

1 NOAS  
2 ADAM J. BREEDEN, ESQ.  
3 Nevada Bar No. 008768  
4 BREEDEN & ASSOCIATES, PLLC  
5 376 E. Warm Springs Road, Suite 120  
6 Las Vegas, Nevada 89119  
7 Phone: (702) 819-7770  
8 Fax: (702) 819-7771  
9 Adam@Breedendandassociates.com  
10 Attorneys for Creditor Ryan McClaran

Electronically Filed  
Nov 01 2021 01:45 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

8 EIGHTH JUDICIAL DISTRICT COURT

9 CLARK COUNTY, NEVADA

10 In the Matter of the Estate of:  
11 DEMETRIOS A. DALACAS  
12 Deceased.

CASE NO.: P-20-103708-E

DEPT NO.: 5

Consolidated With

13 In the Matter of the Estate of:  
14 DEMETRIOS A. DALACAS  
15 Deceased.

CASE NO.: P-20-104354-E

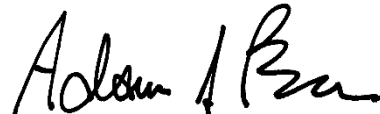
DEPT NO.: 5

16 NOTICE OF APPEAL

17 Notice is hereby given that Creditor, RYAN MCCLARAN, hereby appeals to the Supreme  
18 Court of Nevada from the *Order Affirming Report and Recommendation Appointing Jasen Cassady*  
19 *as Special Administrator* entered in this case on September 21, 2021 with Notice of Entry being  
20 filed September 22, 2021 and the *Letters of Special Administration* filed on September 27, 2021.

21 DATED this 21<sup>st</sup> day of October, 2021.

22 BREEDEN & ASSOCIATES, PLLC



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25 376 E. Warm Springs Road, Suite 120

26 Las Vegas, Nevada 89119

27 Attorneys for Creditor Ryan McClaran  
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**CERTIFICATE OF SERVICE**

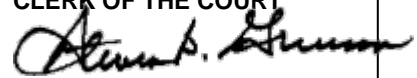
I hereby certify that on the 21<sup>st</sup> day of October, 2021, I served a copy of the foregoing legal document entitled **NOTICE OF APPEAL** via the method indicated below:

X	<p>Pursuant to NRCP 5 and NEFCR 9, by electronically serving all counsel and e-mails registered to this matter on the Court's official service, Wiznet system.</p> <table><tr><td>Kevin T. Strong, Esq. PRINCE LAW GROUP 10801 W. Charleston Blvd, Ste. 560 Las Vegas, Nevada 89135 <i>For Creditor Sirianni</i></td><td>Janeen V. Isaacson, Esq. LIPSON NEILSON P.C. 9900 Covington Cross Drive, Ste. 120 Las Vegas, Nevada 89144 <i>For Herself and the Insurance Company</i></td></tr><tr><td>Thomas R. Grover, Esq. BLACKROCK LEGAL, LLC 10155 W. Twain Avenue, Suite 100 Las Vegas, Nevada 89147 <i>For Special Administrator Jasen Cassady</i></td><td>Kevin R. Hansen, Esq. LAW OFFICE OF KEVIN R. HANSEN 5440 W. Sahara Avenue, Suite 206 Las Vegas, Nevada 89146 <i>For Creditor John and Denise Tousoulis</i></td></tr></table>	Kevin T. Strong, Esq. PRINCE LAW GROUP 10801 W. Charleston Blvd, Ste. 560 Las Vegas, Nevada 89135 <i>For Creditor Sirianni</i>	Janeen V. Isaacson, Esq. LIPSON NEILSON P.C. 9900 Covington Cross Drive, Ste. 120 Las Vegas, Nevada 89144 <i>For Herself and the Insurance Company</i>	Thomas R. Grover, Esq. BLACKROCK LEGAL, LLC 10155 W. Twain Avenue, Suite 100 Las Vegas, Nevada 89147 <i>For Special Administrator Jasen Cassady</i>	Kevin R. Hansen, Esq. LAW OFFICE OF KEVIN R. HANSEN 5440 W. Sahara Avenue, Suite 206 Las Vegas, Nevada 89146 <i>For Creditor John and Denise Tousoulis</i>
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X	<p>Pursuant to NRCP 5, by placing a copy in the US mail, postage pre-paid to the following counsel of record or parties in proper person:</p> <p style="text-align: center;">Elene Mylordos 14947 Fjord Street San Leandro, California 94578 <i>Interested Party</i></p> <p style="text-align: center;">Agnes R. MacIntyre WELLS FARGO BANK, N.A. PO Box 3696 MAC P6053-021 Portland, Oregon 97208 <i>Creditor &amp; Interested Party</i></p>				
	Via receipt of copy (proof of service to follow)				

An Attorney or Employee of the following firm:

/s/ Kristy Johnson

**BREEDEN & ASSOCIATES, PLLC**



ASTA  
ADAM J. BREEDEN, ESQ.  
Nevada Bar No. 008768  
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376 E. Warm Springs Road, Suite 120  
Las Vegas, Nevada 89119  
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Fax: (702) 819-7771  
Adam@Breedendandassociates.com  
*Attorneys for Creditor Ryan McClaran*

**EIGHTH JUDICIAL DISTRICT COURT**

**CLARK COUNTY, NEVADA**

In the Matter of the Estate of:

DEMETRIOS A. DALACAS

Deceased.

CASE NO.: P-20-103708-E

DEPT NO.: 5

*Consolidated With*

In the Matter of the Estate of:

DEMETRIOS A. DALACAS

Deceased.

CASE NO.: P-20-104354-E

DEPT NO.: 5

**CASE APPEAL STATEMENT**

1. Name of appellant filing this case appeal statement:

RYAN MCCLARAN, CREDITOR

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

HON. VERONICA M. BARISICH, EIGHTH JUDICIAL DISTRICT COURT  
DEPARTMENT 5.

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

RYAN MCCLARAN. REPRESENTED BY COUNSEL ADAM J. BREEDEN, ESQ.,  
BREEDEN & ASSOCIATES, PLLC, 376 E. WARM SPRINGS RD., SUITE 120, LAS  
VEGAS, NV 89119, (702) 819-7770.

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

1 provide the name and address of that respondent's trial counsel):  
2 ESTATE OF DEMETRIOS A. DALACAS. REPRESENTED BY JANEEN ISAACSON,  
3 ESQ. OF LIPSON NEILSON, P.C., 9900 COVINGTON CROSS DRIVE, SUITE 120,  
4 LAS VEGAS, NEVADA 89144, (702) 382-1500.  
5 JASEN CASSADY, ESQ. REPRESENTED BY THOMAS R. GROVER, ESQ OF  
6 BLACKROCK LEGAL, 10155 W. TWAIN AVENUE, SITE 100, LAS VEGAS,  
7 NEVADA 89147.  
8 5. Indicate whether any attorney identified above in response to question 3 or 4 is not licensed  
9 to practice law in Nevada and, if so, whether the district court granted that attorney permission to  
10 appear under SCR 42 (attach a copy of any district court order granting such permission):  
11 ALL COUNSEL IN THIS MATTER ARE LICENSED TO PRACTICE LAW IN THE  
12 STATE OF NEVADA.  
13 6. Indicate whether appellant was represented by appointed or retained counsel in the district  
14 court:  
15 APPELLANT WAS REPRESENTED BY RETAINED COUNSEL IN THE DISTRICT  
16 COURT PROCEEDINGS. COUNSEL WAS ADAM J. BREEDEN, ESQ.  
17 7. Indicate whether appellant is represented by appointed or retained counsel on appeal:  
18 APPELLANT IS REPRESENTED BY RETAINED COUNSEL FOR THIS APPEAL.  
19 APPELLATE COUNSEL IS ADAM J. BREEDEN, ESQ.  
20 8. Indicate whether appellant was granted leave to proceed in forma pauperis, and the date of  
21 entry of the district court order granting such leave:  
22 NO PARTY HAS APPEARED IN FORMA PAUPERIS.  
23 9. Indicate the date the proceedings commenced in the district court (e.g., date complaint,  
24 indictment, information, or petition was filed):  
25 THE ORIGINAL PETITION FOR APPOINTMENT OF A SPECIAL ADMINISTRATOR  
26 OF THE ESTATE WAS FILED ON SEPTEMBER 25, 2020.  
27 10. Provide a brief description of the nature of the action and result in the district court, including  
28 the type of judgment or order being appealed and the relief granted by the district court:

1 APPELLANT APPEALS FROM THE ORDER FILED ON SEPTEMBER 21, 2021 AND  
2 LETTERS OF SPECIAL ADMINISTRATION FILED ON SEPTEMBER 27, 2021  
3 WHICH APPOINT JASEN CASSADY, ESQ. AS SPECIAL ADMINISTRATOR OF THE  
4 ESTATE OF DEMETRIOS A. DALACAS.

