

1 **NOAS**

2 Maria L. Parra-Sandoval, Esq.

3 Nevada Bar No. 13736

4 mparra@lacsns.org

5 **LEGAL AID CENTER OF**

6 **SOUTHERN NEVADA, INC.**

7 725 E. Charleston Blvd

8 Las Vegas, NV 89104

9 Telephone: (702) 386-1526

10 Facsimile: (702) 386-1526

11 *Attorney for Kathleen June Jones, Adult Protected Person*

Electronically Filed
Dec 22 2021 11:12 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

8 **EIGHTH JUDICIAL DISTRICT COURT**
9 **FAMILY DIVISION**
10 **CLARK COUNTY, NEVADA**

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

13 KATHLEEN JUNE JONES,

14 An Adult Protected Person.

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

15 **NOTICE OF APPEAL**

16 Notice is hereby given that Kathleen June Jones, Adult Protected Person, by and through
17 her attorney, Maria L. Parra-Sandoval, Esq. of Legal Aid Center of Southern Nevada, hereby
18 appeals to the Supreme Court of Nevada, in part, the **Findings of Fact and Conclusions of**
19 **Law and Order Regarding Visitation, First Annual Accounting, Guardian's Fees,**
20 **Caretaking Fees, Attorney's Fees and Costs, and Removal of the Guardian** entered in this
21 action on December 6, 2021.¹

22 DATED this 15th day of December, 2021.

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

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

26 Maria L. Parra-Sandoval, Esq.

27 Nevada Bar No. 13736

28 ¹ A subsequent Order Appointing Successor Guardian of the Person and Estate and for
Issuance of Letters of General Guardianship encompassing the December 6, 2021 Order and
delineating the successor guardian's duties, was filed on December 7, 2021, presumably filed
for ease of use while acting as guardian with third parties.

mparra@lacsnsn.org
725 E. Charleston Blvd
Las Vegas, NV 89104
Telephone: (702) 386-1526
Facsimile: (702) 386-1526
Attorney for Adult Protected Person

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 15th day of December 2021, I deposited in the United States Mail at Las Vegas, Nevada, a copy of the foregoing document entitled **NOTICE OF APPEAL** in a sealed envelope, mailed regular U.S. mail, upon which first class postage was fully prepaid, addressed to the following:

Teri Butler
586 N Magdalena St.
Dewey, AZ 86327

Jen Adamo
14 Edgewater Dr.
Magnolia, DE 19962

Scott Simmons
1054 S. Verde Street
Anaheim, CA 92805

Jon Criss
804 Harkness Lane, Unit 3
Redondo Beach, CA 90278

Ryan O'Neal
112 Malvern Avenue, Apt. E
Fullerton, CA 92832

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

Ampersand Man
2824 High Sail Court
Las Vegas, NV 89117

Courtney Simmons
765 Kimbark Avenue
San Bernardino, CA 92407

AND I FURTHER CERTIFY that on the same date I electronically served the same document to the following via ODYSSEY, the Court's electronic filing system, pursuant to NEFCR 9:

John P. Michaelson, Esq.
john@michaelsonlaw.com
Jeffrey R. Sylvester, Esq.
jeff@SylvesterPolednak.com
*Counsel for Robyn Friedman
and Donna Simmons*

Geraldine Tomich, Esq.
gtomich@maclaw.com
James A. Beckstom, Esq.

1 jbeckstrom@maclaw.com
2 *Counsel for Kimberly Jones*

3 Elizabeth Brickfield, Esq.
4 ebrickfield@dlnevadalaw.com
5 *Court-Appointed Guardian Ad Litem*

6 Scott Simmons
7 scott@technocoatings.com

8 Cameron Simmons
9 Cameronnscott@yahoo.com

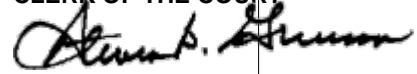
10 Kate McCloskey
11 NVGCO@nvcourts.nv.gov

12 Sonja Jones
13 sjones@nvcourts.nv.gov

14 LaChasity Carroll
15 lcarrrol@nvcourts.nv.gov

16 All other recipients registered for e-Service on the above entitled case

17 /s/ Rosie Najera
18 Employee of Legal Aid Center of Southern Nevada
19
20
21
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23
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25
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ASTA

Case No.: G-19-052263-A

Dept. No.: B

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

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

KATHLEEN JUNE JONES,

Adult Protected Person.

CASE APPEAL STATEMENT

1. Name of appellant filing this case appeal statement:

Kathleen June Jones

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

Judge Linda Marquis

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

Kathleen June Jones, Appellant

Maria L. Parra-Sandoval, Esq.
Nevada Bar No. 13736
mparra@lacsns.org
Legal Aid Center of Southern Nevada
725 E Charleston Blvd.
Las Vegas, NV 89104
(702) 386-1526

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 provide the name and address of that respondent's trial counsel):

1 Robyn Friedman, Respondent*

2 Donna Simmons, Respondent*

*Both respondents are represented by the same attorneys:

3 John P. Michaelson, Esq.

4 Nevada Bar No. 7822

john@michaelsonlaw.com

5 Michaelson Law

1746 W. Horizon Ridge Parkway

6 Henderson, Nevada 89012

7 (702) 731-2333

8 Jeffrey R. Sylvester, Esq.

9 Nevada Bar No. 4396

jeff@SylvesterPolednak.com

10 Sylvester & Polednak, Ltd.

1731 Village Center Circle

11 Las Vegas, Nevada 89134

12 (702) 952-5200

13 **5. Indicate whether any attorney identified above in response to question 3**
14 **or 4 is not licensed to practice law in Nevada and, if so, whether the district court**
15 **granted that attorney permission to appear under SCR 42 (attach a copy of any district**
16 **court order granting such permission):**

17 All attorneys identified above are licensed to practice law in Nevada.

18 **6. Indicate whether appellant was represented by appointed or retained**
19 **counsel in the district court:**

20 Appellant Kathleen June Jones was represented in the district court by appointed
21 counsel, Legal Aid Center of Southern Nevada, Inc.

22 **7. Indicate whether appellant is represented by appointed or retained**
23 **counsel on appeal:**

24 Kathleen June Jones is represented by Legal Aid Center of Southern Nevada, Inc.

25 **8. Indicate whether appellant was granted leave to proceed in forma**
26 **pauperis, and the date of entry of the district court order granting such leave:**

1 N/A

2 9. **Indicate the date the proceedings commenced in the district court (e.g.,**
3 **date complaint, indictment, information, or petition was filed):**

4 September 19, 2019.

5
6 10. **Provide a brief description of the nature of the action and result in the**
7 **district court, including the type of judgment or order being appealed and the relief**
8 **granted by the district court:**

9 The District Court has continually ignored June's due process rights and her rights under
10 the Protected Person's Bill of Rights. June has been clear that she does not want a guardian and
11 had taken steps, like completing a Power of Attorney, to ensure that did not happen. The District
12 Court disregarded the plan put in place by June, prior to any claim of a lack of capacity, and
13 eventually appointed Kimberly Jones as guardian, the same person named as the agent under
14 the Power of Attorney. June has been clear that she never wanted the imposition of a visitation
15 schedule with her family nor visitation restrictions. Yet, the Court continued to disregard June's
16 express wishes going so far as to appoint a guardian ad litem to determine what is in June's best
17 interests and then holding an evidentiary hearing regarding visitation ("Visitation Hearing"),
18 which June objected to.

19 The District Court set the Visitation Hearing via a Minute Order dated May 12, 2021.
20 The Minute Order instructed, "an Evidentiary Hearing relative to the Petitions for Visitation,
21 Petition to Approve Proposed Visitation Schedule, and Oppositions SHALL be set..."¹

22 The Court held the Visitation Hearing on June 8, 2021. On that date, the Court set the
23 scope of the hearing as "whether or not Kimberly unlawfully restricted communication,
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¹ See Minute Order dated May 12, 2021 on file herein.

1 visitation or interaction between the protected person and Donna and Robyn² pursuant to the
2 protected person's bill of rights and the portions of the guardian statutes which govern
3 communication, visitation and interaction between the protected person and relatives.”³

4 On December 6, 2021, the Court issued its Findings of Fact and Conclusions of Law
5 and Order Regarding Visitation, First Annual Accounting, Guardian's Fees, Caretaking Fees,
6 Attorney's Fees and Costs, and Removal of the Guardian (“Order for Removal of Guardian”)
7 based upon the June 8, 2021 evidentiary hearing.⁴ Despite the narrow scope of the evidentiary
8 hearing and no Petition to Remove the Guardian having been filed, the Court ordered, “that the
9 request to remove Kimberly Jones as guardian of the person and estate is GRANTED.”⁵ The
10 Court then appointed Robyn Friedman (“Robyn”) as successor guardian. This Order is a
11 violation of NRS 159.1853, NRS 159.1855 and NRS 159.328. The Order for Removal of
12 Guardian is being appealed.

13 The District Court abused its discretion when it removed June's *preferred* guardian
14 without a proper Petition to Remove Guardian and Citation issued as is required under the
15 guardianship statutes: NRS 159.1853 and NRS 159.1855. As a result, June has been denied
16 her due process right to object and be heard as provided by the Protected Persons' Bill of Rights,
17 NRS 159.1853 and NRS 159.1855.

22
23 ² Robyn Friedman and Donna Simmons are also the daughters of June.

24 ³ See video of Case No. G-19-052263-A, June 8, 2021 at 28:13

25 ⁴ The Order Appointing Successor General Guardian of the Person and Estate and for
26 Issuance of Letters of General Guardianship filed on December 7, 2021 incorporated the
December 6, 2021 Findings of Fact presumably for ease of use while acting as guardian with
third parties.

27 ⁵ See Findings of Fact and Conclusions of Law and Order Regarding Visitation, First Annual
28 Accounting, Guardian's Fees, Caretaking Fees, Attorney's Fees and Costs, and Removal of
the Guardian, filed December 6, 2021 at page 43 on file herein.

1 Furthermore, the district court failed to properly vet the successor guardian pursuant to
2 NRS 159.044, NRS 159.0613 and NRS 159.1852. While Robyn was one of June's temporary
3 guardians from September 23, 2019 through October 15, 2019, the court failed to vet the
4 suitability and qualifications of the successor guardian to determine if Robyn was still suitable
5 and qualified.
6

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

10 This case has been the subject of multiple appeals in the Nevada Supreme Court that are
11 unrelated to this current appeal. *See In re: Guardianship of Jones*, case number: 81414; and *In*
12 *re: Guardianship of Jones*, case number 81799 and 81799-COA (was transferred to the Court
13 of Appeals).
14

15 There is also a current writ proceeding. *See Jones vs. Dist. Ct (Friedman)*, filed on
16 06/02/2021, case number 82974.
17

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

19 The case does not involve child custody or visitation.

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

22 There is no possibility of settlement.
23

24 DATED this 15th day of December, 2021.

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

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

28 Maria L. Parra-Sandoval, Esq.

Nevada Bar No. 13736

mparra@lacsns.org

725 E. Charleston Blvd
Las Vegas, NV 89104
Attorneys for Appellant Kathleen June Jones

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 15th day of December 2021, I deposited in the United States Mail at Las Vegas, Nevada, a copy of the foregoing document entitled **CASE APPEAL STATEMENT** in a sealed envelope, mailed regular U.S. mail, upon which first class postage was fully prepaid, addressed to the following:

Teri Butler
586 N Magdelena St.
Dewey, AZ 86327

Jen Adamo
14 Edgewater Dr.
Magnolia, DE 19962

Scott Simmons
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Ampersand Man
2824 High Sail Court
Las Vegas, NV 89117

Courtney Simmons
765 Kimbark Avenue
San Bernardino, CA 92407

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john@michaelsonlaw.com
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jeff@SylvesterPolednak.com
*Counsel for Robyn Friedman
and Donna Simmons*

Geraldine Tomich, Esq.
gtomich@maclaw.com
James A. Beckstom, Esq.
jbeckstrom@maclaw.com

1 *Counsel for Kimberly Jones*

2 Elizabeth Brickfield, Esq.
3 ebrickfield@dlnevadalew.com
4 *Court-Appointed Guardian Ad Litem*

5 Scott Simmons
6 scott@technocoatings.com

7 Cameron Simmons
8 Cameronnscott@yahoo.com

9 Kate McCloskey
10 NVGCO@nvcourts.nv.gov

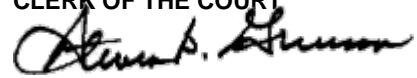
11 Sonja Jones
12 sjones@nvcourts.nv.gov

13 LaChasity Carroll
14 icarrol@nvcourts.nv.gov

15 All other recipients registered for e-Service on the above entitled case

16
17 /s/ Rosie Najera

18 Employee of Legal Aid Center of Southern Nevada
19
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SOLA

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

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

725 E. Charleston Blvd
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Facsimile: (702) 386-1526
mparra@lacsns.org

Attorney for Kathleen J. Jones, Protected Person

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

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

KATHLEEN J. JONES,

An Adult Protected Person.

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

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

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

STATEMENT

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

Dated: September 27, 2019

Maria L. Parra-Sandoval, ESQ.

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

/s/ Maria L. Parra-Sandoval Esq.

Signature of Legal Aid Center of S.N. Preparer

Submitted by:

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

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

CASE NO. G-19-052263-A

**In the Matter of the Guardianship of:
Kathleen Jones, Protected Person(s)**

§
§
§
§

Location: **Department B**
Judicial Officer: **Marquis, Linda**
Filed on: **09/19/2019**

CASE INFORMATION

Statistical Closures

12/07/2021 Settled/Withdrawn With Judicial Conference or Hearing
12/06/2021 Settled/Withdrawn With Judicial Conference or Hearing
03/15/2021 Settled/Withdrawn With Judicial Conference or Hearing
06/22/2020 Settled/Withdrawn With Judicial Conference or Hearing
05/06/2020 Settled/Withdrawn With Judicial Conference or Hearing

Case Type: **Guardianship of Adult**
Subtype: **General - Person & Estate**

Case Status: **12/10/2021 Reopened**

Case Flags: **Order After Hearing Required
Proper Person Mail Returned
Order / Decree Logged Into
Department
Appealed to Supreme Court
Appeal in Court of Appeals
81799**

DATE

CASE ASSIGNMENT

Current Case Assignment

Case Number G-19-052263-A
Court Department B
Date Assigned 09/19/2019
Judicial Officer Marquis, Linda

PARTY INFORMATION

Petitioner

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

Attorneys

Whittaker, Matthew D.
Retained
702-731-2333(W)
Michaelson, John P.
Retained
7027312333(W)
Sylvester, Jeffrey R
Retained
7029525200(W)

Simmons, Donna
1441 N. Redgum, Unit G
Anaheim, CA 92806

Whittaker, Matthew D.
Retained
702-731-2333(W)
Michaelson, John P.
Retained
7027312333(W)
Sylvester, Jeffrey R
Retained
7029525200(W)

Protected Person

Jones, Kathleen June
2824 High Sail CT
Las Vegas, NV 89117

Parra-Sandoval, Maria L.
Retained
702-386-1526(W)

**Guardian of
Person and Estate**

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

Whittaker, Matthew D.
Retained
702-731-2333(W)
Michaelson, John P.
Retained
7027312333(W)

CASE SUMMARY
CASE NO. G-19-052263-A

Sylvester, Jeffrey R
Retained
7029525200(W)











Jones, Kimberly
9060 W. Cheyenne Avenue
Las Vegas, NV 89129
Removed: 12/06/2021
Change of Status

Beckstrom, James A.
Retained
702-207-6081(W)
Tomich, Geraldine
Retained
702-942-2181(W)

**Temporary
Guardian**


Simmons, Donna
1441 N. Redgum, Unit G
Anaheim, CA 92806
Removed: 06/23/2020
Change of Status

Whittaker, Matthew D.
Retained
702-731-2333(W)
Michaelson, John P.
Retained
7027312333(W)
Sylvester, Jeffrey R
Retained
7029525200(W)

DATE	EVENTS & ORDERS OF THE COURT
	<u>EVENTS</u>
09/19/2019	 Ex Parte [1] <i>Ex Parte Petition for Appointment of Temporary Guardian of the Person and Estate and Issuance of Letters of Temporary Guardianship</i>
09/19/2019	 Physicians Certificate [2] <i>Confidential Physician's Certificate of Incapacity and Medical Records</i>
09/19/2019	 Citation to Appear and Show Cause Filed By: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna [3] <i>Citation to Appear and Show Cause</i>
09/19/2019	 Citation to Appear and Show Cause Filed By: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna [4] <i>Amended Citation to Appear and Show Cause</i>
09/20/2019	 Certificate of Service Filed by: Attorney Michaelson, John P.; Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna [5] <i>Certificate of Service</i>
09/23/2019	 Order Appointing Temporary Guardian - Person & Estate Filed by: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna [6] <i>Order Appointing Temporary Guardian - Person & Estate</i>
09/23/2019	 Notice of Entry of Order Filed By: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna [7] <i>Notice of Entry of Order Granting Ex Parte Petition for Appointment of Temporary Guardians of the Person and Estate and Issuance of Letters of Temporary Guardianship</i>
09/23/2019	 Letters of Temporary Guardianship Filed by: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna For: Protected Person Jones, Kathleen June [8] <i>Letters of Temporary Guardianship</i>
09/25/2019	 Order Appointing Counsel [9] <i>oac</i>
09/25/2019	 Affidavit of Service [10] <i>Affidavit of Service</i>
09/27/2019	


















CASE SUMMARY

CASE NO. G-19-052263-A

	 Statement of Legal Aid Representation and Fee Waiver Filed By: Protected Person Jones, Kathleen June <i>[11] Statement of Legal Aid Representation and Fee Waiver</i>
09/27/2019	 Notice of Entry of Order Filed By: Protected Person Jones, Kathleen June <i>[12] Notice of Entry of Order</i>
10/01/2019	 Notice of Appearance Party: Other Yeoman, Rodney Gerald <i>[13] Notice of Appearance and Request for Notice</i>
10/02/2019	 Opposition and Countermotion Filed By: Other Yeoman, Rodney Gerald <i>[14] Opposition to Appointment of Temporary Guardian and General Guardian; Counter-Petition for Appointment of Temporary Guardian of the Person and Estate and Issuance of Letters of Temporary Guardianship; and Counter-Petition for Appointment of General Guardian of the Person and Estate and Issuance of Letters of General Guardianship</i>
10/02/2019	 Confidential Information Sheet - Guardianship Filed by: Other Yeoman, Rodney Gerald <i>[15] Confidential Information Sheet - Guardianship - Identification for proposed guardian</i>
10/02/2019	 Opposition Filed By: Guardian of Person and Estate Jones, Kimberly <i>[16] Opposition to Ex Parte Petition for Appointment of Temporary and General Guardian of the Person and Estate; and Alternatively, Counter-Petition for Appointment of Kimberly Jones as Temporary and General Guardian of the Person and Estate</i>
10/02/2019	 Care Plan <i>[17] Proposed Care Plan</i>
10/02/2019	 Supplement Filed by: Guardian of Person and Estate Jones, Kimberly <i>[18] Supplement to Counter-Petition for Appointment of Kimberly Jones as Temporary and General Guardian of the Person and Estate</i>
10/02/2019	 Notice of Appearance Party: Other Yeoman, Rodney Gerald <i>[19] Notice of Appearance and Request for Notice</i>
10/02/2019	 Certificate of Service Filed by: Other Yeoman, Rodney Gerald <i>[20] Certificate of Service</i>
10/02/2019	 Supplement Filed by: Other Yeoman, Rodney Gerald <i>[21] Supplement for Hearing on October 3, 2019</i>
10/03/2019	 Order Granting <i>[22] Order Extending Temporary Guardianship</i>
10/03/2019	 Notice of Entry of Order <i>[23] Notice of Entry of Order Extending Temporary Guardianship</i>
10/04/2019	 Order <i>[24] ordr</i>
10/04/2019	 Notice of Entry <i>[25] Notice of Entry of Order</i>
10/10/2019	 Notice of Telephonic Hearing Filed by: Petitioner Simmons, Donna <i>[26] Notice of Intent to Appear by Communication Equipment for Scott Simmons</i>


















CASE SUMMARY

CASE NO. G-19-052263-A

10/11/2019	 Proof of Service Filed By: Other Yeoman, Rodney Gerald <i>[27] Proof of Service-Opposition and Counter-Petition of Gerry Yeoman</i>
10/11/2019	 Supplement Filed by: Other Yeoman, Rodney Gerald <i>[28] Supplement to Opposition and Counter-Petition filed on October 2, 2019</i>
10/11/2019	 Declaration Filed By: Other Yeoman, Rodney Gerald <i>[29] Declaration of Rodney Gerald Yeoman</i>
10/11/2019	 Notice of Intent to Move Protected Person Filed by: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna <i>[30] Notice of Intent to Move the Protected Person</i>
10/14/2019	 Certificate of Service Filed by: Other Yeoman, Rodney Gerald <i>[31] Certificate of Service</i>
10/14/2019	 Reply to Opposition Filed by: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna <i>[32] Reply to Oppositions Filed</i>
10/15/2019	 Supplemental <i>[33] Supplement to Oppositions Filed</i>
10/15/2019	 Order to Appoint State Investigator Party: Protected Person Jones, Kathleen June <i>[34] Order to Appoint Investigator</i>
10/15/2019	 Order to Appoint State Investigator Party: Protected Person Jones, Kathleen June <i>[35] Order to Appoint Investigator</i>
10/16/2019	 Notice of Entry <i>[36] Notice of Entry</i>
10/31/2019	 Order <i>[37] Order</i>
11/13/2019	 Notice of Change of Address Filed By: Other Yeoman, Rodney Gerald <i>[38] Notice Change Address</i>
11/22/2019	 Notice of Association of Counsel Filed by: Protected Person Jones, Kathleen June; Guardian of Person and Estate Jones, Kimberly <i>[39] Notice of Association of Counsel</i>
11/22/2019	 Petition Filed By: Protected Person Jones, Kathleen June; Guardian of Person and Estate Jones, Kimberly <i>[40] Petition for Return of Property of Protected Person</i>
11/22/2019	 Petition Filed By: Protected Person Jones, Kathleen June; Guardian of Person and Estate Jones, Kimberly <i>[41] Petition for Confirmation to Bring Civil Actions on Behalf of Kathleen June Jones</i>
11/22/2019	 Lis Pendens Filed by: Protected Person Jones, Kathleen June; Guardian of Person and Estate Jones, Kimberly <i>[42] Notice of Lis Pendens</i>
11/25/2019	 Order Filed By: Guardian of Person and Estate Jones, Kimberly <i>[43] Order from October 15, 2019 Hearing</i>



















CASE SUMMARY

CASE NO. G-19-052263-A

11/25/2019	 Notice of Entry of Order Filed By: Guardian of Person and Estate Jones, Kimberly <i>[44] Notice of Entry of Order</i>
11/27/2019	 Adult Guardianship - Letters of Guardianship Filed By: Guardian of Person and Estate Jones, Kimberly <i>[45] Letters of Guardianship</i>
12/02/2019	 Request Filed By: Guardian of Person and Estate Jones, Kimberly <i>[46] Request for Hearing</i>
12/02/2019	 Clerk's Notice of Hearing <i>[47] Clerk's Notice of Hearing</i>
12/03/2019	 Order Shortening Time Filed By: Guardian of Person and Estate Jones, Kimberly <i>[48] Order Shortening Time</i>
12/03/2019	 Notice of Entry of Order Filed By: Guardian of Person and Estate Jones, Kimberly <i>[49] Notice of Entry of Order Shortening Time and Notice of Hearing</i>
12/06/2019	 Opposition to Motion Filed by: Other Yeoman, Rodney Gerald <i>[50] Opposition to Petition for Return of Property of Protected Person</i>
12/06/2019	 Opposition to Motion Filed by: Other Yeoman, Rodney Gerald <i>[51] Opposition to Petition for Confirmation to Bring Civil Actions on behalf of Kathleen June Jones</i>
12/09/2019	 Reply Filed By: Guardian of Person and Estate Jones, Kimberly <i>[52] Reply in Support of Petition for Return of Property of Protected Person</i>
12/09/2019	 Reply Filed By: Guardian of Person and Estate Jones, Kimberly <i>[53] Reply in Support of Petition for Confirmation to Bring Civil Actions on Behalf of Kathleen June Jones</i>
12/09/2019	 Notice of Intent to Move Protected Person Filed by: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna <i>[54] Notice of Intent to Appear by Communication Request</i>
12/13/2019	 Inventory, Appraisal and/or Record of Value Filed By: Guardian of Person and Estate Jones, Kimberly <i>[55] Inventory, Appraisal and Record of Value</i>
12/23/2019	 Order Granting Filed by: Guardian of Person and Estate Jones, Kimberly <i>[56] Order Granting Motion for Return of Property of Protected Person and Motion for Confirmation to Bring Civil Actions on Behalf of Kathleen June Jones</i>
12/23/2019	 Notice of Entry of Order Filed By: Protected Person Jones, Kathleen June; Guardian of Person and Estate Jones, Kimberly <i>[57] Notice of Entry of Order</i>
01/06/2020	 Report and Recommendations <i>[58] Financial Forensic Audit - Request for Extension for Audit of Estate of Kathleen Jones</i>
01/08/2020	 Report and Recommendations <i>[59] Confidential Report of Investigator</i>
01/13/2020	 Notice of Telephonic Hearing Filed by: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna

CASE SUMMARY

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	<i>[60] Notice of Intent to Appear by Communication Equipment</i>
01/15/2020	 Notice Filed By: Guardian of Person and Estate Jones, Kimberly <i>[61] Notice of Intent to Seek Payment of Attorneys' Fees and Costs from Guardianship Estate</i>
01/15/2020	 Petition Filed By: Guardian of Person and Estate Jones, Kimberly <i>[62] Petition for Payment of Guardian's Attorneys' Fees and Costs</i>
01/16/2020	 Clerk's Notice of Hearing <i>[63] Clerk's Notice of Hearing</i>
01/16/2020	 Notice of Hearing Filed By: Guardian of Person and Estate Jones, Kimberly <i>[64] Notice of Hearing</i>
01/16/2020	 Supplemental Exhibits <i>[65] UCI Medical Record</i>
01/24/2020	 Estimate of Transcript <i>[66] JANUARY 14, 2020</i>
01/31/2020	 Transcript of Proceedings <i>[67] JANUARY 14, 2020</i>
01/31/2020	 Transcript of Proceedings <i>[68] OCTOBER 15, 2019</i>
01/31/2020	 Transcript of Proceedings <i>[69] DECEMBER 10, 2019</i>
01/31/2020	 Transcript of Proceedings <i>[70] OCTOBER 3, 2019</i>
01/31/2020	 Final Billing of Transcript <i>[73] OCTOBER 3, 2019; OCTOBER 15, 2019; DECEMBER 10, 2019; JANUARY 14, 2020</i>
02/05/2020	 Notice of Appearance Party: Other Powell, Richard <i>[71] Notice of Appearance</i>
02/05/2020	 Notice of Withdrawal Filed by: Other Powell, Richard <i>[72] Notice of Withdrawal</i>
02/06/2020	 Motion for Protective Order Filed by: Protected Person Jones, Kathleen June; Guardian of Person and Estate Jones, Kimberly <i>[74] Motion for Protective Order</i>
02/06/2020	 Clerk's Notice of Hearing <i>[75] Clerk's Notice of Hearing</i>
02/06/2020	 Notice of Association of Counsel Filed by: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna <i>[76] Notice of Association of Counsel</i>
02/06/2020	 Joinder Filed by: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna <i>[77] Robyn Friedman and Donna Simmons' Joinder to Kimberly Jones' Motion For Protective Order</i>
02/07/2020	 Stipulation and Order Filed By: Protected Person Jones, Kathleen June; Guardian of Person and Estate Jones, Kimberly <i>[78] Stipulation and Order on Petition for Return of Property of Protected Person</i>















CASE SUMMARY

CASE NO. G-19-052263-A

02/07/2020	 Notice of Entry of Stipulation and Order Filed by: Guardian of Person and Estate Jones, Kimberly <i>[79] Notice of Entry of Stipulation and Order</i>
02/07/2020	 Response Filed By: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna <i>[80] Response to Petition for Payment of Guardian's Attorney's Fees and Costs Filed 1/15/2020</i>
02/11/2020	 Objection Filed By: Protected Person Jones, Kathleen June <i>[81] Protected Person's Objection to Petition for Payment of Guardian's Attorney's Fees and Costs</i>
02/11/2020	 Notice Filed By: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna <i>[82] Notice of Intent to Appear by Communication Equipment</i>
02/12/2020	 Budget Filed by: Guardian of Person and Estate Jones, Kimberly <i>[83] Monthly Budget</i>
02/12/2020	 Reply Filed By: Guardian of Person and Estate Jones, Kimberly <i>[84] Omnibus Reply to Response and Objection to the Petition for Payment of Guardian's Attorney Fees and Costs</i>
02/12/2020	 Notice of Association of Counsel Filed by: Other Yeoman, Rodney Gerald <i>[85] Notice of Association of Counsel and Request for Notice</i>
02/12/2020	 Amended Certificate of Mailing Party: Other Yeoman, Rodney Gerald <i>[86] Amended Certificate of Mailing</i>
02/13/2020	 Petition Filed By: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna <i>[87] Petition For Approval of Attorneys Fees and Costs and Request to Enter a Judgment Against the Real Property of the Estate</i>
02/14/2020	 Clerk's Notice of Hearing <i>[88] Clerk's Notice of Hearing</i>
02/18/2020	 Certificate of Service Filed by: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna <i>[89] Certificate of Service</i>
02/20/2020	 Opposition Filed By: Other Yeoman, Rodney Gerald <i>[90] Opposition to Motion for Protective Order</i>
02/21/2020	 Notice Filed By: Guardian of Person and Estate Jones, Kimberly <i>[91] Notice of Intent to Seek Payment of Attorneys' Fees and Costs from Guardianship Case</i>
02/21/2020	 Supplemental Filed By: Guardian of Person and Estate Jones, Kimberly <i>[92] Supplemental Brief to Petition for Payment of Guardian's Attorney Fees and Costs; or, Alternatively, Motion to Reconsider</i>
02/26/2020	 Notice of Telephonic Hearing Filed by: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna <i>[93] Notice of Intent to Appear by Communication Equipment</i>
02/26/2020	 Response Filed By: Guardian of Person and Estate Jones, Kimberly


















CASE SUMMARY

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	<i>[94] Response to Guardian's Supplemental Brief to Petition for Payment of Attorney Fees and Costs; or Alternatively, Motion to Reconsider</i>
03/03/2020	 Joinder Filed by: Protected Person Jones, Kathleen June <i>[95] Protected Person's Joinder to Guardian's Motion for Protective Order</i>
03/03/2020	 Reply Filed By: Guardian of Person and Estate Jones, Kimberly <i>[96] Reply in Support of Motion for Protective Order</i>
03/04/2020	 Objection Filed By: Protected Person Jones, Kathleen June <i>[97] Kathleen June Jone's Objection to Petition for Approval of Attorneys Fees and Costs and Request to Enter a Judgment Against the Real Property of the Estate</i>
03/10/2020	 Reply Filed By: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna <i>[98] Reply In Support of Motion for Protective Order</i>
03/11/2020	 Opposition Filed By: Guardian of Person and Estate Jones, Kimberly <i>[99] Opposition to Friedman and Simmons' Petition for Approval of Attorneys' Fees and Costs and Request to Enter a Judgment Against the Real Property of the Estate; and Joinder to Kathleen June Jones' Objection</i>
03/12/2020	 Joinder Filed by: Other Yeoman, Rodney Gerald <i>[100] Joinder in Oppositions to Petition for Approval of Attorney s Fees And Costs and Request to Enter a Judgment Against the Real Property of the Estate</i>
03/12/2020	 Response Filed By: Guardian of Person and Estate Friedman, Robyn <i>[101] RESPONSE TO (1) KATHLEEN JUNE JONES OBJECTION TO PETITION FOR APPROVAL OF ATTORNEYS FEES AND COSTS AND REQUEST TO ENTER A JUDGMENT AGAINST THE REAL PROPERTY OF THE ESTATE; (2) RESPONSE TO KIMBERLY JONES JOINDER TO OBJECTION TO FRIEDMAN AND SIMMONS PETITION FOR APPROVAL OF ATTORNEYS FEES AND COSTS AND REQUEST TO ENTER A JUDGMENT AGAINST THE REAL PROPERTY OF THE ESTATE; AND (3) RESPONSE TO JOINDER TO OPPOSITION TO PETITION FOR APPROVAL OF ATTORNEY S FEES AND COSTS AND REQUEST TO ENTER A JUDGMENT AGAINST THE REAL PRPERTY OF THE ESTATE FILED BY RODNEY GERALD YEOMAN</i>
03/13/2020	 Report and Recommendations <i>[102] Financial Forensic Audit of the Estate of Kathleen Jones</i>
03/13/2020	 Order <i>[103] Order on Petition for Payment of Guardian's Attorney's Fees and Costs</i>
03/16/2020	 Notice of Telephonic Hearing <i>[104] Notice of Telephonic Appearance - Kathleen Jones - Financial Forensic Specialist Report</i>
03/16/2020	 Notice of Entry <i>[105] Notice of Entry</i>
03/18/2020	 Notice Filed By: Protected Person Jones, Kathleen June <i>[106] Notice of Intent to Appear by Communication Equipment</i>
03/26/2020	 Ex Parte Application for Order <i>[107] Ex Parte Application for Order for Hearing on Shortened Time; Petition for Payment of Guardian's Attorney Fees and Costs; and Petition to Withdraw as Counsel for Guardian</i>
03/26/2020	 Certificate of Service Filed by: Guardian of Person and Estate Jones, Kimberly <i>[108] Certificate of Service</i>
03/30/2020	

















