

IN THE SUPREME COURT OF THE STATE OF NEVADA

INDICATE FULL CAPTION:

IN RE THE MATTER OF THE ESTATE OF  
DEMETRIOS A. DALACAS, DECEASED

RYAN MCCLARAN,  
Appellant

v.

ESTATE OF DEMETRIOS A. DALACAS, AND  
JASEN CASSADY

No. 83702

Electronically Filed  
Nov 29 2021 10:15 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court  
DOCKETING STATEMENT  
CIVIL APPEALS

GENERAL INFORMATION

Appellants must complete this docketing statement in compliance with NRAP 14(a). The purpose of the docketing statement is to assist the Supreme Court in screening jurisdiction, identifying issues on appeal, assessing presumptive assignment to the Court of Appeals under NRAP 17, scheduling cases for oral argument and settlement conferences, classifying cases for expedited treatment and assignment to the Court of Appeals, and compiling statistical information.

WARNING

This statement must be completed fully, accurately and on time. NRAP 14(c). The Supreme Court may impose sanctions on counsel or appellant if it appears that the information provided is incomplete or inaccurate. *Id.* Failure to fill out the statement completely or to file it in a timely manner constitutes grounds for the imposition of sanctions, including a fine and/or dismissal of the appeal.

A complete list of the documents that must be attached appears as Question 27 on this docketing statement. Failure to attach all required documents will result in the delay of your appeal and may result in the imposition of sanctions.

This court has noted that when attorneys do not take seriously their obligations under NRAP 14 to complete the docketing statement properly and conscientiously, they waste the valuable judicial resources of this court, making the imposition of sanctions appropriate. See KDI Sylvan Pools v. Workman, 107 Nev. 340, 344, 810 P.2d 1217, 1220 (1991). Please use tab dividers to separate any attached documents.

1. Judicial District Eighth Department 5  
County Clark Judge Hon. Veronica Barisich  
District Ct. Case No. P-20-103708-E and P-20-104354-E (consolidated)

**2. Attorney filing this docketing statement:**

Attorney Adam J. Breeden, Esq. Telephone 702-819-7770  
Firm Breeden & Associates, PLLC  
Address 376 E. Warm Springs Rd., Suite 120  
Las Vegas, NV 89119

Client(s) Ryan McClaran

If this is a joint statement by multiple appellants, add the names and addresses of other counsel and the names of their clients on an additional sheet accompanied by a certification that they concur in the filing of this statement.

**3. Attorney(s) representing respondents(s):**

Attorney Thomas Grover, Esq. Telephone 702-855-5658  
Firm Blackrock Legal, LLC  
Address 10155 W. Twain Ave., Suite 100  
Las Vegas, NV 89147

Client(s) Jasen Cassady for the Estate of Demetrios Dalacas

Attorney \_\_\_\_\_ Telephone \_\_\_\_\_  
Firm \_\_\_\_\_  
Address \_\_\_\_\_

Client(s) \_\_\_\_\_

(List additional counsel on separate sheet if necessary)

**4. Nature of disposition below (check all that apply):**

- |   |  |
|---|--|
| <input type="checkbox"/> Judgment after bench trial         | <input type="checkbox"/> Dismissal:  |
| <input type="checkbox"/> Judgment after jury verdict        | <input type="checkbox"/> Lack of jurisdiction  |
| <input type="checkbox"/> Summary judgment                   | <input type="checkbox"/> Failure to state a claim  |
| <input type="checkbox"/> Default judgment                   | <input type="checkbox"/> Failure to prosecute  |
| <input type="checkbox"/> Grant/Denial of NRCP 60(b) relief  | <input type="checkbox"/> Other (specify): _____  |
| <input type="checkbox"/> Grant/Denial of injunction         | <input type="checkbox"/> Divorce Decree:   |
| <input type="checkbox"/> Grant/Denial of declaratory relief | <input type="checkbox"/> Original <input type="checkbox"/> Modification  |
| <input type="checkbox"/> Review of agency determination     | <input checked="" type="checkbox"/> Other disposition (specify): <u>Order appointing Special Administrator</u> |

**5. Does this appeal raise issues concerning any of the following?**

- |   |                |
|---|----------------|
| <input type="checkbox"/> Child Custody                  | NOT APPLICABLE |
| <input type="checkbox"/> Venue                          |                |
| <input type="checkbox"/> Termination of parental rights |                |

**6. Pending and prior proceedings in this court.** List the case name and docket number of all appeals or original proceedings presently or previously pending before this court which are related to this appeal:

There are no known related actions.

**7. Pending and prior proceedings in other courts.** List the case name, number and court of all pending and prior proceedings in other courts which are related to this appeal (e.g., bankruptcy, consolidated or bifurcated proceedings) and their dates of disposition:

There is an underlying civil case between McClaran and the Estate which is currently stayed. McClaran v. Estate of Dalacas, Case No. A-19-798738-C, Eighth Judicial District.

**8. Nature of the action.** Briefly describe the nature of the action and the result below:

This is an appeal from an appointment of a Special Administrator for the Estate of Demetrios Dalacas. McClaran (a creditor of the Estate) was denied an evidentiary hearing and a his statutory preference to nominate a Special Administrator under NRS 139.040. Instead, the Estate's insurer--which has twice sued the Estate to revoke all of its insurance coverage--was allowed to put forth a competing nominee to control the Estate.