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

8 THIS CASE HAS NOT BEEN THE SUBJECT OF ANY PRIOR APPEAL.

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

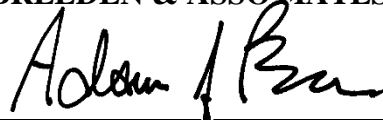
10 THE CASE DOES NOT CONCERN CHILD CUSTODY OR VISITATION.

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

12 IT IS THE APPELLANT'S POSITION THAT A SETTLEMENT CONFERENCE WILL  
13 NOT HELP RESOLVE THIS APPEAL.

14 DATED this 21<sup>st</sup> day of October, 2021.

15 BREEDEN & ASSOCIATES, PLLC

16 

17 ADAM J. BREIDEN, ESQ.

18 Nevada Bar No. 008768

19 376 E. Warm Springs Road, Suite 120

20 Las Vegas, Nevada 89119

21 Attorneys for Creditor Ryan McClaran

**CERTIFICATE OF SERVICE**

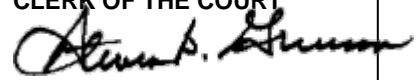
I hereby certify that on the 21<sup>st</sup> day of October, 2021, I served a copy of the foregoing legal document entitled **CASE APPEAL STATEMENT** via the method indicated below:

X	<p>Pursuant to NRCP 5 and NEFCR 9, by electronically serving all counsel and e-mails registered to this matter on the Court's official service, Wiznet system.</p> <table><tr><td>Kevin T. Strong, Esq. PRINCE LAW GROUP 10801 W. Charleston Blvd, Ste. 560 Las Vegas, Nevada 89135 <i>For Creditor Sirianni</i></td><td>Janeen V. Isaacson, Esq. LIPSON NEILSON P.C. 9900 Covington Cross Drive, Ste. 120 Las Vegas, Nevada 89144 <i>For Herself and the Insurance Company</i></td></tr><tr><td>Thomas R. Grover, Esq. BLACKROCK LEGAL, LLC 10155 W. Twain Avenue, Suite 100 Las Vegas, Nevada 89147 <i>For Special Administrator Jasen Cassady</i></td><td>Kevin R. Hansen, Esq. LAW OFFICE OF KEVIN R. HANSEN 5440 W. Sahara Avenue, Suite 206 Las Vegas, Nevada 89146 <i>For Creditor John and Denise Tousoulis</i></td></tr></table>	Kevin T. Strong, Esq. PRINCE LAW GROUP 10801 W. Charleston Blvd, Ste. 560 Las Vegas, Nevada 89135 <i>For Creditor Sirianni</i>	Janeen V. Isaacson, Esq. LIPSON NEILSON P.C. 9900 Covington Cross Drive, Ste. 120 Las Vegas, Nevada 89144 <i>For Herself and the Insurance Company</i>	Thomas R. Grover, Esq. BLACKROCK LEGAL, LLC 10155 W. Twain Avenue, Suite 100 Las Vegas, Nevada 89147 <i>For Special Administrator Jasen Cassady</i>	Kevin R. Hansen, Esq. LAW OFFICE OF KEVIN R. HANSEN 5440 W. Sahara Avenue, Suite 206 Las Vegas, Nevada 89146 <i>For Creditor John and Denise Tousoulis</i>
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X	<p>Pursuant to NRCP 5, by placing a copy in the US mail, postage pre-paid to the following counsel of record or parties in proper person:</p> <p style="text-align: center;">Elene Mylordos 14947 Fjord Street San Leandro, California 94578 <i>Interested Party</i></p> <p style="text-align: center;">Agnes R. MacIntyre WELLS FARGO BANK, N.A. PO Box 3696 MAC P6053-021 Portland, Oregon 97208 <i>Creditor &amp; Interested Party</i></p>				
	Via receipt of copy (proof of service to follow)				

An Attorney or Employee of the following firm:

/s/ Kristy Johnson

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11  
12  
13 **EIGHTH JUDICIAL DISTRICT COURT**

14 **CLARK COUNTY, NEVADA**

15 In the Matter of the Estate of:

16 **DEMETRIOS A. DALACAS**

17 Deceased.

CASE NO.: P-20-103708-E

DEPT NO.: 5

*Consolidated With*

18 In the Matter of the Estate of:

19 **DEMETRIOS A. DALACAS**

20 Deceased.

CASE NO.: P-20-104354-E

DEPT NO.: 5

21 **CERTIFICATE OF MAILING**

22 On the 21<sup>st</sup> day of October, 2021, I deposited in the United States Mail at Las Vegas, Nevada  
23 a true and correct copy of Ryan McClaran's *Notice of Appeal* and *Case Appeal Statement* enclosed  
24 in a sealed envelope, mailed regular U.S. Mail, upon which first class postage was fully prepaid and  
25 addressed as follows:

26 ///

27 ///

28 ///

///

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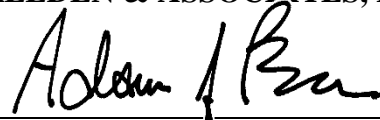
///

1 Elene Mylordos  
2 14947 Fjord Street  
3 San Leandro, California 94578

4 Agnes R. MacIntyre  
5 WELLS FARGO BANK, N.A.  
6 PO Box 3696  
7 MAC P6053-021  
8 Portland, Oregon 97208  
9 *Creditor & Interested Party*

10 DATED this 21<sup>st</sup> day of October, 2021.

**BREEDEN & ASSOCIATES, PLLC**



---

**ADAM J. BREEDEN, ESQ.**

Nevada Bar No. 008768

376 E. Warm Springs Road, Suite 120

Las Vegas, Nevada 89119

Phone: (702) 819-7770

Fax: (702) 819-7771

adam@breedenandassociates.com

*Attorneys for Creditor Ryan McClaran*



**CERTIFICATE OF SERVICE**

I hereby certify that on the 21<sup>st</sup> day of October, 2021, I served a copy of the foregoing legal document entitled **CERTIFICATE OF MAILING** via the method indicated below:

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An Attorney or Employee of the following firm:

/s/ Kristy Johnson

**BREEDEN & ASSOCIATES, PLLC**

**CASE SUMMARY****CASE NO. P-20-103708-E****In the Matter of:**  
**Demetrios Dalacas, Deceased**§  
§  
§  
§  
§Location: **Department 5**  
Judicial Officer: **Barisich, Veronica M.**  
Filed on: **07/29/2020**  
Case Number History:  
Cross-Reference Case Number: **P103708****CASE INFORMATION****Related Cases**

P-20-104354-E (Consolidated)

Case Type: **Probate - Special Administration**Case Flags: **Consolidated - Lead Case  
Appealed to Supreme Court****DATE****CASE ASSIGNMENT****Current Case Assignment**Case Number P-20-103708-E  
Court Department 5  
Date Assigned 01/04/2021  
Judicial Officer Barisich, Veronica M.**PARTY INFORMATION**

		<i>Lead Attorneys</i>
<b>Petitioner</b>	<b>Lee, Lisa M.</b>	<b>Prince, Dennis M</b> <i>Retained</i> 702-534-7600(W)
<b>Decedent</b>	<b>Dalacas, Demetrios A.</b>	
<b>Claimant</b>	<b>Tousoulis, John</b>	<b>Hansen, Kevin R.</b> <i>Retained</i> 702-478-7777(W)
<b>Other</b>	<b>Lipson Neilson P.C.</b>	<b>Garin, Joseph P</b> <i>Retained</i> 702-382-1500(W)
	<b>McClaran, Ryan</b>	<b>Breeden, Adam J.</b> <i>Retained</i> 702-819-7770(W)
<b>Special Administrator</b>	<b>Cassady, Jasen</b>	<b>Grover, Thomas R</b> <i>Retained</i> 702-855-5658(W)
	<b>Lee, Lisa M.</b> Removed: 05/27/2021 Change of Status	<b>Prince, Dennis M</b> <i>Retained</i> 702-534-7600(W)

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

07/29/2020

Petition for Special Letters of Administration  
Filed by: Petitioner Lee, Lisa M.  
[1] *Petition for Special Letters of Administration*














07/29/2020



Redacted Version















[6] *Redacted per Order 9/11/2020 Petition for Special Letters of Administration*