CASE SUMMARY

CASE NO. G-19-052263-A

	 Order Shortening Time Filed By: Guardian of Person and Estate Jones, Kimberly <i>[109] Order Shortening Time</i>
03/30/2020	 Notice of Telephonic Hearing Filed by: Guardian of Person and Estate Jones, Kimberly <i>[110] Notice of Intent to Appear by Telephonic Transmission Equipment</i>
03/30/2020	 Audiovisual Transmission Equipment Appearance Request <i>[111] Audiovisual Transmission Equipment Appearance Request</i>
03/30/2020	 Audiovisual Transmission Equipment Appearance Request <i>[112] Audiovisual Transmission Equipment Appearance Consent</i>
03/30/2020	 Certificate of Mailing Filed By: Other Yeoman, Rodney Gerald <i>[113] Amended Certificate of Mailing</i>
03/31/2020	 Notice of Telephonic Hearing Filed by: Guardian of Person and Estate Jones, Kimberly <i>[114] Notice of Intent to Appear By Telephonic Transmission Equipment</i>
04/01/2020	 Notice Filed By: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna <i>[115] Notice of Intent to Appear By Communication Equipment</i>
04/01/2020	 Notice Filed By: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna <i>[116] Notice of Intent to Appear by Communication Equipment</i>
04/01/2020	 Objection Filed By: Protected Person Jones, Kathleen June <i>[117] Kathleen June Jone's Partial Objection to Ex Parte Petition for Order for Hearing on Shortened Time; Petition for Payment of Guardian's Attorney Fees and Costs; and Petition to Withdraw as Counsel for Guardian</i>
04/02/2020	 Audiovisual Transmission Equipment Appearance Request Party: Other Yeoman, Rodney Gerald <i>[118] Notice of Intent to Appear by Communication Equipment for Ty Kehoe, Esq.</i>
04/02/2020	 Audiovisual Transmission Equipment Appearance Request Party: Other Yeoman, Rodney Gerald <i>[119] Notice of Intent to Appear by Communication Equipment for Rodney Gerry Yeoman</i>
04/02/2020	 Supplement Filed by: Other Yeoman, Rodney Gerald <i>[120] Supplement to Opposition to Motion for Protective Order</i>
04/06/2020	 Notice of Telephonic Hearing Filed by: Protected Person Jones, Kathleen June <i>[121] Notice of Intent to Appear by Communication Equipment</i>
04/13/2020	 Audiovisual Transmission Equipment Appearance Request <i>[122] Audiovisual Transmission Equipment Appearance Request</i>
04/13/2020	 Audiovisual Transmission Equipment Appearance Request <i>[123] Audiovisual Transmission Equipment Appearance Consent</i>
04/13/2020	 Audiovisual Transmission Equipment Appearance Request Party: Other Yeoman, Rodney Gerald <i>[124] Notice of Intent to Appear by Communication Equipment for Ty Kehoe, Esq.</i>
04/13/2020	 Audiovisual Transmission Equipment Appearance Request Party: Other Yeoman, Rodney Gerald <i>[125] Notice of Intent to Appear by Communication Equipment for Rodney Gerry Yeoman</i>

















CASE SUMMARY

CASE NO. G-19-052263-A

04/14/2020	 Notice Filed By: Other Yeoman, Rodney Gerald <i>[126] Notice of Intent to Appear by Communication Equipment</i>
04/14/2020	 Notice Filed By: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna <i>[127] Notice of Intent to Appear By Communication Equipment</i>
04/14/2020	 Notice of Telephonic Hearing Filed by: Guardian of Person and Estate Jones, Kimberly <i>[128] Notice of Intent to Appear by Telephonic Transmission Equipment</i>
04/14/2020	 Notice Filed By: Guardian of Person and Estate Jones, Kimberly <i>[129] Notice of Intent to Appear By Telephone</i>
04/14/2020	 Petition to Resign/Remove Guardian Filed by: Other Yeoman, Rodney Gerald <i>[130] Petition for Removal of Guardian and for Return of Protected Person's Property</i>
04/14/2020	 Physicians Certificate Filed by: Other Yeoman, Rodney Gerald <i>[131] Confidential Documents</i>
04/14/2020	 Citation Electronically Issued/Filed Party: Other Yeoman, Rodney Gerald <i>[132] Citation</i>
04/14/2020	 Clerk's Notice of Hearing <i>[133] Clerk's Notice of Hearing</i>
04/14/2020	 Notice Filed By: Other Yeoman, Rodney Gerald <i>[134] Notice of Intent to Appear by Telephonic Transmission Equipment</i>
04/16/2020	 Certificate of Service Filed by: Other Yeoman, Rodney Gerald <i>[135] Certificate of Service</i>
04/20/2020	 Report and Recommendations <i>[136] Supplemental Financial Forensic Audit Report for the Estate of Kathleen Jones</i>
04/27/2020	 Memorandum Filed By: Guardian of Person and Estate Jones, Kimberly <i>[137] Plaintiff Kimberly Jones' Memorandum of Points and Authorities in Support of Attorney Fees and Costs</i>
04/27/2020	 Opposition Filed By: Guardian of Person and Estate Jones, Kimberly <i>[138] Opposition to Rodney Gerald Yeoman s (Gerry) Petition for Removal of Guardian and for Return of Protected Person s Property, Counterpetition for Attorney Fees and Costs Pursuant to NRS 159.1583(4), and Court Ordered Supplemental Opposition Concerning Discovery of Interested Parties Pursuant to NRS 159.047</i>
05/05/2020	 Inventory, Appraisal and/or Record of Value Filed By: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna <i>[139] Inventory, Oath and Verified Record of Value</i>
05/05/2020	 Petition Filed By: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna <i>[140] Petition for Discharge of Temporary Co-Guardians</i>
05/05/2020	 Affidavit in Support Filed by: Guardian of Person and Estate Friedman, Robyn <i>[141] Affidavit of Robyn Friedman in Support of Petition for Discharge of Temporary Co-Guardians</i>








CASE SUMMARY

CASE NO. G-19-052263-A

05/05/2020	 Affidavit in Support Filed by: Petitioner Simmons, Donna <i>[142] Affidavit of Donna Simmons in Support of Petition for Discharge of Temporary Co-Guardians</i>
05/05/2020	 Certificate of Service Filed by: Guardian of Person and Estate Friedman, Robyn <i>[143] Certificate of Service - Inventory, Oath and Verified Record of Value</i>
05/05/2020	 Estimate of Transcript <i>[149] APRIL 15, 2020</i>
05/06/2020	 Order Filed By: Guardian of Person and Estate Jones, Kimberly <i>[144] Order Granting Petition to Withdraw as Counsel for Guardian</i>
05/07/2020	 Notice of Hearing <i>[145] Notice of Hearing on Petition to Discharge Temporary Co-Guardians</i>
05/07/2020	 Joinder Filed by: Protected Person Jones, Kathleen June <i>[146] Kathleen June Jone's Joinder to Guardian's Opposition to Yeoman's Petition for Removal of Guardian and for Return of Protected Person's Property</i>
05/07/2020	 Notice of Entry of Order <i>[147] Notice of Entry of Order</i>
05/08/2020	 Petition for Approval Filed by: Guardian of Person and Estate Jones, Kimberly <i>[148] Petition for Approval to Refinance Real Property of the Protected Person</i>
05/13/2020	 Audiovisual Transmission Equipment Appearance Request <i>[150] Audiovisual Transmission Equipment Appearance Request</i>
05/13/2020	 Reply to Opposition Filed by: Other Yeoman, Rodney Gerald <i>[151] Reply to Opposition Re Petition for Removal of Guardian and for Return of Protected Person's Property</i>
05/14/2020	 Certificate of Service Filed by: Other Yeoman, Rodney Gerald <i>[152] Certificate of Service</i>
05/14/2020	 Order Shortening Time Filed By: Guardian of Person and Estate Jones, Kimberly <i>[153] Order Shortening Time</i>
05/14/2020	 Notice of Entry of Order Filed By: Guardian of Person and Estate Jones, Kimberly <i>[154] Notice of Entry of Order Shortening Time and Notice of Hearing</i>
05/14/2020	 Certificate of Service Filed by: Guardian of Person and Estate Friedman, Robyn <i>[155] Certificate of Service - NOH Petition for Discharge & Petition for Discharge</i>
05/14/2020	 Joinder Filed by: Guardian of Person and Estate Friedman, Robyn <i>[156] Robyn Friedman's and Donna Simmons' Joinder to Kimberly Jones' Opposition to Rodney Gerald Yeoman's Petition for Removal of Guardian</i>
05/14/2020	 Joinder Filed by: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna <i>[157] Robyn Friedman's and Donna Simmons Limited Joinder to Kimberly Jones' Petition For Approval to Refinance Real Property of the Protected Person</i>
05/14/2020	 Transcript of Proceedings

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	[171] APRIL 15, 2020
05/15/2020	 Final Billing of Transcript [178] APRIL 15, 2020
05/18/2020	 Audiovisual Transmission Equipment Appearance Request [158] Audiovisual Transmission Equipment Appearance Request
05/18/2020	 Audiovisual Transmission Equipment Appearance Request [159] Audiovisual Transmission Equipment Appearance Request
05/18/2020	 Reply Filed By: Other Yeoman, Rodney Gerald [160] Reply to Robyn Friedman's and Donna Simmons' Opposition Re Petition for Removal of Guardian and for Return of Protected Person's Property and Opposition to Petition for Sanctions
05/18/2020	 Certificate of Service Filed by: Other Yeoman, Rodney Gerald [161] Certificate of Service
05/18/2020	 Response Filed By: Other Yeoman, Rodney Gerald [162] Response to Petition for Approval to Refinance Real Property of the Protected Person
05/18/2020	 Certificate of Service Filed by: Other Yeoman, Rodney Gerald [163] Certificate of Service
05/19/2020	 Certificate of Mailing Filed By: Other Yeoman, Rodney Gerald [164] Certificate of Mailing
05/21/2020	 Order [165] ordr
05/21/2020	 Notice of Entry of Order Filed By: Guardian of Person and Estate Jones, Kimberly [166] Notice of Entry of Order
05/26/2020	 Order Granting Filed by: Guardian of Person and Estate Jones, Kimberly [167] Order Granting in Part Guardian's Petition for Attorney's Fees and Costs
05/26/2020	Estimate of Transcript [196] MAY 20, 2020
05/28/2020	 Order [168] Order Denying Rodney Gerald Yeoman's Petition for Removal of Guardian and for Return of Protected Person's Property and Denying Kimberly Jones's Counter-Petition for Attorney's Fees and Costs Pursuant to NRS 159.1853(4)
05/29/2020	 Notice of Entry of Order Filed By: Guardian of Person and Estate Jones, Kimberly [169] Notice of Entry of Order
05/29/2020	 Notice of Entry of Order Filed By: Guardian of Person and Estate Jones, Kimberly [170] Notice of Entry of Order
05/29/2020	 Final Billing of Transcript [177] MAY 20, 2020
05/29/2020	 Transcript of Proceedings [194] MAY 20, 2020
05/29/2020	 Estimate of Transcript

CASE SUMMARY

CASE NO. G-19-052263-A

[195] MAY 20, 2020

06/04/2020



Motion to Amend Judgment

Filed by: Other Yeoman, Rodney Gerald

[172] Motion pursuant to E.D.C.R. 2.24, N.R.C.P. 52, 59 and 60, regarding the Decision and Order entered on May 21, 2020

06/05/2020



Clerk's Notice of Hearing

[173] Clerk's Notice of Hearing

06/09/2020



Stipulation and Order

[174]

06/09/2020



Notice of Entry of Stipulation and Order

Filed by: Other Yeoman, Rodney Gerald

[175] Notice of Entry of Stipulation and Order re Male Dog

06/10/2020



Opposition to Motion

Filed by: Guardian of Person and Estate Jones, Kimberly

[176] Kimberly Jones's Opposition to the Motion pursuant to E.D.C.R. 2.24, N.R.C.P. 52, 59 and 60, regarding the Decision and Order entered on May 21, 2020 and Counter-Motion to Transfer to Chambers Calendar Without Oral Argument

06/18/2020



Joinder

Filed by: Protected Person Jones, Kathleen June

[179] Kathleen June Jones' Joinder to Kimberly Jones' Opposition to Motion Pursuant to EDCR 2.24 NRCP 52, 59, and 60, Regarding the Decision and Order Entered on May 21, 2020 and Counter-Motion to Transfer to Chambers Calendar Without Oral Argument

06/22/2020



Order Granting

[180]

06/22/2020



Notice of Entry of Order

[181] Notice of Entry of Order

06/23/2020



Order

[182] Order Discharging

06/23/2020



Order

[183] Order Discharging Temporary Co-Guardians

06/23/2020



Order

[184] Order Discharging Temporary Co-Guardians

06/24/2020



Notice of Entry of Order

Filed By: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna

[185] Notice of Entry of Order - Order Discharging Temporary Co-Guardians

06/25/2020



Motion

Filed By: Guardian of Person and Estate Jones, Kimberly

[186] Kimberly Jones's Motion for Order Quieting Title, Directing Execution of Deed, and/or in the Alternative Petition for Instruction and Advice

06/25/2020



Motion to Consolidate

Filed by: Guardian of Person and Estate Jones, Kimberly

[187] Motion to Consolidate

06/26/2020



Clerk's Notice of Hearing

[188] Clerk's Notice of Hearing

06/26/2020



Clerk's Notice of Hearing

[189] Clerk's Notice of Hearing

06/26/2020



















Notice of Appeal

Filed By: Other Yeoman, Rodney Gerald


















CASE SUMMARY

CASE NO. G-19-052263-A

	<i>[190] Notice of Appeal</i>
07/08/2020	 Notice Filed By: Protected Person Jones, Kathleen June <i>[191] Notice of Intent to Appear by Communication Equipment</i>
07/08/2020	 Reply to Opposition Filed by: Other Yeoman, Rodney Gerald <i>[192] Reply to Opposition to Motion pursuant to E.D.C.R. 2.24, N.R.C.P. 52, 59 and 60, regarding the Order Granting and Denying Kimberly Jones, as Guardian of the Protective [sic] Person s Motion for Protective Order entered on May 21, 2020</i>
07/13/2020	 Opposition Filed By: Other Yeoman, Rodney Gerald <i>[193] Opposition to Motion to Consolidate</i>
07/20/2020	 Opposition Filed By: Other Yeoman, Rodney Gerald <i>[197] Opposition to Kimberly Jones's Motion for Order Quieting Title, Directing Execution of Deed, and/or in the Alternative Petition for Instruction and Advice</i>
07/20/2020	 Certificate of Service Filed by: Other Yeoman, Rodney Gerald <i>[198] Certificate of Service</i>
07/22/2020	 Reply Filed By: Guardian of Person and Estate Jones, Kimberly <i>[199] Kimberly Jones's Reply in Support of Motion for Order Quieting Title, Directing Execution of Deed, and/or in the Alternative Petition for Instruction and Advice</i>
07/22/2020	 Reply Filed By: Guardian of Person and Estate Jones, Kimberly <i>[200] Reply in Support of Motion to Consolidate</i>
07/27/2020	 Notice Filed By: Protected Person Jones, Kathleen June <i>[201] Notice of Intent to Appear by Communication Equipment</i>
07/30/2020	 Notice Filed By: Protected Person Jones, Kathleen June <i>[202] Notice of Intent to Appear by Communication Equipment</i>
08/12/2020	 Order Granting <i>[203] Order Granting Robyn Friedman's and Donna Simmons' Petition for Attorney Fees In Part</i>
08/17/2020	 Notice of Entry of Order Filed By: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna <i>[204] Notice of Entry of Order</i>
08/18/2020	 Motion Filed By: Guardian of Person and Estate Jones, Kimberly <i>[205] Motion for Status Check to Reset Vacated Hearing Dates</i>
08/18/2020	 Notice of Hearing <i>[206] Notice of Hearing</i>
09/08/2020	 Notice Filed By: Protected Person Jones, Kathleen June <i>[207] Notice of Intent to Appear by Communication Equipment</i>
09/11/2020	 Notice of Appeal Filed By: Protected Person Jones, Kathleen June <i>[208] Notice of Appeal</i>
09/11/2020	 Case Appeal Statement
















CASE SUMMARY

CASE NO. G-19-052263-A

	Filed By: Protected Person Jones, Kathleen June <i>[209] Case Appeal Statement</i>
09/14/2020	 Certificate of Mailing Filed By: Protected Person Jones, Kathleen June <i>[210] Certificate of Service</i>
09/18/2020	 Order <i>[211] Exemplification Certificate</i>
09/28/2020	 Notice Filed By: Protected Person Jones, Kathleen June <i>[212] Notice of Intent to Appear by Communication Equipment</i>
10/06/2020	 Suggestion of Death Filed by: Other Yeoman, Rodney Gerald <i>[213] Suggestion of Death Upon the Record Under NRCP 25(a)(2)</i>
10/10/2020	Receipt of Copy <i>[308] SEPTEMBER 17, 2021</i>
10/10/2020	 Receipt of Copy <i>[309] SEPTEMBER 17, 2020; OCTOBER 7, 2020</i>
10/22/2020	 Estimate of Transcript <i>[218] SEPTEMBER 17, 2020; OCTOBER 7, 2020</i>
10/27/2020	 Order <i>[214] Order Denying Motion to Consolidate</i>
10/27/2020	 Order <i>[215] Order Re Motion for Reconsideration</i>
10/27/2020	 Notice of Entry of Order Filed By: Guardian of Person and Estate Jones, Kimberly <i>[216] Notice of Entry of Order</i>
10/27/2020	 Notice of Entry of Order Filed By: Guardian of Person and Estate Jones, Kimberly <i>[217] Notice of Entry of Order</i>
10/29/2020	 Transcript of Proceedings <i>[219] SEPTEMBER 17, 2020</i>
10/29/2020	 Transcript of Proceedings <i>[220] OCTOBER 7, 2020</i>
10/29/2020	 Certification of Transcripts Notification of Completion <i>[306] SEPTEMBER 17, 2020; OCTOBER 7, 2020</i>
10/29/2020	 Final Billing of Transcript <i>[307] SEPTEMBER 17, 2020; OCTOBER 7, 2020</i>
11/10/2020	 Motion to Reconsider Filed by: Other Yeoman, Rodney Gerald <i>[221] Motion pursuant to E.D.C.R. 2.24, N.R.C.P. 52, 59 and 60, regarding the Order re Motion for Reconsideration entered on October 27, 2020</i>
11/10/2020	 Notice of Hearing <i>[222] Notice of Hearing</i>
11/12/2020	 Opposition Filed By: Guardian of Person and Estate Jones, Kimberly <i>[223] Opposition to Motion pursuant to E.D.C.R. 2.24, N.R.C.P. 52, 59 and 60, regarding the Order re Motion for Reconsideration entered on October 27, 2020; Counter-Petition for Removal of Rodney Gerald Yeoman Form the Guardianship Proceedings; and Motion for Sanctions</i>

CASE SUMMARY

CASE NO. G-19-052263-A





12/08/2020	 Notice Filed By: Protected Person Jones, Kathleen June <i>[224] Notice of Intent to Appear by Communication Equipment</i>
12/10/2020	 Stipulation and Order <i>[225] Stipulation and Order to Continue Hearing</i>
12/10/2020	 Notice of Entry of Stipulation and Order Filed by: Guardian of Person and Estate Jones, Kimberly <i>[226] Notice of Entry of Stipulation and Order</i>
12/21/2020	 Accounting Filed By: Guardian of Person and Estate Jones, Kimberly <i>[227] Accounting</i>
12/30/2020	 Petition Filed By: Guardian of Person and Estate Friedman, Robyn <i>[228] Verified Petition for Communication, Visits and Vacation Time with Protected Person - Unsigned</i>
12/31/2020	 Clerk's Notice of Nonconforming Document <i>[229] Clerk's Notice of Nonconforming Document</i>
12/31/2020	 Supplement Filed by: Guardian of Person and Estate Friedman, Robyn <i>[230] Supplement to Verified Petition for Communication, Visits, and Vacation Time with the Protected Person</i>
01/06/2021	 Notice of Hearing Filed By: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna <i>[231] Notice of Hearing on Verified Petition for Communication, Visits and Vacation Time with Protected Person</i>
01/06/2021	 Notice of Hearing <i>[232] Notice of Hearing</i>
01/06/2021	 Certificate of Service Filed by: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna <i>[233] Certificate of Service - Clerk's Notice of Hearing on Verified Petition for Communication, Visits and Vacation Time with Protected Person</i>
01/08/2021	 Notice of Accounting Review <i>[234] Notice of Accounting Review</i>
01/11/2021	 Notice Filed By: Protected Person Jones, Kathleen June <i>[235] Notice of Intent to Appear by Communication Equipment</i>
01/12/2021	 Joinder Filed by: Protected Person Jones, Kathleen June <i>[236] Kathleen June Jones Joinder To Kimberly Jones Opposition To Motion Pursuant To E.D.C.R. 2.24, N.R.C.P. 52, 59, And 60, Regarding The Order Entered On October 27, 2020; Counter-Petition For Removal Of Rodney Gerald Yeoman From The Guardianship Proceedings; And Motion For Sanctions</i>
01/14/2021	 Reply to Opposition Filed by: Other Yeoman, Rodney Gerald <i>[237] Reply to Oppositions to Motion pursuant to E.D.C.R. 2.24, N.R.C.P. 52, 59 and 60, regarding the Order re Motion for Reconsideration entered on October 27, 2020</i>
01/25/2021	 Opposition Filed By: Protected Person Jones, Kathleen June <i>[238] Kathleen June Jones' Opposition to Verified Petition for Communication, Visits, and Vacation Time with Protected Person</i>
01/25/2021	 Notice of Non Opposition Filed by: Guardian of Person and Estate Friedman, Robyn

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	<i>[239] Notice of Non-Opposition to Verified Petition for Communication, Visits and Vacation Time with Protected Person</i>
01/25/2021	 Opposition Filed By: Guardian of Person and Estate Jones, Kimberly <i>[240] Opposition to Verified Petition for Communication, Visits, and Vacation Time With Protected Person</i>
02/01/2021	 Notice Filed By: Protected Person Jones, Kathleen June <i>[241] Notice of Intent to Appear by Communication Equipment</i>
02/01/2021	 Reply to Opposition Filed by: Guardian of Person and Estate Friedman, Robyn <i>[242] Petitioners' Omnibus Reply to Kimberly Jones' Opposition and to Kathleen Jones' Opposition to Verified Petition for Communication, Visits</i>
02/03/2021	 Supplement <i>[243] Supplement to Petitioner's Omnibus Reply To: Kimberly Jones' Opposition to Verified Petition for Communication Visits ad to Kathleen June Jones Opposition to Verified Petition for Communication</i>
02/03/2021	 Order <i>[244] Order re Motion Pursuant to EDCR 2.24, NRCP 52, 59 & 60, re the Order re Motion for Reconsideration</i>
02/03/2021	 Notice of Entry of Order Filed By: Guardian of Person and Estate Jones, Kimberly <i>[245] Notice of Entry of Order</i>
02/06/2021	 Ex Parte Filed By: Guardian of Person and Estate Friedman, Robyn <i>[246] Ex Parte Petition for An Order For the Attendance of The Protected Person at the February 11, 2021 Hearing</i>
02/06/2021	 Affidavit in Support Filed by: Guardian of Person and Estate Friedman, Robyn <i>[247] Affidavit In Support of Ex Parte Petition For An Order For the Attendance of the Protected Person at the February 11, 2021 Hearing</i>
02/08/2021	 Petition Filed By: Guardian of Person and Estate Jones, Kimberly <i>[248] Guardian of the Protected Person's Petition to Compromise Property of Protected Person and Seal Hearing</i>
02/08/2021	 Order Shortening Time <i>[249] Order Shortening Time</i>
02/08/2021	 Notice of Entry of Order Filed By: Guardian of Person and Estate Jones, Kimberly <i>[250] Notice of Entry of Order Shortening Time and Notice of Hearing</i>
02/12/2021	 Order to Appoint State Investigator <i>[251] Order to Appoint Investigator</i>
02/16/2021	 Order Appointing Guardian Ad Litem <i>[252] Order Appointing Guardian ad Litem</i>
02/22/2021	 Notice Filed By: Protected Person Jones, Kathleen June <i>[253] Notice of Intent to Appear by Communication Equipment</i>
02/22/2021	 Notice of Appearance Party: Guardian Ad Litem Brickfield, Elizabeth <i>[254] Notice of Appearance</i>
02/22/2021	 Notice Filed By: Guardian Ad Litem Brickfield, Elizabeth







CASE SUMMARY

CASE NO. G-19-052263-A

	<i>[255] Notice of Intention to Seek Attorney's Fees and Costs from Guardianship Estate Pursuant to NRS 159.344 (3)</i>
02/26/2021	 Notice Filed By: Protected Person Jones, Kathleen June <i>[256] Kathleen June Jones' Notice of Objection to Guardian Ad Litem's Written Notice of Intention to Seek Attorney's Fees and Costs From Guardianship Estate Pursuant to NRS 159.344(3)</i>
03/01/2021	 Joinder Filed by: Guardian of Person and Estate Jones, Kimberly <i>[257] Kimberly Jones' Joinder to Kathleen June Jones Notice of Objection to Guardian Ad Litem s Written Notice of Intention to Seek Attorney s Fees and Costs from Guardianship Estate Pursuant to NRS 159.344(3)</i>
03/08/2021	 Certificate of Service Filed by: Protected Person Jones, Kathleen June <i>[258] Certificate of Service</i>
03/08/2021	 Notice Filed By: Protected Person Jones, Kathleen June <i>[259] Notice of Intent to Appear by Communication Equipment</i>
03/09/2021	 Certificate of Service Filed by: Guardian Ad Litem Brickfield, Elizabeth <i>[260] Supplemental Certificate of Service</i>
03/09/2021	 Response Filed By: Guardian Ad Litem Brickfield, Elizabeth <i>[261] Response to Objection to Fees as Guardian ad Litem</i>
03/09/2021	 Ex Parte <i>[262] Ex Parte Petition to Shorten To Hear Verified Petition for Communication, Visits and Vacation Time with the Protected Person</i>
03/09/2021	 Affidavit in Support <i>[263] Affidavit in Support of Ex Parte Petition to Shorten Time to Hear Verified Petition</i>
03/10/2021	 Joinder Filed by: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna <i>[264] Robyn Friedman and Donna Simmons' Joinder to Response to Objection to Fees as Guardian Ad Litem</i>
03/12/2021	 Petition Filed By: Guardian of Person and Estate Jones, Kimberly <i>[265] Petition for Payment of Guardian's Fee and Attorney Fees and Costs</i>
03/15/2021	 Order <i>[266] Order Granting Petition to Compromise Property of Protected Person and Seal Hearing</i>
03/16/2021	 Notice Filed By: Protected Person Jones, Kathleen June <i>[267] Notice of Intent to Appear by Communication Equipment</i>
03/16/2021	 Notice of Entry of Order Filed By: Guardian of Person and Estate Jones, Kimberly <i>[268] Notice of Entry of Order</i>
03/18/2021	 Memorandum Filed By: Guardian of Person and Estate Jones, Kimberly <i>[269] Kimberly Jones' Memorandum of Status</i>
03/24/2021	 Order Granting <i>[270] Protective Order Authorizing Limited Review of Confidential Documents</i>
03/26/2021	 Petition Filed By: Guardian of Person and Estate Jones, Kimberly <i>[271] Petition to Relocate Protected Person and Transfer Guardianship</i>


















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03/26/2021	 Opposition Filed By: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna <i>[272] Opposition to Petition for Payment of Guardian's Fees and Attorney's Fees</i>
03/29/2021	 Reply Filed By: Guardian of Person and Estate Jones, Kimberly <i>[273] Kimberly Jones' Reply in Support of Petition for Payment of Guardian's Fees and Attorney Fees and Costs and Opposition to Request for Care Plan, Complete and Updated Inventory or Accounting, and Updated Budget</i>
03/29/2021	 Memorandum Filed By: Guardian of Person and Estate Jones, Kimberly <i>[274] Kimberly Jones' Memorandum of Status</i>
03/29/2021	 Report of the Guardian Filed by: Guardian Ad Litem Brickfield, Elizabeth <i>[275] Report to the Court</i>
03/30/2021	 Stricken Document Filed by: Guardian of Person and Estate Jones, Kimberly <i>[276] **STRICKEN DOCUMENT** - Unsigned Order</i>
03/30/2021	 Clerk's Notice of Nonconforming Document <i>[277] Clerk's Notice of Nonconforming Document</i>
03/31/2021	 Ex Parte Filed By: Guardian of Person and Estate Jones, Kimberly <i>[278] Ex-Parte Application for Order Shortening Time on Guardian Kimberly Jones' Petition to Relocate Protected Person and Transfer Guardianship</i>
04/02/2021	 Order <i>[279] Order Granting Ex-Parte Application for OST</i>
04/02/2021	 Notice of Entry of Order Filed By: Guardian of Person and Estate Jones, Kimberly <i>[280] Notice of Entry of Order Shortening Time and Notice of Hearing</i>
04/05/2021	 Opposition <i>[281] Robyn Friedman and Donna Simmons' Opposition to Petition to Relocate the Protected Person and Transfer Guardianship</i>
04/09/2021	 Order <i>[282] Order Granting Petition to Relocate Protected Person and Transfer Guardianship</i>
04/09/2021	 Notice of Entry of Order Filed By: Guardian of Person and Estate Jones, Kimberly <i>[283] Notice of Entry of Order</i>
04/23/2021	 Petition Filed By: Guardian of Person and Estate Friedman, Robyn <i>[284] Petition for Visitation with the Protected Person - Unsigned Verifications</i>
04/23/2021	 Ex Parte Petition Filed by: Guardian of Person and Estate Friedman, Robyn <i>[285] Ex Parte Petition for Order Shortening Time to Hear Petition for Visitation</i>
04/26/2021	 Clerk's Notice of Nonconforming Document <i>[286] Clerk's Notice of Nonconforming Document</i>
04/26/2021	 Notice of Hearing Filed By: Guardian of Person and Estate Friedman, Robyn <i>[287] Notice of Hearing on Petition for Visitation With the Protected Person</i>
04/26/2021	 Notice of Hearing <i>[288] Notice of Hearing</i>








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04/26/2021	 Supplemental Filed By: Guardian of Person and Estate Friedman, Robyn <i>[289] Supplement to Petition for Visitation with the Protected Person</i>
04/26/2021	 Certificate of Service Filed by: Guardian of Person and Estate Friedman, Robyn <i>[290] Certificate of Service - Clerk's NOH, Petition for Visitation and Supplement to Petition for Visitation.</i>
04/26/2021	 Notice of Release of Lis Pendens Filed by: Guardian of Person and Estate Jones, Kimberly <i>[291] Notice of Release of Lis Pendens</i>
05/03/2021	 Response Filed By: Guardian of Person and Estate Jones, Kimberly <i>[292] Limited Response to Petition for Visitation with the Protected Person</i>
05/05/2021	 Stipulation and Order <i>[293] Stipulation and Order to Vacate Award of Attorney Fees and Costs</i>
05/05/2021	 Notice of Entry of Stipulation and Order Filed by: Guardian of Person and Estate Jones, Kimberly <i>[294] Notice of Entry of Stipulation and Order</i>
05/05/2021	 Petition Filed By: Protected Person Jones, Kathleen June <i>[295] Petition to Approve Kathleen June Jones' Proposed Visitation Schedule</i>
05/05/2021	 Notice of Hearing Filed By: Protected Person Jones, Kathleen June <i>[296] Notice of Hearing</i>
05/05/2021	 Clerk's Notice of Hearing <i>[297] Clerk's Notice of Hearing</i>
05/05/2021	 Reply Filed By: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna <i>[298] Reply to Limited Response to Petition for Visitation with the Protected Person</i>
05/06/2021	 Ex Parte Petition Filed by: Protected Person Jones, Kathleen June <i>[299] Ex Parte Motion for an Order Shortening Time for Hearing on Petition to Approve Kathleen June Jones' Proposed Visitation Schedule</i>
05/11/2021	 Ex Parte Application Filed by: Guardian of Person and Estate Jones, Kimberly <i>[300] Ex Parte Application to Continue May 13, 2021 Hearing</i>
05/13/2021	 Order Shortening Time <i>[301] Jones OST</i>
05/13/2021	 Order Shortening Time <i>[302] Order Shortening Time</i>
05/17/2021	 Request Filed By: Guardian of Person and Estate Jones, Kimberly <i>[303] Request for Hearing</i>
05/17/2021	 Notice of Hearing <i>[304] Notice of Hearing</i>
05/17/2021	 Certificate of Service Filed by: Guardian of Person and Estate Jones, Kimberly <i>[305] Certificate of Service</i>
















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05/25/2021	 Certificate of Service Filed by: Guardian of Person and Estate Jones, Kimberly <i>[310] Certificate of Service</i>
05/27/2021	 Estimate of Transcript <i>[311] FEBRUARY 11, 2021</i>
06/01/2021	 Pre-trial Memorandum Filed By: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna <i>[312] Robyn Friedman s and Donna Simmons Pre-Trial Memorandum Regarding Communication and Visits, and Exhibit List</i>
06/02/2021	 Motion to Stay Filed by: Protected Person Jones, Kathleen June <i>[313] Motion to Stay Evidentiary Hearing Pending Petition for Writ of Prohibition and Petition for Writ of Mandamus</i>
06/02/2021	 Notice of Hearing Filed By: Protected Person Jones, Kathleen June <i>[314] Notice of Hearing</i>
06/02/2021	 Joinder Filed by: Guardian of Person and Estate Jones, Kimberly <i>[315] Kimberly Jones' Partial Joinder to Kathleen June Jones' Motion to Stay Evidentiary Hearing Pending Petition for Writ of Prohibition and Petition for Writ of Mandamus</i>
06/03/2021	 Exhibits Filed By: Protected Person Jones, Kathleen June <i>[316] Exhibit to Motion to Stay Evidentiary Hearing Pending Petition for Writ of Prohibition and Petition for Writ of Mandamus</i>
06/03/2021	 Request Filed By: Protected Person Jones, Kathleen June <i>[317] Request for Transcript of Proceedings</i>
06/03/2021	 Notice of Hearing <i>[318] Notice of Hearing</i>
06/03/2021	 Ex Parte Petition Filed by: Protected Person Jones, Kathleen June <i>[319] Ex Parte Motion for an Order Shortening Time on Hearing on Motion to Stay Evidentiary Hearing Pending Petition for Writ of Prohibition and Petition for Writ of Mandamus</i>
06/03/2021	 Notice Filed By: Protected Person Jones, Kathleen June <i>[320] Notice of Filing</i>
06/03/2021	 Budget Filed by: Guardian of Person and Estate Jones, Kimberly <i>[321] Anticipated and Proposed Budget</i>
06/03/2021	 Care Plan Filed by: Guardian of Person and Estate Jones, Kimberly <i>[322] Plan of Care for Protected Person Kathleen June Jones</i>
06/03/2021	 Accounting Filed By: Guardian of Person and Estate Jones, Kimberly <i>[323] Amended First Accounting</i>
06/03/2021	 Request Filed By: Guardian of Person and Estate Jones, Kimberly <i>[324] Request for Hearing</i>
06/03/2021	 Opposition