**9. Issues on appeal.** State concisely the principal issue(s) in this appeal (attach separate sheets as necessary):

Numerous issues of interpretation of NRS 139.040 are raised by this appeal, including:

- 1) Under what circumstances can the District Court disregard the heirarchy of nominations in NRS 139.040
- 2) What constitutes a "conflict of interest" for a nominated administrator under NRS 139.010
- 3) May the District Court simply disregard the heirarchy of nominations under NRS 139.040 by using NRS 140.020
- 4) Did the District Court abuse its discretion by not holding an evidentiary hearing required under local rules to determine which proposed administrator was in a better position to serve the Estate
- 5) Did the District Court abuse its discretion by not finding a "conflict of interest" with the insurance company's proposed administrator

**10. Pending proceedings in this court raising the same or similar issues.** If you are aware of any proceedings presently pending before this court which raises the same or similar issues raised in this appeal, list the case name and docket numbers and identify the same or similar issue raised:

The appellant is not aware of any of the same or similar issues presently pending before the Court.



**11. Constitutional issues.** If this appeal challenges the constitutionality of a statute, and the state, any state agency, or any officer or employee thereof is not a party to this appeal, have you notified the clerk of this court and the attorney general in accordance with NRAP 44 and NRS 30.130?

☒ N/A

☐ Yes

☐ No

If not, explain:

**12. Other issues.** Does this appeal involve any of the following issues?

☐ Reversal of well-settled Nevada precedent (identify the case(s))

☐ An issue arising under the United States and/or Nevada Constitutions

☒ A substantial issue of first impression

☐ An issue of public policy

☐ An issue where en banc consideration is necessary to maintain uniformity of this court's decisions

☐ A ballot question

If so, explain:

Despite their growing usage, there is virtually no appellate guidance from this Court as to how to apply NRS Chapter 139 and 140 as it pertains to appointment of a Special Administrator of an Estate and how the District Court should proceed to resolve factual issues as to competing nominations of Special Administrators and what constitutes a "conflict of interest" under NRS Chapter 139 for a proposed Special Administrator.

**13. Assignment to the Court of Appeals or retention in the Supreme Court.** Briefly set forth whether the matter is presumptively retained by the Supreme Court or assigned to the Court of Appeals under NRAP 17, and cite the subparagraph(s) of the Rule under which the matter falls. If appellant believes that the Supreme Court should retain the case despite its presumptive assignment to the Court of Appeals, identify the specific issue(s) or circumstance(s) that warrant retaining the case, and include an explanation of their importance or significance:

This matter is presumptively assigned to the Court of Appeals.

**14. Trial.** If this action proceeded to trial, how many days did the trial last? No trial

Was it a bench or jury trial? \_\_\_\_\_

**15. Judicial Disqualification.** Do you intend to file a motion to disqualify or have a justice recuse him/herself from participation in this appeal? If so, which Justice?

No such motions are anticipated at this time.

## TIMELINESS OF NOTICE OF APPEAL

16. Date of entry of written judgment or order appealed from 9/21/2021

If no written judgment or order was filed in the district court, explain the basis for seeking appellate review:

17. Date written notice of entry of judgment or order was served 9/21/2021

Was service by:

☐ Delivery

☒ Mail/electronic/fax

18. If the time for filing the notice of appeal was tolled by a post-judgment motion (NRCP 50(b), 52(b), or 59)

NOT APPLICABLE

(a) Specify the type of motion, the date and method of service of the motion, and the date of filing.

☐ NRCP 50(b)      Date of filing \_\_\_\_\_

☐ NRCP 52(b)      Date of filing \_\_\_\_\_

☐ NRCP 59      Date of filing \_\_\_\_\_

NOTE: Motions made pursuant to NRCP 60 or motions for rehearing or reconsideration may toll the time for filing a notice of appeal. See AA Primo Builders v. Washington, 126 Nev. \_\_\_\_, 245 P.3d 1190 (2010).

(b) Date of entry of written order resolving tolling motion \_\_\_\_\_

(c) Date written notice of entry of order resolving tolling motion was served \_\_\_\_\_

Was service by:

☐ Delivery

☐ Mail

**19. Date notice of appeal filed** 10/21/2021

If more than one party has appealed from the judgment or order, list the date each notice of appeal was filed and identify by name the party filing the notice of appeal:

**20. Specify statute or rule governing the time limit for filing the notice of appeal, e.g., NRAP 4(a) or other**

NRAP 4(a)

**SUBSTANTIVE APPEALABILITY**

**21. Specify the statute or other authority granting this court jurisdiction to review the judgment or order appealed from:**

(a)

- |   |                                       |
|---|---------------------------------------|
| <input checked="" type="checkbox"/> NRAP 3A(b)(1) | <input type="checkbox"/> NRS 38.205   |
| <input type="checkbox"/> NRAP 3A(b)(2)            | <input type="checkbox"/> NRS 233B.150 |
| <input type="checkbox"/> NRAP 3A(b)(3)            | <input type="checkbox"/> NRS 703.376  |
| <input type="checkbox"/> Other (specify) _____    |                                       |

(b) Explain how each authority provides a basis for appeal from the judgment or order:

This is an appeal from an Order appointing a Special Administrator of an Estate. Appellant believes the Order is a final appealable order and the order is appealable under NRS 159.190(1)(a). However, McClaran filed a Motion for Determination of Standing to Appeal on 11/19/2021 noting that NRS 140.020(3) appears on its face to conflict with NRS 159.190(1)(a) by barring an appeal. In light of this conflicting authority and noting an older case that may or may not still be good law, Nev. Paving v. Callahan, 83 Nev. 208 (1967), McClaran may be limited to writ relief and has asked the Court to determine whether an appeal is available under the law.