**CASE SUMMARY**  
**CASE NO. P-20-103708-E**

08/12/2020	 Creditors Claim <i>[2] Claim against estate</i>
09/09/2020	 Supplemental Filed by: Petitioner Lee, Lisa M. <i>[3] Supplement to Petition for Special Letters of Administration</i>
09/09/2020	 Ex Parte Petition Filed By: Petitioner Lee, Lisa M. <i>[4] Ex Parte Petition to Redact Restricted Personal Information</i>
09/11/2020	 Order Filed By: Petitioner Lee, Lisa M. <i>[5] Order to Redact Restricted Personal Information</i>
10/16/2020	 Order Appointing Special Administrator Filed by: Petitioner Lee, Lisa M. <i>[7] Order Appointing Special Administrator</i>
11/02/2020	 Creditors Claim <i>[8] Claim against estate</i>
11/23/2020	 Letters of Administration Electronically Issued/Filed Party: Petitioner Lee, Lisa M. <i>[9] Letters of Special Administration</i>
01/04/2021	Case Reassigned to Department 5 <i>Judicial Reassignment to Judge Veronica M. Barisich</i>
02/10/2021	 Motion to Consolidate <i>[10] Motion to Consolidate P-20-104354-E with Earliest Filed Matter and to Withdraw</i>
02/10/2021	 Notice of Hearing <i>[11] Notice of Hearing of Motion to Consolidate P-20-104354-E with Earliest Filed Matter and to Withdraw</i>
02/10/2021	 Clerk's Notice of Hearing <i>[12] Clerk's Notice of Hearing</i>
02/12/2021	 Affidavit of Mailing <i>[13] Affidavit of Mailing</i>
03/05/2021	 Response <i>[14] Creditor Ryan McClaran's Response to Motion to Consolidate and Motion to Withdraw as Special Administrator by Robert McMaster and Countermotion for Appointment of New Special Administrator</i>
03/05/2021	 Response Filed by: Petitioner Lee, Lisa M. <i>[15] Special Administrator Lisa M. Lee's Response to Special Administrator Robert O. McMaster's Motion to Consolidate P-20-104354-E with the Earliest Filed Matter and to Withdraw and Countermotion for Withdrawal of Lisa M. Lee as Special Administrator of the Estate of Demetrios A. Dalacas</i>

# CASE SUMMARY

CASE NO. P-20-103708-E

03/18/2021	 Request <i>[16] Request for Special Notice and Objection to Motion to Consolidate and Objection to the Appointment of Lisa M. Lee as Special Administrator</i>
03/24/2021	 Response Filed by: Other McClaran, Ryan <i>[17] Creditor Ryan McClaran's Repy and Supplemental Repsponse to Pending Motions and Countermotion for Appointment of New Special Administrator</i>
03/29/2021	 Response Filed by: Decedent Dalacas, Demetrios A. <i>[18] Response and Objection to Mclaran S Request for Appointment of Sharp and Renewed Request for Experienced Administrator</i>
03/31/2021	 Supplement Filed by: Petitioner Lee, Lisa M. <i>[19] SUPPLEMENT TO RESPONSE AND OBJECTION TO MCLARAN S REQUEST FOR APPOINTMENT OF SHARP AND RENEWED REQUEST FOR EXPERIENCED ADMINISTRATOR</i>
04/01/2021	 Creditors Claim Filed By: Claimant Tousoulis, John <i>[20] Creditor's Claim - John &amp; Denise Tousoulis \$1,209,234.00</i>
04/01/2021	 Motion to Strike Filed By: Other McClaran, Ryan <i>[21] Creditor Ryan McClaran's Motion to Strike Filings of Law Firm Lipson Neilson, PC</i>
04/01/2021	 Clerk's Notice of Hearing <i>[22] Notice of Hearing</i>
04/08/2021	 Estimate of Transcript <i>[23] APRIL 2, 2021</i>
04/12/2021	 Objection Filed By: Decedent Dalacas, Demetrios A.; Other Lipson Neilson P.C. <i>[24] Objection to Ryan Mcclaran's Motion to Strike Filings of Law Firm of Lipson Nielson, PC With Respect to Appointment of a Special Administrator</i>
04/15/2021	 Transcript of Proceedings <i>[25] April 2, 2021</i>
04/15/2021	 Final Billing of Transcript Filed by: Attorney Breedon, Adam J. <i>[29] APRIL 2, 2021</i>
04/16/2021	 Order <i>[26] order granting motion to consolidate and to withdraw</i>
04/22/2021	 Creditors Claim <i>[27] Wells Fargo Bank NA - \$7063.70</i>
04/23/2021	 Reply

**CASE SUMMARY**

**CASE NO. P-20-103708-E**

Filed by: Other McClaran, Ryan

*[28] Creditor Ryan McClaran's Reply in Support of His mOtion to Strike Filings of Law Firm Lipson Nielson, PC*

05/25/2021



Report and Recommendations

*[30] Probate Commissioner's Report and Recommendations*

05/27/2021



Notice of Hearing

Filed By: Other McClaran, Ryan

*[31] Notice of Hearing*

05/27/2021



Order

Filed By: Petitioner Lee, Lisa M.

*[32] Order granting countermotion for withdraw of Lisa M. Lee as special adminsitator of the estate*

05/27/2021



Clerk's Notice of Hearing

*[33] Notice of Hearing*

06/01/2021



Notice of Entry of Order

Filed By: Petitioner Lee, Lisa M.

*[34] Notice of Entry of Order Granting Countermotion for Withdrawal of Lisa M. Lee as Special Administrator of the Estate of Demetrios A. Dalacas*

06/04/2021



Objection

Filed By: Other McClaran, Ryan

*[35] Creditor Ryan McClaran's Objection to Probate Commissioner's Report and Recommendation and Motion for Evidentiary Hearing*

06/04/2021



Notice of Hearing

Filed By: Other McClaran, Ryan

*[36] Notice of Hearing of Motion for Evidentiary Hearing*

06/04/2021



Clerk's Notice of Hearing

*[37] Notice of Hearing*

06/07/2021



Certificate of Mailing

Filed By: Other McClaran, Ryan

*[38] Certificate of Mailing*

06/07/2021



Certificate of Mailing

Filed By: Other McClaran, Ryan

*[39] Certificate of Mailing*

06/08/2021



Clerk's Notice of Hearing

*[40] Notice of Hearing*

06/08/2021



Certificate of Mailing

Filed By: Other McClaran, Ryan

*[41] Certificate of Mailing*














06/22/2021



Opposition

*[42] Opposition to Creditor Ryan McClaran s Objection to Probate Commissioner s Report and Recommendation and Motion for Evidentiary Hearing*

**CASE SUMMARY**  
**CASE NO. P-20-103708-E**

06/24/2021	 Notice of Change of Hearing <i>[43] Notice of Change of Hearing</i>
07/09/2021	 Reply Filed by: Other McClaran, Ryan <i>[44] Creditor Ryan McClaran's Reply in Support of Objection to Probate Commissioner's Report and Recommendation and Motion for Evidentiary Hearing</i>
07/09/2021	 Certificate of Mailing Filed By: Other McClaran, Ryan <i>[45] Certificate of Mailing</i>
07/20/2021	 Notice of Hearing <i>[46] Instructions for BlueJeans VideoConferencing</i>
07/29/2021	 Notice <i>[47] Jasen Cassidy's Notice of Filing Email in Response to Creditor Ryan McClaran's Motion to Strike Filings of Law Firm Lipson Neilson, P.C.</i>
07/29/2021	 Supplement Filed by: Special Administrator Cassidy, Jasen <i>[48] First Supplement to Opposition to Creditor Ryan McClaran's Objection to Probate Commissioner's Report and Recommendation and Motion for Evidentiary Hearing</i>
07/29/2021	 Supplement Filed by: Special Administrator Cassidy, Jasen <i>[49] First Supplement to Opposition to Creditor Ryan McClaran's Objection to Probate Commissioner's Report and Recommendation and Motion for Evidentiary Hearing (Includes Complete Exhibit "1")</i>
07/29/2021	 Certificate of Service Filed by: Special Administrator Cassidy, Jasen <i>[50] Certificate of Service</i>
09/21/2021	 Order Filed By: Other Lipson Neilson P.C. <i>[51] Order Affirming Probate Commissioner's Report and Recommendation, Appointing Jasen Cassidy as Special Administrator</i>
09/22/2021	 Notice of Entry of Order Filed By: Special Administrator Cassidy, Jasen <i>[52] Notice of Entry of Order</i>
09/22/2021	 Certificate of Service Filed by: Special Administrator Cassidy, Jasen <i>[53] Certificate of Service</i>
09/27/2021	 Letters of Administration Electronically Issued/Filed Party: Special Administrator Cassidy, Jasen <i>[58] Letters of Special Administration</i>
09/28/2021	 Motion for Relief Filed By: Other McClaran, Ryan