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	<p>Filed By: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna <i>[325] Robyn Friedman and Donna Simmons Omnibus Opposition to Motion to Stay Evidentiary Hearing Pending Petition for Writ of Prohibition and Petition for Writ of Mandamus; and Kimberly Jones Partial Joinder to Kathleen June Jones Motion to Stay Evidentiary Hearing Pending Petition for Writ of Prohibition and Petition for Writ Mandamus</i></p>
06/04/2021	<p> Transcript of Proceedings <i>[334] FEBRUARY 11, 2021</i></p>
06/07/2021	<p> Motion in Limine <i>[326] Robyn Friedman and Donna Simmons' Motion in Limine to Preclude Untimely Disclosures at the Evidentiary Hearing</i></p>
06/07/2021	<p> Pre-trial Memorandum <p>Filed By: Guardian of Person and Estate Jones, Kimberly <i>[327] Kimberly Jones' Pretrial Memorandum</i></p> </p>
06/07/2021	<p> Pre-trial Memorandum <p>Filed By: Protected Person Jones, Kathleen June <i>[328] Kathleen June Jones' Pretrial Memorandum</i></p> </p>
06/07/2021	<p> Notice of Accounting Review <i>[329] Notice of Accounting Review</i></p>
06/07/2021	<p> Confidential Report of AOC Investigator <i>[330] Confidential Report of AOC Investigator</i></p>
06/07/2021	<p> Order <i>[331] G-19-052263-A Kathleen Jones ORDR</i></p>
06/07/2021	<p> Clerk's Notice of Nonconforming Document <i>[332] Clerk's Notice of Nonconforming Document</i></p>
06/07/2021	<p> Opposition <p>Filed By: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna <i>[333] Partial Opposition to Declaration of Investigation</i></p> </p>
06/15/2021	<p> Pre-trial Memorandum <p>Filed By: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna <i>[335] Supplement to Robyn Friedman s and Donna Simmons Pre-Trial Memorandum Regarding Communication and Visits, and Exhibit List</i></p> </p>
06/16/2021	<p> Supplement <p>Filed by: Guardian of Person and Estate Jones, Kimberly <i>[336] Kimberly Jones' Supplement to Petition for Payment of Guardian's Fee & Attorney Fees and Costs</i></p> </p>
06/16/2021	<p> Notice of Hearing <p>Filed By: Guardian of Person and Estate Jones, Kimberly <i>[337] Notice of Hearing on First Amended Accounting</i></p> </p>
06/16/2021	<p> Notice of Hearing <i>[338] Notice of Hearing</i></p>
06/17/2021	<p> Certificate of Mailing <p>Filed By: Guardian of Person and Estate Jones, Kimberly <i>[339] Certificate of Mailing of Clerk's Notice of Hearing on Amended First Accounting</i></p> </p>
06/18/2021	<p> Brief <p>Filed By: Guardian of Person and Estate Friedman, Robyn <i>[340] Robyn Friedman's and Donna Simmons' Closing Argument Brief</i></p> </p>
06/18/2021	<p> Brief <p>Filed By: Guardian of Person and Estate Jones, Kimberly <i>[341] Kimberly Jones' Closing Brief Following Evidentiary Hearing</i></p> </p>

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06/18/2021	 Findings of Fact, Conclusions of Law and Judgment Party: Protected Person Jones, Kathleen June <i>[343] Kathleen June Jones' Closing Argument and Proposed Findings of Fact and Conclusions of Law</i>
06/24/2021	 Findings of Fact, Conclusions of Law and Judgment Party: Protected Person Jones, Kathleen June <i>[342] Kathleen June Jones' Closing Argument and Proposed Findings of Fact and Conclusions of Law</i>
07/13/2021	 Stipulation and Order <i>[344] Stipulation and Order to Continue Hearings</i>
07/14/2021	 Notice of Entry of Order <i>[345] Notice of Entry of Stipulation and Order to Continue Hearings</i>
07/15/2021	 Objection Filed By: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna <i>[346] Robyn Friedman's and Donna Simmons' Objection to Guardian's Accounting and First Amended Accounting</i>
07/15/2021	 Petition <i>[347] Petition for Reimbursement of Temporary Guardians' Costs and Legal Fees and Costs Advanced to the Guardianship Estate</i>
07/15/2021	 Notice of Hearing Filed By: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna <i>[348] Notice of Hearing on Petition for Reimbursement of Temporary Guardians' Costs and Legal Fees and Costs Advances to the Guardianship Estate</i>
07/19/2021	 Notice of Hearing <i>[349] Notice of Hearing</i>
07/21/2021	 Certificate of Service Filed by: Guardian of Person and Estate Friedman, Robyn <i>[350] Certificate of Service - Clerk's Notice of Hearing & Petition for Reimbursement of Temporary Guardian's Costs and Legal Fees and Costs Advanced to the Guardianship Estate</i>
07/26/2021	 Response Filed By: Guardian of Person and Estate Jones, Kimberly <i>[351] Response to Petition for Reimbursement of Temporary Guardians' Costs and Legal Fees and Costs Advanced to the Guardianship Estate</i>
07/26/2021	 Objection Filed By: Guardian of Person and Estate Jones, Kimberly <i>[352] Kimberly Jones' Objection to Robyn Friedman's and Donna Simmons' Objection to Guardian's Accounting and First Amended Accounting</i>
07/26/2021	 Ex Parte Application <i>[353] Ex Parte Petition to Redact Social Security Number</i>
07/27/2021	 Ex Parte Order <i>[354] Order Granting Petition to Redact Social Security Number 1</i>
07/28/2021	 Notice of Entry of Order <i>[355] Notice of Entry of Order Granting Ex Parte Petition to Redact Social Security Number</i>
07/30/2021	 Objection Filed By: Protected Person Jones, Kathleen June <i>[356] Objection to Petition for Reimbursement of Temporary Guardians' Costs and Legal Fees and Costs Advanced to the Guardianship Estate</i>
08/03/2021	 NV Supreme Court Clerks Certificate/Judgment - Dismissed <i>[357] Nevada Supreme Court Clerk's Certificate/Remittitur Judgment - Dismissed</i>
08/09/2021	 Memorandum Filed By: Guardian of Person and Estate Jones, Kimberly

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CASE NO. G-19-052263-A

[358] Kimberly Jones' Memorandum of Status Dated August 6, 2021

08/09/2021



Supplement

Filed by: Guardian of Person and Estate Jones, Kimberly

[359] Second Amendment to First Accounting

08/09/2021



Response

Filed By: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna

[360] Robyn Friedman and Donna Simmons' Response to Guardian's Objection to Objection to Guardian's Accounting and First Amended Accounting

08/16/2021



Reply

Filed By: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna

[361] Petitioners' Omnibus Reply to Kimberly Jones Response to Petition for Reimbursement of Temporary Guardians' Costs and Legal Fees and Costs Advanced

08/16/2021



Stipulation and Order

[362] Stipulation and Order for Modification of Order Compromising Property of Protected Person

08/17/2021



Notice of Entry of Stipulation and Order

Filed by: Guardian of Person and Estate Jones, Kimberly

[363] Notice of Entry of Stipulation and Order

08/19/2021



Supplemental

[364] Supplement to Petitioners' Omnibus Reply to Kimberly Jones' Response to Petition for Reimbursement of Temporary Guardians' Costs and Legal Fees

08/25/2021



Supplement

Filed by: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna

[365] Second Supplement to Petitioners' Omnibus Reply to Kimberly Jones' Response to Petition For Reimbursement of Temporary Guardians' Costs and Legal Fees

08/30/2021



Response

Filed By: Guardian of Person and Estate Jones, Kimberly

[366] Response to Friedman's and Simmons' Second Supplement to Petitioners' Omnibus Reply to Kimberly Jones' Response to Petition for Reimbursement of Temporary Guardians' Costs and Legal Fees

09/02/2021



Order

[367] Order Pursuant to NRS159.179

09/07/2021



Estimate of Transcript

[368] JUNE 08, 2021

09/16/2021



Production of Documents

Filed by: Guardian of Person and Estate Jones, Kimberly

[369] Receipts and/or Vouchers in Support of First Accounting

09/16/2021



Memorandum

Filed By: Guardian of Person and Estate Jones, Kimberly

[370] Kimberly Jones' Memorandum of Status Dated 9-16-21

09/29/2021



Order

[371] Order Referring to Compliance Division for Additional Accounting Review

10/27/2021



Petition

Filed By: Guardian Ad Litem Brickfield, Elizabeth

[372] Petition for Approval of Guardian Ad Litem's Fees and Costs

10/27/2021



Notice of Hearing

Filed By: Guardian Ad Litem Brickfield, Elizabeth

[373] Notice of Hearing

10/28/2021






Clerk's Notice of Hearing

[374] Clerk's Notice of Hearing

CASE SUMMARY

CASE NO. G-19-052263-A

11/16/2021	 Notice of Accounting Review <i>[375] Notice of Accounting Review 9/16/2021 Supplement</i>
11/18/2021	 Objection Filed By: Protected Person Jones, Kathleen June <i>[376] Objection to Petition for Approval of Guardian Ad Litem's Fees and Costs</i>
12/02/2021	 Notice of Accounting Review <i>[377] Amended Notice of Accounting Review</i>
12/06/2021	 Findings of Fact, Conclusions of Law and Judgment <i>[378] Findings of Fact Conclusions of Law and Order Regarding Visitation, First Annual Accounting, Guardian's Fees, Caretaking Fees, Attorney's Fees and Costs, and Removal of the Guardian</i>
12/07/2021	 Notice of Change of Firm Name Filed by: Guardian of Person and Estate Friedman, Robyn; Petitioner Simmons, Donna <i>[379] Notice of Change of Firm Name and Address</i>
12/07/2021	 Order to Appoint State Investigator <i>[380] Order Appointing Investigator</i>
12/07/2021	 Order Appointing General Guardian - Person & Estate <i>[381] Order Appointing Successor Guardian</i>
12/07/2021	 Guardian's Acknowledgment of Duties <i>[382] Guardian's Acknowledgment of Duties and Responsibilities</i>
12/07/2021	 Letters of General Guardianship <i>[383] Letters of General Guardianship</i>
12/08/2021	 Notice of Entry of Order Filed By: Guardian of Person and Estate Friedman, Robyn <i>[384] Notice of Entry of Order Appointing Successor Guardian</i>
12/10/2021	 Motion for Withdrawal Filed By: Guardian of Person and Estate Jones, Kimberly <i>[385] Motion to Withdraw as Counsel of Record</i>
12/10/2021	 Notice of Hearing <i>[386] Notice of Hearing</i>
12/10/2021	 Notice of Entry of Order Filed By: Protected Person Jones, Kathleen June <i>[387] Notice of Entry of Order</i>
12/13/2021	 Notice of Entry of Order Filed By: Protected Person Jones, Kathleen June <i>[388] Notice of Entry of Order</i>
12/15/2021	 Notice of Appeal Filed By: Protected Person Jones, Kathleen June <i>[389] Notice of Appeal</i>
12/15/2021	 Case Appeal Statement Filed By: Protected Person Jones, Kathleen June <i>[390] Case Appeal Statement</i>
12/15/2021	 Petition Filed By: Petitioner Simmons, Donna <i>[391] Petition to Compel Kimberly Jones to Provide Any and All Information and Documentation Related to the Protected Person to the Successor Guardian</i>
12/15/2021	 Notice of Hearing Filed By: Petitioner Simmons, Donna

CASE SUMMARY

CASE NO. G-19-052263-A

[392] Notice of Hearing on Petition to Compel Kimberly Jones to Provide Any and All Information and Documentation Related to the Protected Person to the Successor Guardian

12/15/2021



Petition

Filed By: Petitioner Simmons, Donna

[393] Petition to Relocate the Protected Person to Nevada

12/15/2021



Notice of Hearing

Filed By: Petitioner Simmons, Donna

[394] Notice of Hearing on Petition to Relocate the Protected Person to Nevada

12/15/2021



Notice of Hearing

[395] Notice of Hearing

12/15/2021



Notice of Hearing

[396] Notice of Hearing

12/15/2021



Ex Parte Petition

Filed by: Petitioner Simmons, Donna

[397] Ex Parte Petition for an Order Shortening Time to Hear Petition for Authority to Relocate the Protected Person to Nevada and to Hear Petition to Compel Kimberly Jones to Provide any and all Information and Documentation Related to the Protected Person to the Successor Guardian

12/15/2021



Affidavit of Due Diligence

Filed By: Petitioner Simmons, Donna

[398] Affidavit in Support of Ex Parte Petition for an Order Shortening Time to Hear Petition for Authority to Relocate the Protected Person to Nevada and to Hear Petition to Compel Kimberly Jones to Provide any and all Information and Documentation Related to the Protected Person to the Successor Guardian

HEARINGS

10/03/2019

Hearing for Temporary Guardianship (9:00 AM) (Judicial Officer: Marquis, Linda)

Matter Heard; See 10/3/19 All Pending Motions

10/03/2019

Opposition & Countermotion (9:00 AM) (Judicial Officer: Marquis, Linda)

Opposition to Appointment of Temporary Guardian and General Guardian; Counter-Petition for Appointment of Temporary Guardian of the Person and Estate and Issuance of Letters of Temporary Guardianship; and Counter-Petition for Appointment of General Guardian of the Person and Estate and Issuance of Letters of General Guardianship

Matter Heard; See 10/3/19 All Pending Motions

10/03/2019



All Pending Motions (9:00 AM) (Judicial Officer: Marquis, Linda)

Matter Heard;

Journal Entry Details:

HEARING FOR TEMPORARY GUARDIANSHIP...OPPOSITION AND COUNTERMOTION: OPPOSITION TO APPOINTMENT OF TEMPORARY GUARDIAN; COUNTER PETITION FOR APPOINTMENT OF TEMPORARY GUARDIAN OF THE PERSON AND ESTATE AND ISSUANCE OF LETTERS OF TEMPORARY GUARDIANSHIP; AND COUNTER PETITION FOR APPOINTMENT OF GENERAL GUARDIAN OF THE PERSON AND ESTATE AND ISSUANCE OF LETTERS OF GENERAL GUARDIANSHIP. Attorney Ross Evans, Nevada Bar #11374, present on behalf of Kimberly Jones (daughter). Terri Butler, oldest daughter, present. Court noted the presence of Protected Person (PP) Upon Court's inquiry regarding resolution, Mr. Evans advised he and Mr. Kehoe have a proposed resolution, however he felt Mr. Michaelson's clients may disagree. Mr. Evans proposed ending the temporary guardianship and revoking the letters. PP and her husband would live together as husband and wife, and as Kimberly has been the attorney-in-fact for PP, she would oversee the financial and healthcare needs of PP, in the best interest of PP. Mr. Evans made statements regarding the sale of the house and getting the proceeds of that sale returned. Mr. Evans advised there is a durable power of attorney, established in 2012 over finances, and a durable healthcare power of attorney, established in 2005. Mr. Evans stated Kimberly did not oversee the sale of the house as PP was living with her husband at the time. The current owner is Mr. Yeoman's son, who is willing to reverse it entirely. Ms. Parra-Sandoval advised she spoke with PP, who is able to direct her and tell her who she wants as her guardian. PP had no recollection of transferring her home to anyone, signing a deed, or the sale of the house. PP wants Kimberly Jones to be her guardian if a guardian is necessary, her daughters to care for her, and her husband to live with her. Ms. Parra-Sandoval requested the investigator look into the situation. Mr. Kehoe informed the Court Mr. Yeoman wants to re-establish his relationship with his wife and wants the care of PP to be resolved. He believes outside care is occasionally needed. PP and Mr. Yeoman would share the cost of a caregiver. Mr. Kehoe advised he agreed with the resolution as stated by Mr. Evans. Mr. Kehoe requested a status check on 10/15. Court expressed concern regarding the sale of the house and someone taking advantage of PP, especially since PP didn't know about the

CASE SUMMARY**CASE NO. G-19-052263-A**

sale of the house. Mr. Michaelson advised everyone's goal is to work out a situation, there has been an unwillingness to communicate with the temporary guardians, they have been denied medication, given outdated medication and medication mixed with Mr. Yeoman's medications. Mr. Evans and Mr. Kehoe disagreed and advised they provided the requested information. Argument and discussion regarding medication being locked in the trunk of the car in the garage. Mr. Michaelson advised Kimberly has not returned phone calls. Mr. Michaelson requested temporary guardianship remain in place until a permanent guardian can be appointed, and additionally requested mediation or a settlement conference. Ms. Parra-Sandoval requested temporary guardianship stay in place, and again advised PP wants Kimberly Jones to be her guardian if it is necessary. Court admonished parties regarding the care of PP and warned against misuse of her medication, withholding of information regarding her doctors and other basic healthcare needs. Family members need to set aside their differences and work together for the best interest and protection of PP. Dean Loggins, Kimberly Jones' fiancé, made statements in favor of Kimberly being named as guardian. Terri Butler made statements regarding PP's best interests. Argument between counsel regarding PP's care by her husband. Court noted its concern and stated it has not choice but to continue the temporary guardianship until it receives the results of investigation. If allegations are proven to be true, it is a likely court outcome that despite the nomination of guardian, a different person or persons may be appointed. Mr. Michaelson advised Mr. Yeoman is in the process of trying to evict Kimberly and her fiancé that are the caregivers from the home. Mr. Kehoe disagreed and explained the evictions. Court again expressed concern regarding the significant allegations and suitability. Discussion regarding visitation. **COURT ORDERED:** Temporary Guardianship shall REMAIN in place. Protected Person shall REMAIN where she is with Kimberly Jones providing care until the next hearing. Order extending TEMPORARY GUARDIANSHIP signed in OPEN COURT and shall EXPIRE on 12/3/19. Order returned to Mr. Michaelson for filing. Hearing set for 10/15/19 shall STAND. Supreme Court Guardianship Compliance Officer shall be APPOINTED to investigate the case and get all the applicable documents from the sale of the house. Although a report will not be completed, Investigator shall appear at the hearing to orally report any findings. Mr. Yeoman shall have UNSUPERVISED VISITATION with Protected Person between 8:00 AM and 8:00 PM. A list of medications and any doctor appointments shall be sent to temporary guardians within 48 hours of today's hearing. ;

10/15/2019

**Citation to Appear** (10:00 AM) (Judicial Officer: Marquis, Linda)

Amended Citation to Appear and Show Cause

MINUTES

Amended Citation

Matter Heard;

Journal Entry Details:

AMENDED CITATION TO APPEAR AND SHOW CAUSE Court Clerks: Karen Christensen, Tanya Stengel (ts) Scott Simmons, appeared telephonically. Court noted Investigator was unable to find out information on such a quick turn around. Attorney Michaelson informed the Court, they did not receive information within 48 hours as Ordered at the previous hearing but was given some medical information from Kimberly within the last few days. Attorney Michaelson stated they did not receive anything from Mr. Yeoman's side. Attorney Michaelson stated the need for a General Guardian in order to file an A-Case in regards to Mr. Powell not giving back Protected Person's house. Attorney Parra-Sandoval stated she spoke with Protected Person and she continues to voice her strong preference for Kimberly to be her Guardian and wants to remain in her home that she still believes is hers. Protected Person has no recollection of signing anything regarding gifting her home. Court and Counsel engaged in discussion regarding the sale of the home. Upon inquiry from the Court, Attorney Parra-Sandoval stated Protected Person's signature is on the documents; it is believed that the sale of the home was hidden from the Power of Attorney at the time. Attorney Kehoe made statements regarding the importance of Protected Person and Mr. Yeoman living together. Upon inquiry from the Court, Attorney Kehoe stated Mr. Yeoman does not want to live in the home if Kimberly is living there. Attorney Kehoe made statements regarding the Power of Attorney and further stated the transfer of the home happened 21 months ago and there is no proof that Protected Person was incapacitated at the time. Court stated concerns regarding the sale of Protected Person's home to Mr. Yeoman's son, Mr. Powell, at \$100,000 less than market value and stated further concerns that no documents have been turned over and the house hasn't been given back. Attorney Luszeck made statements about actions taken by Ms. Jones, Power of Attorney, when she found out about the sale of the home. Attorney Luszeck stated reasons why Ms. Jones should be appointed as General Guardian. Attorney Michaelson made statements regarding preference of Ms. Jones as Guardian over Mr. Yeoman; however made statements regarding Ms. Jones suitability as Guardian and her request for \$500 a day to be Protected Person's caregiver. Court and Counsel engaged in discussion regarding Ms. Jones' suitability as Guardian. Court stated it's concerns. Attorney Kehoe made further statements regarding the sale of the home. Attorney Kehoe stated Mr. Powell paid off the \$140,000 mortgage and the other side has only offered to pay him \$1 for the home to be returned. Court stated further concerns that Attorney Kehoe is not concerned or worried and that Attorney Kehoe stated there is not a contract of sale or any other documents to provide regarding the sale of the home. Court advised Ms. Jones to be proactive regarding the housing situation due to neither her or Protected Person owning the home. Court, Counsel and parties engaged in discussion regarding visitation between Protected Person and Mr. Yeoman. Court clarified the Order is NOT that Mr. Yeoman moves out of the home. Mr. Yeoman voluntarily moved out of the home but is welcome to live there. Court and Counsel further engaged in discussion regarding exchange of medical records for Protected Person and Mr. Yeoman. Court noted if Mr. Yeoman is not willing to provide his

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medical information to Guardian; she must be present during visitations. COURT ORDERED, Order Appointing Guardian (KIMBERLY JONES) over the Person and Estate shall be APPROVED and GRANTED. Courtroom clerk administered oath to the Guardian IN OPEN COURT. Guardian shall file an INVENTORY within 60 DAYS. Mr. Yeoman shall have SUPERVISED visitation with Protected Person. Mr. Yeoman shall notify Guardian if he will be out of town or unavailable for visitations. Guardian shall notify Mr. Yeoman with information regarding all levels of Protected Person's medical care. A Supreme Court Investigator shall be APPOINTED to investigate this case. The Investigator shall review the entire Adult Protective Services file and obtain Protected Person's medical records. A Financial Forensic Specialist shall be APPOINTED to investigate this case. The Investigator shall review all financial records that pertain to the sale of the property, including Protected Person, Mr. Yeoman, and Mr. Yeoman's son, Dick Powell, and anyone else with ties to that property. Matter CONTINUED to 1/14/20 at 1:30 pm for both Investigation Reports. Matter SET for EVIDENTIARY HEARING/STATUS CHECK 2/20/20 at 1:30 pm. ALL Parties must act and speak to each other in a CIVIL MANNER. Attorney Kehoe shall be considered an interested party and shall be allowed access to the Physician's Certificate. Attorney Luszeck shall prepare and submit an Order. ;

11/06/2019



Minute Order (3:30 PM) (Judicial Officer: Marquis, Linda)

Minute Order - No Hearing Held;

Journal Entry Details:

MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES RE: G-19-052263-A NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to ensure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.11(e), this Court can consider a motion and issue a decision on the papers at any time without a hearing. On November 6, 2019, Mr. Ty Kehoe informed the Court that there is a disagreement among counsel with regard to the language in the Proposed Order from the October 15, 2019 Hearing. Accordingly, Mr. Ty Kehoe shall draft a competing Order. This proposed Order shall be served on all counsel in this matter and submitted to the Department. This Matter shall be set on the Court's Chamber's calendar on November 25, 2019, for review of the competing Orders, and the Court shall make its determination accordingly. No appearance required. A copy of this Minute Order shall be provided to all Parties. CLERK'S NOTE: A copy of this Minute Order was mailed to attorneys at the addresses listed on court records 11/6/19. (kc);

11/25/2019

Status Check (8:30 AM) (Judicial Officer: Marquis, Linda)

Review Competing Orders

12/10/2019

Hearing (9:30 AM) (Judicial Officer: Marquis, Linda)

Petition for Return of Property of Protected Person and Petition for Confirmation to Bring Civil Actions of Behalf of Kathleen June Jones

Granted; See 12/10/19 All Pending Motions

12/10/2019

Opposition (9:30 AM) (Judicial Officer: Marquis, Linda)

Events: 12/06/2019 Opposition to Motion

Rodney G. Yeoman's Opposition to Petition for Return of Property of Protected Person

Denied; See 12/10/19 All Pending Motions

12/10/2019

Opposition (9:30 AM) (Judicial Officer: Marquis, Linda)

Events: 12/06/2019 Opposition to Motion

Rodney Gerald Yeoman's Opposition to Petition for Confirmation to Bring Civil Actions on behalf of Kathleen June Jones

Denied; See 12/10/19 All Pending Motions

12/10/2019

Hearing (9:30 AM) (Judicial Officer: Marquis, Linda)

Reply in Support of Petition for Return of Property of Protected Person

Granted; See 12/10/19 All Pending Motions

12/10/2019

Hearing (9:30 AM) (Judicial Officer: Marquis, Linda)

Reply in Support of Petition for Confirmation to bring Civil Actions on Behalf of Kathleen June Jones

Matter Heard; See 12/10/19 All Pending Motions

12/10/2019



All Pending Motions (9:30 AM) (Judicial Officer: Marquis, Linda)

MINUTES

Matter Heard;

Journal Entry Details:

HEARING: PETITION FOR RETURN OF PROPERTY OF PROTECTED PERSON AND PETITION FOR CONFIRMATION TO BRING CIVIL ACTIONS ON BEHALF OF KATHLEEN June JONES...OPPOSITION: RODNEY G. YEOMAN'S OPPOSITION TO PETITION FOR RETURN OF PROPERTY OF PROTECTED PERSON...OPPOSITION: RODNEY GERALD YEOMAN'S OPPOSITION TO PETITION FOR CONFIRMATION TO BRING CIVIL ACTIONS ON BEHALF OF KATHLEEN June JONES...HEARING: REPLY IN SUPPORT OF PETITION FOR RETURN OF PROPERTY OF PROTECTED PERSON...HEARING: REPLY IN SUPPORT OF PETITION FOR CONFIRMATION TO BRING CIVIL ACTIONS ON BEHALF OF

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*KATHLEEN June JONES. COURT CLERKS: Tanya Stengel, Karen Christensen (kc) Attorney Constantina Rentzios, Nevada Bar #13747, appeared on behalf of Protected Person and for attorney Maria Parra-Sandoval. Sonia Jones, Supreme Court Financial Forensic Specialist, present. Protected Person's daughter, Donna Simmons, participated telephonically. Mr. Beckstrom made arguments in support of dogs Nikki and Charlie being gifted to Protected Person. The dogs are essentially chattel and they can't be divided like community property such as real estate. The dogs have been in Mr. Yeoman's possession since October and Protected Person requests the return of her dogs daily. Mr. Kehoe argued both of the dogs are community property. Court noted this is a guardianship case, not a divorce case, and the parties would typically look for an offset or credit. Mr. Kehoe advised Protected Person treated the dogs as if they were also Mr. Yeoman's property, as he also cared for the dogs. Mr. Kehoe advised Mr. Yeoman cared for the dogs for eight years, and Protected Person cannot currently care for the dogs. Mr. Kehoe noted errors and contradictions in the declarations and reply brief, and requested an evidentiary hearing to resolve the matter. Court requested Mr. Michaelson caution Ms. Friedman regarding speaking out in court. Mr. Kehoe made statements regarding making offsets in lieu of keeping the dogs, returning them after Mr. Yeoman's death, or having parties attend mediation. Court noted it does not have jurisdiction over pre-estate planning. Ms. Rentzios advised she read all the pleadings. Protected Person wants her dogs returned and asks about them every day. Protected Person indicated to Ms. Parra-Sandoval she would be willing to share the dogs with Mr. Yeoman if an amicable solution could be found. Ms. Rentzios advised Nikki was a gift to Protected Person. She and Mr. Yeoman did not pay for the dog using community funds. Court inquired whether an evidentiary hearing was needed. Ms. Rentzios stated an evidentiary hearing was not needed. There is no clear dispute as to ownership of the dogs. An evidentiary hearing would be a waste of Protected Person's time and resources. Ms. Rentzios requested the return of the dogs to Protected Person. Court and counsel engaged in further discussion regarding the ownership and gifting of the dogs, and return of the dogs, or at least one dog to PP, until an evidentiary hearing. Court noted it would be a likely court outcome it would accept statements of law and conclusions of law as set forth from Petitioner's Motion and Court would expect a request for attorney fees at the evidentiary hearing. Mr. Beckstrom requested at least one of the dogs be returned to Protected Person pending the outcome of the evidentiary hearing. Mr. Kehoe advised he asked Mr. Yeoman regarding the matter and Mr. Yeoman declined as the dogs have not been separated. Mr. Beckstrom noted there has been no compromise and requested Protected Person at least have Nikki through the holidays until evidentiary hearing. Ms. Rentzios agreed. Mr. Kehoe stated Court recognized due process has not been accomplished. Court clarified it was trying to make a clear record to avoid appeal and further litigation. Ms. Kehoe stated there was no reason to separate the dogs, and requested Mr. Yeoman keep the dogs until the evidentiary hearing. Court noted the dogs have been with Mr. Yeoman for about two months. The dogs will be returned to Protected Person by 5:00 PM tomorrow until evidentiary hearing. Court will make a final determination at the evidentiary hearing. Mr. Michaelson made statements regarding Mr. Yeoman's alleged elder abuse of Protected Person. Mr. Michaelson made additional statements regarding Mr. Yeoman's microchip of the dogs, and requested Court make an order to have the information attached to the microchip changed. Discussion. As to the civil action, Mr. Beckstrom advised Guardian has researched the financial records and found a significant amount of elder abuse and intentional actions to punish Protected Person. Visitation hasn't occurred, the dogs have been kept from Protected Person, and funds have been removed from the account. These matters need to be brought forth in a civil suit. Mr. Beckstrom requested Court allow the filing of a civil suit. Mr. Kehoe argued against a civil suit, in part to running up additional fees. Mr. Kehoe argued Mr. Powell's wife has been brought into the litigation and felt it was additional punishment to his client. Ms. Rentzios advised Protected Person is okay proceeding with the civil litigation, however she does not want to name Mr. Yeoman in the suit. Mr. Beckstrom confirmed he would be named in the suit to protect Protected Person's interests. Court noted Ms. Jones was present in the courtroom. Ms. Jones stated she came to hear the facts of the case today to gain some clarity regarding the home, funds in the account, and the time period involved. Mr. Kehoe made statements regarding supervised visitation with Mr. Yeoman, due to physical constraints. Mr. Kehoe stated he provided a declaration to Guardian's former attorney. Argument and discussion. Court noted matter is not on calendar today and encouraged counsel to continue to work on a resolution. **COURT ORDERED:** Both dogs, Nikki and Charlie, shall be **TEMPORARILY RETURNED** to Protected Person no later than 5:00 PM tomorrow (12/13/19). Court shall make a final determination at the Evidentiary Hearing. Future hearings, Investigator's Report, set for 1/14/20 at 1:30 PM, and Evidentiary Hearing, set for 2/20/20 at 1:30 PM shall **STAND**. Court shall allow up to thirty (30) minutes of argument and discussion regarding the dogs at the Evidentiary Hearing. Counsel may **STIPULATE** to the entry of documents. Counsel shall make **NO** opening statements and shall **SUBMIT** closing briefs regarding the issue of the dogs. Witnesses may appear **TELEPHONICALLY**, with the prior filing of intent to appear telephonically. Petition for Confirmation to Bring Civil Actions on Behalf of Protected Person shall be **GRANTED**. Mr. Beckstrom shall submit an Order for Court's signature. Counsel shall provide information as requested to Ms. Jones in order for her to adequately complete a financial forensic investigation. ;*

01/14/2020

**Return Hearing (1:30 PM)** (Judicial Officer: Marquis, Linda)

Investigation Report

Matter Heard;

Journal Entry Details:

RETURN HEARING FOR INVESTIGATOR'S REPORT Court Clerks: Karen Christensen, Tanya Stengel (ts) LaChasity Carroll, Supreme Court Guardianship Compliance Officer. Donna Simmons appeared telephonically. Counsel stated they reviewed the investigator's report. Ms. Carroll stated she is still waiting for some medical

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records. Attorney Michaelson requested the Court admonish the parties to continue to cooperate with the investigators. Attorney Beckstrom gave the status of the A-Case. Attorney Beckstrom stated the dogs were returned to Protected Person days late and not in compliance with the Court's Order but they were returned. Court and Counsel engaged in discussion regarding the role of the investigation and the investigator's role in the case. Attorney Parra-Sandoval made statements regarding visitation with Protected Person. Attorney Parra-Sandoval stated things have been getting better; the visitations are scheduled between the parties and supervised. Attorney Kehoe stated Guardian is only allowing supervised visits for one hour a day. Court, Counsel and parties engaged in further discussion regarding visitation and communication. Court noted parties can stipulate to using Talking Parents but it is not being Ordered. Court and Counsel engaged in discussion regarding Evidentiary Hearing issues and Discovery. Court stated DISCOVERY IS OPEN. The investigation is separate from Discovery. Attorney Michaelson stated Attorney Kehoe has not turned over all documents requested and the Guardian does not have access to the Protected Person's accounts but the husband still has access to them. Attorney Michaelson stated Guardian does not know where the accounts are. COURT ORDERED, the following: All parties shall continue to operate in GOOD FAITH with the investigators. Attorney Kehoe shall provide a list of ALL ACCOUNTS, including bank accounts (checking and savings), investments, retirement accounts and ALL account numbers WITHIN 7 DAYS in WRITING to Attorney Parra-Sandoval, Attorney Michaelson and the Guardian. Sonja Jones, Financial Forensic Specialist, Guardianship Compliance Officer shall have the AUTHORITY to look into the FINANCES of Protected Person's Son in Law, RICHARD POWELL and husband, RODNEY GERALD YEOMAN. Evidentiary Hearing set for 2/20/20 at 1:30 pm regarding the Return of Property (dogs) shall STAND. ;

02/07/2020



Minute Order (7:30 AM) (Judicial Officer: Marquis, Linda)

Minute Order - No Hearing Held;

Journal Entry Details:

MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES RE: G-19-052263-A NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to ensure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c), this Court can consider a motion and issue a decision on the papers at any time without a hearing. At the October 15, 2019 hearing, the Court ordered that Kimberly Jones shall be appointed as the Guardian over the Person and Estate of the Protected Person in this matter. The Court ordered the Guardian to file an Inventory within 60 days. The Court set a Status Check for February 20, 2020 at 1:30 p.m. to determine if an Evidentiary Hearing was needed in this matter. On December 10, 2019, the Court held a Hearing on the Petition for Return of Property of Protected Person and related matters. At this hearing, the Court ordered that it would make the final determination as to the issue of the Return of Property of the Protected Person at the Evidentiary Hearing on February 20, 2020. On February 4, 2020, the Court received a Stipulation and Order resolving the issue of the Petition for Return of Property of Protected Person. The Court signed this Order, and it was filed on February 7, 2020. There are no unresolved issues remaining in this matter. The Court orders stand. Accordingly, the Evidentiary Hearing on February 20, 2020 SHALL be vacated. A copy of this minute order shall be provided to all Parties. CLERK'S NOTE: A copy of this Minute Order was mailed to parties at the address(es) listed in court records 2/7/20. (kc) ;

02/13/2020

Hearing (10:00 AM) (Judicial Officer: Marquis, Linda)

Petition for Payment of Guardian's Atty's Fees and Costs

Matter Heard; See All Pending Entry 2/13/20

02/13/2020



Objection (10:00 AM) (Judicial Officer: Marquis, Linda)

Protected Person's Objection to Petition for Payment of Guardian's attorneys Fees and Cost

Matter Heard; See All Pending Entry 2/13/20

02/13/2020

Hearing (10:00 AM) (Judicial Officer: Marquis, Linda)

Reponse to Petition for Payment of Guardian's Attorney's Fees and Costs Filed 01/15/2020

Matter Heard; See All Pending Entry 2/13/20

02/13/2020

Hearing (10:00 AM) (Judicial Officer: Marquis, Linda)

Omnibus Reply to the Response and Objection to the Petition for Payment of Guardian's Attorney Fees and Costs

Matter Heard; See All Pending Entry 2/13/20

02/13/2020



All Pending Motions (10:00 AM) (Judicial Officer: Marquis, Linda)

Under Advisement;

Journal Entry Details:


PETITION FOR PAYMENT OF GUARDIAN'S ATTORNEY'S FEES AND COSTS COURT CLERKS: Karen Christensen, Blanca Madrigal (mb). Attorneys, James Beckstrom, Ross Evans, and Laura Deeter, also present in court. Donna Simmons and Robyn Friedman present by telephone. Discussion regarding payment of guardian's fees and costs from the estate. The Notice of Intent was filed on January 15th. Mr. Evans argued the Guardian was unemployed, relocated to care for the Protected Person, and there was no opposition to the guardianship in general; an opposition was filed as to the temporary guardianship only. Mr. Beckstrom acknowledged a guardianship was necessary, and Guardian was providing excellent care for the Protected Person; however, Mr. Beckstrom argued against payment of attorney fees. Ms. Parra-Sandoval argued against payment of fees and costs from the estate, and had no objection to payment of fees after the filing of the Notice of Intent; however, she


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objected to undecipherable entries. The Court finds Notice was not given at the onset and asked counsels if she had discretion to grant fees from the estate under the statute. Ms. Parra-Sandoval noted the statute was silent and requested the Court provide a written opinion if the Court grants fees; based on the lack of notice of intent. Ms. Deeter stated that the issue with the investigators fell off the radar, and requested the Court set the matter for a status check on 3/17/2020. No objection by either counsel. **COURT ORDERED:** 1) The Court will allow fees after January 15th; the Court will review the entries after the same date and issue a written decision. The Court believes the statute does not give this Court jurisdiction and requires the filing of a Notice at the onset. The Court did not know Guardian needed fees at the onset. The Guardian was a successor guardian on a temporary guardianship and ultimately made the permanent guardian; therefore, attorney's fees post-January 15th are appropriate, subject to Ms. Parra-Sandoval's specific objections; 2) Matter set for STATUS CHECK on Investigative Reports on 3/17/2020 at 9:30 AM.;


02/20/2020 **CANCELED Evidentiary Hearing (1:30 PM)** (Judicial Officer: Marquis, Linda)
Vacated - per Stipulation and Order
Evidentiary Hearing/Status Check

03/02/2020  **Status Check (8:30 AM)** (Judicial Officer: Marquis, Linda)
Review pleadings after 1/15 and issue a written Order
Matter Continued;
Journal Entry Details:
Per Minute Order, **COURT ORDERED**, matter **CONTINUED** placed on the Chambers Calendar for March 16, 2020.;

03/02/2020  **Minute Order (2:30 PM)** (Judicial Officer: Marquis, Linda)
Minute Order - No Hearing Held;
Journal Entry Details:
MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES RE: G-19-052263-A NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to ensure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c), this Court can consider a motion and issue a decision on the papers at any time without a hearing. This matter was placed on the Court's Chamber's Calendar to issue a Written Order. Accordingly, this matter shall be continued to March 16, 2020 at 8:30 a.m. on the Court's Chamber's Calendar. No appearances necessary. A copy of this minute order shall be provided to all Parties. (ap) ;

03/13/2020  **Minute Order (3:15 PM)** (Judicial Officer: Marquis, Linda)
Minute Order - No Hearing Held;
Journal Entry Details:
MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES RE: G-19-052263-A The hearing scheduled for March 17, 2020 at 9:30 a.m. has been continued to April 3, 2020 at 9:00 a.m. The Eighth Judicial District Chief Judge Linda Bell has issued Administrative Order 20-01 which suspends all non-essential District Court Hearings and requires hearings to be conducted by video or telephone. Further, Judge Bell has ordered that Protected Persons **SHALL NOT** appear in court. That means, the person who is subject of the guardianship **CANNOT** come to court. Instead, the Protected Person or Proposed Protected Person may appear by telephone. Family, attorneys, and parties are **STRONGLY ENCOURAGED** to stay at home and appear by telephone. In order to decrease the risk and spread of the CoVID-19 worldwide pandemic, the Court encourages all parties and attorneys to appear for scheduled hearing by telephone. The attached Notice of Telephone Appearance form can be filed online at: <http://www.clarkcountycourts.us/departments/clerk/electronic-filing/> or can be faxed to Department B at (702)385-1583. The form advises the Court of the telephone number at which you can be reached for the Court hearing. If you have any questions or need any additional information, please contact the Self Help Center at flshcinfo@lacs.org. The Self Help Center will provide assistance remotely to you. **CLERK'S NOTE:** A copy of this Minute Order was mailed to parties at the addresses listed in court records 3/13/20. (kc) ;


03/16/2020 **CANCELED Status Check (8:30 AM)** (Judicial Officer: Marquis, Linda)
Vacated - per Order

04/02/2020  **Minute Order (8:00 AM)** (Judicial Officer: Marquis, Linda)
Minute Order - No Hearing Held;
Journal Entry Details:
MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES RE: G-19-052263-A The Hearing scheduled for April 3, 2020 at 9:00 a.m. has been continued to April 15, 2020 at 11:00 a.m. The Eighth Judicial District Chief Judge Linda Bell has issued Administrative Order 20-01 which suspends all non-essential District Court Hearings and has ordered non-essential District Court Hearings to be conducted by video or telephone. Further, Judge Bell has ordered that Protected Persons **SHALL NOT** appear in court. That means, the person who is subject of the guardianship **CANNOT** come to court. Instead, the Protected Person or Proposed Protected Person may appear by telephone. Family, attorneys, and parties are **STRONGLY ENCOURAGED** to stay at home and appear by telephone. In order to decrease the risk and spread of the CoVID-19 worldwide pandemic, the Court encourages all parties and attorneys to appear for scheduled hearing by telephone. The attached Notice of

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Telephone Appearance form can be filed online at <http://www.clarkcountycourts.us/departments/clerk/electronic-filing/> or can be faxed to Department B at (702)385-1583. The form advises the Court of the telephone number at which you can be reached for the Court hearing. If you have any questions or need any additional information, please contact the Self Help Center at flshcinfo@lacs.n.org. The Self Help Center will provide assistance remotely to you. CLERK'S NOTE: A copy of the Minute Order was e-mailed to parties at the e-address(es) listed on court records 4/2/2020. (ts);

04/15/2020	<p>Motion for Protective Order (11:00 AM) (Judicial Officer: Marquis, Linda) <i>Motion for Protective Order</i> Granted in Part; SEE ALL PENDING 4/15/20</p>
04/15/2020	<p>Motion for Protective Order (11:00 AM) (Judicial Officer: Marquis, Linda) <i>Robyn Friedman and Donna Simmons' Joinder to Kimberly Jones' Motion for Protective Order</i> Matter Heard; SEE ALL PENDING 4/15/20</p>
04/15/2020	<p>Hearing (11:00 AM) (Judicial Officer: Marquis, Linda) <i>Petition for Approval of Attorney's Fees and Costs and Request to enter a Judgment against the Real Property of the Estate</i> Granted in Part; SEE ALL PENDING 4/15/20</p>
04/15/2020	<p>Opposition (11:00 AM) (Judicial Officer: Marquis, Linda) <i>Opposition to Motion for Protective Order</i> Matter Heard; SEE ALL PENDING 4/15/20</p>
04/15/2020	<p>Hearing (11:00 AM) (Judicial Officer: Marquis, Linda) <i>Kimberly Jones' Reply in Support of Motion for Protective Order</i> Matter Heard; SEE ALL PENDING 4/15/20</p>
04/15/2020	<p>Objection (11:00 AM) (Judicial Officer: Marquis, Linda) Events: 03/04/2020 Objection <i>Kathleen June Jone's Objection to Petition for Approval of Attorneys Fees and Costs and Request to Enter a Judgment Against the Real Property of the Estate</i> Matter Heard; SEE ALL PENDING 4/15/20</p>
04/15/2020	<p>Hearing (11:00 AM) (Judicial Officer: Marquis, Linda) <i>Reply in Suppoirt of Motion for Protective Order</i> Matter Heard; SEE ALL PENDING 4/15/20</p>
04/15/2020	<p>Opposition (11:00 AM) (Judicial Officer: Marquis, Linda) <i>Opposition To Friedman And Simmons Petition For Approval Of Attorney s Fees And Costs And Request To Enter A Judgment Against The Real Property Of The Estate; And Joinder To Kathleen June Jones Objection</i> Matter Heard; SEE ALL PENDING 4/15/20</p>
04/15/2020	<p>Hearing (11:00 AM) (Judicial Officer: Marquis, Linda) <i>Response to (1) Kathleen June Jones' Objection to Pretition for Approval of Attorneys' Fees and Costs and Request to Enter a Judgment Against the Real Property of the Estate; (2) Response to Kimberly Jones' Joinder to Objection to Friedman and Simmons' Petition for Approval of Attorneys' Fees and Costs and Request to Enter a Judgment Against the Real Property of the Estate and (3) Response to Joinder to Opposition to Petition for Approval of Attorney's Fees and Costs and Request to Enter a Judgment Against the Real Property of the Estate Filed by Rodney Gerald Yeoman</i> Matter Heard; SEE ALL PENDING 4/15/20</p>
04/15/2020	<p>Petition (11:00 AM) (Judicial Officer: Marquis, Linda) <i>Payment of Guardians's Attorney Fees and Costs; and Petition to Withdraw as Counsel for Guardian</i> Granted in Part; SEE ALL PENDING 4/15/20</p>
04/15/2020	<p> All Pending Motions (11:00 AM) (Judicial Officer: Marquis, Linda) Matter Heard; Journal Entry Details:</p> <p><i>MOTION FOR PROTECTIVE ORDER... ROBYN FRIEDMAN AND DONNA SIMMONS' JOINDER TO KIMBERLY JONES' MOTION FOR PROTECTIVE ORDER... OPPOSITION TO MOTION FOR PROTECTIVE ORDER... KIMBERLY JONES' REPLY IN SUPPORT OF MOTION FOR PROTECTIVE ORDER... REPLY IN SUPPORT OF MOTION FOR PROTECTIVE ORDER... PETITION FOR APPROVAL OF ATTORNEY'S FEES AND COSTS AND REQUEST TO ENTER A JUDGMENT AGAINST THE REAL PROPERTY OF THE ESTATE... KATHLEEN June JONES' OBJECTION TO PETITION FOR APPROVAL OF ATTORNEY'S FEES AND COSTS AND REQUEST TO ENTER A JUDGMENT AGAINST THE REAL PROPERTY OF THE ESTATE... OPPOSITION TO FRIEDMAN AND SIMMONS PETITION FOR APPROVAL OF ATTORNEY'S FEES AND COSTS AND REQUEST TO ENTER A JUDGMENT AGAINST THE REAL PROPERTY OF THE ESTATE; AND JOINDER TO KATHLEEN June JONES' OBJECTION... RESPONSE TO (1) KATHLEEN June</i></p>

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JONES' OBJECTION TO PETITION FOR APPROVAL OF ATTORNEY'S FEES AND COSTS AND REQUEST TO ENTER A JUDGMENT AGAINST THE REAL PROPERTY OF THE ESTATE; (2) RESPONSE TO KIMBERLY JONES' JOINDER TO OBJECTION TO FRIEDMAN AND SIMMONS' PETITION FOR APPROVAL OF ATTORNEY'S FEES AND COSTS AND REQUEST TO ENTER A JUDGMENT AGAINST THE REAL PROPERTY OF THE ESTATE AND (3) RESPONSE TO JOINDER TO OPPOSITION TO PETITION FOR APPROVAL OF ATTORNEY'S FEES AND COSTS AND REQUEST TO ENTER A JUDGMENT AGAINST THE REAL PROPERTY OF THE ESTATE FILED BY RODNEY GERALD YEOMAN Court Clerks: Karen Christensen, Tanya Stengel (ts) Donna Simmons, Robyn Friedman, and Attorney Ross appeared telephonically. All other parties appeared via BlueJeans. Court noted Petition for Removal of Guardian was filed yesterday and two dates were given in error. Court stated the hearing set for 5/6/20 does not give enough time for replies and objections and so that hearing shall be vacated; the 5/20/20 date shall stand. Court noted it is prepared to rule based on the pleadings. Court inquired whether or not there were any further arguments that needed to be made. Attorney Michaelson made statements regarding the back and forth history of the case and the costs related to this case. Attorney Beckstrom made statements regarding the Protective Order being unnecessary and made reference to the cost of the case. Attorney Ross made statements regarding Attorney's Fees and requested to withdraw as Attorney of record for Kimberly Jones. Attorney Sylvester made statements regarding clarification on interested parties as to discovery. Attorney Kehoe pointed out to the Court that the investigator, Ms. Jones, was not on the call and had been present for past hearings. Court noted Ms. Jones written report was filed and very detailed; her presence was not needed for today's hearing. Attorney Deeter made statements regarding Attorney Sylvester's request for clarification about parties in regard to discovery. Attorney Deeter argued that his clients should be considered parties to the case. Attorney Deeter made further statements regarding Evidentiary Hearing issues and discovery. Attorney Michaelson replied to arguments regarding his Attorney's Fees. Attorney Parra-Sandoval replied to Attorney Michaelson's argument. The Court commented on interested parties according to the statute. Court noted the statute states all family members within two degrees of consanguinity as well as other people are considered parties to the case but may not necessarily be considered interested parties as to the litigation. Court made further statements regarding whether or not Temporary Guardians relieved of their duties would be considered interested parties to the litigation. Court stated a definite answer could not be given without additional briefing. Attorney Beckstrom made statements regarding this issue being addressed in the Objection to the Petition for Removal of Guardian that was recently filed. Court and Counsel engaged in discussion. Court advised Counsel to include in their replies or responses to the Petition who should be considered an interested party for purposes of discovery. **COURT ORDERED, the following:** Motion for Protective Order shall be **GRANTED IN PART**. Attorney Michaelson: Petition for Approval of Attorney's Fees and Costs and Request to Enter a Judgment against the Real Property of the Estate shall be **GRANTED IN PART**. Petition to Withdraw as Counsel for Guardian shall be **APPROVED** and **GRANTED**. Attorney Ross: Payment of Guardian's Attorney Fees and Costs shall be **GRANTED IN PART**. Prevailing Parties Attorney's shall prepare and submit Orders **ELECTRONICALLY** as a modifiable form so the Court can include additional findings and exact amount of fees. Hearing set on 5/6/20 at 10:00 am shall be **VACATED**. Hearing set on 5/20/20 at 9:00 am shall **STAND**. ;

05/06/2020	CANCELED Hearing (10:00 AM) (Judicial Officer: Marquis, Linda) Vacated <i>Petition for Removal of Guardian and for Return of Protected Person's Property</i>
05/20/2020	Citation (9:00 AM) (Judicial Officer: Marquis, Linda) <i>Petition to Remove Guardian and Return of Protected Person's Property</i> Denied; SEE ALL PENDING 5/20/20
05/20/2020	Opposition (9:00 AM) (Judicial Officer: Marquis, Linda) <i>Kimberly Jones's Opposition To Rodney Gerald Yeoman's Petition For Removal Of Guardian And For Return Of Protected Person's Property And Counterpetition For Attorney Fees And Costs Pursuant To NRS 159.1583(4) And Court Ordered Supplemental Opposition Concerning Discovery Of Interested Parties Pursuant To NRS 159.047</i> Denied in Part; SEE ALL PENDING 5/20/20
05/20/2020	Hearing (9:00 AM) (Judicial Officer: Marquis, Linda) <i>Reply to Oppositions Re Petition for Removal of Guardian and for Return of Protected Person's Property</i> Matter Heard; SEE ALL PENDING 5/20/20
05/20/2020	Petition for Approval (9:00 AM) (Judicial Officer: Marquis, Linda) <i>Refinance Real Property of the Protected Person</i> Granted in Part; SEE ALL PENDING 5/20/20
05/20/2020	Hearing (9:00 AM) (Judicial Officer: Marquis, Linda) <i>Reply to Robyn Friedman's and Donna Simmons' Opposition RE Petition for Removal of Guardian and for Return of Protected Person's Property and Opposition to Petition for Sanctions</i> Matter Heard; SEE ALL PENDING 5/20/20
05/20/2020	Hearing (9:00 AM) (Judicial Officer: Marquis, Linda) <i>Response to Petition for Approval to Refinance Real Property of the Protected Person</i> Matter Heard; SEE ALL PENDING 5/20/20

CASE SUMMARY**CASE NO. G-19-052263-A**

05/20/2020

 **All Pending Motions (9:00 AM)** (Judicial Officer: Marquis, Linda)**MINUTES**

Matter Heard;

Journal Entry Details:

CITATION REGARDING PETITION FOR REMOVAL OF GUARDIAN AND FOR RETURN OF PROTECTED PERSON'S PROPERTY... KIMBERLY JONES' OPPOSITION TO RODNEY GERALD YEOMAN'S PETITION FOR REMOVAL OF GUARDIAN AND FOR RETURN OF PROTECTED PERSON'S PROPERTY AND COUNTERPETITION FOR ATTORNEY FEES AND COSTS PURSUANT TO NRS 159.1583(4) AND COURT ORDERED SUPPLEMENTAL OPPOSITION CONCERNING DISCOVERY OF INTERESTED PARTIES PURSUANT TO NRS 159.047... HEARING REGARDING REPLY TO OPPOSITIONS REGARDING PETITION FOR REMOVAL OF GUARDIAN AND FOR RETURN OF PROTECTED PERSON'S PROPERTY...HEARING REGARDING REPLY TO ROBYN FRIEDMAN'S AND DONNA SIMMONS' OPPOSITION REGARDING PETITION FOR REMOVAL OF GUARDIAN AND FOR RETURN OF PROTECTED PERSON'S PROPERTY AND OPPOSITION TO PETITION FOR SANCTIONS... PETITION FOR APPROVAL REGARDING REFINANCE REAL PROPERTY OF THE PROTECTED PERSON... HEARING REGARDING RESPONSE TO PETITION FOR APPROVAL TO REFINANCE REAL PROPERTY OF THE PROTECTED PERSON Court Clerks: Karen Christensen, Tanya Stengel (ts) All parties appeared via BlueJeans. Court and Counsel engaged in discussion regarding the Petition to Remove Guardian. Attorney Parra-Sandoval stated they filed a Joinder to Kimberly Jones' Opposition; Protected Person has not changed her preferences on this matter and still wants Kimberly to remain as her Guardian. Attorney Michaelson stated they do not agree that Kimberly should be removed as Guardian. Attorney Beckstrom stated they filed an Opposition to the Petition and further stated the allegations are false. Attorney Beckstrom stated the Investigator found no wrong doings; all other issues were previously addressed by the Court and denied. Attorney Beckstrom further stated the Petition has no merit and stated Mr. Yeoman would not be a suitable Guardian. Attorney Deeter stated the Guardian removed \$5,000.00 and only put it back when it was found through the investigation. Attorney Deeter made further statements regarding the safety deposit box not being listed on the inventory, the refinance Petition, the Guardian not properly managing the estate, and the Guardian not being suitable. Attorney Deeter stated the matter should be set for Evidentiary Hearing. Attorney Deeter further stated Mr. Yeoman had everything taken away from him and is fighting to be in Protected Person's life and only wants her interests protected. Attorney Kehoe stated concerns about the late filing of the Joinder and further stated the signature blocks were not signed by Robyn or Donna. Attorney Kehoe further stated concerns regarding Kimberly not adequately sharing information as previously Ordered by the Court. Attorney Kehoe made further statements regarding Kimberly's suitability as Guardian. Court, Counsel, and parties engaged in discussion regarding the Petition for Approval to Refinance Real Property. Court noted concerns regarding the \$20,000.00 estimate and inquired whether or not Kimberly's boyfriend, Dean, is a Licensed Contractor. Court further inquired whether or not the estimated cost is appropriate and reasonable for the renovations. Court stated all parties agree there should be a refinance and the property requires renovation. Attorney Beckstrom stated it has been difficult to get estimates and exact interest rates right now but they put together the best one they could from a loan company. Attorney Beckstrom further stated Dean has an extensive background in construction and would be doing the work at no cost; the estimate is for purchasing materials only. Attorney Beckstrom further stated Protected Person is out of money and costs are a major concern; Protected Person trusts Dean and wants him to do the work on the home. Attorney Parra-Sandoval stated Protected Person is not opposing the refinance and supports Kimberly's actions. Attorney Parra-Sandoval further stated there should not be any unnecessary restrictions imposed on Kimberly to renovate the house and Protected Person wants Dean to help with it. Court reviewed the damages and repairs and stated based on the pictures, some repairs may require a Licensed Professional to do some of the work. Attorney Michaelson made statements regarding an inspection being absolutely necessary. Kimberly made statements regarding her not being opposed to calling in a Plumber or a Professional. Kimberly stated it is a basic remodel and requested the Court not put her in a position of responsibility and then tie her hands. Attorney Deeter stated she agrees with Attorney Michaelson's clients and made statements regarding the liability of the estate if something were to happen. Attorney Deeter stated a Licensed Contractor needs to complete the work so the estate is not sued. Court noted concerns with the proposed plan or lack of plan for the remodel. Court noted the concern is not regarding Dean painting the walls but stated this is more than a simple remodel as there are missing appliances, structural issues, and holes going to the outside of the house. Court stated it does not want to micro-manage the remodel but Professionals need to be used where Professionals are required. Court suggested an Inspector go into the home and identify the issues/repairs that need to be done, which would offer all parties a roadmap of what needs to be done to move forward. Court suggested parties then come up with a plan on what items require a Professional and what items can be done by Dean. Upon inquiry from the Court, Counsel stated no objections. Attorney Michaelson requested the Inspector and/or Professional Contractors hired have no relation to Kimberly. Court and Counsel engaged in discussion regarding having a Licensed Contractor versus a Licensed Inspector go into the home. Court stated an Inspector does not have a financial interest but a Contractor would have an interest in the outcome. Attorney Kehoe made statements regarding the statute requiring setting a maximum interest rate on the refinancing. Court and Counsel engaged in discussion regarding the interest rate. Attorney Beckstrom requested the Court to approve 3.5% interest rate. Attorney Kehoe requested the interest rate be set at 6%. Upon inquiry from the Court, there were no objections to setting the interest rate at 6%. Court informed Counsel that the Petition for Fees, Removal of Temporary Guardians, and

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the interested parties issues are being addressed in the Written Order. Attorney Kehoe informed the Court that Guardian no longer wanted the male dog and he is now in the possession of Mr. Yeoman. Attorney Kehoe wanted to clarify that this was permanent possession and ownership. Court advised Attorney Kehoe to submit a Stipulation and Order. COURT ORDERED, the following: Petition for Removal of Guardian and for Return of Protected Person's Property shall be DENIED. Attorney Beckstrom shall prepare and submit an Order electronically. Countermotion for Sanctions shall be DENIED. Attorney Beckstrom shall prepare and submit an Order electronically. Petition for Approval to Refinance Real Property of the Protected Person shall be GRANTED IN PART. An INSPECTOR from CALIFORNIA shall be allowed to inspect the home and identify all of the issues. The final report shall be sent to the Court for review. Court will provide a copy to Counsel if necessary. All work required to be completed by a Licensed Professional shall be completed by a Licensed Professional. Kimberly's boyfriend, Dean shall be allowed to complete work, NOT REQUIRED by a Licensed Professional, AT NO COST to the Estate EXCEPT for Materials. Attorney Michaelson shall prepare and submit an Order electronically. Matter set on CHAMBER'S CALENDAR 7/20/20 at 8:30 am to review the INSPECTION REPORT. ;

07/15/2020 CANCELED Motion (9:30 AM) (Judicial Officer: Steel, Cynthia Dianne)


Vacated

Motion Pursuant to E.D.C.R 2.24, N.R.C.P. 52, 59 and 60 Regarding the Decision and Order Entered on May 21, 2020

07/15/2020 CANCELED Opposition (9:30 AM) (Judicial Officer: Steel, Cynthia Dianne)

Vacated


Kimberly Jones's Opposition to the Motion pursuant to E.D.C.R. 2.24, N.R.C.P. 52, 59 and 60, regarding the Decision and Order entered on May 21, 2020 and Counter-Motion to Transfer to Chambers Calendar Without Oral Argument

07/20/2020  Status Check (8:30 AM) (Judicial Officer: Marquis, Linda)

Review of Inspector's report (inspection of the property for necessary repairs) No appearance required
Minute Order - No Hearing Held;

Journal Entry Details:

MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES RE: G-19-052263-A This matter was placed on the Court's Chamber's Calendar for July 20, 2020 at 8:30 a.m. for the Review of the Inspector's Report (Inspection of the Real Property). The Inspector's Report was received on July 20, 2020, and reviewed by the Court. A copy of this Minute Order shall be provided to all parties. CLERK'S NOTE: A copy of this Minute Order was mailed to parties at the addresses listed in court records 7/22/20. (kc) ;

07/31/2020  Minute Order (12:40 PM) (Judicial Officer: Marquis, Linda)

Minute Order - No Hearing Held;

Journal Entry Details:

MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES RE: G-19-052263-A The Court notes that there is a Hearing on August 6, 2020 at 12:30 p.m. for the Motion Pursuant To E.D.C.R. 2.24, N.R.C.P. 52, 59 And 60 Regarding The Decision And Order Entered On MAY 21, 2020; Kimberly Jones Opposition To Motion Pursuant To EDCR 2.24, NRCP 52, 59, AND 60, Regarding The Decision And Order Entered On 5-21-20 And Countermotion To Transfer To Chambers Calendar Without Oral Argument; Reply To Opposition To Motion Pursuant To EDCR 2.24, NRCP 52, 59, AND 60, Regarding The Decision And Order Entered On 5-21-20. In addition, there is a Hearing set for August 12, 2020 at 9:30 a.m. for Motion to Consolidate; Kimberly Jones s Motion for Order Quieting Title, Directing Execution of Deed, And/Or in the Alternative Petition for Instruction and Advice; Opposition to Motion to Consolidate; Opposition to Kimberly Jones s Motion for Order Quieting title, Directing Execution of Deed, and/or In the Alternative Petition for Instruction and Advice; Kimberly Jones s Reply to Support of Motion for Order Quieting Title, Directing Execution of Deed, and or in the Alternative Petition for Instruction and Advice; Kimberly Jones Reply In Support of Motion to Consolidate. Pursuant to the Notice of Appeal filed on June 26, 2020, the hearings set for August 6, 2020 at 12:30 p.m. and August 12, 2020 at 9:30 a.m. are VACATED. Consistent with Huneycutt v. Huneycutt, 94 Nev. 79, 575 P.2d 585 (1978), a Motion will be necessary for the Supreme Court to ascertain which Motions are viable for the District Court to hear pending the decision of the Appeal. A copy of this Minute Order shall be provided to all parties. CLERK'S NOTE: A copy of the Minute Order was e-mailed to parties at the e-mail address(es) listed on court records 7/31/2020. (ts) ;

08/06/2020 CANCELED Hearing (12:30 PM) (Judicial Officer: Steel, Cynthia Dianne)

Vacated

Reply to Opposition to Motion Pursuant to E.D.C.R 2.24, N.R.C.P. 52, 59 And 60 Regarding the Decision and Order Entered on May 21, 2020

08/06/2020 CANCELED Opposition (12:30 PM) (Judicial Officer: Marquis, Linda)

Vacated



08/06/2020 CANCELED Motion (12:30 PM) (Judicial Officer: Marquis, Linda)

Vacated

EIGHTH JUDICIAL DISTRICT COURT

CASE SUMMARY

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08/12/2020	<p>CANCELED Motion to Consolidate (9:30 AM) (Judicial Officer: Steel, Cynthia Dianne)</p> <p><i>Vacated</i></p> <p><i>Motion to Consolidate</i></p>
08/12/2020	<p>CANCELED Motion (9:30 AM) (Judicial Officer: Steel, Cynthia Dianne)</p> <p><i>Vacated</i></p> <p><i>Kimberly Jones's Motion for Order Quieting Title, Directing Execution of Deed, And/or in the Alternative Petition for Instruction and Advice</i></p>
08/12/2020	<p>CANCELED Opposition (9:30 AM) (Judicial Officer: Steel, Cynthia Dianne)</p> <p><i>Vacated</i></p> <p><i>Opposition to Motion to Consolidate</i></p>
08/12/2020	<p>CANCELED Opposition (9:30 AM) (Judicial Officer: Steel, Cynthia Dianne)</p> <p><i>Vacated</i></p> <p><i>Opposition to Kimberly Jones's Motion for Order Quieting Title, Directing Execution of Deed, and/or in the Alternative Petition for Instructions and Advice</i></p>
08/12/2020	<p>CANCELED Hearing (9:30 AM) (Judicial Officer: Steel, Cynthia Dianne)</p> <p><i>Vacated</i></p> <p><i>Kimberly Jones's Reply to Support of Motion for Order Quieting Title, Directing Execution of Deed, and/or in the Alternative Petition for Instructions and Advice</i></p>
08/12/2020	<p>CANCELED Hearing (9:30 AM) (Judicial Officer: Steel, Cynthia Dianne)</p> <p><i>Vacated</i></p> <p><i>Kimberly Jones Reply in Support of Motion to Consolidate</i></p>
09/17/2020	<p> Motion to Rehear (10:00 AM) (Judicial Officer: Marquis, Linda)</p> <p><i>Motion for Status Check to Reset Vacated Hearing Date</i></p> <p>Approved and Granted;</p> <p>Journal Entry Details:</p> <p><i>MOTION FOR STATUS CHECK TO RESET VACATED HEARING DATE Patrick McDonnell, Nevada Bar #13188, appeared via BlueJeans on behalf of Donna Simmons and Robyn Friedman. All other parties also appeared via BlueJeans. Court noted the Minute Order issued 7/31/20 vacating future hearings was issued by Senior Judge Steel in the Court's absence. Upon inquiry from the Court, Counsel stated no objections to resetting the hearing. Attorney Beckstrom stated there was an Appeal filed by Mr. Yeoman; however, it has now been rendered Moot due to Mr. Yeoman passed away a few weeks ago. Attorney Beckstrom made further statements regarding pending issues. Upon inquiry, Attorney Deeter stated an Estate has not yet been opened but they are in the process of doing that. Attorney Deeter stated parties are participating in a Settlement Conference for the Civil Litigation at the end of September and there may be a resolution. Attorney Michaelson made statements regarding the lack of communication from the Guardian; they just found out this morning that Mr. Yeoman passed away. Attorney Michaelson requested the Court have parties communicate through Family Wizard or Talking Parents. Court made statements to the parties about the importance of setting differences aside and communicating with each other. Court stated it will issue stricter Orders if necessary which will give parties no ability to use their own judgment. Court and Counsel engaged in discussion regarding communication, visitation, and Family Mediation Center (FMC). Attorney Beckstrom stated his objection to FMC and further stated Protected Person has a very strong stance on the issue about her daughters trying to dictate her life. Attorney Beckstrom requested an Evidentiary Hearing regarding visitation to allow Protected Person to voice her opinion on the issue. Court stated it was under the impression visitation was just a scheduling issue. Attorney Parra-Sandoval stated Protected Person did not find out about the death of her husband until one week later and Attorney Parra-Sandoval stated she was the one who had to tell her. Attorney Parra-Sandoval further stated Protected Person doesn't want a visitation schedule and is willing to tell the Court what her wishes are. Court and Counsel engaged in further discussion regarding visitation. Attorney Parra-Sandoval requested a Petition for Visitation be filed so she can further discuss it with Protected Person. Attorney Michaelson inquired whether or not Protected Person is still in Nevada. Court and Counsel engaged in discussion. Court stated it would be upset if Protected Person was moved out of the state without the Court's permission and requested Attorney Beckstrom speak with the Guardian about the issue. Statements made by Ms. Simmons and Ms. Friedman.</i></p> <p>COURT ORDERED, the following: Motion to Reset Vacated Hearing shall be APPROVED and GRANTED. Matter shall be SET 10/7/20 at 9:00 am. Attorney Deeter shall file a Suggestion of Death for Rodney Yeoman.;</p>
10/07/2020	<p> Status Check (9:00 AM) (Judicial Officer: Marquis, Linda)</p> <p><i>(Cont from 9/17/20)</i></p> <p>Matter Heard;</p> <p>Journal Entry Details:</p> <p><i>STATUS CHECK COURT CLERKS: Tanya Stengel, Karen Christensen (kc) Attorneys Maria Parra-Sandoval, John Michaelson, Ty Kehoe, Laura Deeter, Matthew Piccolo, and James Beckstrom appeared via BlueJeans video conference. Donna Simmons, Robyn Friedman and her husband, Dick Powell also appeared via BlueJeans. Court reviewed the pleadings on file, and inquired if the issue regarding signature for refinancing was</i></p>