**22. List all parties involved in the action or consolidated actions in the district court:**

(a) Parties:

Ryan McClaran- Creditor  
Jasen Cassady- Special Administrator  
Elene Mylordos- Heir  
John and Denise Tousoulis- Creditor  
Wells Fargo Bank, NA- Creditor  
Joyce Sirianni- Creditor

(b) If all parties in the district court are not parties to this appeal, explain in detail why those parties are not involved in this appeal, *e.g.*, formally dismissed, not served, or other:

McClaran does not know what position any of the other creditors will take on this appeal, if any.

**23. Give a brief description (3 to 5 words) of each party's separate claims, counterclaims, cross-claims, or third-party claims and the date of formal disposition of each claim.**

McClaran opened this Estate as a creditor's Estate. He nominated a replacement Special Administrator after the first administrator withdrew. Against his nomination, another Special Administrator was appointed. The Order appointing this Special Administrator was entered on 9/21/2021 and the Letters of Special Administration were issued a few days later on 9/27/2021.

**24. Did the judgment or order appealed from adjudicate ALL the claims alleged below and the rights and liabilities of ALL the parties to the action or consolidated actions below?**

☒ Yes      This was the final decision of the Court as to who will be appointed Special Administrator  
☐ No

**25. If you answered "No" to question 24, complete the following:**

(a) Specify the claims remaining pending below:

(b) Specify the parties remaining below:

(c) Did the district court certify the judgment or order appealed from as a final judgment pursuant to NRCP 54(b)?

☐ Yes

☐ No

(d) Did the district court make an express determination, pursuant to NRCP 54(b), that there is no just reason for delay and an express direction for the entry of judgment?

☐ Yes

☐ No

**26. If you answered "No" to any part of question 25, explain the basis for seeking appellate review (*e.g.*, order is independently appealable under NRAP 3A(b)):**

**27. Attach file-stamped copies of the following documents:**

- é The latest-filed complaint, counterclaims, cross-claims, and third-party claims
- é Any tolling motion(s) and order(s) resolving tolling motion(s)
- é Orders of NRCP 41(a) dismissals formally resolving each claim, counterclaims, cross-claims and/or third-party claims asserted in the action or consolidated action below, even if not at issue on appeal
- é Any other order challenged on appeal
- é Notices of entry for each attached order

## VERIFICATION

I declare under penalty of perjury that I have read this docketing statement, that the information provided in this docketing statement is true and complete to the best of my knowledge, information and belief, and that I have attached all required documents to this docketing statement.

Ryan McClaran  
Name of appellant

11-23-2021  
Date

Clark County, NV  
State and county where signed

Adam J. Breeden, Esq.  
Name of counsel of record

Adam J. Breeden  
Signature of counsel of record

## CERTIFICATE OF SERVICE

I certify that on the 29<sup>th</sup> day of November, 2021, I served a copy of this completed docketing statement upon all counsel of record:

- ☐ By personally serving it upon him/her; or
- ☒ By mailing it by first class mail with sufficient postage prepaid to the following address(es): (NOTE: If all names and addresses cannot fit below, please list names below and attach a separate sheet with the addresses.)

Kevin T. Strong, Esq.  
Janeen V. Isaacson, Esq.  
Thomas R. Grover, Esq.  
Kevin R. Hansen, Esq.  
Elene Mylordos  
Agnes R. MacIntyre

Dated this 29<sup>th</sup> day of November, 2021

Sarah D. S.  
Signature

Kevin T. Strong, Esq.  
PRINCE LAW GROUP  
10801 W. Charleston Blvd, Ste. 560  
Las Vegas, Nevada 89135  
*For Creditor Sirianni*

Janeen V. Isaacson, Esq.  
LIPSON NEILSON P.C.  
9900 Covington Cross Drive, Ste. 120  
Las Vegas, Nevada 89144  
*For Herself and the Insurance Company*

Thomas R. Grover, Esq.  
BLACKROCK LEGAL, LLC  
10155 W. Twain Avenue, Suite 100  
Las Vegas, Nevada 89147  
*For Special Administrator Jasen  
Cassady*

Kevin R. Hansen, Esq.  
LAW OFFICE OF KEVIN R. HANSEN  
5440 W. Sahara Avenue, Suite 206  
Las Vegas, Nevada 89146  
*For Creditor John and Denise Tousoulis*

Elene Mylordos  
14947 Fjord Street  
San Leandro, California 94578  
*Interested Party*

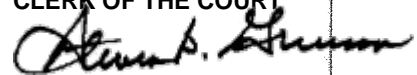
Agnes R. MacIntyre  
WELLS FARGO BANK, N.A.  
PO Box 3696  
MAC P6053-021  
Portland, Oregon 97208  
*Creditor & Interested Party*



### TABLE OF EXHIBITS

|    |   |
|----|---|
| 1. | Petition for Appointment of Special Administrator and For Issuance of Letters of Special Administration with General Powers, Filed September 25, 2020   |
| 2. | 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, Filed March 5, 2021 |
| 3. | Notice of Entry of Order with attached Order Affirming Report and Recommendation, Appointing Jasen Cassady as Special Administrator, Filed September 22, 2021   |
| 4. | Letters of Special Administration, Filed September 27, 2021   |

Exhibit “1”



