Internal Revenue Service (99)		<b>Payment Voucher</b>		OMB No. 1545-0074 <b>2014</b>	
Do not staple or attach this voucher to your payment or return.					
1 Your social security number (SSN) [REDACTED]		2 If a joint return, SSN shown second on your return		3 Amount you are paying by check or money order. Make your check or money order payable to "United States Treasury" Dollars 30,264 Cents	

EEA

THOMAS A PICKENS  
9517 QUEEN CHARLOTTE DR  
LAS VEGAS, NV 89145

Internal Revenue Service  
P.O. Box 7704  
San Francisco, CA 94120-7704

For Paperwork Reduction Act Notice, see your tax return instructions.

WS PICK 30 0 201412 610

Danka Michaels001269  
AA00617



Form **8879****IRS e-file Signature Authorization**

OMB No. 1545-0074

Department of the Treasury  
Internal Revenue Service

▶ Do not send to the IRS. This is not a tax return.

▶ Keep this form for your records.

▶ Information about Form 8879 and its instructions is at [www.irs.gov/form8879](http://www.irs.gov/form8879).**2014**

Submission Identification Number (SID)

00-950884-002725

Taxpayer's name

THOMAS A PICKENS

Social security number

Spouse's social security number

**Part I Tax Return Information - Tax Year Ending December 31, 2014** (Whole Dollars Only)

1	Adjusted gross income (Form 1040, line 38; Form 1040A, line 22; Form 1040EZ, line 4)	1	493,448
2	Total tax (Form 1040, line 63; Form 1040A, line 39; Form 1040EZ, line 12)	2	152,770
3	Federal income tax withheld (Form 1040, line 64; Form 1040A, line 40; Form 1040EZ, line 7)	3	120,330
4	Refund (Form 1040, line 76a; Form 1040A, line 48a; Form 1040EZ, line 13a; Form 1040-SS, Part I, line 13a)	4	
5	Amount you owe (Form 1040, line 78; Form 1040A, line 50; Form 1040EZ, line 14)	5	30,264

**Part II Taxpayer Declaration and Signature Authorization (Be sure you get and keep a copy of your return)**

Under penalties of perjury, I declare that I have examined a copy of my electronic individual income tax return and accompanying schedules and statements for the tax year ending December 31, 2014, and to the best of my knowledge and belief, it is true, correct, and complete. I further declare that the amounts in Part I above are the amounts from my electronic income tax return. I consent to allow my intermediate service provider, transmitter, or electronic return originator (ERO) to send my return to the IRS and to receive from the IRS (a) an acknowledgement of receipt or reason for rejection of the transmission, (b) the reason for any delay in processing the return or refund, and (c) the date of any refund. If applicable, I authorize the U.S. Treasury and its designated Financial Agent to initiate an ACH electronic funds withdrawal (direct debit) entry to the financial institution account indicated in the tax preparation software for payment of my federal taxes owed on this return and/or a payment of estimated tax, and the financial institution to debit the entry to this account. This authorization is to remain in full force and effect until I notify the U.S. Treasury Financial Agent to terminate the authorization. To revoke (cancel) a payment, I must contact the U.S. Treasury Financial Agent at 1-888-353-4537. Payment cancellation requests must be received no later than 2 business days prior to the payment (settlement) date. I also authorize the financial institutions involved in the processing of the electronic payment of taxes to receive confidential information necessary to answer inquiries and resolve issues related to the payment. I further acknowledge that the personal identification number (PIN) below is my signature for my electronic income tax return and, if applicable, my Electronic Funds Withdrawal Consent.

Taxpayer's PIN: check one box only

☒ I authorize ROBERT S SEMONIAN CPA to enter or generate my PIN 00578  
ERO firm name Enter five digits, but do not enter all zeros  
as my signature on my tax year 2014 electronically filed income tax return.

☐ I will enter my PIN as my signature on my tax year 2014 electronically filed income tax return. Check this box **only** if you are entering your own PIN and your return is filed using the Practitioner PIN method. The ERO must complete Part III below.

Your signature ▶

Date ▶

Spouse's PIN: check one box only

☐ I authorize \_\_\_\_\_ to enter or generate my PIN \_\_\_\_\_  
ERO firm name Enter five digits, but do not enter all zeros  
as my signature on my tax year 2014 electronically filed income tax return.

☐ I will enter my PIN as my signature on my tax year 2014 electronically filed income tax return. Check this box **only** if you are entering your own PIN and your return is filed using the Practitioner PIN method. The ERO must complete Part III below.

Spouse's signature ▶

Date ▶

**Practitioner PIN Method Returns Only - continue below****Part III Certification and Authentication - Practitioner PIN Method Only**

ERO's EFIN/PIN. Enter your six-digit EFIN followed by your five-digit self-selected PIN.