**CASE SUMMARY**

**CASE NO. P-20-103708-E**

	<i>[54] Creditor Ryan McClaran's Motion for Various Forms of Relief</i>
09/28/2021	 Exhibits Filed By: Other McClaran, Ryan <i>[55] Creditor Ryan McClaran's Exhibits in Support of His Motion for Various Forms of Relief</i>
09/28/2021	 Notice of Hearing Filed By: Other McClaran, Ryan <i>[56] Notice of Hearing of Motion for Various Relief</i>
09/28/2021	 Clerk's Notice of Hearing <i>[57] Notice of Hearing</i>
09/28/2021	 Certificate of Service Filed by: Special Administrator Cassady, Jasen <i>[59] Certificate of Service</i>
09/29/2021	 Certificate of Mailing Filed By: Other McClaran, Ryan <i>[60] Certificate of Mailing</i>
09/30/2021	 Recorders Transcript of Hearing Party: Decedent Dalacas, Demetrios A. <i>[61] Recorders Transcript of Hearing Re: 07.22.21 - Creditor Ryan McClaran's Objection to Probate Commissioner's Report and Recommendation and Motion for Evidentiary Hearing</i>
10/04/2021	 Certificate of Service Filed by: Special Administrator Cassady, Jasen <i>[62] Certificate of Service</i>
10/13/2021	 Objection <i>[63] Objection to Creditor Ryan McClaran s Motion for Various Forms of Relief and Counter-Petition for Attorney s Fees and Counter-Petition to Find Creditor Ryan McClaran a Vexatious Litigant and Counter-Petition to Declare Estate Insolvent and Counter-Petition to Approve Retainer Agreement</i>
10/13/2021	 Certificate of Service Filed by: Special Administrator Cassady, Jasen <i>[64] Certificate of Service</i>
10/20/2021	 Reply Filed by: Other McClaran, Ryan <i>[65] Creditor Ryan McClaran's Reply in Support of Motion for Various Forms of Relief</i>
10/20/2021	 Certificate of Mailing Filed By: Other McClaran, Ryan <i>[66] Certificate of Mailing</i>
10/21/2021	 Notice of Appeal Filed By: Other McClaran, Ryan <i>[67] Notice of Appeal</i>
10/21/2021	 Case Appeal Statement Filed By: Other McClaran, Ryan

# CASE SUMMARY

## CASE NO. P-20-103708-E

[68] Case Appeal Statement

10/21/2021



Certificate of Mailing

Filed By: Other McClaran, Ryan

[69] Certificate of Mailing

### HEARINGS

04/02/2021



**Motion to Consolidate** (9:45 AM) (Judicial Officer: Tanko, Sean)

*Motion to Consolidate P-20-104354-E with Earliest Filed Matter and to Withdraw*

06/18/2021

**CANCELED Petition - HM** (9:45 AM)

*Vacated*

07/22/2021



**Objection to Referee's Report & Recommendation** (11:00 AM) (Judicial Officer: Barisich, Veronica M.)

*Creditor Ryan McClaran's Objection to Probate Commissioner's Report and Recommendation and Motion for Evidentiary Hearing*

07/30/2021



**Petition - HM** (9:45 AM) (Hearing Master: Yamashita, Wesley)

*Creditor Ryan McClaran's Motion to Strike Filings of Law Firm Lipson Neilson, PC*

08/24/2021



**Minute Order** (3:00 AM) (Judicial Officer: Barisich, Veronica M.)

*Creditor Ryan McClaran's Objection to Probate Commissioner's Report and Recommendation and Motion for Evidentiary Hearing*

09/03/2021



**Petition - HM** (3:00 AM) (Hearing Master: Yamashita, Wesley)

*Notice of Hearing of Motion for Evidentiary Hearing*

12/17/2021

**Motion - HM** (3:00 AM) (Hearing Master: Yamashita, Wesley)

*Creditor Ryan McClaran's Motion for Various Forms of Relief*

#### DATE

#### FINANCIAL INFORMATION

**Decedent** Dalacas, Demetrios A.

Total Charges

10.50

Total Payments and Credits

10.50

**Balance Due as of 10/26/2021**

**0.00**

**Other** McClaran, Ryan

Total Charges

24.00

Total Payments and Credits

24.00

**Balance Due as of 10/26/2021**

**0.00**



## DISTRICT COURT CIVIL COVER SHEET

CLARK County, Nevada

CASE NO: P-20-103708-E  
Department 8Case No. \_\_\_\_\_  
(Assigned by Clerk's Office)**I. Party Information** (provide both home and mailing addresses if different)

Plaintiff(s) (name/address/phone): Demetrio A. Dalacas	Defendant(s) (name/address/phone):
Attorney (name/address/phone): DENNIS M. PRINCE KEVIN T. STRONG 10801 W. Charleston Blvd., Suite 560, Las Vegas, NV 89135 (702) 534-7600	Attorney (name/address/phone):

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

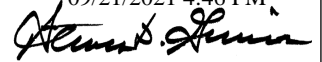
<b>Real Property</b> <b>Landlord/Tenant</b> <input type="checkbox"/> Unlawful Detainer <input type="checkbox"/> Other Landlord/Tenant <b>Title to Property</b> <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Other Title to Property <b>Other Real Property</b> <input type="checkbox"/> Condemnation/Eminent Domain <input type="checkbox"/> Other Real Property	<b>Torts</b> <b>Other Torts</b> <input type="checkbox"/> Product Liability <input type="checkbox"/> Intentional Misconduct <input type="checkbox"/> Employment Tort <input type="checkbox"/> Insurance Tort <input type="checkbox"/> Other Tort
<b>Probate</b> <b>Probate</b> (select case type and estate value) <input type="checkbox"/> Summary Administration <input type="checkbox"/> General Administration <input checked="" type="checkbox"/> Special Administration <input type="checkbox"/> Set Aside <input type="checkbox"/> Trust/Conservatorship <input type="checkbox"/> Other Probate <b>Estate Value</b> <input type="checkbox"/> Over \$200,000 <input type="checkbox"/> Between \$100,000 and \$200,000 <input checked="" type="checkbox"/> Under \$100,000 or Unknown <input type="checkbox"/> Under \$2,500	<b>Construction Defect &amp; Contract</b> <b>Construction Defect</b> <input type="checkbox"/> Chapter 40 <input type="checkbox"/> Other Construction Defect <b>Contract Case</b> <input type="checkbox"/> Uniform Commercial Code <input type="checkbox"/> Building and Construction <input type="checkbox"/> Insurance Carrier <input type="checkbox"/> Commercial Instrument <input type="checkbox"/> Collection of Accounts <input type="checkbox"/> Employment Contract <input type="checkbox"/> Other Contract
<b>Civil Writ</b> <input type="checkbox"/> Writ of Habeas Corpus <input type="checkbox"/> Writ of Mandamus <input type="checkbox"/> Writ of Quo Warrantum	<b>Other Civil Filing</b> <b>Other Civil Filing</b> <input type="checkbox"/> Compromise of Minor's Claim <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Other Civil Matters

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

July 29, 2020  
Date

Signature of initiating party or representative

See other side for family-related case filings.

  
CLERK OF THE COURT

LIPSON NEILSON P.C.  
JOSEPH P. GARIN, ESQ.  
Nevada Bar No. 6653  
JANEEN V. ISAACSON, ESQ.  
Nevada Bar No. 6429  
9900 Covington Cross Drive, Suite 120  
Las Vegas, Nevada 89144  
(702) 382-1500 - Telephone  
(702) 382-1512 – Facsimile  
[jgarin@lipsonneilson.com](mailto:jgarin@lipsonneilson.com)  
[jisaacson@lipsonneilson.com](mailto:jisaacson@lipsonneilson.com)  
*Attorneys for Defendants*

DISTRICT COURT  
CLARK COUNTY, NEVADA

In the Matter of the Estate of  
DEMETRIOS DALACAS,  
  
Deceased,

CASE NO. P-20-103708-E  
DEPT NO.  
PROBATE

In the Matter of the Estate of  
DEMETRIOS DALACAS,  
  
Deceased.

CASE NO. P-20-103708-E  
DEPT NO.  
PROBATE

**ORDER AFFIRMING REPORT AND  
RECOMMENDATION, APPOINTING  
JASEN CASSADY AS SPECIAL  
ADMINISTRATOR**

Creditor Ryan McClaran's (hereafter "Creditor" or "McClaran") *Objection to Probate Commissioner's Report and Recommendation and Motion for Evidentiary Hearing* Doc ID #35 (hereafter "Objection") came before the Court on July 22, 2021, and following the review of the papers and pleadings on file, and considering oral argument by counsel at the time of hearing, the Court issued a Minute Order, now reduced to a formal order, which hereby finds and orders as follows:

**THE COURT FINDS AND CONCLUDES** that although the parties disagree as to the applicable standard of review of the objection the Probate Commissioner's *Report and Recommendation* Doc ID #30 (hereafter "RAR"), dated May 25, 2021, the case law under Venetian Casino, suggests that the correct standard is de novo review for questions of law and abuse of

discretion for question of fact. Thus, the report and recommendations must be reviewed for clear error or arbitrary or capricious abuse of discretion. Qualification of an administrator is a question of fact. Here, the court is unable to discern a clear error or arbitrary or capricious abuse of discretion. Thus, there is no factual basis to sustain the Objection. *Venetian Casino Resort, LLC v. Eighth Jud. District Ct.*, 41 P.3d 327, 332 (2002).