CASE NO: P-20-104354-E  
Department 8

1 CODE: PETN  
2 GOLDSMITH & GUYMON, P.C.  
3 Dara J. Goldsmith, Esq.  
4 Nevada Bar No. 4270  
5 dgoldsmith@goldguylaw.com  
6 John L. Waite III, Esq.  
7 Nevada Bar No. 15110  
8 jwaite@goldguylaw.com  
9 2055 Village Center Circle  
10 Las Vegas, Nevada 89134  
11 Phone (702) 873-9500  
12 Fax (702) 873-9600  
13 Attorneys for Petitioner

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DISTRICT COURT

CLARK COUNTY, NEVADA

In the Matter of the Estate of )  
DEMETRIOS DALACAS ) Case No. P-  
Deceased. ) Department PC1  
Probate

PETITION FOR APPOINTMENT OF SPECIAL ADMINISTRATOR AND FOR ISSUANCE  
OF LETTERS OF SPECIAL ADMINISTRATION  
WITH GENERAL POWERS

Robert O. McMaster (Petitioner), by and through counsel John  
Waite III, Esq., of the law firm of GOLDSMITH & GUYMON, P.C.,  
respectfully alleges:

1. Demetrios A. Dalacas (Decedent) died on May 16, 2020, in Clark  
County, Nevada; and, on the date of death, Decedent was a  
resident of Clark County, Nevada. A copy of the Decedent's  
death certificate is attached hereto as Exhibit A.
2. Upon information and belief, Decedent died intestate.
3. Petitioner is qualified in every respect under the provisions  
of NRS 139.010 to act as Special Administrator of the Estate of  
Decedent and is competent and capable of acting as such and  
consents to act as the Special Administrator and Personal  
Representative of the Estate of Decedent.

1 4. Petitioner has never been convicted of a felony or judicially  
2 determined to have committed abuse, neglect, or exploitation of  
3 a child, spouse, parent or other person.

4 5. The names, ages, relationships, and residence addresses of the  
5 devisees, legatees, heirs and next-of-kin of Decedent are:

| 6 | <u>NAME</u>    | <u>AGE/RELATIONSHIP</u> | <u>ADDRESS</u>                           |
|---|----------------|-------------------------|--|
| 7 | Elene Mylordos | 59/Adult Sister         | 14947 Fjord St.<br>San Leandro, CA 94578 |

8  
9 6. The name of the person for whom Letters of Special  
10 Administration is prayed for is Robert O. McMaster, who has  
11 been nominated by Creditor Ryan McClaran (the "Creditor"). A  
12 copy of the Nomination is attached hereto as Exhibit B.

13 7. Creditor has a pending claim against Decedent in Department  
14 XXX, Eighth Judicial District Court, Clark County, Nevada, Case  
15 No. A-19-798738-C (the "Lawsuit").

16 8. Creditor seeks the appointment of Robert O. McMaster as a  
17 Special Administrator for the purpose of, among other things,  
18 substituting the Decedent's estate as the real party in  
19 interest in the pending Lawsuit.

20 9. Upon information and belief, no person entitled to priority  
21 above Creditor, under NRS 139.040, has either initiated the  
22 opening of, actually opened, nor indicated they intended to  
23 open an estate for Decedent.

24 WHEREFORE, Petitioner prays:

25 (1) That the Court appoint Robert O. McMaster as Special  
26 Administrator of the Estate of Demetrios A. Dalacas, to serve for the  
27 purpose of substituting Decedent's estate as a defendant in the  
28 pending Lawsuit and investigating Decedent's estate in Nevada and  
other states, if necessary, and pursue administration if necessary



1 according to the laws of such jurisdictions;

2 (2) That Letters of Special Administration with General Powers be  
3 issued to Robert O. McMaster;

4 (3) That no bond shall be posted to secure the performance of  
5 Robert O. McMaster as Special Administrator and legal representative  
6 of the Estate of Decedent, but that all estate funds will remain and  
7 subsequently received funds be placed in the Estate's court blocked  
8 bank account or in Goldsmith & Guymon, P.C.'s client trust account;  
9 and

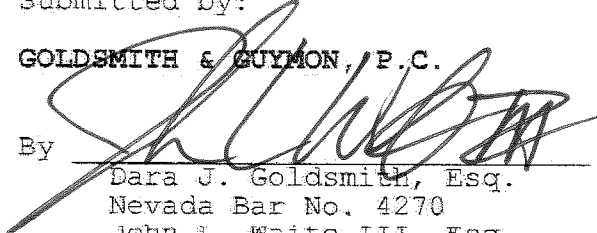
10 (4) All other necessary and proper orders be made in the premises.

11 DATED this 29<sup>th</sup> day of September, 2020.

12   
13 \_\_\_\_\_  
14 ROBERT O. MCMASTER

15 Submitted by:

16 GOLDSMITH & GUYMON, P.C.

17   
18 By \_\_\_\_\_  
19 Dara J. Goldsmith, Esq.  
20 Nevada Bar No. 4270  
21 John L. Waite III, Esq.  
22 Nevada Bar No. 15110  
2055 Village Center Circle  
Las Vegas, Nevada 89134  
Phone (702) 873-9500  
Fax (702) 873-9600  
Attorneys for Petitioner

23 w:\DJG\PR\1995-1 Dalacas\Petition v2.wpd

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VERIFICATION

COMES NOW, Robert O. McMaster, the Petitioner herein, under penalty of perjury, and makes the following assertions: that he is the Petitioner in the above-entitled action; that he has read the foregoing Petition; and knows the contents thereof that the same is true of his own knowledge, except for those matters therein contained stated upon information and belief, and as to those matters, he believes them to be true.