950884-98765

Do not enter all zeros

I certify that the above numeric entry is my PIN, which is my signature for the tax year 2014 electronically filed income tax return for the taxpayer(s) indicated above. I confirm that I am submitting this return in accordance with the requirements of the Practitioner PIN method and Publication 1345, Handbook for Authorized IRS e-file Providers of Individual Income Tax Returns.

ERO's signature ▶

Date ▶ 09-16-2018**ERO Must Retain This Form - See Instructions****Do Not Submit This Form to the IRS Unless Requested To Do So**

For Paperwork Reduction Act Notice, see your tax return instructions.

Form 8879 (2014)

EEA

Danka Michaels001270  
AA00618

Department of the Treasury - Internal Revenue Service  
**Acknowledgement and General Information for  
Taxpayers Who File Returns Electronically**

Thank you for participating in IRS e-file.

Taxpayer name THOMAS A PICKENS

Taxpayer address (optional)

9517 QUEEN CHARLOTTE DR  
LAS VEGAS, NV 89145

1. ☒ Your federal income tax return for 2014 was filed electronically with the FRESNO Submission Processing Center. The electronic filing services were provided by ROBERT S SEMONIAN CPA.
2. ☒ Your return was accepted on 10-12-2015 using a Personal Identification Number (PIN) as your electronic signature. You entered a PIN or authorized the Electronic Return Originator (ERO) to enter or generate a PIN for you. The Submission ID assigned to your return is 950884 \_\_\_\_\_  
DCN: 00-950884-002725
3. ☐ Your return was accepted on \_\_\_\_\_. Allow 4 to 6 weeks for the processing of your return. The Earned Income Credit or a dependent's exemption on your return may be reduced or disallowed due to a child's name and social security number mismatch.
4. ☐ Your electronic funds withdrawal payment was accepted.
5. ☐ Your electronic funds withdrawal payment was not accepted. You must pay the balance due by the prescribed due date. Refer to the "If You Owe Tax" section.
6. ☐ Your Form 4868, Application for Automatic Extension of Time to File U.S. Individual Income Tax Return, was accepted on \_\_\_\_\_. The Submission ID assigned to your extension is \_\_\_\_\_.

**PLEASE DO NOT SEND A PAPER COPY OF YOUR RETURN TO THE IRS.  
IF YOU DO, IT WILL DELAY THE PROCESSING OF THE RETURN.**

**If You Need to Make a Change to Your Return**

If you need to make a change or correct the return you filed electronically, you should send a Form 1040X, Amended U.S. Individual Income Tax Return, to the IRS Submission Processing Center that processes paper returns for your area. The address is available at [www.irs.gov](http://www.irs.gov), or you can call the IRS toll-free at 1-800-829-1040.

**If You Need to Ask About Your Refund**

The IRS notifies your Electronic Return Originator (ERO) when your return is accepted, usually within 48 hours. If your return was not accepted, the IRS notifies your ERO of the reasons for rejection. If it has been more than three weeks since the IRS accepted your return and you have not received your refund, go to [www.irs.gov](http://www.irs.gov) and click on "Where's My Refund?" to view your refund status. Exception: If box 3 above is checked, please allow 4 to 6 weeks for processing of your return. A notice will be sent to you advising of changes to your return.

Also, you can call the TeleTax line at 1-800-829-4477, for automated refund information. You should have available the first social security number shown on your return, your filing status, and the exact amount of the refund you expect. TeleTax gives you the date for mailing or depositing your refund. You should receive your refund check within 30 days of the date given by TeleTax, or within one week of that date, if you chose direct deposit. If you do not receive it by then, or if TeleTax does not give you refund information, call the Refund Hotline at 1-800-829-1954.

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The IRS uses refunds to cover overdue taxes and notifies you when this occurs. The Fiscal Service offsets refunds through the Treasury Offset Program to cover past due child support, federal agency non-tax debts such as student loans and state income tax obligations. Fiscal Service sends you an offset notice if it applies your refund or part of your refund to non-tax debts. If you have questions about the offset, contact the agency identified in the notice. You may also call the Treasury Offset Program Call Center at 1-800-304-3107, if you have additional questions.

### **If You Owe Tax**

If your return has a balance due, you must pay the amount you owe by the prescribed due date. If you paid by electronic funds withdrawal (direct debit) or by credit card, no voucher is needed. The credit card service providers will charge a convenience fee based on the amount of taxes you are paying. The fees and the type of credit or debit cards accepted may vary between providers. You will be told the amount of the fee during the transaction and you will be given the option to either continue or end the transaction. For information on paying your taxes electronically, including by credit or debit card, go to [www.irs.gov/e-pay](http://www.irs.gov/e-pay).