**THE COURT FURTHER FINDS AND CONCLUDES** that parties agree to the relevant statute: NRS139.010 and 130.040. There is no dispute that under NRS 139.040(1)(h) and (j), McClaran, a purported creditor, enjoys a priority in appointment over Lipson Neilson. However, the Probate Commissioner, in the RAR, made a ruling clearly finding of conflict of interest by attorney Sharp, who as nominated by McClaran, under NRS 139.010. Thus, under NRS 139.010(3), Sharp is not qualified to serve as the administrator and the priority for right to appointment need not even be discussed.

**THE COURT FURTHER FINDS AND CONCLUDES** that *Dickerson v. Eighth Judicial Dist. Court*, 82 Nev. 234, 238, 414 P.2d 946, 949 (1966) is inapplicable here. It is noted that Dickerson was issued in 1966 and NRS 130.010 was amended multiple times since then. Most notably, in 2001, this statute was amended to specifically include conflict of interest as basis to find that a person is qualified to serve as an administrator. Thus, Dickerson was overruled by Statute. Furthermore, applying Dickerson to this case would negate the power of the court to appoint a special administrator under NRS 140.020.

**THE COURT FURTHER FINDS AND CONCLUDES** that there is insufficient argument that attorney Cassady is not qualified to act as the special administrator or that he has a conflict of interest. Thus, under NRS 139.050, his nomination to serve as the administrator should be granted.

Therefore, based upon the foregoing, and good cause appearing,

///

///

///

1           **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that the Objection to Probate  
2 Commissioners Report and Recommendations shall be **OVERRULED**.

3           **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the Probate  
4 Commissioner's *Report and Recommendation* Doc ID #30 dated May 25, 2021 is **AFFIRMED**  
5 **AND ADOPTED**.

6           **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that JASEN  
7 CASSADY, is appointed as Special Administrator of the Estate of DEMETRIOUS DALACAS to  
8 act on behalf of the Estate in pending litigation where the Decedent or the Estate is named as a  
9 party, and that Letters of Special Administration be issued to him upon him taking the oath  
10 required by law.

11           **IT IS FURTHER ORDERED** that the Court waives the requirement of posting bond  
12 by the Special Administrator provided that any proceeds from the liquidation of any estate  
13 assets are deposited in the BLACKROCK LEGAL CLIENT TRUST ACCOUNT.  
14

15           **IT IS FURTHER ORDERED** that Petitioner be granted all of the powers of a Special  
16 Administrator contained in NRS Chapter 140.

17           **IT IS SO ORDERED.**

18           DATED this \_\_\_\_ day of September, 2021.

Dated this 21st day of September, 2021



**DISTRICT COURT JUDGE**

**BA9 373 3E59 9D2A**  
**Veronica M. Barisich**  
**District Court Judge**

<p>Respectfully submitted by:</p> <p><b>LIPSON NEILSON, LLP</b></p> <p><i>/s/ Janeen V. Isaacson</i></p> <hr/> <p><b>JANEEN ISAACSON, ESQ.</b>          Nevada Bar No. 6419          9900 Covington Cross, Suite 120          Las Vegas, Nevada 89144          Phone: (702) 382-1500  <i>Attorneys for Defendants</i></p>	<p>Approved as to form and content:</p> <p><b>BREEDEN &amp; ASSOCIATES, PLLC</b></p> <hr/> <p><b>ADAM J. BREEDEN, ESQ.</b>          Nevada Bar No. 008768          376 E. Warm Springs Rd., Suite 120          Las Vegas, Nevada 89119          Phone: (702) 819-7770  <i>Attorneys for Plaintiff</i></p>
<p>Approved as to form and content:</p> <p><b>BLACKROCK LEGAL</b></p> <p><i>/s/ Thomas R. Grover</i></p> <hr/> <p>Michael A. Olson, Esq.          Nevada Bar No. 6076          Thomas R. Grover, Esq.,          Nevada Bar No 12387          10155 W. Twain Ave., Suite 100          Las Vegas, Nevada 89147          Phone: (702) 855-5658  <i>Attorneys for Jasen Cassady</i></p>	

## Renee Rittenhouse

---

**From:** Thomas Grover <tom@blackrocklawyers.com>  
**Sent:** Tuesday, September 7, 2021 5:50 PM  
**To:** Renee Rittenhouse; DC5inbox@clarkcountycourts.us  
**Cc:** Janeen Isaacson; 'Adam Breeden'; Kristy Johnson  
**Subject:** RE: P-20-103708-C (In the Matter of the Estate of Demetrios Dalacas)

**Follow Up Flag:** Follow up  
**Due By:** Tuesday, September 14, 2021 9:00 AM  
**Flag Status:** Flagged

**Categories:** Email String

I approve of this order as to form and content. I represent Jasen Cassady who will be confirmed as Special Administrator.

Tom



**Thomas R. Grover**  
10155 West Twain Suite 100  
Las Vegas, NV 89147  
T: 702.855.5658  
F: 702.869.8243  
C: 702.900.3003

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This message and any file(s) or attachment(s) transmitted herewith are confidential, intended for the named recipient only, and may contain information that is a trade secret, proprietary, protected by attorney work product doctrine, subject to attorney-client privilege, or is otherwise protected against unauthorized use or disclosure. This message and any file(s) or attachment(s) transmitted herewith are based on a reasonable expectation of privacy consistent with ABA Formal Opinion No. 99-413. Any disclosure, distribution, copying, or use of this information by anyone other than the intended recipient, regardless of address or routing, is strictly prohibited. If you receive this message in error, please advise the sender by immediate reply and delete the original message. Thank you. BlackRock Legal, LLC – Attorneys at law

---

**From:** Renee Rittenhouse <RRittenhouse@lipsonneilson.com>  
**Sent:** Tuesday, September 7, 2021 2:40 PM  
**To:** DC5inbox@clarkcountycourts.us  
**Cc:** Janeen Isaacson <JIsaacson@lipsonneilson.com>; Thomas Grover <tom@blackrocklawyers.com>; 'Adam Breeden' <adam@breedenandassociates.com>; Kristy Johnson <kristy@breedenandassociates.com>  
**Subject:** P-20-103708-C (In the Matter of the Estate of Demetrios Dalacas)

Dear Dept. 5:

Please see attached Order Affirming Report & Recommendation Appointing Jasen Cassedy as Special Administrator for review by the Judge. It is our understanding that Mr. Breeden will be submitting a competing order.

Please do not hesitate to contact our office with any questions or concerns.

Thank you,

LAW OFFICES



**Renee M. Rittenhouse**

**Legal Assistant to Janeen V. Isaacson, Esq.  
and Peter E. Dunkley, Esq.**

**Lipson Neilson**

**9900 Covington Cross Drive, Suite 120**

**Las Vegas, NV 89144**

**(702) 382-1500**

**(702) 382-1512 (fax)**

**E-Mail: [rrittenhouse@lipsonneilson.com](mailto:rrittenhouse@lipsonneilson.com)**

**Website: [www.lipsonneilson.com](http://www.lipsonneilson.com)**

**OFFICES IN NEVADA, MICHIGAN, ARIZONA & COLORADO**

1 **CSERV**

2  
3 DISTRICT COURT  
4 CLARK COUNTY, NEVADA

5  
6 In the Matter of:

CASE NO: P-20-103708-E

7 Demetrios Dalacas, Deceased

DEPT. NO. Department 5

8  
9 **AUTOMATED CERTIFICATE OF SERVICE**

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

13 Service Date: 9/21/2021

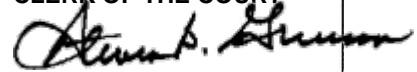
14 Adam Breeden	adam@breedenandassociates.com
15 Thomas Grover	tom@blackrocklawyers.com
16 Susana Nutt	snutt@lipsonneilson.com
17 Michael Olsen	mike@blackrocklawyers.com
18 Renee Rittenhouse	rrittenhouse@lipsonneilson.com
19 Kevin Hansen, Esq.	kevin@kevinrhansen.com
20 Amy Wilson, Esq.	amy@kevinrhansen.com
21 Amanda Harmon	amandah@kevinrhansen.com
22 Kristy Johnson	kristy@breedenandassociates.com
23 Christine Manning	christine@blackrocklawyers.com
24 Julian Campbell	julian@blackrocklawyers.com
25 Janeen Isaacson	JIsaacson@lipsonneilson.com

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Eservice Filing	eservice@thedplg.com
Vicki Pyne	vicki@blackrocklawyers.com
Rocio Leal	rocio@kevinrhansen.com
Thomas Grover	tom@blackrocklawyers.com
Cameron Starr	cameron@blackrocklawyers.com
Nicole Littlejohn	nlittlejohn@thedplg.com