DATED this 24<sup>TH</sup> day of September, 2020.

  
Robert O. McMaster

# STATE OF NEVADA

## CERTIFICATION OF VITAL RECORD

### DEPARTMENT OF HEALTH AND HUMAN SERVICES DIVISION OF PUBLIC AND BEHAVIORAL HEALTH VITAL STATISTICS CERTIFICATE OF DEATH

CASE FILE NO. 4145935

2020010357  
STATE FILE NUMBER

TYPE OR  
PRINT IN  
PERMANENT  
BLACK INK

DECEDENT

IF DEATH  
OCCURRED IN  
INSTITUTION SEE  
HANDBOOK  
REGARDING  
COMPLETION OF  
RESIDENCE  
ITEMS

PARENTS

DISPOSITION

TRADE CALL

CERTIFIER

REGISTRAR

CAUSE OF  
DEATH

CONDITIONS IF  
ANY WHICH  
GAVE RISE TO  
IMMEDIATE  
CAUSE  
STATING THE  
UNDERLYING  
CAUSE LAST

|   |  |   |   |  |   |
|---|--|---|---|--|---|
| 1a. DECEASED NAME (FIRST, MIDDLE, LAST, SUFFIX)<br><b>Demetrios Anthony DALACAS</b>   |  | 2. DATE OF DEATH (Mo/Day/Year)<br><b>May 16, 2020</b>   |   | 3a. COUNTY OF DEATH<br><b>Clark</b>  |   |
| 3b. CITY, TOWN, OR LOCATION OF DEATH<br><b>Las Vegas</b>  |  | 3c. HOSPITAL OR OTHER INSTITUTION - Name (If not either, give street and apt. No. or inst. indicate DOA, OP/Emer. Rm. Inpatient (Specify)<br><b>Home</b>  |   | 4. SEX<br><b>Male</b>  |   |
| 5. RACE (Specify)<br><b>White</b>   |  | 6. Hispanic Origin? Specify<br><b>No - Non-Hispanic</b>   |   | 7a. AGE - Last birthday (Years)<br><b>55</b>   |   |
| 7b. UNDER 1 YEAR<br><b>MOS DAYS HOURS MINS</b>  |  | 7c. UNDER 1 DAY<br><b>MOS DAYS HOURS MINS</b>   |   | 8. DATE OF BIRTH (Mo/Day/Yr)<br><b>July 29, 1964</b>   |   |
| 9a. STATE OF BIRTH (If not US/CA, name country)<br><b>California</b>  |  | 9b. CITIZEN OF WHAT COUNTRY<br><b>United States</b>   |   | 10. EDUCATION<br><b>19</b>   |   |
| 11. MARITAL STATUS (Specify)<br><b>Never Married</b>  |  | 12. SURVIVING SPOUSE'S NAME (Last name prior to first marriage)   |   |  |   |
| 13. SOCIAL SECURITY NUMBER  |  | 14a. USUAL OCCUPATION (Give Kind of Work Done During Most of)<br><b>LAWYER</b>  |   | 14b. KIND OF BUSINESS OR INDUSTRY<br><b>LAW</b>  |   |
| 15a. RESIDENCE - STATE<br><b>Nevada</b>   |  | 15b. COUNTY<br><b>Clark</b>   |   | 15c. CITY, TOWN OR LOCATION<br><b>Las Vegas</b>  |   |
| 15d. STREET AND NUMBER<br><b>10157 Queens Church Avenue</b>   |  | 15e. INSIDE CITY LIMITS (Specify Yes or No)<br><b>No</b>  |   |  |   |
| 16. FATHER/PARENT - NAME (First Middle Last Suffix)<br><b>Anthony DALACAS</b>   |  |   | 17. MOTHER/PARENT - NAME (First Middle Last Suffix)<br><b>Eugenia MEGREMIS</b>  |  |   |
| 18a. INFORMANT - NAME (Type or Print)<br><b>Elene MYLORDOS</b>  |  |   | 18b. MAILING ADDRESS (Street or R.F.D. No. City or Town, State, Zip)<br><b>14947 Fiord St San Leandro, California 94578</b> |  |   |
| 19a. BURIAL, CREMATION, REMOVAL, OTHER (Specify)<br><b>Burial</b>   |  |   | 19b. CEMETERY OR CREMATORY - NAME<br><b>Woodlawn Cemetery</b>   |  | 19c. LOCATION City or Town State<br><b>Las Vegas Nevada 89101</b> |
| 20a. FUNERAL DIRECTOR - SIGNATURE (Or Person Acting as Such)<br><b>PHILIP W SMITH</b><br><b>SIGNATURE AUTHENTICATED</b>   |  | 20b. FUNERAL DIRECTOR LICENSE NUMBER<br><b>FD922</b>  |   | 20c. NAME AND ADDRESS OF FACILITY<br><b>Davis Funeral Home and Memorial Park</b><br><b>6200 S Eastern Las Vegas NV 89119</b> |   |
| TRADE CALL - NAME AND ADDRESS   |  |   |   |  |   |
| 21a. To the best of my knowledge, death occurred at the time, date and place and due to the cause(s) stated. (Signature & Title)<br><b>Christina M Di Loreto MD</b><br><b>SIGNATURE AUTHENTICATED</b> |  | 22a. On the basis of examination and/or investigation, in my opinion, death occurred at the time, date and place and due to the cause(s) stated. (Signature & Title)<br><b>Christina M Di Loreto MD</b><br><b>SIGNATURE AUTHENTICATED</b> |   |  |   |
| 21b. DATE SIGNED (Mo/Day/Yr)<br><b>May 21, 2020</b>   |  | 21c. HOUR OF DEATH<br><b>21:40</b>  |   | 22b. DATE SIGNED (Mo/Day/Yr)<br><b>May 21, 2020</b>  |   |
| 21d. NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print)<br><b>Christina M Di Loreto MD</b>   |  | 21e. HOUR OF DEATH<br><b>21:40</b>  |   | 22c. HOUR OF DEATH<br><b>21:40</b>   |   |
| 23a. NAME AND ADDRESS OF CERTIFIER (PHYSICIAN, ATTENDING PHYSICIAN, MEDICAL EXAMINER, OR CORONER) (Type or Print)<br><b>Christina M Di Loreto MD 1704 Pinto Lane Las Vegas, NV 89106</b>              |  |   |   | 23b. LICENSE NUMBER<br><b>17849</b>  |   |
| 24a. REGISTRAR (Signature)<br><b>NANCY BARRY</b><br><b>SIGNATURE AUTHENTICATED</b>  |  | 24b. DATE RECEIVED BY REGISTRAR (Mo/Day/Yr)<br><b>May 21, 2020</b>  |   | 24c. DEATH DUE TO COMMUNICABLE DISEASE<br><b>YES</b> <input type="checkbox"/> <b>NO</b> <input checked="" type="checkbox"/>  |   |
| 25. IMMEDIATE CAUSE (ENTER ONLY ONE CAUSE PER LINE FOR (a), (b), AND (c).)  |  |   |   |  |   |
| PART I  |  |   |   |  |   |
| (a) <b>Congestive Heart Failure</b> Interval between onset and death  |  |   |   |  |   |
| (b) <b>Hypertensive Cardiovascular Disease</b> Interval between onset and death   |  |   |   |  |   |
| (c) <b></b> Interval between onset and death  |  |   |   |  |   |
| (d) <b></b> Interval between onset and death  |  |   |   |  |   |
| PART II OTHER SIGNIFICANT CONDITIONS - Conditions contributing to death but not resulting in the underlying cause given in Part I.  |  |   |   | 26. AUTOPSY (Specify Yes or No)<br><b>No</b>   |   |
| 27a. ACC., SUICIDE, HOM., UNDET. OR PENDING INVEST. (Specify)   |  | 27b. DATE OF INJURY (Mo/Day/Yr)   |   | 27c. HOUR OF INJURY  |   |
| 27d. DESCRIBE HOW INJURY OCCURRED   |  |   |   |  |   |
| 28a. INJURY AT WORK (Specify Yes or No)   |  | 28b. PLACE OF INJURY - At home, farm, street, factory, office building, etc. (Specify)  |   | 28c. LOCATION STREET OR R.F.D. No. CITY OR TOWN STATE  |   |