If you are not paying electronically you may use Form 1040-V, Payment Voucher, which you can obtain from your Electronic Return Originator. If the IRS does not receive your payment by the prescribed due date, you will receive a notice that requests full payment of the tax due, plus penalties and interest. If you can not pay the amount in full, complete Form 9465, Installment Agreement Request, which you may file electronically. To apply for an installment agreement online, go to [www.irs.gov](http://www.irs.gov). You may also order Form 9465 by calling 1-800-TAX-FORM (1-800-829-3676). If approved, the IRS charges a user fee to set up an installment agreement.

### **If You Need to Inquire About Your Electronic Funds Withdrawal Payment**

You may call 1-888-353-4537 to inquire about the status of your electronic funds withdrawal payment. If there is a change to the bank account information included on your return, you should call this number to cancel a scheduled payment. You should have available the social security number of the first person listed on the tax return, the payment amount, and the bank account number. Cancellation requests must be received no later than 11:59 p.m. E.T. two business days prior to the scheduled payment date.

### **Tax Refund Related Financial Products**

Financial institutions offer a variety of financial products to taxpayers based on their refunds. Contracts for financial products are between you and the financial institution. The IRS is not associated with the contract. **If you have questions about tax refund related products, contact your Electronic Return Originator or the lender.**

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### **Instructions for Electronic Return Originators**

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**Line 2 - PIN Presence Indicator** - Check box 2 if the taxpayer entered a PIN or authorized the ERO to enter or generate the PIN for the taxpayer, and the Acknowledgement File PIN Presence Indicator is a "Practitioner PIN," "Self-Select PIN" or "Online Filer PIN." Form 8879, IRS e-file Signature Authorization, is required if the ERO enters or generates the PIN or if the Practitioner PIN method is used. **Use Form 8453, U.S. Individual Income Tax Transmittal for an IRS e-file Return, to send required paper forms or supporting documentation listed next to the form check boxes (do not send Forms W-2, W-2G, or 1099R).**

**Line 3 - Exception Processing** - Check box 3 if the Acknowledgement File Acceptance Code equals "Exception." The acceptance code indicates that this return has been previously rejected and this subsequent submission still has invalid data.

**Line 4 - Payment Acknowledgement Literal** - Check box 4 if the taxpayer requested to use electronic funds withdrawal to pay the balance due, and the Acknowledgement File Payment Acknowledgement Literal field equals "Payment Request Received."

**Line 5 - Payment Acknowledgement Literal** - Check box 5 if the taxpayer requested to use electronic funds withdrawal to pay the balance due, and the Acknowledgement File Payment Acknowledgement Literal field does not equal "Payment Request Received." If box 5 is checked, inform the taxpayer that he/she must pay by check, money order, debit card, or credit card.

**Note:** EROs can use the Acknowledgement File information, translated by the transmitter, to complete Form 9325.

THOMAS A PICKENS



Form **8959****Additional Medicare Tax**

OMB No. 1545-0074

**2014**Attachment  
Sequence No. **71**Department of the Treasury  
Internal Revenue Service  
Name(s) shown on return

- If any line does not apply to you, leave it blank. See separate instructions.  
 ► Attach to Form 1040, 1040NR, 1040-PR, or 1040-SS.  
 ► Information about Form 8959 and its instructions is at [www.irs.gov/form8959](http://www.irs.gov/form8959).

Your social security number

THOMAS A PICKENS

**Part I Additional Medicare Tax on Medicare Wages**

1	Medicare wages and tips from Form W-2, box 5. If you have more than one Form W-2, enter the total of the amounts from box 5	1	508,177	
2	Unreported tips from Form 4137, line 6	2		
3	Wages from Form 8919, line 6	3		
4	Add lines 1 through 3	4	508,177	
5	Enter the following amount for your filing status: Married filing jointly \$250,000 Married filing separately \$125,000 Single, Head of household, or Qualifying widow(er) \$200,000	5	200,000	
6	Subtract line 5 from line 4. If zero or less, enter -0-	6		308,177
7	Additional Medicare Tax on Medicare wages. Multiply line 6 by 0.9% (.009). Enter here and go to Part II	7		2,774

**Part II Additional Medicare Tax on Self-Employment Income**

8	Self-employment income from Schedule SE (Form 1040), Section A, line 4, or Section B, line 6. If you had a loss, enter -0- (Form 1040-PR and Form 1040-SS filers, see instructions.)	8		
9	Enter the following amount for your filing status: Married filing jointly \$250,000 Married filing separately \$125,000 Single, Head of household, or Qualifying widow(er) \$200,000	9		
10	Enter the amount from line 4	10		
11	Subtract line 10 from line 9. If zero or less, enter -0-	11		
12	Subtract line 11 from line 8. If zero or less, enter -0-	12		
13	Additional Medicare Tax on self-employment income. Multiply line 12 by 0.9% (.009). Enter here and go to Part III	13		