1 **NEOJ**

2 MICHAEL A. OLSEN, ESQ.

3 Nevada Bar No. 6076

4 THOMAS R. GROVER, ESQ.

5 Nevada Bar No. 12387

6 **BLACKROCK LEGAL, LLC**

7 10155 W. Twain Ave., Suite 100

8 Las Vegas, Nevada 89147

9 Telephone: (702) 855-5658

10 Facsimile: (702) 869-8243

11 [mike@blackrocklawyers.com](mailto:mike@blackrocklawyers.com)

12 [tom@blackrocklawyers.com](mailto:tom@blackrocklawyers.com)

13 **DISTRICT COURT**  
14 **CLARK COUNTY, NEVADA**

15 In the Matter of the Estate of

16 DEMETRIOS DALACAS,

17 Deceased.

Case No.: P-20-103708-E

Dept. No.: 5

18 **NOTICE OF ENTRY OF ORDER**

19 PLEASE TAKE NOTICE that an **ORDER AFFIRMING REPORT AND**

20 **RECOMMENDATION, APPOINTING JASEN CASSADY AS SPECIAL**

21 **ADMINISTRATOR** was entered on the Court's record on the 21st day of September 2021, A  
22 copy of said Order is attached hereto as **Exhibit "1"**.

23 DATED this 22nd day of September 2021.

24 /s/ Thomas R. Grover, Esq.

25 MICHAEL A. OLSEN, ESQ.

26 Nevada Bar No. 6076

27 THOMAS R. GROVER, ESQ.



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**“EXHIBIT 1”**

LIPSON NEILSON, P.C.  
9900 Covington Cross Drive, Suite 120, Las Vegas, Nevada 89144  
Telephone: (702) 382-1500 Facsimile: (702) 382-1512

LIPSON NEILSON P.C.  
JOSEPH P. GARIN, ESQ.  
Nevada Bar No. 6653  
JANEEN V. ISAACSON, ESQ.  
Nevada Bar No. 6429  
9900 Covington Cross Drive, Suite 120  
Las Vegas, Nevada 89144  
(702) 382-1500 - Telephone  
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[jgarin@lipsonneilson.com](mailto:jgarin@lipsonneilson.com)  
[jisaacson@lipsonneilson.com](mailto:jisaacson@lipsonneilson.com)  
*Attorneys for Defendants*

DISTRICT COURT  
CLARK COUNTY, NEVADA

In the Matter of the Estate of  
DEMETRIOS DALACAS,  
  
Deceased,

CASE NO. P-20-103708-E  
DEPT NO.  
PROBATE

In the Matter of the Estate of  
DEMETRIOS DALACAS,  
  
Deceased.

CASE NO. P-20-103708-E  
DEPT NO.  
PROBATE

**ORDER AFFIRMING REPORT AND  
RECOMMENDATION, APPOINTING  
JASEN CASSADY AS SPECIAL  
ADMINISTRATOR**

Creditor Ryan McClaran's (hereafter "Creditor" or "McClaran") *Objection to Probate Commissioner's Report and Recommendation and Motion for Evidentiary Hearing* Doc ID #35 (hereafter "Objection") came before the Court on July 22, 2021, and following the review of the papers and pleadings on file, and considering oral argument by counsel at the time of hearing, the Court issued a Minute Order, now reduced to a formal order, which hereby finds and orders as follows:

**THE COURT FINDS AND CONCLUDES** that although the parties disagree as to the applicable standard of review of the objection the Probate Commissioner's *Report and Recommendation* Doc ID #30 (hereafter "RAR"), dated May 25, 2021, the case law under Venetian Casino, suggests that the correct standard is de novo review for questions of law and abuse of

1 discretion for question of fact. Thus, the report and recommendations must be reviewed for clear  
2 error or arbitrary or capricious abuse of discretion. Qualification of an administrator is a question of  
3 fact. Here, the court is unable to discern a clear error or arbitrary or capricious abuse of discretion.  
4 Thus, there is no factual basis to sustain the Objection. Venetian Casino Resort, LLC v. Eighth Jud. District Ct., 41 P.3d 327, 332 (2002).

5 **THE COURT FURTHER FINDS AND CONCLUDES** that parties agree to the relevant  
6 statute: NRS139.010 and 130.040. There is no dispute that under NRS 139.040(1)(h) and (j),  
7 McClaran, a purported creditor, enjoys a priority in appointment over Lipson Neilson. However, the  
8 Probate Commissioner, in the RAR, made a ruling clearly finding of conflict of interest by attorney  
9 Sharp, who as nominated by McClaran, under NRS 139.010. Thus, under NRS 139.010(3), Sharp is  
10 not qualified to serve as the administrator and the priority for right to appointment need not even be  
11 discussed.

12 **THE COURT FURTHER FINDS AND CONCLUDES** that Dickerson v. Eighth Judicial  
13 Dist. Court, 82 Nev. 234, 238, 414 P.2d 946, 949 (1966) is inapplicable here. It is noted that  
14 Dickerson was issued in 1966 and NRS 130.010 was amended multiple times since then. Most  
15 notably, in 2001, this statute was amended to specifically include conflict of interest as basis to find  
16 that a person is qualified to serve as an administrator. Thus, Dickerson was overruled by Statute.  
17 Furthermore, applying Dickerson to this case would negate the power of the court to appoint a  
18 special administrator under NRS 140.020.

19 **THE COURT FURTHER FINDS AND CONCLUDES** that there is insufficient argument  
20 that attorney Cassady is not qualified to act as the special administrator or that he has a conflict of  
21 interest. Thus, under NRS 139.050, his nomination to serve as the administrator should be granted.

22 Therefore, based upon the foregoing, and good cause appearing,

23 ///

24 ///

25 ///

1           **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that the Objection to Probate  
2 Commissioners Report and Recommendations shall be **OVERRULED**.

3           **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that the Probate  
4 Commissioner's *Report and Recommendation* Doc ID #30 dated May 25, 2021 is **AFFIRMED**  
5 **AND ADOPTED**.

6           **IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that JASEN  
7 CASSADY, is appointed as Special Administrator of the Estate of DEMETRIOUS DALACAS to  
8 act on behalf of the Estate in pending litigation where the Decedent or the Estate is named as a  
9 party, and that Letters of Special Administration be issued to him upon him taking the oath  
10 required by law.

11           **IT IS FURTHER ORDERED** that the Court waives the requirement of posting bond  
12 by the Special Administrator provided that any proceeds from the liquidation of any estate  
13 assets are deposited in the BLACKROCK LEGAL CLIENT TRUST ACCOUNT.  
14

15           **IT IS FURTHER ORDERED** that Petitioner be granted all of the powers of a Special  
16 Administrator contained in NRS Chapter 140.

17  
18           **IT IS SO ORDERED.**

19           DATED this \_\_\_\_ day of September, 2021.

Dated this 21st day of September, 2021

20             
21           \_\_\_\_\_  
22           DISTRICT COURT JUDGE

23           BA9 373 3E59 9D2A  
24           Veronica M. Barisich  
25           District Court Judge  
26  
27  
28

Respectfully submitted by:

**LIPSON NEILSON, LLP**

*/s/ Janeen V. Isaacson*

**JANEEN ISAACSON, ESQ.**

Nevada Bar No. 6419  
9900 Covington Cross, Suite 120  
Las Vegas, Nevada 89144  
Phone: (702) 382-1500

*Attorneys for Defendants*

Approved as to form and content:

**BREEDEN & ASSOCIATES, PLLC**

**ADAM J. BREEDEN, ESQ.**

Nevada Bar No. 008768  
376 E. Warm Springs Rd., Suite 120  
Las Vegas, Nevada 89119  
Phone: (702) 819-7770  
*Attorneys for Plaintiff*

Approved as to form and content:

**BLACKROCK LEGAL**

*/s/ Thomas R. Grover*

Michael A. Olson, Esq.

Nevada Bar No. 6076  
Thomas R. Grover, Esq.  
Nevada Bar No 12387  
10155 W. Twain Ave., Suite 100  
Las Vegas, Nevada 89147  
Phone: (702) 855-5658  
*Attorneys for Jasen Cassady*



## Renee Rittenhouse

---

**From:** Thomas Grover <tom@blackrocklawyers.com>  
**Sent:** Tuesday, September 7, 2021 5:50 PM  
**To:** Renee Rittenhouse; DC5inbox@clarkcountycourts.us  
**Cc:** Janeen Isaacson; 'Adam Breeden'; Kristy Johnson  
**Subject:** RE: P-20-103708-C (In the Matter of the Estate of Demetrios Dalacas)

**Follow Up Flag:** Follow up  
**Due By:** Tuesday, September 14, 2021 9:00 AM  
**Flag Status:** Flagged

**Categories:** Email String

I approve of this order as to form and content. I represent Jasen Cassady who will be confirmed as Special Administrator.