LOCAL REGISTRAR

VRS-Rev-20120523

"CERTIFIED TO BE A TRUE AND CORRECT COPY OF THE DOCUMENT ON FILE WITH THE REGISTRAR OF VITAL STATISTICS, STATE OF NEVADA." This copy was issued by the Southern Nevada Health District from State certified documents authorized by the State Board of Health pursuant to NRS 440.175.

SEP 23 2020

DATE ISSUED:

Registrar of Vital Statistics

By: *Yvonne*

This Copy not valid unless prepared on engraved border displaying date, seal and signature of Registrar.  
SOUTHERN NEVADA HEALTH DISTRICT • P.O. Box 3902 • Las Vegas, NV 89127 • 702-759-1010 • Tax ID # 88-0151573

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE



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EXHIBIT A  
DEATH CERTIFICATE



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EXHIBIT B  
NOMINATION

1 CODE: NOM  
2 GOLDSMITH & GUYMON, P.C.  
3 Dara J. Goldsmith, Esq.  
4 Nevada Bar No. 4270  
5 dgoldsmith@goldguyllaw.com  
6 John L. Waite III, Esq.  
7 Nevada Bar No. 15110  
8 jwaite@goldguyllaw.com  
9 2055 Village Center Circle  
10 Las Vegas, Nevada 89134  
11 Telephone: (702) 873-9500  
12 Fax: (702) 873-9600  
13 Attorneys for the Estate of  
14 Demetrios Dalacas

9 DISTRICT COURT

10 CLARK COUNTY, NEVADA

11 In the Matter of the Estate of )  
12 DEMETRIOS DALACAS, ) Case No. P-  
13 ) Department PC1  
14 Deceased. )  
15 )

15 NOMINATION OF SPECIAL ADMINISTRATOR

16 I, Ryan McClaran, a creditor with a pending claim against  
17 decedent, declare under penalty of perjury that I hereby nominate  
18 Robert O. McMaster to serve as Special Administrator of the Estate  
19 of Demetrios Dalacas.

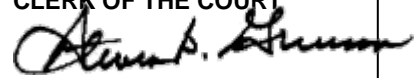
20  
21 DATED this 21<sup>st</sup> day of SEPTEMBER, 2020.

22 Respectfully submitted,

23 

24 Ryan McClaran

Exhibit “2”



RSPN  
ADAM J. BREEDEN, ESQ.  
Nevada Bar No. 008768  
BREEDEN & ASSOCIATES, PLLC  
376 E. Warm Springs Road, Suite 120  
Las Vegas, Nevada 89119  
Phone: (702) 819-7770  
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

**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**

Creditor, RYAN MCCLARAN, through his counsel Adam J. Breeden, Esq. of Breeden & Associates, PLLC, hereby files a non-opposition response to the Motion to Robert McMaster to withdraw as counsel and a countermotion for appointment of a new Special Administrator, if necessary.

**I. PROCEDURAL HISTORY**

Some background is needed to assist the Court in adjudicating the present issues before it. Prior to his death on May 16, 2020, attorney Demetrios A. Dalacas was involved in two major legal malpractice suits against him. Following his death, a third action related to the previous two was also filed by his insurer.

1 The first action involved Mr. Dalacas' former client, Joyce Sirriani, represented by Dennis  
2 Prince, Esq. and Kevin Strong, Esq. of the Dennis Prince Law Group. Prior to Mr. Dalacas' death,  
3 Sirianni obtained a default judgment against Dalacas for \$5,601,993.87.<sup>1</sup> Post-judgment, Sirianni  
4 obtained a judicial assignment of an insurance bad faith claim held by Dalacas against his legal  
5 malpractice insurer, Allied World. When Mr. Dalacas died, the Dennis Prince Law Group desired  
6 a placeholder-type Special Administrator for the Estate to join in an action against the insurer. Thus,  
7 a paralegal or assistant at the Dennis Prince Law Group, Lisa Lee, was appointed Special  
8 Administrator. This occurred in Case No. P-20-103708-E.

9 Independently of the Sirriani case, Mr. Dalacas' former client Ryan McClaran was litigating  
10 a legal malpractice claim that still had not reached trial.<sup>2</sup> Mr. McClaran is represented by attorney  
11 Adam Breeden of Breeden & Associates, PLLC. Similar to the Sirriani case, the McClaran case  
12 also has millions of dollars in exposure to the Estate and before he died Dalacas had already  
13 stipulated to breach of duty of the standard of care/liability in the McClaran case. Allied World was  
14 defending that lawsuit through appointed counsel. When Mr. Dalacas' death was learned,  
15 Mr. McClaran had to open an Estate as well so the legal action could continue under NRCP 25(a),  
16 as interpreted by the Nevada Supreme Court in *Moseley v. Eighth Judicial Dist. Court*, 124 Nev.  
17 654, 659, 188 P.3d 1136, 1140 (2008) and *Gonor v. Dale*, 432 P.3d 723 (Nev. 2018). Mr. McClaran  
18 actually hired an independent law firm, Goldsmith & Guymon, PC and hired an independent Special  
19 Administrator, Robert McMaster, to serve as Special Administrator so the Estate could be  
20 substituted into the ongoing action as a Defendant. McClaran and McMaster were unaware of the  
21 prior Estate opened by Sirianni's counsel at that time. This resulted in Case No. P-20-104354-E.

22 Subsequently, Mr. Dalacas' insurer, Allied World, believed it learned of facts that would  
23 enable it to rescind or void Mr. Dalacas' legal malpractice insurance policy. Therefore, it filed a  
24 federal declaratory relief action against both Estate administrators, Lee and McMaster, as well as  
25

26  
27 <sup>1</sup> *Sirianni v. Dalacas*, Eighth Judicial Dist. Court Case No. A-15-719509-C.

28 <sup>2</sup> *McClaran v. Estate of Dalacas*, Eighth Judicial Dist. Court Case No. A-19-798738-C.

1 Sirianni and McClaran as interested parties seeking policy rescission.<sup>3</sup> This matter is currently  
2 pending and no answers have been filed, in part because of concern over which Estate representative  
3 should respond.

4 The various creditors have slightly different interests. For example, in Sirianni the  
5 judgment is liquidated and entered and the chose of action for insurance bad faith has already been  
6 assigned to Sirianni. To Sirianni, the Estate is little more than a placeholder. For McClaran, there  
7 is an ongoing action. The Estate representative may need to be called as a witness in the ongoing  
8 action and the Estate may have substantial claims against its own insurer for bad faith insurance  
9 practices and against its insurance-appointed counsel for legal malpractice. Moreover, both  
10 creditors have an interest in having an Estate representative defend the Allied World declaratory  
11 relief action. However, some of the coverage issues are different vis-à-vis Sirianni and McClaran.

12 With this explanation, McClaran now submits the following response.

13 **II. MOTION TO CONSOLIDATE CASES**

14 Special Administrator McMaster has filed a Motion to Consolidate the two open Estate cases  
15 for the decedent. This is logical if not required and therefore McClaran raises no opposition to the  
16 consolidation. The cases are plainly related and should be consolidated under the earlier case  
17 number, P-20-103708-E. This makes little practical difference since both probate cases are assigned  
18 to the same Department.

19 **III. MOTION OF MR. MCMASTER TO WITHDRAW AS**  
20 **SPECIAL ADMINISTRATOR/ COUNTERMOTION BY MCCLARAN**

21 Simultaneous with the Motion to Consolidate, Mr. McMaster and his counsel at Goldsmith  
22 & Guymon, P.C. seek to withdraw. It is McClaran's understanding that due to the federal  
23 declaratory judgment action filed by Allied World, Mr. McMaster no longer desires to serve as  
24 Special Administrator. This is probably because of the time and effort it would take to defend that  
25 case and the fact that there are no known assets of the Estate with which to pay for the defense.

26 \_\_\_\_\_  
27 <sup>3</sup> *Allied World Specialty Insurance Co. v. Lee, et. al.*, Nevada United State Dist. Court Case No.  
28 2:21-cv-00078-JCM.

1 There is no legal authority or reason that McClaran can cite to in order to force the Special  
2 Administrator and his counsel to remain on an Estate they no longer desire to adjudicate. Therefore,  
3 the withdraw is not opposed by McClaran. However, this leaves the Estate needing a Special  
4 Administrator to represent its interests in various legal actions.

5 Mr. McClaran recommends and moves the Court to appoint himself as a creditor Special  
6 Administrator to defend the Allied World declaratory relief action. As the Court knows, the  
7 higherarchy of persons able to serve as administrator are set forth in NRS § 139.040. NRS §  
8 139.040(1)(h) expressly allows appointment of “Creditors who have become such during the  
9 lifetime of the decedent.” There are no surviving relatives of Mr. Dalacas willing to serve to  
10 McClaran’s knowledge. Appointing McClaran as a creditor appointee makes sense because (1)  
11 McClaran’s interests are aligned with those of the Estate in that action, i.e. both McClaran and the  
12 Estate have an interest in disputing rescission of the legal malpractice insurance policy, and (2)  
13 McClaran already has legal counsel familiar with this dispute who is ready, willing and able to  
14 defend the actions of the Estate. Absent some other proposed Special Administrator willing to work  
15 for free to defend that action,<sup>4</sup> appointment of McClaran as the Special Administrator to defend the  
16 Allied World action on the part of the Estate is the only real solution to defense of the Allied World  
17 action.

18 This leaves the Estate needing a Special Administrator to defend McClaran’s ongoing action.  
19 It would appear that Lisa Lee is already the appointed Special Administrator for that role. To the  
20 extent she is not already the appropriate Special Administrator, McClaran moves to have Lisa Lee  
21 appointed for this purpose unless or until an independent Special Administrator can be located.  
22 Ms. Lee is familiar with the issues of this Estate and is already managing the Estate’s affairs for the  
23 Sirianni case. Therefore, McClaran believes she is the proper Estate representative to name as  
24  
25

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26  
27 <sup>4</sup> It is possible that Lisa Lee as Special Administrator is already defending a similar counterclaim  
28 in the Sirriani case and, if so, she might be the best person to appoint as Special Administrator for  
this action.



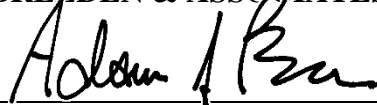
1 Defendant in that action or, if not, hereby moves that Ms. Lee also be appointed for purposes of the  
2 McClaran case as well.

3 **III. CONCLUSION**

4 This Estate has some complex issues caused by multiple lawsuits involving the Estate.  
5 Ideally, an independent person with separate legal counsel would agree to step forward and represent  
6 the Estate without cost given that the Estate has no known assets. However, realistically that is  
7 unlikely to happen. Instead, McClaran seeks himself to be appointed as a creditor Special  
8 Administrator so the declaratory relief action can be defended and for Lisa Lee to be appointed as  
9 the Special Administrator to defend his ongoing action, if that is even necessary as after  
10 consolidation, she would seem to be already appointed for fulfill that purpose.

11 DATED this 5<sup>th</sup> day of March, 2021.

12 **BREEDEN & ASSOCIATES, PLLC**

13 

14 **ADAM J. BREIDEN, ESQ.**

15 Nevada Bar No. 008768

16 376 E. Warm Springs Road, Suite 120

17 Las Vegas, Nevada 89119

18 Phone: (702) 819-7770

19 Fax: (702) 819-7771

20 adam@breedenandassociates.com

21 *Attorneys for Creditor Ryan McClaran*

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**CERTIFICATE OF SERVICE**

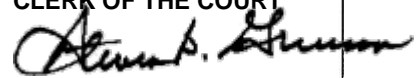
I hereby certify that on the 18<sup>th</sup> day of February, 2021, I served a copy of the foregoing legal document **PROOF OF CLAIM** via the method indicated below:

|   |  |
|---|--|
| X | 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.  |
|   | 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:<br><br>Dara J. Goldsmith, Esq.<br>John L. Waite III, Esq.<br>GOLDSMITH & GUYMON, PC<br>2055 Village Center Circle<br>Las Vegas, NV 89134<br><i>Attorneys for the Estate</i> |
|   | Via receipt of copy (proof of service to follow)   |

An Attorney or Employee of the following firm:

/s/ Kristy Johnson  
**BREEDEN & ASSOCIATES, PLLC**

Exhibit “3”



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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---

**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***

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***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

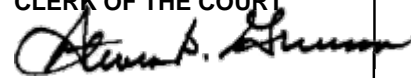
25 Janeen Isaacson JIsaacson@lipsonneilson.com  
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|                   |                              |
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| Rocio Leal        | rocio@kevinrhansen.com       |
| Thomas Grover     | tom@blackrocklawyers.com     |
| Cameron Starr     | cameron@blackrocklawyers.com |
| Nicole Littlejohn | nlittlejohn@thedplg.com      |

Exhibit “4”





1 **LAEI**  
2 MICHAEL A. OLSEN, ESQ.  
3 Nevada Bar No. 6076  
4 THOMAS R. GROVER, ESQ.  
5 Nevada Bar No. 12387  
6 **BLACKROCK LEGAL**  
7 10155 W. Twain Ave., Suite 100  
8 Las Vegas, NV 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 *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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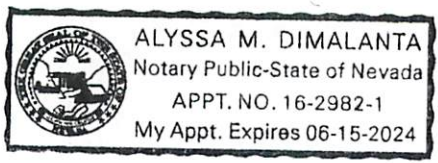
OATH

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