**Part III Additional Medicare Tax on Railroad Retirement Tax Act (RRTA) Compensation**

14	Railroad retirement (RRTA) compensation and tips from Form(s) W-2, box 14 (see instructions)	14		
15	Enter the following amount for your filing status: Married filing jointly \$250,000 Married filing separately \$125,000 Single, Head of household, or Qualifying widow(er) \$200,000	15		
16	Subtract line 15 from line 14. If zero or less, enter -0-	16		
17	Additional Medicare Tax on railroad retirement (RRTA) compensation. Multiply line 16 by 0.9% (.009). Enter here and go to Part IV	17		

**Part IV Total Additional Medicare Tax**

18	Add lines 7, 13, and 17. Also include this amount on Form 1040, line 62, (Form 1040NR, 1040-PR, and 1040-SS filers, see instructions) and go to Part V	18		2,774
----	--	----	--	-------

**Part V Withholding Reconciliation**

19	Medicare tax withheld from Form W-2, box 6. If you have more than one Form W-2, enter the total of the amounts from box 6	19	9,827	
20	Enter the amount from line 1	20	508,177	
21	Multiply line 20 by 1.45% (.0145). This is your regular Medicare tax withholding on Medicare wages	21	7,369	
22	Subtract line 21 from line 19. If zero or less, enter -0-. This is your Additional Medicare Tax withholding on Medicare wages	22		2,458
23	Additional Medicare Tax withholding on railroad retirement (RRTA) compensation from Form W-2, box 14 (see instructions)	23		
24	<b>Total Additional Medicare Tax withholding.</b> Add lines 22 and 23. Also include this amount with federal income tax withholding on Form 1040, line 64 (Form 1040NR, 1040-PR, and 1040-SS filers, see instructions)	24		2,458

For Paperwork Reduction Act Notice, see your tax return instructions.

Form 8959 (2014)

EEA

Danka Michaels001273  
AA00621



EXHIBIT F

EXHIBIT F

EXHIBIT F

1 **DECL**

2 Jennifer V. Abrams, Esq.  
3 Nevada State Bar Number: 7575  
4 THE ABRAMS & MAYO LAW FIRM  
5 6252 South Rainbow Blvd., Suite 100  
6 Las Vegas, Nevada 89118  
7 Tel: (702) 222-4021  
8 Fax: (702) 248-9750  
9 Email: [jvagroup@theabramslawfirm.com](mailto:jvagroup@theabramslawfirm.com)  
10 Attorney for Defendant

11 Eighth Judicial District Court  
12 Family Division  
13 Clark County, Nevada

14 THOMAS A. PICKENS,	)	Case No.: D-17-560737-D
	)	
15 Plaintiff,	)	Department: B
	)	
16 vs.	)	
	)	
17 DANKA K. MICHAELS,	)	
	)	
18 Defendant.	)	
	)	

19 **DECLARATION OF SHANNON EVANS, ESQ.**

20 1. I, Shannon Evans, Esq., declare under penalty of perjury  
21 under the law of the State of Nevada, pursuant to NRS 53.045, that the  
foregoing is true and correct.

2 2. I am above the age of majority and I am competent to testify  
to the facts contained in this declaration.

3 3. I am an attorney duly licensed to practice law in the State of  
Nevada. I maintain offices located at Evans & Associates, 2400 S.

1 Cimarron Road, Suite 140, Las Vegas, Nevada 89117. I prepared trust  
2 and related documents for Danka Michaels and for Thomas Pickens.

3 4. I prepared estate planning / trust documents for each Danka  
4 Michaels and Thomas Pickens, individually. The estate planning / trust  
5 documents were not prepared for these parties as husband and wife, but  
6 as single individuals, as they made it very clear to me that their Church  
7 ceremony deliberately did not result in a legal marriage between them.

8 5. During our discussions, Danka and Thomas each informed  
9 me that they had a commitment ceremony only in Slovakia and they  
10 were not legally married. The parties informed me that they always  
11 knew that they were not legally married and did not intend to be legally  
12 married.

13 6. In or around late 2016, the parties informed me that Thomas  
14 was having a baby with a woman in Florida and that they wanted to  
15 separate their assets. It was my understanding that the parties were  
16 dividing their assets equitably based upon who paid for the asset. I was  
17 asked to prepare deeds to effectuate their agreement and wishes.

18 ///

19 ///

20 ///

21 ///