Tom



**Thomas R. Grover**  
10155 West Twain Suite 100  
Las Vegas, NV 89147  
T: 702.855.5658  
F: 702.869.8243  
C: 702.900.3003

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This message and any file(s) or attachment(s) transmitted herewith are confidential, intended for the named recipient only, and may contain information that is a trade secret, proprietary, protected by attorney work product doctrine, subject to attorney-client privilege, or is otherwise protected against unauthorized use or disclosure. This message and any file(s) or attachment(s) transmitted herewith are based on a reasonable expectation of privacy consistent with ABA Formal Opinion No. 99-413. Any disclosure, distribution, copying, or use of this information by anyone other than the intended recipient, regardless of address or routing, is strictly prohibited. If you receive this message in error, please advise the sender by immediate reply and delete the original message. Thank you. BlackRock Legal, LLC – Attorneys at law

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**From:** Renee Rittenhouse <RRittenhouse@lipsonneilson.com>  
**Sent:** Tuesday, September 7, 2021 2:40 PM  
**To:** DC5inbox@clarkcountycourts.us  
**Cc:** Janeen Isaacson <JIsaacson@lipsonneilson.com>; Thomas Grover <tom@blackrocklawyers.com>; 'Adam Breeden' <adam@breedenandassociates.com>; Kristy Johnson <kristy@breedenandassociates.com>  
**Subject:** P-20-103708-C (In the Matter of the Estate of Demetrios Dalacas)

Dear Dept. 5:

Please see attached Order Affirming Report & Recommendation Appointing Jasen Cassedy as Special Administrator for review by the Judge. It is our understanding that Mr. Breeden will be submitting a competing order.

Please do not hesitate to contact our office with any questions or concerns.

Thank you,

LAW OFFICES



# Lipson | Neilson

*Attorneys and Counselors at Law*

***Renee M. Rittenhouse***

***Legal Assistant to Janeen V. Isaacson, Esq.  
and Peter E. Dunkley, Esq.***

***Lipson Neilson***

***9900 Covington Cross Drive, Suite 120***

***Las Vegas, NV 89144***

***(702) 382-1500***

***(702) 382-1512 (fax)***

***E-Mail: [rrittenhouse@lipsonneilson.com](mailto:rrittenhouse@lipsonneilson.com)***

***Website: [www.lipsonneilson.com](http://www.lipsonneilson.com)***

***OFFICES IN NEVADA, MICHIGAN, ARIZONA & COLORADO***

1 CSERV

2 DISTRICT COURT  
3 CLARK COUNTY, NEVADA  
4

5  
6 In the Matter of:

CASE NO: P-20-103708-E

7 Demetrios Dalacas, Deceased

DEPT. NO. Department 5

8  
9 **AUTOMATED CERTIFICATE OF SERVICE**

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

13 Service Date: 9/21/2021

14 Adam Breeden adam@breedenandassociates.com

15 Thomas Grover tom@blackrocklawyers.com

16 Susana Nutt snutt@lipsonneilson.com

17 Michael Olsen mike@blackrocklawyers.com

18 Renee Rittenhouse rrittenhouse@lipsonneilson.com

19 Kevin Hansen, Esq. kevin@kevinrhansen.com

20 Amy Wilson, Esq. amy@kevinrhansen.com

21 Amanda Harmon amandah@kevinrhansen.com

22 Kristy Johnson kristy@breedenandassociates.com

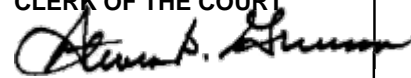
23 Christine Manning christine@blackrocklawyers.com

24 Julian Campbell julian@blackrocklawyers.com

25 Janeen Isaacson JIsaacson@lipsonneilson.com  
26  
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1 **LAEI**  
2 MICHAEL A. OLSEN, ESQ.  
3 Nevada Bar No. 6076  
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12 [tom@blackrocklawyers.com](mailto:tom@blackrocklawyers.com)  
13 *Attorneys for Jasen Cassidy*

14 **DISTRICT COURT**

15 **CLARK COUNTY, NEVADA**

16 In the Matter of the Estate of

17 DEMETRIOS A. DALACAS,

18 Deceased.

Case No. P-20-103708-E  
Dept. No. 5

19 **LETTERS OF SPECIAL  
ADMINISTRATION**

20 On the 21<sup>st</sup> of September 2021, the Court entered an Order appointing Jasen Cassidy as  
21 Special Administrator of the estate of the above-named Decedent. The Order includes:

22 A directive for no bond.

23 A directive that in the event the estate assets are liquidated those assets be placed  
24 in the Client Trust Account Blackrock Legal until further ordered by the Court.

25 The Special Administrator having duly qualified may act and has the authority  
26 and duties of a Special Administrator as provided under NRS 140.040.

27 In testimony of which, I have this date signed these Letters and affixed the Seal of  
28 the Court.

**STEVEN D. GRIERSON, CLERK OF THE COURT**

By: 

Deputy Clerk

Michelle McCarthy

9/28/2021

Date

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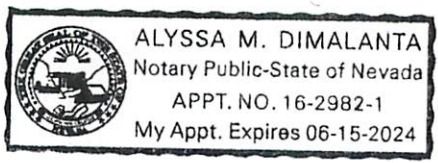
OATH

I, Jasen Cassady, whose mailing address is 10799 W Twain Ave, Las Vegas, NV 89135,  
solemnly affirm that I will faithfully perform according to law duties of Special Co-  
Administrator and that any matters stated in any petition or paper filed with the Court are true of  
my own knowledge or, if any matters are stated on information or belief, I believe them to be  
true.

  
\_\_\_\_\_  
Jasen Cassady, Special Administrator

SIGNED AND SWORN to before me  
this 27<sup>th</sup> day of September, 2021, by

  
\_\_\_\_\_  
NOTARY PUBLIC



 **BLACKROCK**  
LEGAL

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Probate - Special  
Administration**

**COURT MINUTES**

**April 02, 2021**

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P-20-103708-E      In the Matter of:  
Demetrios Dalacas, Deceased

---

**April 02, 2021      9:45 AM      Motion to Consolidate**

**HEARD BY:** Tanko, Sean      **COURTROOM:** RJC Courtroom 14D

**COURT CLERK:** Jill Chambers

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:**      Breeden, Adam J.      Attorney  
Isaacson, Janeen V.      Attorney  
Strong, Kevin T.      Attorney

**JOURNAL ENTRIES**

- John Waite, Esq. present for Special Administrator Robert McMaster. Jasen Cassady, Esq. and Thomas Grover, Esq. also present.

Mr. Waite argued in support of consolidating the cases and revoking their letters allowing his client to withdraw as Special Administrator. COMMISSIONER RECOMMENDED, Motion to Consolidate P-20-104354-E with Earliest Filed Matter and to Withdraw GRANTED and request to withdraw as Special Administrator GRANTED. Upon Commissioner's inquiry, Mr. Waite confirmed his client has not taken custody of any property of the estate. Argument by Ms. Isaacson and Mr. Breeden regarding who to appoint as Special Administrator. COMMISSIONER FURTHER RECOMMENDED both special administrators can WITHDRAW and Mr. Cassady APPOINTED as Special Administrator of the Estate. Further argument by Mr. Breeden and Mr. Grover. Mr. Breeden and Mr. Grover to submit competing report and recommendations.

CLERK'S NOTE: Minutes prepared upon a review of the JAVS recording. /mk 4/28/21

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Probate - Special  
Administration**

**COURT MINUTES**

**July 22, 2021**

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P-20-103708-E      In the Matter of:  
Demetrios Dalacas, Deceased

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**July 22, 2021      11:00 AM      Objection to Referee's  
Report & Recommendation**

**HEARD BY:** Barisich, Veronica M.      **COURTROOM:** Phoenix Building 11th Floor  
110

**COURT CLERK:** Carolyn Jackson

**RECORDER:** Christine Erickson

**REPORTER:**

**PARTIES**

**PRESENT:**      Breeden, Adam J.      Attorney  
Grover, Thomas R      Attorney  
Isaacson, Janeen V.      Attorney

**JOURNAL ENTRIES**

- Argument by counsel regarding whether the appointee for special administrator was in the best interests of the state and whether it would insert is right to the insurance policies. Further arguments of counsel regarding whether a conflict of interest existed, the qualifications of the appointee and applicability of case law and statutes.

COURT ORDERED, matter taken UNDER ADVISEMENT. Minute Order TO ISSUE.

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Probate - Special  
Administration**

**COURT MINUTES**

**July 30, 2021**

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P-20-103708-E      In the Matter of:  
Demetrios Dalacas, Deceased

---

**July 30, 2021      9:45 AM      Petition - HM**

**HEARD BY:** Yamashita, Wesley      **COURTROOM:** RJC Courtroom 14D

**COURT CLERK:** Nylasia Packer

**RECORDER:**

**REPORTER:**

**PARTIES**

**PRESENT:** Isaacson, Janeen V.      Attorney

**JOURNAL ENTRIES**

- Colloquy. Following statements by counsel, Court stated its findings and ORDERED, motion DENIED. Report Recommendation to be prepared.



**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Probate - Special  
Administration**

**COURT MINUTES**

**August 24, 2021**

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P-20-103708-E	In the Matter of: Demetrios Dalacas, Deceased
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<b>August 24, 2021</b>	<b>3:00 AM</b>	<b>Minute Order</b>
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**HEARD BY:** Barisich, Veronica M.                      **COURTROOM:** Chambers

**COURT CLERK:** Carolyn Jackson

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- The Court notes that Creditor Ryan McClaran s Objection to Probate Commissioner s Report and Recommendation and Motion for Evidentiary Hearing was heard. After hearing the oral arguments, the Court took the matter UNDER ADVISEMENT. After carefully considering the evidence and arguments submitted, COURT FINDS and ORDERS as follows.

In the report and recommendations filed on May 25, 2021, the Probate Commissioner made the following findings and recommendations. Decedent was sued in two separate major legal malpractice cases prior to his death. Moreover, after his death, a third related action was filed by his malpractice insurer. In the first case, A-15-719509-C, decedent s former client, Joyce Sirriani, who was represented by Dennis Prince, obtained a default judgment for \$5,601,993.87. In the case A-19-798738-C, another former client, Ryan McClaran sued, and the trial is currently pending. Decedent s insurer, Allied World, filed a declaratory relief action in the federal district court to rescind or void decedent s legal malpractice insurance policy. This case is also currently pending. Both Lisa Lee and Ryan McClaran, who were initially appointed as the special administrators, sought to be discharged. Lipson Neilson, which represented the decedent in McClaran s civil suit, nominated Jasen Cassady, Esq., to be the administrator. However, McClaran nominated A.J. Sharp, Esq. to be the administrator. However, it was found that attorney Sharp does not have experience acting as a fiduciary; on the other hand, attorney Cassady had the experience, ethics, expertise and integrity to act as a fiduciary

and he was appointed as the administrator. Although McClaran cited to *Dickerson v. Eighth Judicial Dist. Court*, 82 Nev. 234, 238, 414 P.2d 946, 949 (1966) for the proposition that a non-party could only serve as a special administrator when nominated by a person with standing, this argument was rejected. Citing to NRS 140.020(1), the court has an inherent authority to appoint a special administrator in open court without notice. Furthermore, citing to NRS 139.040(1)(j), any person legally qualified may be appointed as the administrator and Cassidy has met all applicable factors. Lastly, under *Dickerson*, an person who is qualified for an appointment under NRS 139.040(1)(j) could also nominate another person who is similarly qualified and that nominee has the same priority as the nominator under NRS 139.040(2)(b).

The Probate Commissioner has the authority to hear the matter, review the record, make findings of fact, and recommend conclusion of law and order. EDCR 4.04(a). Within 10 judicial days after being served with Probate Commissioner s Report and Recommendations, any party may object to it via written request for judicial review of the matter by the probate judge, together with specific written objections. EDCR 4.06(a). In a contested matter, if the matter involves disputed issues of material fact, the matter must be set for an evidentiary hearing. EDCR 4.17. Although the rules do not specific state what the applicable standard of review is, for the question of law, the standard is de novo review and for question of fact, the standard is abuse of discretion. *Venetian Casino Resort, LLC v. Eighth Jud. Dist. Ct.*, 41 P.3d 327, 332 (2002).

Under NRS 139.010, to qualify as an administrator, the administrator must be a resident of Nevada, is at least 18 years old, was not convicted of a felony, does not have a conflict of interest, or there is no other compelling reason. The Nevada Supreme Court held that NRS 139.040 fixing priority is mandatory and the court must appoint the person preferred by statute if otherwise competent under NRS 139. 010. However, mere adverse interest does not disqualify under NRS 139.010. *Dickerson v. Eighth Judicial Dist. Court*, 82 Nev. 234, 238, 414 P.2d 946, 949 (1966). NRS 139.040(1) sets forth an order of priority for right to appointment as the administrator. Under subsections (h) and (j), creditors have higher priority than any person who is legally qualified.

The Court FINDS and CONCLUDES that although the parties disagree as to the applicable standard of review of the objection the Probate Commissioner s Report and Recommendations, the case law under *Venetian Casino*, suggests that the correct standard is de novo review for question of law and abuse of discretion for question of fact. Thus, the report and recommendations must be reviewed for clear error or arbitrary or capricious abuse of discretion. Qualification of an administrator is a question of fact. Here, the Court is unable to discern a clear error or arbitrary or capricious abuse of discretion. Thus, there is no factual basis to sustain the objection.

The Court FINDS and CONCLUDES that parties agree to the relevant statute: NRS 139.010 and 139.040. There is no dispute that under NRS 139.040(1)(h) and (j), McClaran, a purported creditor, enjoys a priority in appointment over Lipson Neilson. However, the ruling clearly made a finding of conflict of interest by attorney Sharp, who as nominated by McClaran, under NRS 139.010. Thus, under NRS 139.010(3), Sharp is not qualified to serve as the administrator and the priority for right to appointment need not even be discussed.

The Court FINDS and CONCLUDES that Dickerson case inapplicable here. It is noted that Dickerson was issued in 1966 and NRS 139.010 was amended multiple times since then. Most notably, in 2001, this statute was amended to specifically include conflict of interest as basis to find that a person is qualified to serve as an administrator. Thus, Dickerson was overruled by statute. Furthermore, applying Dickerson to this case would negate the power of the court to appoint a special administrator under NRS 140.020.

The Court FINDS and CONCLUDES that there is insufficient argument that attorney Cassady is not qualified to act as the special administrator or that he has a conflict of interest. Thus, under NRS 139.050, his nomination to serve as the administrator should be granted.

The Court ORDERS that the objection to Probate Commissioner s Report and Recommendations shall be OVERRULED.

Counsel for the prevailing party is directed to submit a proposed Order consistent with this Minute Order and the submitted briefing. Counsel may add language to further supplement the proposed Order in accordance with the Court's findings and any submitted arguments. All other counsel are to review and countersign as to form and content. Counsel is directed to have the proposed Order submitted to chambers within 14 days consistent with AO 21-04 and EDCR 7.21.

CLERK'S NOTE: This Minute Order was electronically served by Courtroom Clerk, Carolyn Jackson, to all registered parties for Odyssey File & Serve. /cj 08-24-21

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

**Probate - Special  
Administration**

**COURT MINUTES**

**September 03, 2021**

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P-20-103708-E      In the Matter of:  
Demetrios Dalacas, Deceased

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**September 03, 2021      3:00 AM      Petition - HM**

**HEARD BY:** Yamashita, Wesley      **COURTROOM:** Chambers

**COURT CLERK:** Alice Jacobson

**RECORDER:**

**REPORTER:**

**PARTIES  
PRESENT:**

**JOURNAL ENTRIES**

- Prior to the time set for hearing, COMMISSIONER RECOMMENDED, matter taken OFF  
CALENDAR.



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

**ADAM J. BREEDEN, ESQ.**  
**376 E. WARM SPRINGS RD., SUITE 120**  
**LAS VEGAS, NV 89119**

**DATE: October 26, 2021**  
**CASE: P-20-103708-E**  
**C/W P-20-104354-E**

**RE CASE:** In the Matter of: DEMETRIOS A. DALACAS, Deceased

NOTICE OF APPEAL FILED: October 21, 2021

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

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

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

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

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

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

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

# Certification of Copy

State of Nevada }  
County of Clark } SS:

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

NOTICE OF APPEAL; CASE APPEAL STATEMENT; CERTIFICATE OF MAILING; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; ORDER AFFIRMING REPORT AND RECOMMENDATION, APPOINTING JASEN CASSADY AS SPECIAL ADMINISTRATOR; NOTICE OF ENTRY OF ORDER; LETTER OF SPECIAL ADMINISTRATION; DISTRICT COURT MINUTES; NOTICE OF DEFICIENCY

In the Matter of:

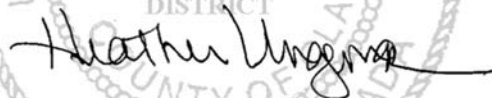
DEMETRIOS A. DALACAS,  
  
Deceased.

Case No: P-20-103708-E  
*Consolidated with P-20-104354-E*  
Dept No: V

now on file and of record in this office.

**IN WITNESS THEREOF**, I have hereunto  
Set my hand and Affixed the seal of the  
Court at my office, Las Vegas, Nevada  
This 26 day of October 2021.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk