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moot or still unresolved. Mr. Beckstrom responded the matter is now MOOT with the passing of Mr. Yeoman. Court noted it was prepared to make a decision today regarding Mr. Yeoman's Motion pursuant to 2.24, 52, 59, 60, regarding decision ordered 5/21/20, without further arguments. Ms. Deeter advised a procedural issue may delay a decision, in that an estate is not yet opened for Mr. Yeoman. Ms. Deeter stated it is expected to be opened in the next couple of weeks, however there is no one technically authorized to take action regarding the estate at this time. If an administrator is named, the matter would be moot. Court noted a Suggestion of Death was filed yesterday. Court noted the Motion asked for reconsideration and re-argues many of the issues that were already argued. Argument and discussion regarding Ms. Jones' Motion to Consolidate. Court noted it did not review the pleadings in the civil case, and while it was understandable counsel would want to consolidate cases, Court stated it would not be inclined to do that. Court noted the concern regarding jurisdiction and informed counsel it regularly covers civil and criminal matters for colleagues. Court addressed other jurisdictional issues and also addressed its inability to consolidate cases not within the family court guardianship division, as that would come from the chief judge. Mr. Kehoe stated he filed a stay pending appeal if the motion was denied. Mr. Beckstrom and Mr. Michaelson opposed a stay; Ms. Parra-Sandoval deferred to Court's decision. Mr. Kehoe responded. COURT ORDERED: Motion Pursuant to E.D.C.R. 2.24, N.R.C.P. 52, 59 and 60 Regarding Decision and Order Entered 5/21/20 shall be DENIED as it does not raise any new issues. Ms. Jones' Motion to Consolidate shall be DENIED. Mr. Kehoe's Petition for a STAY pending appeal shall be DENIED. ;

12/17/2020 **CANCELED Hearing (3:00 PM)** (Judicial Officer: Marquis, Linda)

Vacated - per Stipulation and Order

Motion Pursuant to E.D.C.R 2.24, N.R.C.P 52.59 and 60 Regarding the Order Re Motion for Reconsideration entered on October 27, 2020

01/21/2021 **Opposition & Countermotion (9:30 AM)** (Judicial Officer: Marquis, Linda)

Opposition to Motion pursuant to E.D.C.R. 2.24, N.R.C.P. 52, 59 and 60, regarding the Order re Motion for Reconsideration entered on October 27, 2020; Counter-Petition for Removal of Rodney Gerald Yeoman Form the Guardianship Proceedings; and Motion for Sanctions

Granted in Part; SEE ALL PENDING 1/21/21

01/21/2021 **Hearing (9:30 AM)** (Judicial Officer: Marquis, Linda)


Motion Pursuant to E.D.C.R 2.24, N.R.C.P 52.59 and 60 Regarding the Order Re Motion for Reconsideration entered on October 27, 2020

Denied; SEE ALL PENDING 1/21/21

01/21/2021 **Hearing (9:30 AM)** (Judicial Officer: Marquis, Linda)

Reply to Oppositions to Motion Pursuant to E.D.C.R 2.24, N.R.C.P. 52, 59 and 60 Regarding the Order re Motion for Reconsideration Entered on October 27, 2020

Matter Heard; SEE ALL PENDING 1/21/21

01/21/2021  **All Pending Motions (9:30 AM)** (Judicial Officer: Marquis, Linda)

Matter Heard;

Journal Entry Details:

HEARING: MOTION PURSUANT TO E.D.C.R 2.24, N.R.C.P 52.9 AND 60 REGARDING THE ORDERS RE MOTION FOR RECONSIDERATION ENTERED ON October 27, 2020... OPPOSITION TO MOTION PURSUANT TO E.D.C.R 2.24, N.R.C.P 52.9 AND 60 REGARDING THE ORDERS RE MOTION FOR RECONSIDERATION ENTERED ON October 27, 2020; COUNTER-PETITION FOR REMOVAL OF RODNEY GERALD YEOMAN FROM THE GUARDIANSHIP PROCEEDINGS; AND MOTION FOR SANCTIONS... REPLY TO OPPOSITION TO MOTION PURSUANT TO E.D.C.R 2.24, N.R.C.P 52.9 AND 60 REGARDING THE ORDERS RE MOTION FOR RECONSIDERATION ENTERED ON October 27, 2020 In accordance with Administrative Order 20-01, out of an abundance of caution, in order to prevent the spread of COVID-19 infection in the community, this Hearing was held via video conference through BlueJeans. Court Clerks: Karen Christensen, Tanya Stengel (ts) The Court reviewed the case history and pleadings on file. Court stated no additional arguments were needed. Attorney Michaelson stated they were fully in support of removing Mr. Yeoman and Mr. Powell from the service list and they were also in favor of sanctions. Attorney Parra-Sandoval stated she was also in support of removing Mr. Yeoman and his Attorney's. Attorney Parra-Sandoval stated the statutes indicate interested parties must be a live person. Further statements by Attorney Michaelson and Attorney Beckstrom. Attorney Beckstrom requested the Court consider sealing the Guardianship proceedings. Arguments by Attorney Kehoe. Court stated it would not consider sealing the case today because it is not on calendar. Court further stated this is currently a public case and the Court will not Order the Clerk's Office to remove Mr. Yeoman from automatic service; however, he will be removed as an interested party. Attorney Michaelson clarified that Mr. Powell and Mr. Yeoman's Counsel are not interested parties and should also be removed from the service list. Court stated Mr. Powell does not meet the criteria to be considered an interested party. COURT stated FINDINGS and ORDERED, the following: Motion Pursuant to E.D.C.R. 2.24, N.R.C.P 52.59 and 60 Regarding the Order Re: Motion for Reconsideration entered on October 27, 2020 shall be DENIED. Counter-Petition for Removal of Rodney Gerald Yeoman from the Guardianship Proceedings shall be APPROVED and GRANTED. Mr. Yeoman and his Attorney's shall no longer require service. Motion for Sanctions shall be DENIED. Court ADMONISHED Counsel to continue to endeavor and remain professional and focus on the issues at hand. Future Hearing Dates shall STAND. Attorney Beckstrom shall prepare and

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submit an Order; Counsel shall sign as to form and content. ;

02/11/2021

Hearing (9:30 AM) (Judicial Officer: Marquis, Linda)

Guardian of the Protected Person's Petition to Compromise Property of Protected Person and Seal Hearing

Granted in Part; SEE ALL PENDING 2/11/21

02/11/2021



All Pending Motions (9:30 AM) (Judicial Officer: Marquis, Linda)

MINUTES

Matter Heard;

Journal Entry Details:

HEARING: GUARDIAN OF THE PROTECTED PERSON'S PETITION TO COMPROMISE PROPERTY OF PROTECTED PERSON AND SEAL HEARING... HEARING: VERIFIED PETITION FOR COMMUNICATION, VISITS AND VACATION TIME WITH PROTECTED PERSON... KATHLEEN June JONES' OPPOSITION TO VERIFIED PETITION FOR COMMUNICATION, VISITS AND VACATION TIME WITH PROTECTED PERSON... KIMBERLY JONES' OPPOSITION TO VERIFIED PETITION FOR COMMUNICATION, VISITS AND VACATION TIME WITH PROTECTED PERSON... PETITIONERS OMNIBUS REPLY TO: (1) KIMBERLY JONES' OPPOSITION TO VERIFIED PETITION FOR COMMUNICATION, VISITS AND VACATION TIME WITH PROTECTED PERSON; AND (2) KATHLEEN June JONES OPPOSITION TO VERIFIED PETITION FOR COMMUNICATION, VISITS AND VACATION TIME WITH PROTECTED PERSON In accordance with Administrative Order 20-01, out of an abundance of caution, in order to prevent the spread of COVID-19 infection in the community, this Hearing was held via video conference through BlueJeans. Court Clerks: Karen Christensen, Tanya Stengel (ts) James Beckstrom, Nevada Bar #14032, appeared on behalf of Kimberly Jones. Teri Butler, Protected Person's Daughter, appeared. Perry Friedman, Protected Person's Son-in-law, appeared. Legal Aid Observer: Jeffery Sheehan, Esq. The Court reviewed the case history and pleadings on file. Attorney Parra-Sandoval stated she has spoken to Protected Person about the settlement offer and she is agreeable to the terms. Upon inquiry from the Court, Attorney Parra-Sandoval stated she supports the Guardian's request to seal and believes the request to seal for 120 days is the most appropriate. Attorney Beckstrom made statements regarding Attorney Kehoe and Mr. Powell being present at the hearing and stated it prohibits parties from openly discussing the settlement. Attorney Michaelson made statements and requested the entire proceeding be sealed. Court and Counsel engaged in discussion regarding the Petition to Seal; in what manner the case should be sealed, and what parties should be allowed to participate in the sealed hearing. Court stated it reviewed the Petition for Communication, Visits and Vacation Time with Protected Person and inquired if there were any objections or concerns. Ms. Butler made statements opposing the Petition and stated Robyn has a need to control everything. Court and Ms. Butler engaged in discussion regarding her concerns. Arguments by Counsel. Court stated it would not be Ordering FMC (Family Mediation Center) because the Court is unsure if they are well-prepared and/or well-suited to resolve this issue. Court further stated it would also not be Ordering Guardianship mediation or Talking Parents. Attorney Michaelson stated if the settlement is approved, it would leave Protected Person in a possible homeless situation and there are concerns about Protected Person being moved out of state because of that situation. Attorney Michaelson stated he does not believe that should be allowed to happen without permission from the Court. Court stated that issue would be addressed at the sealed hearing; however, the Court advised ALL Counsel that before Protected Person is relocated a Petition would be required to be filed with the Court. COURT ORDERED, the following: Petition to Seal the hearing relative to the Petition to Compromise Property shall be APPROVED and GRANTED. The HEARING shall be SEALED for ONE HUNDRED AND TWENTY (120) DAYS. Attorney Beckstrom shall prepare and submit an Order. Matter set for HEARING 2/12/21 at 9:00 am for Approval of Settlement Agreement. THIS HEARING SHALL BE SEALED. Matter set for STATUS CHECK 6/3/21 at 1:00 pm to determine if the hearing should be UNSEALED. Guardian Ad Litem, Elizabeth Brickfield, shall be appointed to represent the Protected Person. A Supreme Court Investigator shall be APPOINTED to investigate this case. The Investigator shall review current medical records and current suggestions and/or recommendations by Protected Person's Physician about her level of care; speak with all Protected Person's daughters, Robyn, Donna, and Teri, (their counsel may be present) to discuss visitation, time together, communications, and their needs, requests, and concerns with regard to Protected Person; review all records relative to conversations with the siblings as well as phone call and text message records supplied to Investigator by family members to assist Court in applying statutes as to whether or not Guardian has been acting unreasonably. Matter shall be CONTINUED to 5/13/21 at 1:00 pm for INVESTIGATOR'S REPORT, Petition for Communication, Visits and Vacation Time with Protected Person, and Oppositions. ;

02/12/2021

Hearing (9:00 AM) (Judicial Officer: Marquis, Linda)

SEALED HEARING - Approval of Settlement Agreement

Matter Heard; Per Judge Marquis, Minutes SEALED and LOCKED until 6/3/21

02/12/2021



Minute Order (12:45 PM) (Judicial Officer: Marquis, Linda)

Minute Order - No Hearing Held;






Journal Entry Details:

MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES RE: G-19-052263-A NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to ensure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c), this Court can consider a motion and issue a decision

CASE SUMMARY

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on the papers at any time without a hearing. The Court notes that an Ex Parte Petition for an Order for the Attendance of the Protected Person at the February 11, 2021, Hearing was filed on February 6, 2021. A Proposed Order was submitted to the Court electronically. Upon review, the Ex Parte Petition for an Order for the Attendance of the Protected Person is DENIED. A copy of this Minute Order shall be provided to all parties. CLERK'S NOTE: A copy of this Minute Order was e-mailed to parties at the e-mail addresses listed in court records 2/12/21. (kc) ;

- 03/04/2021 **Status Check** (1:30 PM) (Judicial Officer: Marquis, Linda)
SEALED HEARING: Review Settlement Agreement negotiations and placement of Protected Person.
Matter Heard; Minutes SEALED and LOCKED until 6/3/21, per Judge Marquis
- 03/10/2021  **Minute Order** (3:45 PM) (Judicial Officer: Marquis, Linda)
Minute Order - No Hearing Held;
Journal Entry Details:
MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES RE: G-19-052263-A NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to ensure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c), this Court can consider a motion and issue a decision on the papers at any time without a hearing. The Court notes that an Ex Parte Petition to Shorten Time to Hear Verified Petition for Communication, Visits, and Vacation Time with Protected Person was filed on March 9, 2021, and a proposed Order Setting Hearing on Shortened Time on Verified Petition for Communication and Visitation was submitted to the Court electronically. Upon review, the Ex Parte Petition to Shorten Time to Hear Verified Petition for Communication, Visits, and Vacation Time with Protected Person is DENIED. The Court notes that the recently appointed Guardian ad Litem may require additional time to advocate for the Protected Person's best interest. A copy of this Minute Order shall be provided to all parties. CLERK'S NOTE: A copy of this Minute Order was e-mailed to parties at the e-mail addresses listed in court records 3/10/21. (kc) ;
- 03/11/2021  **Minute Order** (1:45 PM) (Judicial Officer: Marquis, Linda)
Minute Order - No Hearing Held;
Journal Entry Details:
MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES RE: G-19-052263-A NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to ensure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c), this Court can consider a motion and issue a decision on the papers at any time without a hearing. The Court notes that this matter was set for a Status Check Hearing on March 11, 2021, at 2:00 p.m. Upon review, the Court notes that BlueJeans, the Court's video appearance application is experiencing significant network issues. Accordingly, the Status Check set for March 11, 2021, at 2:00 p.m. SHALL be continued to March 12, 2021, at 2:00 p.m. A copy of this minute order shall be provided to all Parties. CLERK'S NOTE: A copy of this Minute Order was e-mailed to parties at the e-mail addresses listed in court records 3/11/21. (kc) ;
- 03/11/2021 **CANCELED Status Check** (2:00 PM) (Judicial Officer: Marquis, Linda)
Vacated
Placement
- 03/12/2021 **Status Check** (2:00 PM) (Judicial Officer: Marquis, Linda)
Protected Person's Placement
Matter Heard; Minutes SEALED and LOCKED until 6/3/21, per Judge Marquis
- 03/19/2021 **Status Check** (1:00 PM) (Judicial Officer: Marquis, Linda)
Matter Heard; Minutes SEALED and LOCKED until 6/3/21, per Judge Marquis
- 03/30/2021  **Settlement Conference** (8:30 AM) (Judicial Officer: Marquis, Linda)
Not Settled; Settlement Conference held; settlement not reached
Journal Entry Details:
SETTLEMENT CONFERENCE Settlement Conference heard in Courtroom 10A, Regional Justice Center. Court Clerk was not present at the Settlement Conference. Matters not settled. Issues not resolved. ;
- 04/06/2021  **Motion** (10:00 AM) (Judicial Officer: Marquis, Linda)
Guardian Kimberly Jones' Petition to Relocate Protected Person and Transfer Guardianship
Denied in Part; See 4/6/21 All Pending Motions
- 04/06/2021 **Opposition** (10:00 AM) (Judicial Officer: Marquis, Linda)
Robyn Friedman and Donna Simmons' Opposition to Petition to Relocate Protected Person and Transfer Guardianship
Granted in Part; See 4/6/21 All Pending Motions
- 04/06/2021  **All Pending Motions** (10:00 AM) (Judicial Officer: Marquis, Linda)
Matter Heard;
Journal Entry Details:

CASE SUMMARY**CASE NO. G-19-052263-A**

MOTION: GUARDIAN KIMBERLY JONES' PETITION TO RELOCATE PROTECTED PERSON AND TRANSFER GUARDIANSHIP...ROBYN FRIEDMAN AND DONNA SIMMONS' OPPOSITION TO PETITION TO RELOCATE PROTECTED PERSON AND TRANSFER GUARDIANSHIP. In accordance with Administrative Order 20-01, out of abundance of caution, and in order to prevent the spread of COVID-19 infection in the community, this Hearing was held via video conference through BlueJeans. Court Clerks: Tanya Stengel, Karen Christensen (kc) Perry Friedman also appeared. Court noted matter was set on an Order Shortening Time. Mr. Beckstrom reviewed the recent history of the case and stated Protected Person is packed and ready for the relocation to Anaheim, which is now vacant and available for the move. Ms. Parra-Sandoval objected to the transfer of guardianship case to California as there are unresolved matters pending in this court. Additionally, Ms. Parra-Sandoval stated Protected Person did not want to accept the \$4,000 to stay additional time in the Kraft home. She also declined any offers to stay with Robyn temporarily. Ms. Brickfield joined with Ms. Parra-Sandoval's objection to transfer jurisdiction at this time. Ms. Brickfield noted a copy of a lease attached to the petition, and stated ongoing concerns regarding the lease and visitation between Protected Person and her family members. Court noted Mr. Michaelson's opposition was filed yesterday. Mr. Michaelson made arguments regarding unresolved issues as to the family members' access to Protected Person, and Guardian's move with Protected Person to California without Court's permission. Mr. Michaelson also made arguments regarding Protected Person's finances. Mr. Beckstrom responded. Argument and discussion between counsel. Court noted Mr. Michaelson's partial opposition to relocation, and also noted he raised the issue of Court's ability to remove a guardian under SB20. Court noted its ability to remove a guardian for cause does not require notice, however Court was not inclined to consider that request at today's hearing. Court stated it would only address the request for relocation and transfer of guardianship at today's hearing. Ms. Parra-Sandoval stated she spoke with Protected Person, who again stated she would like to move to California with Guardian. She represented to Ms. Parra-Sandoval only she and Guardian would be living in the Anaheim property. Ms. Brickfield made statements regarding the importance of the family coming to an agreement regarding visitation. Additional arguments by counsel, and statements made by family members. Mr. Kehoe had no comments and stated he was just monitoring today's hearing. Court noted concern the Petition filed did not meet all of the statutory requirements. Court additionally noted an accounting hearing has not been set, and the accounting has not been approved. **COURT ORDERED:** Based on concerns and missing information, Request for a PERMANENT Relocation and Transfer of Guardianship to California shall be DENIED, without prejudice. Court shall allow a TEMPORARY RELOCATION of Protected Person to California, with Guardian living in the same residence. Mr. Beckstrom shall prepare the Order for Temporary Relocation. Mr. Michaelson and Ms. Parra-Sandoval shall countersign. All future hearing dates shall STAND. ;

05/12/2021

**Minute Order (2:45 PM)** (Judicial Officer: Marquis, Linda)

Minute Order - No Hearing Held;

Journal Entry Details:

MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES RE: G-19-052263-A NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to ensure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c), this Court can consider a motion and issue a decision on the papers at any time without a hearing. The Court notes that a Petition for Communication, Visits, and Vacation Time with Protected Person was filed December 30, 2020; Kathleen June Jones' Opposition was filed January 25, 2021; Kimberly Jones' Opposition was filed January 25, 2021; Petitioner's Omnibus Reply was filed February 1, 2021. All are set for Hearing May 13, 2021, at 1:00 p.m. The Court further notes that a Petition to Approve Kathleen June Jones' Proposed Visitation Schedule is set for Hearing on May 27, 2021. The Protected Person requests a specific schedule be accepted by the Court, despite the Protected Person's Opposition filed on January 25, 2021. The Ex Parte Request for an Order Shortening Time was granted and the matter set for hearing May 13, 2021. Relative to Mother's Day visitation, the Protected Person's Daughters, Robyn Friedman and Donna Simmons, filed a Petition for Visitation with the Protected Person on April 23, 2021, which is set for hearing June 3, 2021. The Guardian filed a Limited Response to Petition for Visitation with the Protected Person on May 3, 2021. The Ex Parte Request for an Order Shortening Time was granted and set for hearing May 13, 2021. Upon review, the Court finds that there remain issues of fact that must first be determined by the Court at an Evidentiary Hearing before the Court can enter an order relative to Robyn Friedman and Donna Simmons' request for communication, access, and time with their Mother, the Protected Person, pursuant to NRS 159.332 through NRS 159.337, and NRS 159.328. Therefore, an Evidentiary Hearing relative to the Petitions for Visitation, Petition to Approve Proposed Visitation Schedule, and Oppositions SHALL be set for Tuesday, June 8, 2021, at 9:00 a.m. Each Party shall file a Pre-Trial Memorandum on or before June 1, 2021, at 5:00 p.m., especially focusing on legal points and authorities. Each Party shall electronically submit to the Department's Law Clerk an Index of Proposed Exhibits and the Proposed Exhibits via e-mail on or before June 1, 2021, at 5:00 p.m. Counsel shall meet and confer prior to the Evidentiary Hearing to determine whether a stipulation can be reached relative to the Proposed Exhibits. Accordingly, the Hearings set for the following dates are VACATED: May 13, 2021; May 27, 2021; and June 3, 2021. The Court notes that this matter remains in non-compliance. A copy of this Minute Order shall be provided to all parties. **CLERK S NOTE:** A copy of this Minute Order was e-mailed to parties at the e-mail address on record with the Court; if no e-mail address was available, the minute order was mailed to the physical address of record 5/12/21. (kc) ;

05/13/2021


CANCELED Hearing (1:00 PM) (Judicial Officer: Marquis, Linda)

Vacated

CASE SUMMARY

CASE NO. G-19-052263-A

Verified Petition for Communication, Visits and Vacation Time with Protected Person (Continued from 2/11/21 for INVESTIGATOR'S REPORT)

05/13/2021	<p>CANCELED Opposition (1:00 PM) (Judicial Officer: Marquis, Linda)</p> <p><i>Vacated</i></p> <p><i>Kathleen June Jones' Opposition to Verified Petition for Communication, Vists, and Vacation Time with Protected Person</i></p>
05/13/2021	<p>CANCELED Opposition (1:00 PM) (Judicial Officer: Marquis, Linda)</p> <p><i>Vacated</i></p> <p><i>Kimberly Jones' Opposition to Verified Petition for Communication, Visits, and Vacation Time with Protected Person</i></p>
05/13/2021	<p>CANCELED Hearing (1:00 PM) (Judicial Officer: Marquis, Linda)</p> <p><i>Vacated</i></p> <p><i>Petitioners Omnibus Reply To: (1) Kimberly Jones Opposition To Verified Petition For Communication, Visits, And Vacation Time With Protected Person; And (2) Kathleen June Jones Opposition To Verified Petition For Communication, Visits And Vacation Time With Protected Person.</i></p>
05/27/2021	<p>CANCELED Hearing (2:30 PM) (Judicial Officer: Marquis, Linda)</p> <p><i>Vacated</i></p> <p><i>Notice of Hearing on Petition to Approve Kathleen June Jones' Proposed Visitation Schedule</i></p>
06/03/2021	<p>CANCELED Status Check (1:00 PM) (Judicial Officer: Marquis, Linda)</p> <p><i>Vacated</i></p> <p><i>To determine if case should remain sealed</i></p>
06/03/2021	<p>CANCELED Hearing (1:30 PM) (Judicial Officer: Marquis, Linda)</p> <p><i>Vacated</i></p> <p><i>Petition for Visitation with the Protected Person</i></p>
06/08/2021	<p> Evidentiary Hearing (9:00 AM) (Judicial Officer: Marquis, Linda)</p> <p><i>Visitation, Proposed Visitation Schedule, and Oppositions</i></p> <p><i>Under Advisement;</i></p> <p><i>Journal Entry Details:</i></p> <p><i>EVIDENTIARY HEARING: VISITATION, PROPOSED VISITATION SCHEDULE, AND OPPOSITIONS This Hearing was held via video conference through BlueJeans. The following also appeared via BlueJeans: LaChasity Carroll, Supreme Court Guardianship Compliance Investigator Attorney Matthew Whittaker, Nevada Bar #13281 Attorney Scott Cardenas, Nevada Bar #14851 Richard and Candi Powell Attorney Ty Kehoe, Nevada Bar #6011 Teri Butler (daughter) Scott Simmons (son) Perry Friedman (son-in-law) Cameron Simmons (grandson) Samantha Simmons (granddaughter) Ms. Parra-Sandoval objected to the Powells' participation in today's hearing. Mr. Michaelson and Mr. Beckstrom agreed. Mr. Beckstrom also objected to Mr. Kehoe's appearance and made statements regarding settlement funds not being transferred to Protected Person. Mr. Kehoe stated he and the Powells were observing and did not plan to participate in the hearing. Arguments between counsel. Court stated this case was not sealed and allowed Mr. Kehoe and the Powells to remain in the hearing. Court noted a Motion in Limine was filed yesterday by Mr. Beckstrom. Court DENIED the Motion in Limine. Court and counsel engaged in discussion regarding the admission of text messages. Court noted its intention to admit Ms. Carroll's and Ms. Brickfield's reports as Court Exhibits. Ms. Parra-Sandoval advised Protected Person was not present today and she indicated she would be too stressed and upset to testify. Court noted it took JUDICIAL NOTICE of all the pleadings on file. Counsel engaged in argument and discussion regarding the admission of exhibits. Court noted, per stipulation, Protected Person's exhibits ADMITTED. None of Respondent's or Petitioners' exhibits were admitted by stipulation at this time. Mr. Michaelson questioned the scope of the hearing. Arguments by counsel. Mr. Michaelson called Protected Person as a witness. Court heard arguments as to whether or not to have Protected Person testify. Court noted as Protected Person was not issued a subpoena to testify, it would not order Protected Person to testify at this hearing. Witnesses and exhibits presented (see worksheets). Matter TRAILED. Matter RECALLED. Witnesses and exhibits presented (continued). Court and counsel engaged in discussion regarding the admission of Ms. Brickfield's report and Ms. Carroll's investigation report. Matter RECESSED for lunch. Matter RECALLED. Counsel STIPULATED to Respondent's Exhibits A - F. Counsel STIPULATED to Petitioner's Exhibits 1, 4-10. Witnesses and exhibits presented (continued). Petitioner's Exhibits 2 and 3 ADMITTED. Matter TRAILED. Matter RECALLED. Witnesses and exhibits presented (continued). Mr. Michaelson noted discrepancies in text messages provided, and requested supplementing more text messages in his closing argument brief like the ones already submitted, however they would show a more complete pattern of deleting portions of text messages. Upon Court's inquiry, Mr. Michaelson stated Robyn's text messages were professionally extracted, and they show important omissions by the Guardian. Discussion between Court and counsel regarding the submission of text messages. Court ALLOWED the submission of the supplemented text messages. Mr. Beckstrom and Ms. Parra-Sandoval may object in their briefs to the supplements. COURT ORDERED: Counsel shall submit written CLOSING ARGUMENTS and Proposed Findings of Fact/Conclusions of Law no later than Friday, 6/18/21 at 5:00 PM. Matter shall be taken UNDER ADVISEMENT and placed on Court's Chambers Calendar 7/21/21, for Court to issue a WRITTEN DECISION. ;</i></p>

CASE SUMMARY

CASE NO. G-19-052263-A

06/17/2021



Hearing (1:30 PM) (Judicial Officer: Steel, Cynthia Dianne)

Petition for Payment of Guardians' Fee and Attorney Fees and Costs Filed March 12, 2021

Matter Continued;

Journal Entry Details:

HEARING: PETITION FOR PAYMENT OF GUARDIAN FEES AND ATTORNEY FEES AND COSTS FILED MARCH 12, 2021 In accordance with Administrative Order 21-03, out of an abundance of caution, in order to prevent the spread of COVID-19 infection in the community, this Hearing was held via video conference through BlueJeans. Matter heard by Senior Judge Dianne Steel. Court Clerks: Karen Christensen, Tanya Stengel (ts) Perry Friedman, Protected Person's son in law, appeared. Jack Butler, Protected Person's son in law, appeared. Ty Kehoe, Nevada Bar #6011, observed. Attorney Michaelson stated their continued objection to allowing Attorney Kehoe to be present for the hearing. Court stated the case is not sealed and anyone is allowed to appear; however, Attorney Kehoe was not sent a BlueJeans link from the Court's department due to the protocols of Judge Marquis. Attorney Parra-Sandoval stated Protected Person doesn't wish to object to the requested Guardian and Attorney's Fees. Attorney Parra-Sandoval stated there is approximately \$40,000.00 worth of blocked billing, which the Guardian should be personally liable for under the statute. Attorney Parra-Sandoval further stated due to the liquidity of the estate, the fees should be awarded in the form of a judgment to be recorded on the lien of Protected Person's property. Attorney Parra-Sandoval stated Protected Person has not received the funds from the settlement agreement; however, when the funds are received, they should be used for Protected Person's care. Attorney Beckstrom stated there was a supplement filed breaking down the alleged blocked billing; however they do not believe it to be blocked billing. Court stated concerns that this case is under submission by Judge Marquis and the prevailing parties have not been determined. Court and Attorney Beckstrom engaged in discussion regarding the requested fees. Arguments by Attorney Michaelson. Attorney Michaelson requested the matter be continued pending the Court's decision on other matters. Court and Counsel engaged in further discussion. **COURT ORDERED**, the following: Matter shall be **CONTINUED** to 7/15/21 at 2:00 pm to be heard by Judge Marquis.;

07/08/2021

CANCELED Motion to Stay (9:30 AM) (Judicial Officer: Marquis, Linda)

Vacated - per Judge

Motion to Stay Evidentiary Hearing Pending Petition for Writ of Prohibition and Petition for Writ of Mandamus

07/08/2021

CANCELED Opposition (9:30 AM) (Judicial Officer: Marquis, Linda)

Vacated - per Judge

Robyn Friedman and Donna Simmons' Omnibus Opposition to Motion to Stay Evidentiary Hearing Pending Petition for Writ of Prohibition and Petition for Writ Mandamus; and Kimberly Jones' Partial Joinder to Kathleen June Jones' Motion to Stay Evidentiary Hearing Pending Petition for Writ of Prohibition and Petition for Writ Mandamus

07/21/2021



Minute Order (12:45 PM) (Judicial Officer: Marquis, Linda)

Minute Order - No Hearing Held;

Journal Entry Details:

MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES RE: G-19-052263-A NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to ensure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c), this Court can consider a motion and issue a decision on the papers at any time without a hearing. The Court notes that this matter is set for a Status Check for a Decision on the Court's Chambers Calendar for July 21, 2021. Upon review, the Court notes that an Amended Accounting was filed on June 3, 2021, which is set for hearing on August 12, 2021 at 9:00 a.m. The Court continues the Status Check for Decision set for July 21, 2021, to the Accounting Hearing set for August 12, 2021 at 9:00 a.m. A copy of this minute order shall be provided to all Parties. **CLERK'S NOTE:** A copy of the Minute Order was e-mailed and/or mailed to parties at the address(es) listed on court records 07/21/2021. (ts);

08/12/2021

CANCELED Status Check (9:00 AM) (Judicial Officer: Marquis, Linda)

Vacated - per Secretary

Court's decision from Evidentiary Hearing held 6/8/21

08/12/2021

Hearing (9:00 AM) (Judicial Officer: Marquis, Linda)

Amended First Accounting

Matter Heard; See 8/12/21 All Pending Motions

08/12/2021

Hearing (9:00 AM) (Judicial Officer: Marquis, Linda)

Petition for Payment of Guardians' Fee and Attorney Fees and Costs filed March 12, 2021 (cont from 6/17/21 per Judge Steel)

Matter Heard; See 8/12/21 All Pending Motions

08/12/2021

Status Check (9:00 AM) (Judicial Officer: Marquis, Linda)

Matter Heard; See 8/12/21 All Pending Motions



08/12/2021

Objection (9:00 AM) (Judicial Officer: Marquis, Linda)

Robyn Friedman and Donna Simmons Objection to Guardians Accounting and First Amended Accounting

CASE SUMMARY

CASE NO. G-19-052263-A


	Matter Heard; See 8/12/21 All Pending Motions
08/12/2021	Objection (9:00 AM) (Judicial Officer: Marquis, Linda) <i>Kimberly Jones' Objection to Robyn Friedman's and Donna Simmons' Objection to Guardians Accounting and First Amended Accounting</i> Matter Heard; See 8/12/21 All Pending Motion
08/12/2021	 All Pending Motions (9:00 AM) (Judicial Officer: Marquis, Linda) Matter Heard; Journal Entry Details: HEARING: AMENDED FIRST ACCOUNTING...HEARING: PETITION FOR PAYMENT OF GUARDIAN'S FEE AND ATTORNEY FEES AND COSTS FILED MARCH 12, 2021...OBJECTION: ROBYN FRIEDMAN AND DONNA SIMMONS' OBJECTION TO GUARDIAN'S ACCOUNTING AND FIRST AMENDED ACCOUNTING...STATUS CHECK...OBJECTION: KIMBERLY JONES' OBJECTION TO ROBYN FRIEDMAN AND DONNA SIMMONS' OBJECTION TO GUARDIAN'S ACCOUNTING AND FIRST AMENDED ACCOUNTING. In accordance with Administrative Order 20-01, and in order to prevent the spread of COVID-19 infection in the community, this Hearing was held via video conference through BlueJeans. Court Clerks: Tanya Stengel, Karen Christensen (kc) Also appearing: Perry Friedman, husband of Robyn Jack Butler, Protected Person's son Attorney Ty Kehoe, Nevada Bar #6011 Court reviewed all of the pleadings on file, and noted it had read through and reviewed all filings. Court inquired if anyone who had not filed a responsive pleading would like to make an objection. Ms. Parra-Sandoval stated her client did not object, however Ms. Parra-Sandoval wanted to make a comment. She made statements regarding the settlement funds received yesterday, Guardian's request for \$90,000, and the absence of an independent assessment. Ms. Parra-Sandoval requested an independent assessment be conducted if additional costs are sought. Ms. Brickfield agreed with Ms. Parra-Sandoval's request for independent assessment. Mr. Beckstrom stated a compliance issues from a prior order on the issue of the settlement agreement, sealed, per Court order. Court noted it would hear the matter after all other issues were heard and prior to excusing Attorney Kehoe and Mr. Powell. Mr. Beckstrom stated no objection to an individual assessment, and made statements regarding an evaluation conducted last week in Orange County. Mr. Michaelson stated objections to Guardian's request for fees. Mr. Michaelson also made statements regarding missing and erroneous items in the accounting, and asked that a full accounting be provided in a timely manner. Mr. Beckstrom stated accounting and budget were two separate items, and made arguments. Additional arguments made by Mr. Michaelson and Mr. Beckstrom. Mr. Kehoe stated some of the statements made by counsel were improper, however he didn't object to being excused for the status check portion of the settlement. Following additional arguments, Mr. Kehoe and Mr. Powell were excused from the hearing. Mr. Beckstrom summarized a hearing held last week in civil court and stated the settlement funds were received. Mr. Beckstrom itemized deductions made to the settlement. Discussion regarding appliances, and an unexplained amount of \$300. Following discussion regarding estimated cost of appliances, and potential attorney fees to contest the deductions, counsel and parties determined it wasn't worth the litigation to fight the minimal deductions. Court requested a stipulation to that effect. Ms. Brickfield made statements as to the condition of the Anaheim property when the prior tenants left the home. Mr. Beckstrom advised the prior tenant was Protected Person's son. Discussion. COURT ORDERED: Court shall issue a WRITTEN DECISION . Mr. Beckstrom shall draft a Stipulation and Order as to deductions from the settlement funds. ;
08/19/2021	Hearing (1:30 PM) (Judicial Officer: Marquis, Linda) <i>Petition for Reimbursement of Temporary Guardians Costs and Legal Fees and Costs Advanced to the Guardianship Estate</i> Decision Made; SEE ALL PENDING 8/19/21
08/19/2021	Hearing (1:30 PM) (Judicial Officer: Marquis, Linda) <i>Response to Petition for Reimbursement of Temporary Guardians' Costs and Legal Fees and Costs Advanced to the Guardianship Estate</i> Decision Made; SEE ALL PENDING 8/19/21
08/19/2021	Objection (1:30 PM) (Judicial Officer: Marquis, Linda) <i>Objection to Petition for Reimbursement of Temporary Guardian Costs and Legal Fees and Costs Advanced to the Guardianship Estate</i> Decision Made; SEE ALL PENDING 8/19/21
08/19/2021	Hearing (1:30 PM) (Judicial Officer: Marquis, Linda) <i>Petitioners' Omnibus Reply to Kimberly Jones' Response to Petition for Reimbursement of Temporary Guardians' Costs and Legal Fees and Costs Advanced to the Guardianship Estate and Kathleen June Jones' Objection to Petition for Reimbursement of Temporary Guardians' Costs and Legal Fees and Costs Advanced to the Guardianship Estate</i> Decision Made; SEE ALL PENDING 8/19/21
08/19/2021	 All Pending Motions (1:30 PM) (Judicial Officer: Marquis, Linda) Matter Heard; Journal Entry Details: HEARING: PETITION FOR REIMBURSEMENT OF TEMPORARY GUARDIANS COSTS AND LEGAL FEES

CASE SUMMARY

CASE NO. G-19-052263-A

AND COSTS ADVANCED TO THE GUARDIANSHIP ESTATE... OBJECTION: OBJECTION TO PETITION FOR REIMBURSEMENT OF TEMPORARY GUARDIANS COSTS AND LEGAL FEES AND COSTS ADVANCED TO THE GUARDIANSHIP ESTATE... HEARING: RESPONSE TO PETITION FOR REIMBURSEMENT OF TEMPORARY GUARDIANS COSTS AND LEGAL FEES AND COSTS ADVANCED TO THE GUARDIANSHIP ESTATE... HEARING: PETITIONERS' OMNIBUS REPLY TO KIMBERLY JONES' RESPONSE TO PETITION FOR REIMBURSEMENT OF TEMPORARY GUARDIANS' COSTS AND LEGAL FEES AND COSTS ADVANCED TO THE GUARDIANSHIP ESTATE AND KATHLEEN June JONES' OBJECTION TO PETITION FOR REIMBURSEMENT OF TEMPORARY GUARDIANS COSTS AND LEGAL FEES AND COSTS ADVANCED TO THE GUARDIANSHIP ESTATE In accordance with Administrative Order 21-04, out of an abundance of caution, in order to prevent the spread of COVID-19 infection in the community, this Hearing was held via video conference through BlueJeans. Court Clerks: Karen Christensen, Tanya Stengel (ts) Scott Cardenas, Nevada Bar #14851, appeared for Attorney Parra-Sandoval on behalf of Protected Person. Perry Friedman, Protected Person's son-in-law, appeared. Jack Butler, Protected Person's son-in-law, appeared. Ty Kehoe, Nevada Bar #6011, appeared on behalf of Richard Powell. The Court reviewed the case history and pleadings on file. Attorney Cardenas stated Petitioner has had plenty of time to seek fees throughout this case and are just doing so now. Attorney Cardenas stated there hasn't been a showing that the Senior Helpers fees were reasonable and necessary since Kimberly was caring for Protected Person at the time. Attorney Cardenas further stated the legal fees were presumed to be a gift, not a loan or a reimbursement that would be sought from the estate. Attorney Cardenas made further statements regarding there being no basis for the legal fees. Attorney Beckstrom stated he agreed with Attorney Cardenas' points and stated Ms. Friedman stated multiple times the fees would be a gift. Attorney Beckstrom stated Ms. Friedman caused more damage than good by funding the A-case in the beginning and then leaving them with no resources. Attorney Beckstrom stated if Ms. Friedman is looking for this Court to enforce a contract for reimbursement then she will need to file a separate action because this Court does not have jurisdiction to authorize that. Attorney Beckstrom further stated if Ms. Friedman has a claim that his firm owes her money, she would also need to file that as a separate civil action. Attorney Michaelson stated no recovery would've happened in this case if the Friedman's had not fronted the money. Attorney Michaelson requested to read e-mails from Attorney Beckstrom on the record. Attorney Beckstrom stated his objection. Court stated it would allow Attorney Michaelson to continue. Attorney Michaelson stated the funds were never intended to be a gift. Attorney Michaelson read Attorney Beckstrom's e-mails on the record indicating their understanding that Ms. Friedman was advancing the funds and Kimberly's support of the Court authorizing reimbursement for fees and costs to Ms. Friedman from judgement proceeds. Further arguments by Attorney Michaelson. Ms. Simmons made statements. Attorney Kehoe made statements regarding defamatory statements made in the Petition about Mr. Powell. Attorney Kehoe stated there has never been any misconduct or wrong doings by Mr. Powell and requested the improper defamatory statements cease. Attorney Kehoe stated the settlement amount was the initial amount offered by Mr. Powell before the guardianship was ever granted. Arguments by Counsel regarding testimony. Court stated the statute requires the Court to hear from family members and those of natural affection and would allow them to be heard. Mr. Friedman made statements regarding the agreement made between the parties as it pertained to the settlement. Mr. Friedman stated he has an e-mail from Attorney Beckstrom stating they would support reimbursement if there was any recovery. Further arguments by Attorney Michaelson. Attorney Beckstrom clarified for the record that the witnesses were not sworn in and none of their testimony is evidence. Attorney Beckstrom requested the Court look at the Pleadings submitted and issue a written decision. COURT ORDERED, the following: A WRITTEN DECISION shall issue. Matter set on the Court's Chambers Calendar 9/15/21 for decision. ;

09/15/2021 **CANCELED Decision (5:00 AM)** (Judicial Officer: Marquis, Linda)
Vacated

12/09/2021  **Hearing (11:00 AM)** (Judicial Officer: Marquis, Linda)
Notice of Hearing on Petition for Approval of Guardian Ad Litem's Fees and Costs
Approved and Granted;
Journal Entry Details:
HEARING: PETITION FOR APPROVAL OF GUARDIAN AD LITEM'S FEES AND COSTS In accordance with Administrative Order 20-01, and in order to prevent the spread of COVID-19 infection in the community, this Hearing was held via video conference through BlueJeans. Court Clerks: Tanya Stengel, Karen Christensen (kc) Attorney Ty Kehoe, Nevada Bar #6011, appeared. Court noted Ms. Brickfield's petition for approval of fees and an objection filed 11/18/21. Mr. Kehoe stated he had no objections; he was simply observing the hearing. Mr. Michaelson stated no objections and was in support of the Guardian Ad Litem being compensated. Ms. Parra-Sandoval made statements in support of her opposition, and cited Guardianship Rule 8(j). Ms. Parra-Sandoval requested Court make Findings on the record determining the Guardian Ad Litem benefited Protected Person, and why Guardian Ad Litem should be paid at an attorney rate for non-legal services. Ms. Brickfield responded. Mr. Michaelson concurred with Ms. Brickfield, and stated surprised at Legal Aid's objection. COURT ORDERED: Petition for Approval of Guardian Ad Litem's Fees and Costs shall be APPROVED and GRANTED. Court shall issue a Written Order with Findings detailing all factors under the statute. ;

01/19/2022 **Motion for Withdrawal (5:00 AM)** (Judicial Officer: Marquis, Linda)
Motion for Withdrawal as Counsel of Record

01/27/2022 **Hearing (11:30 AM)** (Judicial Officer: Marquis, Linda)

CASE SUMMARY

CASE NO. G-19-052263-A

01/27/2022

Hearing on Petition to Compel Kimberly Jones to provide any and all information and documentation related to the Protected Person to the Successor Guardian

Hearing (11:30 AM) (Judicial Officer: Marquis, Linda)

Petition to Relocate the Protected Person to Nevada

FFCL

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

In the Matter of the Guardianship of the) Case No.: G-19-052263-A
Person and Estate:) Dept. No.: B
)
Kathleen Jones,)
)
Protected Person(s).)
_____)

**FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ORDER
REGARDING VISITATION, FIRST ANNUAL ACCOUNTING,
GUARDIAN'S FEES, CARETAKING FEES, ATTORNEY'S FEES
AND COSTS, AND REMOVAL OF THE GUARDIAN**

The above-entitled matter having come before this Honorable Court June 8, 2021, and August 12, 2021, Maria Parra-Sandoval, Esq., appearing for Protected Person, James Beckstrom, Esq., appearing on behalf of Guardian Kimberly Jones, Kimberly Jones appearing, John Michaelson, Esq., appearing on behalf of interested parties Robyn Friedman and Donna Simmons, Robyn Friedman and Donna Simmons appearing, Elizabeth Brickfield, Esq., appearing as Court appointed Guardian Ad Litem, for an Evidentiary Hearing, relative to visitation and communication with the Protected Person and the First Annual Accounting, the Court hereby makes the following Findings of Fact and Conclusions of Law and Orders:

1 ***Relevant Procedural History***

2 In September 2019, two of the daughters of the Protected Person, Robyn
3 Friedman and Donna Simmons, petitioned the District Court for guardianship
4 of their mother alleging, in part, that the Proposed Protected Person's Power
5 of Attorney, Kimberly Jones, was unwilling or unable to address serious
6 issues effecting the health and welfare of the Proposed Protected Person.
7 The Proposed Protected Person's Power of Attorney, Kimberly Jones, is the
8 daughter of the Proposed Protected Person and sister to both Robyn and
9 Donna.
10 Donna.

11 Initially, Kimberly objected to the need for a guardian for her Mother.
12 Later, Kimberly opposed Robyn and Donna's petition and filed her own
13 petition for guardianship. Jerry, the husband of the Proposed Protected
14 Person, objected and filed a counter petition for guardianship. The three
15 competing petitions alleged: elder abuse; financial misconduct; exploitation;
16 isolation; kidnapping; and many other things. See Robyn and Donna's
17 Petition Guardianship, filed September 19, 2019; Kimberly's Opposition and
18 Counter-Petition, filed October 2, 2019; Jerry's Opposition and Counter-
19 Petition, filed October 2, 2019.

20 Ultimately, Robyn and Donna withdrew their Petition and supported
21 Kimberly. Kimberly was appointed guardian of the person and estate of her
22 Mother on October 15, 2020.

1 After the appointment of Kimberly, the guardianship proceedings and
2 related civil proceedings remained actively contentious. Allegations of
3 isolation of the Protected Person from her family by the Guardian persisted,
4 simmering under the surface, while more immediate and complex litigation
5 concerns were addressed.
6

7
8 In December 2020, Robyn and Donna filed a Petition for Communication,
9 Visits, and Vacation Time with the Protected Person. The Petition requested
10 that Kimberly assist the Protected Person to “[r]eceive telephone calls and
11 personal mail and have visitors . . .” consistent with the Protected Person’s
12 Bill of Rights. *See* NRS 159.328(1)(n). Robyn and Donna did not seek “to
13 compel Ms. Jones to visit with them. Rather, they seek a routine or series of
14 windows of opportunity so that all sides can plan to be available to
15 accomplish the visits.” *See* Petition for Communication at page 3.
16

17
18 In their Petition for Communication, Robyn and Donna alleged that the
19 Protected Person needs assistance to receive telephone calls and have visitors
20 because: she cannot operate her telephone without assistance; has severe
21 memory impairment; and is often disoriented as to time. Robyn and Donna
22 further allege many specific instances in which their sister and Guardian,
23 Kimberly, failed to facilitate telephone calls and visitors for the Protected
24 Person.
25
26
27
28

1 The Protected Person, through counsel, vehemently objected to the request
2 for communication. The Protected Person “is clear that she does not want the
3 imposition of anything that looks like a visitation schedule, nor does she
4 want her guardian to be bound by a communication protocol to arrange calls
5 or visitation when June is easily accessible.” *See* Objection filed January 25,
6 2021.
7

8
9 The Guardian, Kimberly, also objected to the Petition for Communication,
10 alleging that she has not restricted communication or visits, presenting her
11 own allegations of specific instances in which she has facilitated
12 communication and visitation. The Guardian further argued that a schedule
13 would be too burdensome for the Guardian because she is busy caring for the
14 Protected Person whose mental and physical health is declining.
15

16
17 The Court appointed a Guardian Ad Litem, Elizabeth Brickfield, Esq.,
18 pursuant to NRS 159.0455, and Nevada Statewide Guardianship Rule 8. *See*
19 Order Appointing Guardian Ad Litem filed February 12, 2021. Ms.
20 Brickfield submitted her Report and Recommendations March 29, 2021.
21

22 While these issues of communication and access to the Protected Person
23 remained pending, issues regarding potential settlement of an associated civil
24 litigation, requiring the Protected Person to promptly vacate her long-time
25 residence, were presented, and mandated immediate attention and multiple
26 hearings. Because the permanent and temporary location of the Protected
27
28

1 Person (California or Nevada) directly impacted issues of communication
2 and visitation, the Court continued the Request for Communication pending
3 the determination of the Protected Person's relocation.
4

5 On April 23, 2021, Robyn filed a Petition for Visitation with the Protected
6 Person relative to Mother's Day 2021.
7

8 On May 5, 2021, the Protected Person dramatically reversed course.
9 Protected Person's Counsel initially objected to the request for
10 communication and visitation by Robyn and Donna. However, Protected
11 Person's Counsel now proposed a restriction for phone calls and in-person
12 visits between the Protected Person and family members. The Protected
13 Person requested limiting all family visits and communications to a two hour
14 window each Friday. Counsel for Protected Person filed a Petition to
15 Approve Proposed Visitation Schedule. In the Petition, the Protected Person
16 argued, "[d]espite her own desired wished and stated preferences, [Protected
17 Person] feels she has been forced by all parties, including the court-appointed
18 Guardian Ad Litem, to concede on the issue of visitation." See Petition at
19 page 3. While maintaining she was still opposed to a Court ordered schedule,
20 the Protected Person proposed the Court order a specific schedule.
21
22
23
24

25 In a Minute Order, the Court vacated the Hearing on the Petition for
26 Visitation (Mother's Day) and the Hearing on the Petition to Approve
27 Protected Person's Proposed Visitation Schedule. The Court ordered all
28

1 pending visitation matters set for Evidentiary Hearing. The Court further
2 ordered that the Parties submit: proposed witness lists; proposed exhibit lists;
3 and briefs by a certain date and time. Importantly, the Court directed that the
4 supplemental legal briefs further examine the issues contained in NRS
5 159.332 through NRS 159.334 (visitation and communication); NRS 159.335
6 through NRS 159.337 (removal of a guardian); and NRS 159.328 (Protected
7 Persons' Bill of Rights). *See* Minute Order filed May 12, 2021.¹

8
9
10 Later the same day, Protected Person filed a Motion for Stay in the District
11 Court, referencing the already pending Nevada Supreme Court case. Exhibits
12 supporting the Motion for Stay and a Notice of Hearing were filed the next
13 day, June 3, 2021. The hearing on the Motion to Stay was scheduled by the
14 Clerk's Office for July 8, 2021. On June 7, 2021, the Court denied the
15 Protected Person's request for stay pending her petition for extraordinary
16 relief and the Evidentiary Hearing went forward.

17
18
19
20 ***Statement of Facts***

21 The Protected Person was not present at the Evidentiary Hearing.

22 Mr. Michaelson, on behalf of Robyn and Donna, called the Protected
23 Person as the first witness. Both Counsel for the Protected Person and
24

25
26

¹ Both the Protected Person and the Guardian failed to comply with the Court's Order.
27 Guardian and Protected Person did not submit legal briefs, proposed exhibits, or proposed
28 witness lists in a timely manner.

1 Counsel for the Guardian objected to the Protected Person being subject to
2 any questions by Counsel and/or the Court. The objection was based upon:
3
4 (1) Protected Person's representations to her attorney that she did not want to
5 participate in the proceeding; and (2) that based on Protected Person's
6 Counsel's observations of the Protected Person, the Protected Person's
7 participation in the proceeding would cause emotional distress.
8

9 The Court declined to ORDER the Protected Person to testify or
10 participate in the proceedings, despite Mr. Michaelson's objection. Mr.
11 Michaelson anticipated that the Protected Person would testify as to her
12 desires for visitation with family members and her personal ability and
13 familiarity with the telephone. See Pre Trial Memorandum filed June 1,
14 2021, at page 10.
15
16

17 Many family members testified that they would like to visit with the
18 Protected Person and/or have communication with the Protected Person.
19 However, the family members did not feel comfortable being around the
20 Guardian or the Guardian's boyfriend for various reasons.
21

22 The Protected Person cannot operate a telephone. She cannot answer or
23 place telephone calls. Guardian Kimberly Jones testified that she makes all
24 appointments for the Protected Person. Guardian Kimberly Jones testified
25 that she placed or received all telephone calls on behalf of the Protected
26 Person.
27
28

1 ***Scott Simmons***

2 Scott Simmons, son of the Protected Person, testified. He last saw his
3
4 Mother on the Saturday before Mother's Day 2021. Prior to that Mother's
5 Day visit, he had not seen his Mother for fifteen to seventeen (15-17) months
6 because he does not want to see or interact with Kimberly, the Guardian,
7
8 and/or Kimberly's boyfriend, Dean. Scott has not tried to call the Protected
9 Person or respond to Kimberly's communication because he does not want to
10 interact with Kimberly or Kimberly's boyfriend, Dean. Approximately 15-
11
12 17 months ago, Kimberly indicated to Scott that she planned to bring
13 Protected Person to his home. Instead, Kimberly brought Dean to the
14 meeting. During the meeting, Scott believes Dean threatened him, saying
15 "things are going to come down hard and come down on you."
16

17 Scott does not have the land line telephone number for his Mother's
18 current residence. Mr. Simmons further testified that he works on Fridays.
19

20 Scott testified that his Mother was unable to verbally answer to questions
21 during his recent visit. Instead, his Mother simply nodded and shook her
22 head in the affirmative or negative. The only thing she verbalized during that
23 visit was that she wanted to take a nap. He assisted her and helped her move
24 to take a nap.
25

26 In his experience, the Protected Person's proposed visitation schedule is
27 inconsistent with her previous attitude toward visitation and communication
28

1 with her family. Scott indicated her door was always open and she was
2 always happy to visit with her entire family.

3
4 Scott indicates that he would like to visit with his Mother at another
5 neutral location, like at his sister's house.

6 Scott was evicted from the Anaheim rental owned by Protected Person.
7
8 Scott paid \$1,200.00 per month for approximately 18 years. The Guardian
9 increased the rent by \$800.00 per month. The home is approximately 60
10 years old.

11
12 ***Cameron Simmons***

13 Cameron Simmons is the son of Scott Simmons and the grandson of the
14 Protected Person. He has a background in IT.

15
16 At the Mother's Day visit, the Protected Person was not talkative. By her
17 face and smile, Mr. Simmons could see she was happy. He showed her
18 pictures and gave her information about new happenings in the family. The
19 Protected Person nodded and smiled. She did verbally ask him to help her
20 lay down to take a nap. Grandmother nodded her head affirming, upon his
21 question if she wanted him to come visit.

22
23
24 Jerry and the Protected Person had a joint cell phone. Cameron and the
25 Protected Person would call and text each other. The last time he FaceTime
26 her, Cameron thought he was at Rodney's wedding, and he thinks the
27 Protected Person used Donna's cell phone.
28

1 Cameron testified that the visitation schedule is inconsistent with her
2 historic desire toward visitation and communication with her family.

3
4 Cameron testified that his Grandmother is unable to effectively communicate
5 via telephone. He does not have Kimberly's cellular number because
6 Kimberly had no assigned cellular phone number. The last he knew,
7
8 Kimberly had three phones dependent upon Wi-Fi. However, he
9 acknowledged that he could have obtained the telephone numbers.

10 Cameron testified he will not go to the Anaheim house because of
11
12 Kimberly's boyfriend, Dean. He is afraid to be around Dean because of his
13 history, an incident with Kimberly, and information and statements provided
14 from the neighbors.

15
16 In an incident, Kimberly requested that Cameron wipe all data from her
17 laptop and make sure there is no tracking devices or location sharing
18 applications on her two cellular telephones or laptop in order to ensure that
19
20 Dean was unable to access information relative to her location. Cameron
21 indicated that the request was a red flag. He does not believe Kimberly feels
22 safe with Dean. He remains concerned for Kimberly's safety.

23
24 Cameron testified that, based upon the Protected Person's mobility, a
25 landline will not assist in communication. Cameron testified that he sent her
26 a Christmas present.
27
28

1 Cameron further testified that he did not receive a text from Kimberly nor
2 his Grandmother at Christmas time.

3
4 ***Samantha Simmons***

5 Samantha Simmons, Granddaughter of the Protected Person and daughter
6 of Donna Simmons, testified. On her 21st birthday, Samantha came to Las
7 Vegas to visit and celebrate with the Protected Person. The night before
8 Samantha visited, she was advised by Kimberly that the Protected Person
9 would be unavailable and was vacationing in Arizona.
10

11
12 Kimberly later reached out to Samantha relative to a visit. Kimberly made
13 a reservation at the restaurant. Kimberly brought Protected Person to
14 Donna's house for a boat ride about eight months ago. Samantha does not
15 have great relationship with Kimberly. She has not reached out to Kimberly
16 relative to visits or communication. Samantha saw her Grandmother in
17 January 2021 and Mother's Day 2021.
18

19
20 ***Donna Simmons***

21 Donna Simmons is the daughter of the Protected Person. Donna worked
22 as a caregiver for many years for two individuals. Donna testified that her
23 Mother, the Protected Person, is hard of hearing and takes a "long time" to
24 process things. Consequently, the Protected Person responds to a lot of
25 conversations with a head nod in the affirmative.
26
27
28

1 Donna testified that the Protected Person cannot operate a cellular phone
2 and cannot answer phone calls. All telephone calls with the Protected Person
3 are made through Kimberly.
4

5 In the last year, Donna has called her Mother at least fifty times. The
6 Protected Person does not answer but sometimes calls back, only with the
7 assistance of Kimberly. Donna receives texts from Kimberly indicating that
8 the Protected Person is trying to call her. Kimberly helps the Protected
9 Person use the cellular telephone. Usually, the speaker is on and Donna can
10 hear Kimberly in the background. Kimberly talks for her Mother and/or
11 interjects in the conversation, denying the opportunity for one-on-one
12 communication between Donna and her mother. Donna testified that she
13 prefers one-on-one communication with her Mother.
14
15
16

17 Approximately six months ago, Donna spoke with her Mother via
18 FaceTime. When Donna speaks to her Mother on the telephone, her Mother
19 is in a rush to get off the phone because she has hearing issues. Donna wishes
20 she could have private conversations with her Mother.
21

22 Donna testified that her Mother does not know what day of the week,
23 month of the year, or time of the day it is. The Protected Person cannot
24 schedule or plan a visit. She does not remember plans, nor does she know
25 how to cancel plans.
26
27
28

1 Donna testified that when she speaks with her Mother, her Mother is
2 unable to discern when she last saw her. Donna testified she thinks her
3 Mother likes her, but is unable to remember that she is supposed to call.
4

5 Donna testified that Kimberly is not trustworthy.

6 Donna testified that, instead of permitting phone calls with the Protected
7 Person, Kimberly tries to force Donna into communicating with the Protected
8 Person via text messages in order to show the Judge. Donna prefers to
9 communicate with her own mother via telephone.
10
11

12 Most of the time that Donna has seen her Mother, Kimberly asks Donna to
13 watch her Mother. Most of the time, Kimberly contacts Donna last minute
14 for the same.
15

16 In one instance, just before a hearing in September 2020, Kimberly called
17 Donna at the last minute with no advance notice and indicated to Donna that
18 she was in California. Donna dropped everything and met Kimberly on the
19 side of the road so that she could see her Mother. As they met, Donna and
20 Kimberly discussed where to go and eat. There were several fast foods
21 restaurants nearby. Donna asked her Mother which one she wanted to eat at.
22
23 Kimberly told Donna that the Protected Person is unable to make decisions,
24 and that Donna needed to “just tell her where you were going.”
25
26
27
28

1 Relative to the Report of the Guardian Ad Litem, Donna believes the
2 Report is an accurate description of her Mother's wishes. The Protected
3 person has never said that she does not want to see Donna.
4

5 Previously, Jerry, the Protected Person's late husband, facilitated
6 telephone calls from his telephone to ensure that the Protected Person was
7 speaking with her family. Donna desires that Kimberly facilitate
8 communication as was previously done.
9

10 Donna would further like to drive the Protected Person to the beach, visit
11 people, visit in the area, and get her nails done, all in the best interest and
12 happiness of the Protected Person.
13

14 Donna does not feel safe visiting with her Mother at the house if Dean,
15 Kimberly's boyfriend, is living at the house or is at the house. Donna
16 describes a suspicious instance involving keys that were missing from her
17 purse. Donna does not want to be around Dean and his associates. Donna is
18 worried that someone will come after her.
19

20 Donna is unable to accommodate the family visits at her residence on
21 Fridays because Donna works on Friday. Donna believed things would be
22 easier once the Protected Person moved to Anaheim, California. However,
23 communication and visitation remain difficult.
24

25 Donna does not believe that the Protected Person's proposed schedule was
26 created or drafted by her Mother.
27
28

1 The Protected Person has hearing aids, however, she will not wear them
2 because she hears background noises. Donna has talked to Kimberly about
3 assisting Protected Person with the hearing aids.
4

5 Donna indicated that she never asked Kimberly to leave the room so that
6 Donna and her Mother could have a private conversation. Donna testified
7 that Kimberly has never said “no, you cannot see her.” However, Donna
8 indicates that Kimberly has made it hard or impossible to see or
9 communicate with the Protected Person.
10
11

12 Kimberly only offers an opportunity to see her Mother before a Court
13 hearing. Donna testified that she would like to stop by her Mother’s house at
14 any time.
15

16 ***Robyn Friedman***

17 Robyn Friedman, daughter of the Protected Person, similarly testified that
18 her telephone calls with the Protected Person are limited by Kimberly.
19

20 For a period during the guardianship, Robyn and Kimberly reached an
21 agreement or understanding allowing Robyn to visit with her Mother every
22 Wednesday and every other Saturday, have FaceTime communication one
23 time per week, twice weekly telephone communication, and scheduled
24 vacations. The agreement lasted only a short period of time and resulted in
25 significant attorney’s fees.
26
27
28

1 At one scheduled visit in June 2020, Kimberly brought out a wheelchair.
2 Robyn indicated that she did not need the wheelchair during the visit as she
3 planned to take her Mother on a scenic drive.
4

5 Robyn took her Mother on a scenic drive to Mt. Charleston and returned
6 approximately two hours later. Upon their return to the Protected Person's
7 home, there was no answer at the door. Robyn took her Mother, the
8 Protected Person, and her four year old son to a neighbor's home so that they
9 both could utilize the restroom.
10
11

12 Robyn used her Mother's phone to call Kimberly. Kimberly indicated that
13 she could be there in thirty minutes, or she could pick her up at Robyn's
14 house.
15

16 Kimberly texted Robyn that the key to the front door was in the
17 wheelchair. However, Kimberly had not advised Robyn that the keys were in
18 the wheelchair when Robyn picked up her Mother.
19

20 Robyn believes that Kimberly's intentional failure to assist and support the
21 Protected Person in facilitating communication and visitation is hurting the
22 Protected Person. The Protected Person is unable to make and execute plans,
23 which is stressful to the Protected Person. Robyn believes that it is especially
24 cruel of Kimberly to require the Protected Person to manage her own
25 schedule and execute plans without the assistance of Kimberly.
26
27
28

1 Robyn testified about the trouble she encountered with Kimberly when
2 wanting to bring her four-year-old son over to the Protected Person's home,
3 so that the Protected Person could see him in his Halloween costume.
4

5 Robyn testified about the difficulty in getting Kimberly to confirm a flower
6 delivery for the Protected Person.
7

8 Robyn testified about problems associated with spending time with her
9 Mother around the Christmas season to exchange gifts. The first floor of
10 Robyn's home was inaccessible because the flooring was being redone. The
11 Protected Person could not easily access the second floor via a spiral
12 staircase. Robyn wanted to visit alone with her Mother for an hour.
13 Kimberly would not leave her home so that Robyn could spend time alone
14 with her Mother. Instead, Kimberly drove her Mother forty-five minutes to
15 Robyn's residence. Robyn visited with her Mother inside Robyn's car, in
16 front of her house, and exchanged gifts. Robyn pretended everything was ok
17 so that her Mother would not be upset.
18
19
20

21 Robyn testified about the events surrounding Easter 2021. Robyn had an
22 Easter Basket delivered to the Protected Person's home and was advised that
23 the residence was empty and vacant. Robyn knew the Protected Person's
24 housing situation was unstable and she would likely move to California.
25 However, Robyn did not know where her Mother was at that time.
26
27
28

1 Robyn testified that 48 hours before the Protected Person's birthday,
2 Kimberly advised that she and the Protected Person *might* be going to
3 Arizona the next day. Robyn believed the trip to Arizona was an effort by
4 Kimberly to avoid visitation between the Protected Person and Robyn.
5

6 Robyn has contacted Kimberly very few times in the last few months.
7
8 Robyn has not attempted to see her Mother in Anaheim based on Kimberly's
9 actions. Kimberly's actions and inactions have resulted in a restriction of
10 visitation, communication, or interaction between the family and the
11 Protected Person.
12

13 ***Kimberly Jones, Guardian***

14 Kimberly testified that she cares for her Mother, the Protected Person,
15 twenty-four hours per day. She lives with the Protected Person, in the
16 Protected Person's home. Kimberly cooks, manages medication, schedules
17 all appointments, and must assist the Protected Person in answering incoming
18 telephone calls and placing outgoing telephone calls.
19
20

21 Kimberly testified that she believes her Mother, the Protected Person,
22 wants to communicate and visit with all of her family members.
23

24 Kimberly testified that she never refused a request for visitation with her
25 Mother. Kimberly acknowledged that she refuses to leave the Protected
26 Person's residence so that family may have private visits with the Protected
27 Person.
28

1 Kimberly testified that her boyfriend, Dean, is at the Protected Person's
2 home quite often, but Dean does not live at the home. Dean stays overnight
3 sometimes.
4

5 Kimberly testified that she has never not allowed her Mother to answer the
6 telephone. Yet, concedes her Mother requires assistance to operate the
7 telephone.
8

9 Kimberly does not want a visitation schedule imposed.

10 ***Guardian Ad Litem***
11

12 The Court appointed a Guardian Ad Litem pursuant to Nevada
13 Guardianship Rule 8. The Court appointed attorney Elizabeth Brickfield
14 who has practiced in the area of probate, trust, and guardianship for over
15 twenty-five years. In her March 29, 2021, Report, Guardian Ad Litem
16 Brickfield stated that: it is in the best interest of the Protected Person for the
17 Protected Person to visit and communicate with her children and
18 grandchildren; Guardian Kimberly Jones has not encouraged or facilitated
19 visits and communications between the Protected Person and her family; and
20 that Guardian Kimberly Jones is unlikely to encourage and facilitate visits
21 without supervision by the Court.
22
23
24

25 Specifically, Guardian Ad Litem Brickfield indicates, given the Protected
26 Person's unique abilities and need for assistance, the Guardian should be
27
28

1 facilitating and encouraging the mutual desire of parent and child to visit and
2 communicate with each other on a regular basis.

3
4 ***Annual Accounting***

5 The Annual Accounting in this matter was due within sixty (60) days of
6 the anniversary date and must include those items mandated by statute. *See*
7
8 NRS 159.176; NRS 159.177; NRS 159.179.

9 Here, the first accounting was filed by the Guardian Kimberly Jones on
10 December 21, 2020. The relevant accounting period is October 15, 2019,
11 through October 15, 2020.

13 The Eighth Judicial District Court Guardianship Compliance Division's
14 reviewed the First Annual Accounting and filed an Accounting Review on
15 January 8, 2021. The Accounting Review noted the following issues: time
16 missing between prior accounting; account summary is not consistent with
17 information on supporting worksheets; ending balance does not equal the
18 assets listed; starting balance is inconsistent with past filings; ending balance
19 is inconsistent with transactions; starting balance does not match various
20 inventories filed; assets do not match recap; income is not itemized and in
21 depth analysis is not available; expenditures are not itemized; expenses not
22 itemized and in depth analysis is not available.

26 On June 3, 2021, Guardian Kimberly Jones filed an Amended First
27 Accounting, and an Accounting Review was filed on June 7, 2021. The
28

1 Accounting Review indicated the following issues: contains mathematical
2 errors; is not consistent with information in supporting worksheets; assets do
3 not total the amount listed in Account Summary Starting or Ending Balances;
4 the starting balance is inconsistent with past filings; the ending balance is
5 inconsistent with transactions; income is not itemized and in depth analysis
6 of income is not available; expenditures not itemized; expenses not itemized
7 and in depth analysis of the appropriateness of the expenses is not available.
8

9
10 On June 16, 2021, the Guardian Kimberly Jones filed a Notice of Hearing,
11 six months after the first accounting was filed, and set the Accounting
12 Hearing for July 15, 2021. The Accounting Hearing was continued, pursuant
13 to stipulation.
14

15
16 On July 15, 2021, Robyn Friedman and Donna Simmons filed an objection
17 to the Guardian's Accounting and First Amended Accounting.
18

19 On August 9, 2021, the Guardian filed a Second Amendment to the First
20 Accounting, just days prior to Accounting Hearing scheduled for August 12,
21 2021.
22

23 The Guardian's Second Amendment to the First Accounting purports to
24 correct and recalculate based upon CPA's omission of credit card
25 transactions and replaces all prior versions of first annual accounting. *See*
26 Guardian's Second Amendment, filed August 9, 2021, at footnote 1.
27
28

1 After the August 9, 2021, Accounting Hearing, the Court ordered the
2 Guardian Kimberly Jones to produce all receipts or vouchers that support the
3 accounting pursuant to NRS 159.179(5) on or before September 14, 2021.
4
5 See Order to Produce filed August 31, 2021.

6 On September 16, 2021, Guardian Kimberly Jones filed Receipts and/or
7
8 Vouchers in Support of the First Accounting. The documents provided in
9 support of the First Accounting include the following: (1) statements from
10 Bank of American XX7492, approximately August 2019 through October
11 2020; (2) statements from Citibank Credit Card XX1157, approximately
12 September 2019 through November 2020; and (3) statements from Bank of
13 American XX8243, approximately August 2020 through November 2020.
14
15

16 Despite the title of Guardian Kimberly Jones' pleading, the documents
17 filed do not include any receipts. Instead, the documents are bank statements
18 and credit card statements.
19

20 The Bank of America records indicate that there was a withdrawal on
21 September 11, 2020, of \$15,215.15. See Production at Jones 000857. The
22 withdrawal was made just days after the proceeds from the refinance were
23 deposited into the Bank of America account. The Accounting contains no
24 information or itemization relative to this large withdrawal.
25

26 After the Guardian's production of "receipts and/or vouchers" pursuant to
27 NRS 159.179, an Accounting Review was again conducted at the direction of
28

1 the Court. *See* Accounting Review filed November 16, 2021. The
2 Accounting Review identified the following issues relative to Worksheet A:

3
4 The starting balance is inconsistent with past filings;
5 The ending balance is inconsistent with the transactions; and
6 The starting balance used for the 8/9/2021 Supplement does not reflect the
7 actual balances of the listed assets. The bank accounts listed in the
8 9/16/2021 Support total \$2,549.34 as of the accounting starting date. The
9 8/9/2021 Supplements lists \$98.00 as the accounting starting balance. The
10 real and personal property total either \$478,247.89 or \$485,247.89. The
11 actual total is unknown because the personal property is listed as \$21,000
12 when in fact the itemized values total only \$14,000. This value was not
13 adjusted in the accounting. It is unknown which value is correct.

14 The Accounting Review further states, in reference to Worksheet C:

15 There were seven payments to a Citibank credit card totaling \$1,108.62.
16 The credit card was not in the name of the protected person. It is not
17 known if these payments are for the benefit of the protected person.
18 There were five cash withdrawals in the account totaling \$8,100. The
19 statements provided also show other cash withdrawals of \$1,550.00 prior
20 to the start of the accounting period.
21 There are multiple expenses related to an automobile and auto fuel. No
22 automobile is listed in the starting or ending balance.

23 Another Notice of Accounting Review was filed on December 2, 2021,
24 and highlights six cash withdrawals, totaling \$23,300.00 which include:
25 Customer Withdrawal Image on September 11, 2020, of \$15,230.00; branch
26 withdrawal on April 2, 2020, of \$5,000.00; branch withdrawal on September
27 21, 2020, of \$2,260.00; and cash withdrawals of \$1,550.00 prior to the start
28 of the accounting period.

The Guardian's Second Supplement indicates that the Estate received
\$88,011.00 and expended \$56,018.88 during the accounting period. The

Guardian alleges that the Protected Person received \$18,381.00 in Social Security income and \$13,500.00 in income relative to a rental property. The largest source of income for the Protected Person's Estate was \$54,345.00, which was received as a result of the real property refinance. The Guardian alleges that \$22,870.56 was expended on the remodel of the real property. However, the expenditures relative to the remodel were not itemized and only a handful of receipts provided.

After a careful review of the Debit Card and Credit Card records provided in the Production of Documents, approximately \$4,000.00 can arguably be categorized as expended relative to a renovation because the purchases were made at Home Depot, Lowes, and a paint store.

Some of the small number of receipts provided by the Guardian do not coincide with the relevant accounting period. Exhibit 1 to the Second Amendment provides receipts and invoices for expenditures as follows:

Document	Dated	Amount
American Vision Windows, Inc. Invoice Windows/Sliding Doors Marked "Paid 12/10/2020"	11/24/2020	740.00
American Vision Windows, Inc. Invoice Windows/Sliding Doors Marked "Paid 12/10/2020"	11/30/3020	2,960.00
American Vision Windows, Inc. Invoice Windows/Sliding Doors \$3,700.00 Permit fee 190.91	03/03/2021	3,965.91

1	Service Pulled fee 75.00		
2	Home Depot Receipt Garden Grove	07/25/2020	146.52
3			
4	Home Depot Cut Merchandise Ticket		
5	Laminate 23.69		
6	60 cases		
7	13 under		
8	Vinyl 20.8, \$51.79		
9	66 case		
10	“Not to be used as a Release of Merchandise. This does not constitute a sales receipt unless Register Receipt attached”		
11	Home Depot Receipt Orange County	07/25/2020	65.87
12	Home Depot Quote	07/27/2020	1,070.11
13	19 HDC Baneberry Oak 20.8, \$51.79		
14	Home Depot Customer Receipt		2,654.00
15	Costco Receipt (Costco Visa X1157)	07/03/2020	265.29
16	Walmart Receipt (US Debit 2282)	03/24/2020	304.33
17	Walmart Receipt (US Debit 2282)	03/05/2020	385.51
18	Walmart Receipt (US Debit 2282)	02/04/2020	376.74
19	Walmart Receipt (US Debit 2282)	12/10/2019	281.68
20	Walmart Receipt (US Debit 2282)	11/05/2019	349.24
21	Walmart Receipt (US Debit 2282)	11/16/2019	379.99
22			
23			

24 The accounting period for the first accounting should be October 15, 2019,

25 through October 15, 2020. All three of the American Vision Windows

26 Invoices are dated and paid outside the accounting period. Two of the

27

28

1 American Vision Invoices, dated 11/24/2020 and 11/30/2020, are stamped
2 “Paid.” The “Paid” date on both Invoices is 12/10/2020.

3
4 The notations on the first two American Vision Invoices, dated 11/24/2020
5 and 11/30/2020, are for “Windows/Sliding Doors.” The first, dated
6 11/24/2020, totals \$740.00. The second, dated 11/30/2020, totals \$2,960.00.
7
8 The third American Vision Invoice, dated 03/03/2021, seems to represent a
9 summary of all charges and incorporates the earlier Invoices. The third
10 Invoice notes, “Windows/Sliding Doors” \$3,700.00, which is coincidentally
11 the exact sum of the first two Invoices for the identical item (11/24/2020
12 Invoice \$740.00, plus 11/30/2020 Invoice \$2,960.00, equals the 3/03/2021
13 Invoice \$3,700.00). The 03/03/2021 Invoice also adds the permit fee
14 (\$190.91) and the service charge for pulled fee (\$75.00).
15
16

17 ***Financial History***

18 A Financial Forensic Audit, filed March 13, 2020, revealed that Kimberly
19 Jones withdrew \$4,836.00 from Bank of American Account X6668 in August
20 2019 and placed the cash in a Safe Deposit Box. The Audit further revealed,
21 consistent with allegations by the Protected Person’s late husband that
22 Kimberly Jones was utilizing the Protected Person’s accounts. Kimberly
23 Jones withdrew \$2,652.82 from Bank of America x7492 in July 2019. At the
24 time of the Audit, Kimberly Jones provided an accounting of the \$2,652.82
25 withdrawn by her from Bank of America x7492 and indicated that she paid
26
27
28

1 for a Safety Deposit Box. *See* Financial Forensic Audit filed March 13, 2020
2 at page 6, 7, 10, and Exhibit E.

3
4 The Guardian's Inventory, filed before the March 2020 Forensic Audit,
5 does not reference a Safe Deposit Box or cash on hand. The three versions of
6 accountings, filed before and after the Forensic Audit, also fail to reference
7 cash held in a Safe Deposit Box. However, the records produced from Bank
8 of America note \$100 paid on August 5, 2020, toward a Safe Box rental. *See*
9 Production filed on 9/16/21 at Jones 000853.
10

11 ***Conclusions of Law***

12 ***Communication and Visitation***

13
14 A guardian may not restrict communication or visitation between a
15 protected person and the protected person's family. A protected person is
16 entitled to *unrestricted* contact with their family. If a guardian opposes a
17 request from a family member for communication and contact with the
18 Protected Person, the guardian bears the burden of proof.
19

20
21 Only a guardian may request a restriction of a family member's
22 communication and contact with the Protected Person. Here, Nevada
23 Guardianship statutes require that protected people be allowed
24 communication and visitation with their families. A guardian is specifically
25 prohibited from restricting communication and visits. *See* NRS 159.332.
26

27
28 Only under specific circumstances may a guardian seek to limit or restrict

1 contact through the court. The procedure and evidence necessary to restrict
2 contact is clearly detailed within the statute. *See* NRS 159.332.

3
4 The Protected Person’s Bill of Rights is codified in NRS 159.328.
5 However, the rights enumerated do not abrogate any remedies provided by
6 law. *See* NRS 159.328(2). A protected person is to be granted the greatest
7 degree of freedom possible, consistent with the reasons for guardianship, and
8 exercise control of all aspects of his or her life that are not delegated to a
9 guardian specifically by a court order. NRS 159.328(1)(i).

10
11 A protected person may receive telephone calls and have visitors, unless
12 her guardian and the court determine that particular correspondence, or a
13 particular visitor will cause harm to the protected person. NRS
14
15 159.328(1)(n).

16
17 Each protected person has a right to “[r]emain as independent as possible,
18 including, without limitation to have his or her preference honored regarding
19 his or her residence and standard of living, either as expressed or
20 demonstrated before a determination was made relating to capacity or as
21 currently expressed, if the preference is reasonable under the circumstances.”
22
23 NRS 159.328(h).

24
25 Each protected person has a “right to have a family member . . . raise any
26 issues of concern on behalf of the protected person during a court hearing,
27
28

1 either orally or in writing, including without limitation, issues relating to a
2 conflict with a guardian.”

3
4 Communication, visitation, and interaction between a protected person and
5 a relative is governed by NRS 159.331 through NRS 159.338. A guardian is
6 prohibited from restricting communication, visitation, or interaction between
7 a protected person and a relative. *See* NRS 159.332. NRS 159.332 provides
8 as follows:
9

10 1. A guardian shall not restrict the right of a protected person to
11 communicate, visit or interact with a relative or person of natural
12 affection, including, without limitation, by telephone, mail or
13 electronic communication, unless:

14 (a) The protected person expresses to the guardian and
15 at least one other independent witness who is not affiliated
16 with or related to the guardian or the protected person that the
17 protected person does not wish to communicate, visit or
18 interact with the relative or person of natural affection;

19 (b) There is currently an investigation of the relative or
20 person of natural affection by law enforcement or a court
21 proceeding concerning the alleged abuse of the protected
22 person and the guardian determines that it is in the best
23 interests of the protected person to restrict the
24 communication, visitation or interaction between the
25 protected person and the relative or person of natural
26 affection because of such an investigation or court
27 proceeding;

28 (c) The restriction on the communication, visitation or
interaction with the relative or person of natural affection is
authorized by a court order;

(d) Subject to the provisions of subsection 2, the
guardian determines that the protected person is being
physically, emotionally or mentally harmed by the relative or
person of natural affection; or

(e) Subject to the provisions of subsection 3, a
determination is made that, as a result of the findings in a plan

1 for the care or treatment of the protected person, visitation,
2 communication or interaction between the protected person
3 and the relative or person of natural affection is detrimental to
the health and well-being of the protected person.

4 2. Except as otherwise provided in this subsection, if a guardian
5 restricts communication, visitation or interaction between a
6 protected person and a relative or person of natural affection
7 pursuant to paragraph (d) of subsection 1, the guardian shall file a
8 petition pursuant to NRS 159.333 not later than 10 days after
9 restricting such communication, visitation or interaction. A guardian
10 is not required to file such a petition if the relative or person of
natural affection is the subject of an investigation or court
proceeding pursuant to paragraph (b) of subsection 1 or a pending
petition filed pursuant to NRS 159.333.

11 3. A guardian may consent to restricting the communication,
12 visitation or interaction between a protected person and a relative or
13 person of natural affection pursuant to paragraph (e) of subsection 1
14 if the guardian determines that such a restriction is in the best
15 interests of the protected person. If a guardian makes such a
16 determination, the guardian shall file a notice with the court that
17 specifies the restriction on communication, visitation or interaction
18 not later than 10 days after the guardian is informed of the findings
in the plan for the care or treatment of the protected person. The
guardian shall serve the notice on the protected person, the attorney
of the protected person and any person who is the subject of the
restriction on communication, visitation or interaction.

19 In any proceeding held pursuant to NRS 159.331 to 159.338, the guardian
20 has the burden of proof, if a guardian opposes a petition filed pursuant to
21 NRS 159.335.
22

23 Here, in response to a request for communication and visitation by the
24 Protected Person's two daughters, the Guardian and the Protected Person
25 propose a visitation schedule that would allow family members to visit and
26 call the Protected Person during a two-hour window one time per week.
27
28

1 However, the Protected Person is entitled to *unrestricted* communication
2 and visitation with her family. The Guardian and Protected Person have
3 failed to meet the statutory requirements that would allow the Court to
4 restrict communication with the Protected Person.
5

6 Robyn and Donna's Petition for Communication filed December 30, 2020,
7 and Petition for Visitation filed April 23, 2021, were both filed pursuant to
8 NRS 159.335 and requested that the Court grant a relative access to the
9 Protected Person and removal of the guardian. *See* Verified Petition for
10 Communication, Visits, and Vacation Time with Protected Person, filed
11 December 30, 2020, at page 20, paragraph 62.
12

13 Kimberly has the burden of proof, as she opposes Robyn and Donna's
14 petition for communication. *See* Kimberly's Opposition filed January 25,
15 2021; Kimberly's Pre-Trial Memorandum filed June 7, 2021.
16

17 No care plan has suggested that interaction between any family members
18 is detrimental to the health and well-being of the Protected Person. Kimberly
19 has not filed any petition with the Court advising that she has restricted
20 interaction. Only *a guardian* may file a petition for order restricting
21 communication, visitation, or interaction between a protected person and a
22 relative. *See* NRS 159.333 [emphasis added].
23

24 Here, the Guardian, Kimberly, did not file a petition for order restricting
25 communication. Instead, the Protected Person has filed a petition for
26
27
28

1 visitation order. This request by the protected person is a request for a court
2 order restricting. *See* Petition to Approve Kathleen June Jones' Visitation
3 Schedule filed May 5, 2021.
4

5 The request to restrict communication does not contain any Affidavit or
6 Declaration executed by the Protected Person. At the Evidentiary Hearing,
7 Counsel for Protected Person failed to present evidence or testimony through
8 an independent statement by an unrelated party. The argument by Counsel
9 for the Protected Person does not represent a statement by witness who is not
10 affiliated with the Protected Person.
11
12

13 If the Guardian believed that she was restricting interaction between
14 Protected Person and her relatives based upon the Protected Person's wishes,
15 the Guardian would be required to file a petition with the Court within ten
16 days of the restriction pursuant to NRS 159.332(2). No such petition was
17 filed by the Guardian.
18
19

20 ***Annual Accounting***

21 NRS 159.179 governs the contents of an annual accounting and requires a
22 guardian to retain receipts or vouchers for all expenditures. The statute also
23 provides a pathway to prove payment when a receipt or voucher is lost. NRS
24 159.179 provides as follows:
25

- 26 1. An account made and filed by a guardian of the estate or
27 special guardian who is authorized to manage the property of a
28

1 protected person must include, without limitation, the following
2 information:

3 (a) The period covered by the account.

4 (b) The assets of the protected person at the beginning and
5 end of the period covered by the account, including the
6 beginning and ending balances of any accounts.

7 (c) All cash receipts and disbursements during the period
8 covered by the account, including, without limitation, any
9 disbursements for the support of the protected person or other
10 expenses incurred by the estate during the period covered by
11 the account.

12 (d) All claims filed and the action taken regarding the
13 account.

14 (e) Any changes in the property of the protected person due to
15 sales, exchanges, investments, acquisitions, gifts, mortgages
16 or other transactions which have increased, decreased or
17 altered the property holdings of the protected person as
18 reported in the original inventory or the preceding account,
19 including, without limitation, any income received during the
20 period covered by the account.

21 (f) Any other information the guardian considers necessary to
22 show the condition of the affairs of the protected person.

23 (g) Any other information required by the court.

24 2. All expenditures included in the account must be itemized.

25 3. If the account is for the estates of two or more protected persons,
26 it must show the interest of each protected person in the receipts,
27 disbursements and property. As used in this subsection, "protected
28 person" includes a protected minor.

4. Receipts or vouchers for all expenditures must be retained by the
guardian for examination by the court or an interested person. A
guardian shall produce such receipts or vouchers upon the request of
the court, the protected person to whom the receipt or voucher
pertains, the attorney of such a protected person or any interested
person. The guardian shall file such receipts or vouchers with the
court only if the court orders the filing.

5. On the court's own motion or on ex parte application by an
interested person which demonstrates good cause, the court may:

(a) Order production of the receipts or vouchers that support
the account; and

(b) Examine or audit the receipts or vouchers that support the
account.

1 6. If a receipt or voucher is lost or for good reason cannot be
2 produced on settlement of an account, payment may be proved by
3 the oath of at least one competent witness. The guardian must be
4 allowed expenditures if it is proven that:
5 (a) the receipt or voucher for any disbursement has been lost or
6 destroyed so that it is impossible to obtain a duplicate of the receipt
7 or voucher; and
8 (b) Expenses were paid in good faith and were valid charges against
9 the estate.

10 Here, the Guardian failed to itemize all expenditures. Further, the
11 Guardian failed to retain receipts and vouchers. If the receipts and vouchers
12 were lost, the Guardian failed to establish that it is impossible to obtain a
13 duplicate and that the expenses were paid in good faith and were valid
14 charges.

15 The Court details herein the failure of the Guardian to account for the
16 approximately \$22,000.00 expended in a home renovation. Further, the
17 Guardian fails to account for a significant amount of funds withdrawn.

18 ***Removal***

19 NRS 159.185 governs the conditionals for removal of a guardian and
20 provides as follows:
21

22 1. The court may remove a guardian if the court determines that:

23 (a) The guardian has become mentally incapacitated, unsuitable or
24 otherwise incapable of exercising the authority and performing the
25 duties of a guardian as provided by law;

26 (b) The guardian is no longer qualified to act as a guardian pursuant
27 to NRS 159.0613;

28 (c) The guardian has filed for bankruptcy within the previous 5
years;

1 (d) The guardian of the estate has mismanaged the estate of the
2 protected person;

3 (e) The guardian has negligently failed to perform any duty as
4 provided by law or by any order of the court and:

5 (1) The negligence resulted in injury to the protected person or
6 the estate of the protected person; or

7 (2) There was a substantial likelihood that the negligence
8 would result in injury to the protected person or the estate of the
9 protected person;

10 (f) The guardian has intentionally failed to perform any duty as
11 provided by law or by any lawful order of the court, regardless of
12 injury;

13 (g) The guardian has violated any right of the protected person that
14 is set forth in this chapter;

15 (h) The guardian has violated a court order or committed an abuse
16 of discretion in making a determination pursuant to paragraph (b) of
17 subsection 1 or subsection 3 of NRS 159.332;

18 (i) The guardian has violated any provision of NRS
19 159.331 to 159.338, inclusive, or a court order issued pursuant to NRS
20 159.333;

21 (j) The best interests of the protected person will be served by the
22 appointment of another person as guardian; or

23 (k) The guardian is a private professional guardian who is no
24 longer qualified as a private professional guardian pursuant to NRS
25 159.0595 or 159A.0595.

26 2. A guardian may not be removed if the sole reason for removal
27 is the lack of money to pay the compensation and expenses of the
28 guardian.

Here, Kimberly has negligently failed to assist the Protected Person to
have visitation and communication with her family. Kimberly through her
actions and inactions has created an environment in which the Protected
Person has been isolated from her family. Kimberly has made it difficult for
the family to have visitation and communication with the Protected Person.

1 In addition, Kimberly has failed to provide the required annual accounting.
2 Specifically, Kimberly failed to itemize all expenditures and retain receipts
3 and/or vouchers for expenses related to the guardianship estate, as required
4 by NRS 159.179.
5

6 ***Successor Guardian***
7

8 Pursuant to NRS 159.1871, the Court may appoint a successor guardian at
9 any time to serve immediately or when a designated event occurs. The
10 revocation of letters of guardianship by the court or any other court action to
11 suspend the authority of a guardian may be considered to be a designated
12 event for the purposes of NRS 159.1871 if the revocation or suspension of
13 authority is based on the guardian's noncompliance with his or her duties and
14 responsibilities as provided by law.
15
16

17 ***Guardian's Request for Caregiver and Guardians Fees***
18

19 Guardian, Kimberly Jones, requests caregiver fees and guardian fees.
20 Kimberly requests \$90,000 in past caregiver fees for the services she
21 rendered during the first eighteen months of the guardianship.
22

23 Kimberly also requests that the Court prospectively approve and allow
24 Kimberly to bill the Guardianship Estate for both caregiver fees and
25 guardianship fees in the future. Kimberly requests the Court approve
26 caregiver fees of \$21.00 per hour, ten hours per day, five days a week.
27
28

1 Kimberly requests the Court approve guardianship fees of \$100 per hour for
2 up to five hours each week.

3
4 NRS159.183 governs compensation of a guardian and allows
5 compensation, subject to the discretion and approval of the court, of expenses
6 incurred. Here, Kimberly requests compensation for work already completed
7 (\$90,000 in caregiving fees for the first eighteen months of the guardianship)
8 and compensation for work to be completed in the future (\$500 per week in
9

10 The petition is insufficient to establish, pursuant to NRS 159.183, that the
11 caregiver fees requested were reasonable and necessary in exercising the
12 authority and performing the duties of a guardian. Further, the petition is
13 insufficient to establish the type, duration, and complexity of the services
14 rendered. The petition makes general statements about the type of duties and
15 services that the Guardian has undertaken. Additionally, the petition is
16 insufficient to establish that future caregiver fees and guardianship fees can
17 be approved. The statute allows for the payment of expenses incurred. The
18 statute does not allow for anticipated or future expenses to be pre-approved.
19
20
21

22 ***Guardian's Request for Attorney's Fees***

23
24 Guardian, Kimberly Jones, requests the Court approve the payment of
25 attorney's fees and costs in the amount of \$101,558.24 from the
26 Guardianship Estate for fees and costs incurred from December 31, 2019,
27
28

1 through February 25, 2021. Kimberly's Counsel also submitted a *Brunzell*
2 Affidavit in support of the request for fees.

3
4 Kimberly failed to file a timely notice of intent to seek reimbursement of
5 attorney's fees pursuant to NRS 159.344. Kimberly filed a Notice of Intent
6 to seek reimbursement of attorney's fees on January 15, 2020, well after her
7 first appearance in this matter on October 2, 2019. The Protected Person
8 initially objected to the untimely notice. *See* Objection filed February 11,
9 2020.
10

11
12 On February 21, 2020, new attorneys for Kimberly, Marquis Aurbach
13 Coffing, filed a "Notice of Intent to Seek Payment of Attorneys' Fees and
14 Costs from Guardianship Case" on behalf of themselves, not on behalf of
15 Kimberly.
16

17 Nevertheless, the petition fails to address all of the fourteen factors, which
18 include *Brunzell* factors, the Court may consider in determining whether
19 attorney's fees are just, reasonable, and necessary in NRS 159.344(5).
20

21 Certainly, Counsel for Kimberly is well qualified, and the difficult work
22 performed required skill. However, the Court is very concerned about the
23 ability of the estate to pay, considering: the value of the estate; the nature,
24 extent, and liquidity of the assets of the estate; the disposable net income of
25 the estate; the anticipated future needs of the protected person; and other
26 foreseeable expenses. The value of the Guardianship Estate, based upon the
27
28

1 recent accounting and production of documents, is fuzzy. The Guardian's
2 lack of receipts and failure to itemize expenses, do not allow the Court to
3 reasonably rely upon the Guardian's representations relative to the value of
4 the estate. The income each month is minimal, and the largest asset is the
5 California residence. The estate is unable to cover the current needs of the
6 Protected Person. The Guardian requests approximately \$190,000.00 be
7 paid from the Estate to cover past expenses. The Estate will be unable to
8 provide for the future needs of the Protected Person given the enormity of
9 these expenses.
10
11
12

13 Further, the Court cannot say given the totality of litigation to this point
14 that Kimberly has conferred any actual benefit upon the Protected Person or
15 attempted to advance the best interest of the Protected Person pursuant to
16 NRS 159.344(5)(b). Kimberly has not made efforts to reduce and minimize
17 issues in this guardianship litigation. *See* NRS 159.344(5)(k). Further, the
18 Court cannot find that Kimberly has acted in good faith during her time
19 managing the Guardianship Estate.
20
21
22

23 Kimberly initially objected to the guardianship and then petitioned for
24 guardianship. She withheld medications and information from the
25 Temporary Guardians. She created an environment in which the Protected
26 Person was isolated from her family. She withdrew approximately
27 \$23,000.00 from the Estate without the required detailed explanation. She
28

1 failed, despite many opportunities, to provide a sufficient accounting. Many
2 statements by Kimberly are a combination of double-talk and feigned
3 confusion.
4

5 NRS 159.183(5) does not allow compensation or expenses incurred as a
6 result of petition to have a guardian removed, if the court removes the
7 guardian.
8

9 NRS 159.338 allows a court to impose sanctions and award attorney's fees
10 against a guardian, if the court finds a guardian has acted frivolously or in
11 bad faith in restricting communication between a protected person and a
12 family member.
13

14 ***Findings of Fact***
15

16 THE COURT HEREBY FINDS that in the instant case, the
17 statutory requirements relative to restriction of visitation and communication
18 were not met by the Guardian in restricting access to the Protected Person.
19

20 THE COURT FURTHER FINDS that the Protected Person failed to
21 establish the statutory requirements necessary in order to restrict visitation
22 and communication with her family members.
23

24 THE COURT FURTHER FINDS Kimberly had difficulty
25 answering questions and difficulty understanding questions related to
26 visitation and communication between the Protected Person and her family.
27 The Court finds that Kimberly's testimony was not credible.
28

1 THE COURT FURTHER FINDS that the Guardian through her
2 actions and inactions restricted the Protected Person's communication,
3 visitation, and access to her relatives contrary to the Protected Person's Bill
4 of Rights and NRS 159.331 to NRS 159.338.
5

6 THE COURT FURTHER FINDS that the Guardian, Kimberly
7 Jones, in violation of NRS 159.179: failed to itemize all expenditures in the
8 annual accounting; failed to retain receipts and/or vouchers related to
9 expenditures to support the annual accounting; and failed to retain receipts
10 relative to cash and disbursements.
11
12

13 THE COURT FURTHER FINDS that pursuant to NRS 159.185(i),
14 the conditions for removal of the Guardian have been met because the
15 Guardian has violated provisions of NRS 159.331 to 159.338, inclusive,
16 relative to communication and visitation.
17

18 THE COURT FURTHER FINDS that pursuant to NRS 159.185(e),
19 the conditions for removal of the Guardian have been met because the
20 Guardian has negligently failed to perform a duty as provided by law and
21 there is a substantial likelihood that the negligence would result in injury to
22 the Protected Person's estate, relative to failure to itemize expenditures,
23 retain cash and disbursement receipts, and retain receipts relating to
24 expenditures.
25
26
27
28

1 THE COURT FURTHER FINDS that pursuant to NRS 159.185(d),
2 the conditions for removal of the Guardian have been met because the
3 Guardian of the Estate has mismanaged the estate of the Protected Person.
4

5 THE COURT FURTHER FINDS that pursuant to NRS 159.185(j),
6 the conditions for removal of the Guardian have been met because the best
7 interest of the Protected Person will be served by the appointment of another
8 person as guardian.
9

10 THE COURT FURTHER FINDS that pursuant to NRS 159.1871, a
11 Successor Guardian shall be appointed. A designated event has occurred,
12 specifically, the revocation of Kimberly Jones' letters of guardianship,
13 herein.
14

15 THE COURT FURTHER FINDS that pursuant to NRS 159.199,
16 Kimberly Jones shall not be discharged as Guardian or relieved from liability
17 as she has not had an Accounting approved by this Court, and has not filed
18 receipts or vouchers showing compliance with the orders of the court in
19 winding up the affairs of the guardianship.
20

21 ***Orders***
22

23 IT IS HEREBY ORDERED that the Request for Our Family Wizard
24 or Talking Parents is DENIED.
25

26 IT IS FURTHER ORDERED that the request for Family Mediation
27 is DENIED.
28

1 IT IS FURTHER ORDERED that the request for communication
2 and visitation is GRANTED. Pursuant to the Protected Person's Bill of
3 Rights, the Protected Person shall have unrestricted access to all family
4 members. The Guardian shall support, assist, and facilitate communication
5 and visitation with family as necessary based upon the Protected Person's
6 unique abilities.
7

8
9 IT IS FURTHER ORDERED that the Protected Person's request to
10 limit all communication and visitation with family members to a two hour
11 window one day per week is DENIED.
12

13 IT IS FURTHER ORDERED the Guardian Kimberly Jones' request
14 for caregiver fees already incurred is DENIED.
15

16 IT IS FURTHER ORDERED that Guardian Kimberly Jones'
17 request for attorneys' fees and costs from the Guardianship Estate is
18 DENIED.
19

20 IT IS FURTHER ORDERED that Guardian Kimberly Jones'
21 request for pre-approval to bill caregiver and guardianship fees from the
22 Guardianship Estate in the future is DENIED.
23

24 IT IS FURTHER ORDERED that the request to remove Kimberly
25 Jones as guardian of the person and estate is GRANTED.
26
27
28

1 IT IS FURTHER ORDERED that pursuant to NRS 159.185,
2 Kimberly Jones SHALL be removed as Guardian over the Person and Estate
3 of Protected Person, Kathleen Jones.
4

5 IT IS FURTHER ORDERED that the Letters of Guardianship
6 issued to Kimberly Jones are hereby REVOKED.
7

8 IT IS FURTHER ORDERED that pursuant to NRS 159.1871,
9 Robyn Friedman SHALL be appointed as Successor Guardian of the Person
10 and Estate of Kathleen Jones. An Order Appointing Successor Guardian
11 shall issue, along with Letters of Guardianship.
12

13 IT IS FURTHER ORDERED that Successor Guardian, Robyn
14 Friedman, SHALL file an Inventory of the Estate with sixty (60) days of the
15 Order Appointing Guardian.
16

17 IT IS FURTHER ORDERED that the Successor Guardian, Robyn
18 Friedman, file a proposed care plan within ninety (90) days of the Order
19 Appointing Guardian, after review of medical records, medical evaluation,
20 and consultation with medical professionals.
21

22 IT IS FURTHER ORDERED that the Successor Guardian, Robyn
23 Friedman, file a proposed budget within ninety (90) days of the Order
24 Appointing Guardian, considering the Inventory and the proposed Care Plan.
25
26
27
28

1 IT IS FURTHER ORDERED that the Successor Guardian, Robyn
2 Friedman, shall not move the Protected Person's temporary residence without
3 permission from the Court.
4

5 IT IS FURTHER ORDERED that a forensic financial investigation
6 shall be ordered relative to the management of the Guardianship Estate by
7 former Guardian Kimberly Jones to include the personal finances of former
8 Guardian Kimberly Jones. An Order Appointing Investigator shall issue and
9 a return for Investigator's Report scheduled on the Court's Chambers
10 Calendar set for March 2, 2022, at 5:00 AM.
11

12 IT IS SO ORDERED.
13

14 Dated this 6th day of December, 2021

15 
16

17 0B8 D29 E25A C6A5
18 Linda Marquis
19 District Court Judge
20
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1 **CSERV**

2
3 DISTRICT COURT
CLARK COUNTY, NEVADA

4
5
6 In the Matter of the Guardianship CASE NO: G-19-052263-A
7 of:
8 Kathleen Jones, Protected
9 Person(s)

DEPT. NO. Department B

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

12 This automated certificate of service was generated by the Eighth Judicial District
13 Court. The foregoing Findings of Fact, Conclusions of Law and Judgment was served via the
14 court's electronic eFile system to all recipients registered for e-Service on the above entitled
15 case as listed below:

16 Service Date: 12/6/2021

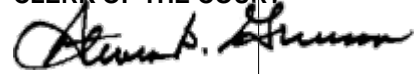
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12	Cameron Simmons	Cameronnnscott@yahoo.com
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14	Kellie Piet	kpiet@maclaw.com

15 If indicated below, a copy of the above mentioned filings were also served by mail
16 via United States Postal Service, postage prepaid, to the parties listed below at their last
17 known addresses on 12/7/2021

18	Elizabeth Brickfield	Dawson & Lordahl PLLC
19		Attn: Elizabeth Brickfield, Esq
20		9130 West Post Road, Suite 200
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7 725 E. Charleston Blvd

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9 Telephone: (702) 386-1526

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11 *Attorney for Kathleen J. Jones, Protected Person*

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

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

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

19 **KATHLEEN J. JONES,**

20 **An Adult Protected Person.**

21 **NOTICE OF ENTRY OF ORDER**

22 YOU AND EACH OF YOU WILL PLEASE TAKE NOTICE that the attached
23 **FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ORDER REGARDING**
24 **VISITATION, FIRST ANNUAL ACCOUNTING, GUARDIAN'S FEES, CARETAKING**
25 **FEES, ATTORNEY'S FEES AND COSTS, AND REMOVAL OF THE GUARDIAN** in
26 the above captioned matter was entered on the 6th day of December 2021.

27 DATED this 10th day of December, 2021.

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

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

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Attorney for Kathleen J. Jones, Protected Person

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N/A.

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Counsel for Kimberly Jones

All other recipients registered for e-Service on the above entitled case

/s/ Rosie Najera
Employee of Legal Aid Center of Southern Nevada

FFCL

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

In the Matter of the Guardianship of the) Case No.: G-19-052263-A
Person and Estate:) Dept. No.: B
)
Kathleen Jones,)
)
Protected Person(s).)
_____)

**FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ORDER
REGARDING VISITATION, FIRST ANNUAL ACCOUNTING,
GUARDIAN'S FEES, CARETAKING FEES, ATTORNEY'S FEES
AND COSTS, AND REMOVAL OF THE GUARDIAN**

The above-entitled matter having come before this Honorable Court June 8, 2021, and August 12, 2021, Maria Parra-Sandoval, Esq., appearing for Protected Person, James Beckstrom, Esq., appearing on behalf of Guardian Kimberly Jones, Kimberly Jones appearing, John Michaelson, Esq., appearing on behalf of interested parties Robyn Friedman and Donna Simmons, Robyn Friedman and Donna Simmons appearing, Elizabeth Brickfield, Esq., appearing as Court appointed Guardian Ad Litem, for an Evidentiary Hearing, relative to visitation and communication with the Protected Person and the First Annual Accounting, the Court hereby makes the following Findings of Fact and Conclusions of Law and Orders:

1 ***Relevant Procedural History***

2 In September 2019, two of the daughters of the Protected Person, Robyn
3 Friedman and Donna Simmons, petitioned the District Court for guardianship
4 of their mother alleging, in part, that the Proposed Protected Person's Power
5 of Attorney, Kimberly Jones, was unwilling or unable to address serious
6 issues effecting the health and welfare of the Proposed Protected Person.
7 The Proposed Protected Person's Power of Attorney, Kimberly Jones, is the
8 daughter of the Proposed Protected Person and sister to both Robyn and
9 Donna.
10 Donna.

11 Initially, Kimberly objected to the need for a guardian for her Mother.
12 Later, Kimberly opposed Robyn and Donna's petition and filed her own
13 petition for guardianship. Jerry, the husband of the Proposed Protected
14 Person, objected and filed a counter petition for guardianship. The three
15 competing petitions alleged: elder abuse; financial misconduct; exploitation;
16 isolation; kidnapping; and many other things. See Robyn and Donna's
17 Petition Guardianship, filed September 19, 2019; Kimberly's Opposition and
18 Counter-Petition, filed October 2, 2019; Jerry's Opposition and Counter-
19 Petition, filed October 2, 2019.

20 Ultimately, Robyn and Donna withdrew their Petition and supported
21 Kimberly. Kimberly was appointed guardian of the person and estate of her
22 Mother on October 15, 2020.

1 After the appointment of Kimberly, the guardianship proceedings and
2 related civil proceedings remained actively contentious. Allegations of
3 isolation of the Protected Person from her family by the Guardian persisted,
4 simmering under the surface, while more immediate and complex litigation
5 concerns were addressed.
6

7
8 In December 2020, Robyn and Donna filed a Petition for Communication,
9 Visits, and Vacation Time with the Protected Person. The Petition requested
10 that Kimberly assist the Protected Person to “[r]eceive telephone calls and
11 personal mail and have visitors . . .” consistent with the Protected Person’s
12 Bill of Rights. *See* NRS 159.328(1)(n). Robyn and Donna did not seek “to
13 compel Ms. Jones to visit with them. Rather, they seek a routine or series of
14 windows of opportunity so that all sides can plan to be available to
15 accomplish the visits.” *See* Petition for Communication at page 3.
16

17
18 In their Petition for Communication, Robyn and Donna alleged that the
19 Protected Person needs assistance to receive telephone calls and have visitors
20 because: she cannot operate her telephone without assistance; has severe
21 memory impairment; and is often disoriented as to time. Robyn and Donna
22 further allege many specific instances in which their sister and Guardian,
23 Kimberly, failed to facilitate telephone calls and visitors for the Protected
24 Person.
25
26
27
28

1 The Protected Person, through counsel, vehemently objected to the request
2 for communication. The Protected Person “is clear that she does not want the
3 imposition of anything that looks like a visitation schedule, nor does she
4 want her guardian to be bound by a communication protocol to arrange calls
5 or visitation when June is easily accessible.” *See* Objection filed January 25,
6 2021.
7

8
9 The Guardian, Kimberly, also objected to the Petition for Communication,
10 alleging that she has not restricted communication or visits, presenting her
11 own allegations of specific instances in which she has facilitated
12 communication and visitation. The Guardian further argued that a schedule
13 would be too burdensome for the Guardian because she is busy caring for the
14 Protected Person whose mental and physical health is declining.
15

16
17 The Court appointed a Guardian Ad Litem, Elizabeth Brickfield, Esq.,
18 pursuant to NRS 159.0455, and Nevada Statewide Guardianship Rule 8. *See*
19 Order Appointing Guardian Ad Litem filed February 12, 2021. Ms.
20 Brickfield submitted her Report and Recommendations March 29, 2021.
21

22 While these issues of communication and access to the Protected Person
23 remained pending, issues regarding potential settlement of an associated civil
24 litigation, requiring the Protected Person to promptly vacate her long-time
25 residence, were presented, and mandated immediate attention and multiple
26 hearings. Because the permanent and temporary location of the Protected
27
28

1 Person (California or Nevada) directly impacted issues of communication
2 and visitation, the Court continued the Request for Communication pending
3 the determination of the Protected Person's relocation.
4

5 On April 23, 2021, Robyn filed a Petition for Visitation with the Protected
6 Person relative to Mother's Day 2021.
7

8 On May 5, 2021, the Protected Person dramatically reversed course.
9 Protected Person's Counsel initially objected to the request for
10 communication and visitation by Robyn and Donna. However, Protected
11 Person's Counsel now proposed a restriction for phone calls and in-person
12 visits between the Protected Person and family members. The Protected
13 Person requested limiting all family visits and communications to a two hour
14 window each Friday. Counsel for Protected Person filed a Petition to
15 Approve Proposed Visitation Schedule. In the Petition, the Protected Person
16 argued, "[d]espite her own desired wished and stated preferences, [Protected
17 Person] feels she has been forced by all parties, including the court-appointed
18 Guardian Ad Litem, to concede on the issue of visitation." See Petition at
19 page 3. While maintaining she was still opposed to a Court ordered schedule,
20 the Protected Person proposed the Court order a specific schedule.
21
22
23
24

25 In a Minute Order, the Court vacated the Hearing on the Petition for
26 Visitation (Mother's Day) and the Hearing on the Petition to Approve
27 Protected Person's Proposed Visitation Schedule. The Court ordered all
28

1 pending visitation matters set for Evidentiary Hearing. The Court further
2 ordered that the Parties submit: proposed witness lists; proposed exhibit lists;
3 and briefs by a certain date and time. Importantly, the Court directed that the
4 supplemental legal briefs further examine the issues contained in NRS
5 159.332 through NRS 159.334 (visitation and communication); NRS 159.335
6 through NRS 159.337 (removal of a guardian); and NRS 159.328 (Protected
7 Persons' Bill of Rights). *See* Minute Order filed May 12, 2021.¹

8
9
10 Later the same day, Protected Person filed a Motion for Stay in the District
11 Court, referencing the already pending Nevada Supreme Court case. Exhibits
12 supporting the Motion for Stay and a Notice of Hearing were filed the next
13 day, June 3, 2021. The hearing on the Motion to Stay was scheduled by the
14 Clerk's Office for July 8, 2021. On June 7, 2021, the Court denied the
15 Protected Person's request for stay pending her petition for extraordinary
16 relief and the Evidentiary Hearing went forward.

17
18
19
20 ***Statement of Facts***

21 The Protected Person was not present at the Evidentiary Hearing.

22 Mr. Michaelson, on behalf of Robyn and Donna, called the Protected
23 Person as the first witness. Both Counsel for the Protected Person and
24

25
26

¹ Both the Protected Person and the Guardian failed to comply with the Court's Order.
27 Guardian and Protected Person did not submit legal briefs, proposed exhibits, or proposed
28 witness lists in a timely manner.

1 Counsel for the Guardian objected to the Protected Person being subject to
2 any questions by Counsel and/or the Court. The objection was based upon:
3
4 (1) Protected Person's representations to her attorney that she did not want to
5 participate in the proceeding; and (2) that based on Protected Person's
6 Counsel's observations of the Protected Person, the Protected Person's
7 participation in the proceeding would cause emotional distress.
8

9 The Court declined to ORDER the Protected Person to testify or
10 participate in the proceedings, despite Mr. Michaelson's objection. Mr.
11 Michaelson anticipated that the Protected Person would testify as to her
12 desires for visitation with family members and her personal ability and
13 familiarity with the telephone. See Pre Trial Memorandum filed June 1,
14 2021, at page 10.
15
16

17 Many family members testified that they would like to visit with the
18 Protected Person and/or have communication with the Protected Person.
19 However, the family members did not feel comfortable being around the
20 Guardian or the Guardian's boyfriend for various reasons.
21
22

23 The Protected Person cannot operate a telephone. She cannot answer or
24 place telephone calls. Guardian Kimberly Jones testified that she makes all
25 appointments for the Protected Person. Guardian Kimberly Jones testified
26 that she placed or received all telephone calls on behalf of the Protected
27 Person.
28

1 ***Scott Simmons***

2 Scott Simmons, son of the Protected Person, testified. He last saw his
3
4 Mother on the Saturday before Mother's Day 2021. Prior to that Mother's
5 Day visit, he had not seen his Mother for fifteen to seventeen (15-17) months
6 because he does not want to see or interact with Kimberly, the Guardian,
7
8 and/or Kimberly's boyfriend, Dean. Scott has not tried to call the Protected
9 Person or respond to Kimberly's communication because he does not want to
10 interact with Kimberly or Kimberly's boyfriend, Dean. Approximately 15-
11
12 17 months ago, Kimberly indicated to Scott that she planned to bring
13 Protected Person to his home. Instead, Kimberly brought Dean to the
14 meeting. During the meeting, Scott believes Dean threatened him, saying
15 "things are going to come down hard and come down on you."
16

17 Scott does not have the land line telephone number for his Mother's
18 current residence. Mr. Simmons further testified that he works on Fridays.
19

20 Scott testified that his Mother was unable to verbally answer to questions
21 during his recent visit. Instead, his Mother simply nodded and shook her
22 head in the affirmative or negative. The only thing she verbalized during that
23 visit was that she wanted to take a nap. He assisted her and helped her move
24 to take a nap.
25

26 In his experience, the Protected Person's proposed visitation schedule is
27 inconsistent with her previous attitude toward visitation and communication
28

1 with her family. Scott indicated her door was always open and she was
2 always happy to visit with her entire family.

3
4 Scott indicates that he would like to visit with his Mother at another
5 neutral location, like at his sister's house.

6 Scott was evicted from the Anaheim rental owned by Protected Person.
7
8 Scott paid \$1,200.00 per month for approximately 18 years. The Guardian
9 increased the rent by \$800.00 per month. The home is approximately 60
10 years old.

11
12 ***Cameron Simmons***

13 Cameron Simmons is the son of Scott Simmons and the grandson of the
14 Protected Person. He has a background in IT.

15
16 At the Mother's Day visit, the Protected Person was not talkative. By her
17 face and smile, Mr. Simmons could see she was happy. He showed her
18 pictures and gave her information about new happenings in the family. The
19 Protected Person nodded and smiled. She did verbally ask him to help her
20 lay down to take a nap. Grandmother nodded her head affirming, upon his
21 question if she wanted him to come visit.

22
23
24 Jerry and the Protected Person had a joint cell phone. Cameron and the
25 Protected Person would call and text each other. The last time he FaceTime
26 her, Cameron thought he was at Rodney's wedding, and he thinks the
27 Protected Person used Donna's cell phone.
28

1 Cameron testified that the visitation schedule is inconsistent with her
2 historic desire toward visitation and communication with her family.

3
4 Cameron testified that his Grandmother is unable to effectively communicate
5 via telephone. He does not have Kimberly's cellular number because
6 Kimberly had no assigned cellular phone number. The last he knew,
7
8 Kimberly had three phones dependent upon Wi-Fi. However, he
9 acknowledged that he could have obtained the telephone numbers.

10 Cameron testified he will not go to the Anaheim house because of
11
12 Kimberly's boyfriend, Dean. He is afraid to be around Dean because of his
13 history, an incident with Kimberly, and information and statements provided
14 from the neighbors.

15
16 In an incident, Kimberly requested that Cameron wipe all data from her
17 laptop and make sure there is no tracking devices or location sharing
18 applications on her two cellular telephones or laptop in order to ensure that
19
20 Dean was unable to access information relative to her location. Cameron
21 indicated that the request was a red flag. He does not believe Kimberly feels
22 safe with Dean. He remains concerned for Kimberly's safety.

23
24 Cameron testified that, based upon the Protected Person's mobility, a
25 landline will not assist in communication. Cameron testified that he sent her
26 a Christmas present.
27
28

1 Cameron further testified that he did not receive a text from Kimberly nor
2 his Grandmother at Christmas time.

3
4 ***Samantha Simmons***

5 Samantha Simmons, Granddaughter of the Protected Person and daughter
6 of Donna Simmons, testified. On her 21st birthday, Samantha came to Las
7 Vegas to visit and celebrate with the Protected Person. The night before
8 Samantha visited, she was advised by Kimberly that the Protected Person
9 would be unavailable and was vacationing in Arizona.
10

11
12 Kimberly later reached out to Samantha relative to a visit. Kimberly made
13 a reservation at the restaurant. Kimberly brought Protected Person to
14 Donna's house for a boat ride about eight months ago. Samantha does not
15 have great relationship with Kimberly. She has not reached out to Kimberly
16 relative to visits or communication. Samantha saw her Grandmother in
17 January 2021 and Mother's Day 2021.
18

19
20 ***Donna Simmons***

21 Donna Simmons is the daughter of the Protected Person. Donna worked
22 as a caregiver for many years for two individuals. Donna testified that her
23 Mother, the Protected Person, is hard of hearing and takes a "long time" to
24 process things. Consequently, the Protected Person responds to a lot of
25 conversations with a head nod in the affirmative.
26
27
28

1 Donna testified that the Protected Person cannot operate a cellular phone
2 and cannot answer phone calls. All telephone calls with the Protected Person
3 are made through Kimberly.
4

5 In the last year, Donna has called her Mother at least fifty times. The
6 Protected Person does not answer but sometimes calls back, only with the
7 assistance of Kimberly. Donna receives texts from Kimberly indicating that
8 the Protected Person is trying to call her. Kimberly helps the Protected
9 Person use the cellular telephone. Usually, the speaker is on and Donna can
10 hear Kimberly in the background. Kimberly talks for her Mother and/or
11 interjects in the conversation, denying the opportunity for one-on-one
12 communication between Donna and her mother. Donna testified that she
13 prefers one-on-one communication with her Mother.
14
15
16

17 Approximately six months ago, Donna spoke with her Mother via
18 FaceTime. When Donna speaks to her Mother on the telephone, her Mother
19 is in a rush to get off the phone because she has hearing issues. Donna wishes
20 she could have private conversations with her Mother.
21
22

23 Donna testified that her Mother does not know what day of the week,
24 month of the year, or time of the day it is. The Protected Person cannot
25 schedule or plan a visit. She does not remember plans, nor does she know
26 how to cancel plans.
27
28

1 Donna testified that when she speaks with her Mother, her Mother is
2 unable to discern when she last saw her. Donna testified she thinks her
3 Mother likes her, but is unable to remember that she is supposed to call.
4

5 Donna testified that Kimberly is not trustworthy.

6 Donna testified that, instead of permitting phone calls with the Protected
7 Person, Kimberly tries to force Donna into communicating with the Protected
8 Person via text messages in order to show the Judge. Donna prefers to
9 communicate with her own mother via telephone.
10
11

12 Most of the time that Donna has seen her Mother, Kimberly asks Donna to
13 watch her Mother. Most of the time, Kimberly contacts Donna last minute
14 for the same.
15

16 In one instance, just before a hearing in September 2020, Kimberly called
17 Donna at the last minute with no advance notice and indicated to Donna that
18 she was in California. Donna dropped everything and met Kimberly on the
19 side of the road so that she could see her Mother. As they met, Donna and
20 Kimberly discussed where to go and eat. There were several fast foods
21 restaurants nearby. Donna asked her Mother which one she wanted to eat at.
22
23 Kimberly told Donna that the Protected Person is unable to make decisions,
24 and that Donna needed to “just tell her where you were going.”
25
26
27
28

1 Relative to the Report of the Guardian Ad Litem, Donna believes the
2 Report is an accurate description of her Mother's wishes. The Protected
3 person has never said that she does not want to see Donna.
4

5 Previously, Jerry, the Protected Person's late husband, facilitated
6 telephone calls from his telephone to ensure that the Protected Person was
7 speaking with her family. Donna desires that Kimberly facilitate
8 communication as was previously done.
9

10 Donna would further like to drive the Protected Person to the beach, visit
11 people, visit in the area, and get her nails done, all in the best interest and
12 happiness of the Protected Person.
13

14 Donna does not feel safe visiting with her Mother at the house if Dean,
15 Kimberly's boyfriend, is living at the house or is at the house. Donna
16 describes a suspicious instance involving keys that were missing from her
17 purse. Donna does not want to be around Dean and his associates. Donna is
18 worried that someone will come after her.
19

20 Donna is unable to accommodate the family visits at her residence on
21 Fridays because Donna works on Friday. Donna believed things would be
22 easier once the Protected Person moved to Anaheim, California. However,
23 communication and visitation remain difficult.
24

25 Donna does not believe that the Protected Person's proposed schedule was
26 created or drafted by her Mother.
27
28

1 The Protected Person has hearing aids, however, she will not wear them
2 because she hears background noises. Donna has talked to Kimberly about
3 assisting Protected Person with the hearing aids.
4

5 Donna indicated that she never asked Kimberly to leave the room so that
6 Donna and her Mother could have a private conversation. Donna testified
7 that Kimberly has never said “no, you cannot see her.” However, Donna
8 indicates that Kimberly has made it hard or impossible to see or
9 communicate with the Protected Person.
10
11

12 Kimberly only offers an opportunity to see her Mother before a Court
13 hearing. Donna testified that she would like to stop by her Mother’s house at
14 any time.
15

16 ***Robyn Friedman***

17 Robyn Friedman, daughter of the Protected Person, similarly testified that
18 her telephone calls with the Protected Person are limited by Kimberly.
19

20 For a period during the guardianship, Robyn and Kimberly reached an
21 agreement or understanding allowing Robyn to visit with her Mother every
22 Wednesday and every other Saturday, have FaceTime communication one
23 time per week, twice weekly telephone communication, and scheduled
24 vacations. The agreement lasted only a short period of time and resulted in
25 significant attorney’s fees.
26
27
28

1 At one scheduled visit in June 2020, Kimberly brought out a wheelchair.
2 Robyn indicated that she did not need the wheelchair during the visit as she
3 planned to take her Mother on a scenic drive.
4

5 Robyn took her Mother on a scenic drive to Mt. Charleston and returned
6 approximately two hours later. Upon their return to the Protected Person's
7 home, there was no answer at the door. Robyn took her Mother, the
8 Protected Person, and her four year old son to a neighbor's home so that they
9 both could utilize the restroom.
10
11

12 Robyn used her Mother's phone to call Kimberly. Kimberly indicated that
13 she could be there in thirty minutes, or she could pick her up at Robyn's
14 house.
15

16 Kimberly texted Robyn that the key to the front door was in the
17 wheelchair. However, Kimberly had not advised Robyn that the keys were in
18 the wheelchair when Robyn picked up her Mother.
19

20 Robyn believes that Kimberly's intentional failure to assist and support the
21 Protected Person in facilitating communication and visitation is hurting the
22 Protected Person. The Protected Person is unable to make and execute plans,
23 which is stressful to the Protected Person. Robyn believes that it is especially
24 cruel of Kimberly to require the Protected Person to manage her own
25 schedule and execute plans without the assistance of Kimberly.
26
27
28

1 Robyn testified about the trouble she encountered with Kimberly when
2 wanting to bring her four-year-old son over to the Protected Person's home,
3 so that the Protected Person could see him in his Halloween costume.
4

5 Robyn testified about the difficulty in getting Kimberly to confirm a flower
6 delivery for the Protected Person.
7

8 Robyn testified about problems associated with spending time with her
9 Mother around the Christmas season to exchange gifts. The first floor of
10 Robyn's home was inaccessible because the flooring was being redone. The
11 Protected Person could not easily access the second floor via a spiral
12 staircase. Robyn wanted to visit alone with her Mother for an hour.
13 Kimberly would not leave her home so that Robyn could spend time alone
14 with her Mother. Instead, Kimberly drove her Mother forty-five minutes to
15 Robyn's residence. Robyn visited with her Mother inside Robyn's car, in
16 front of her house, and exchanged gifts. Robyn pretended everything was ok
17 so that her Mother would not be upset.
18
19
20

21 Robyn testified about the events surrounding Easter 2021. Robyn had an
22 Easter Basket delivered to the Protected Person's home and was advised that
23 the residence was empty and vacant. Robyn knew the Protected Person's
24 housing situation was unstable and she would likely move to California.
25 However, Robyn did not know where her Mother was at that time.
26
27
28

1 Robyn testified that 48 hours before the Protected Person's birthday,
2 Kimberly advised that she and the Protected Person *might* be going to
3 Arizona the next day. Robyn believed the trip to Arizona was an effort by
4 Kimberly to avoid visitation between the Protected Person and Robyn.
5

6 Robyn has contacted Kimberly very few times in the last few months.
7
8 Robyn has not attempted to see her Mother in Anaheim based on Kimberly's
9 actions. Kimberly's actions and inactions have resulted in a restriction of
10 visitation, communication, or interaction between the family and the
11 Protected Person.
12

13 ***Kimberly Jones, Guardian***

14 Kimberly testified that she cares for her Mother, the Protected Person,
15 twenty-four hours per day. She lives with the Protected Person, in the
16 Protected Person's home. Kimberly cooks, manages medication, schedules
17 all appointments, and must assist the Protected Person in answering incoming
18 telephone calls and placing outgoing telephone calls.
19
20

21 Kimberly testified that she believes her Mother, the Protected Person,
22 wants to communicate and visit with all of her family members.
23

24 Kimberly testified that she never refused a request for visitation with her
25 Mother. Kimberly acknowledged that she refuses to leave the Protected
26 Person's residence so that family may have private visits with the Protected
27 Person.
28

1 Kimberly testified that her boyfriend, Dean, is at the Protected Person's
2 home quite often, but Dean does not live at the home. Dean stays overnight
3 sometimes.
4

5 Kimberly testified that she has never not allowed her Mother to answer the
6 telephone. Yet, concedes her Mother requires assistance to operate the
7 telephone.
8

9 Kimberly does not want a visitation schedule imposed.

10 ***Guardian Ad Litem***
11

12 The Court appointed a Guardian Ad Litem pursuant to Nevada
13 Guardianship Rule 8. The Court appointed attorney Elizabeth Brickfield
14 who has practiced in the area of probate, trust, and guardianship for over
15 twenty-five years. In her March 29, 2021, Report, Guardian Ad Litem
16 Brickfield stated that: it is in the best interest of the Protected Person for the
17 Protected Person to visit and communicate with her children and
18 grandchildren; Guardian Kimberly Jones has not encouraged or facilitated
19 visits and communications between the Protected Person and her family; and
20 that Guardian Kimberly Jones is unlikely to encourage and facilitate visits
21 without supervision by the Court.
22
23
24

25 Specifically, Guardian Ad Litem Brickfield indicates, given the Protected
26 Person's unique abilities and need for assistance, the Guardian should be
27
28

1 facilitating and encouraging the mutual desire of parent and child to visit and
2 communicate with each other on a regular basis.

3
4 ***Annual Accounting***

5 The Annual Accounting in this matter was due within sixty (60) days of
6 the anniversary date and must include those items mandated by statute. *See*
7
8 NRS 159.176; NRS 159.177; NRS 159.179.

9 Here, the first accounting was filed by the Guardian Kimberly Jones on
10 December 21, 2020. The relevant accounting period is October 15, 2019,
11 through October 15, 2020.

13 The Eighth Judicial District Court Guardianship Compliance Division's
14 reviewed the First Annual Accounting and filed an Accounting Review on
15 January 8, 2021. The Accounting Review noted the following issues: time
16 missing between prior accounting; account summary is not consistent with
17 information on supporting worksheets; ending balance does not equal the
18 assets listed; starting balance is inconsistent with past filings; ending balance
19 is inconsistent with transactions; starting balance does not match various
20 inventories filed; assets do not match recap; income is not itemized and in
21 depth analysis is not available; expenditures are not itemized; expenses not
22 itemized and in depth analysis is not available.

26 On June 3, 2021, Guardian Kimberly Jones filed an Amended First
27 Accounting, and an Accounting Review was filed on June 7, 2021. The
28

1 Accounting Review indicated the following issues: contains mathematical
2 errors; is not consistent with information in supporting worksheets; assets do
3 not total the amount listed in Account Summary Starting or Ending Balances;
4 the starting balance is inconsistent with past filings; the ending balance is
5 inconsistent with transactions; income is not itemized and in depth analysis
6 of income is not available; expenditures not itemized; expenses not itemized
7 and in depth analysis of the appropriateness of the expenses is not available.
8

9
10 On June 16, 2021, the Guardian Kimberly Jones filed a Notice of Hearing,
11 six months after the first accounting was filed, and set the Accounting
12 Hearing for July 15, 2021. The Accounting Hearing was continued, pursuant
13 to stipulation.
14

15
16 On July 15, 2021, Robyn Friedman and Donna Simmons filed an objection
17 to the Guardian's Accounting and First Amended Accounting.
18

19 On August 9, 2021, the Guardian filed a Second Amendment to the First
20 Accounting, just days prior to Accounting Hearing scheduled for August 12,
21 2021.
22

23 The Guardian's Second Amendment to the First Accounting purports to
24 correct and recalculate based upon CPA's omission of credit card
25 transactions and replaces all prior versions of first annual accounting. *See*
26 Guardian's Second Amendment, filed August 9, 2021, at footnote 1.
27
28

1 After the August 9, 2021, Accounting Hearing, the Court ordered the
2 Guardian Kimberly Jones to produce all receipts or vouchers that support the
3 accounting pursuant to NRS 159.179(5) on or before September 14, 2021.
4
5 See Order to Produce filed August 31, 2021.

6 On September 16, 2021, Guardian Kimberly Jones filed Receipts and/or
7
8 Vouchers in Support of the First Accounting. The documents provided in
9 support of the First Accounting include the following: (1) statements from
10 Bank of American XX7492, approximately August 2019 through October
11 2020; (2) statements from Citibank Credit Card XX1157, approximately
12 September 2019 through November 2020; and (3) statements from Bank of
13 American XX8243, approximately August 2020 through November 2020.
14
15

16 Despite the title of Guardian Kimberly Jones' pleading, the documents
17 filed do not include any receipts. Instead, the documents are bank statements
18 and credit card statements.
19

20 The Bank of America records indicate that there was a withdrawal on
21 September 11, 2020, of \$15,215.15. See Production at Jones 000857. The
22 withdrawal was made just days after the proceeds from the refinance were
23 deposited into the Bank of America account. The Accounting contains no
24 information or itemization relative to this large withdrawal.
25

26 After the Guardian's production of "receipts and/or vouchers" pursuant to
27 NRS 159.179, an Accounting Review was again conducted at the direction of
28

1 the Court. *See* Accounting Review filed November 16, 2021. The
2 Accounting Review identified the following issues relative to Worksheet A:

3
4 The starting balance is inconsistent with past filings;
5 The ending balance is inconsistent with the transactions; and
6 The starting balance used for the 8/9/2021 Supplement does not reflect the
7 actual balances of the listed assets. The bank accounts listed in the
8 9/16/2021 Support total \$2,549.34 as of the accounting starting date. The
9 8/9/2021 Supplements lists \$98.00 as the accounting starting balance. The
10 real and personal property total either \$478,247.89 or \$485,247.89. The
11 actual total is unknown because the personal property is listed as \$21,000
12 when in fact the itemized values total only \$14,000. This value was not
13 adjusted in the accounting. It is unknown which value is correct.

14 The Accounting Review further states, in reference to Worksheet C:

15 There were seven payments to a Citibank credit card totaling \$1,108.62.
16 The credit card was not in the name of the protected person. It is not
17 known if these payments are for the benefit of the protected person.
18 There were five cash withdrawals in the account totaling \$8,100. The
19 statements provided also show other cash withdrawals of \$1,550.00 prior
20 to the start of the accounting period.
21 There are multiple expenses related to an automobile and auto fuel. No
22 automobile is listed in the starting or ending balance.

23 Another Notice of Accounting Review was filed on December 2, 2021,
24 and highlights six cash withdrawals, totaling \$23,300.00 which include:
25 Customer Withdrawal Image on September 11, 2020, of \$15,230.00; branch
26 withdrawal on April 2, 2020, of \$5,000.00; branch withdrawal on September
27 21, 2020, of \$2,260.00; and cash withdrawals of \$1,550.00 prior to the start
28 of the accounting period.

The Guardian's Second Supplement indicates that the Estate received
\$88,011.00 and expended \$56,018.88 during the accounting period. The

Guardian alleges that the Protected Person received \$18,381.00 in Social Security income and \$13,500.00 in income relative to a rental property. The largest source of income for the Protected Person's Estate was \$54,345.00, which was received as a result of the real property refinance. The Guardian alleges that \$22,870.56 was expended on the remodel of the real property. However, the expenditures relative to the remodel were not itemized and only a handful of receipts provided.

After a careful review of the Debit Card and Credit Card records provided in the Production of Documents, approximately \$4,000.00 can arguably be categorized as expended relative to a renovation because the purchases were made at Home Depot, Lowes, and a paint store.

Some of the small number of receipts provided by the Guardian do not coincide with the relevant accounting period. Exhibit 1 to the Second Amendment provides receipts and invoices for expenditures as follows:

Document	Dated	Amount
American Vision Windows, Inc. Invoice Windows/Sliding Doors Marked "Paid 12/10/2020"	11/24/2020	740.00
American Vision Windows, Inc. Invoice Windows/Sliding Doors Marked "Paid 12/10/2020"	11/30/3020	2,960.00
American Vision Windows, Inc. Invoice Windows/Sliding Doors \$3,700.00 Permit fee 190.91	03/03/2021	3,965.91

1	Service Pulled fee 75.00		
2	Home Depot Receipt Garden Grove	07/25/2020	146.52
3			
4	Home Depot Cut Merchandise Ticket		
5	Laminate 23.69		
6	60 cases		
7	13 under		
8	Vinyl 20.8, \$51.79		
9	66 case		
10	“Not to be used as a Release of Merchandise. This does not constitute a sales receipt unless Register Receipt attached”		
11	Home Depot Receipt Orange County	07/25/2020	65.87
12	Home Depot Quote	07/27/2020	1,070.11
13	19 HDC Baneberry Oak 20.8, \$51.79		
14	Home Depot Customer Receipt		2,654.00
15	Costco Receipt (Costco Visa X1157)	07/03/2020	265.29
16	Walmart Receipt (US Debit 2282)	03/24/2020	304.33
17	Walmart Receipt (US Debit 2282)	03/05/2020	385.51
18	Walmart Receipt (US Debit 2282)	02/04/2020	376.74
19	Walmart Receipt (US Debit 2282)	12/10/2019	281.68
20	Walmart Receipt (US Debit 2282)	11/05/2019	349.24
21	Walmart Receipt (US Debit 2282)	11/16/2019	379.99
22			
23			

24 The accounting period for the first accounting should be October 15, 2019,

25 through October 15, 2020. All three of the American Vision Windows

26 Invoices are dated and paid outside the accounting period. Two of the

27

28

1 American Vision Invoices, dated 11/24/2020 and 11/30/2020, are stamped
2 “Paid.” The “Paid” date on both Invoices is 12/10/2020.

3
4 The notations on the first two American Vision Invoices, dated 11/24/2020
5 and 11/30/2020, are for “Windows/Sliding Doors.” The first, dated
6 11/24/2020, totals \$740.00. The second, dated 11/30/2020, totals \$2,960.00.
7
8 The third American Vision Invoice, dated 03/03/2021, seems to represent a
9 summary of all charges and incorporates the earlier Invoices. The third
10 Invoice notes, “Windows/Sliding Doors” \$3,700.00, which is coincidentally
11 the exact sum of the first two Invoices for the identical item (11/24/2020
12 Invoice \$740.00, plus 11/30/2020 Invoice \$2,960.00, equals the 3/03/2021
13 Invoice \$3,700.00). The 03/03/2021 Invoice also adds the permit fee
14 (\$190.91) and the service charge for pulled fee (\$75.00).
15
16

17 ***Financial History***

18 A Financial Forensic Audit, filed March 13, 2020, revealed that Kimberly
19 Jones withdrew \$4,836.00 from Bank of American Account X6668 in August
20 2019 and placed the cash in a Safe Deposit Box. The Audit further revealed,
21 consistent with allegations by the Protected Person’s late husband that
22 Kimberly Jones was utilizing the Protected Person’s accounts. Kimberly
23 Jones withdrew \$2,652.82 from Bank of America x7492 in July 2019. At the
24 time of the Audit, Kimberly Jones provided an accounting of the \$2,652.82
25 withdrawn by her from Bank of America x7492 and indicated that she paid
26
27
28

1 for a Safety Deposit Box. *See* Financial Forensic Audit filed March 13, 2020
2 at page 6, 7, 10, and Exhibit E.

3
4 The Guardian's Inventory, filed before the March 2020 Forensic Audit,
5 does not reference a Safe Deposit Box or cash on hand. The three versions of
6 accountings, filed before and after the Forensic Audit, also fail to reference
7 cash held in a Safe Deposit Box. However, the records produced from Bank
8 of America note \$100 paid on August 5, 2020, toward a Safe Box rental. *See*
9 Production filed on 9/16/21 at Jones 000853.
10

11 ***Conclusions of Law***

12 ***Communication and Visitation***

13
14 A guardian may not restrict communication or visitation between a
15 protected person and the protected person's family. A protected person is
16 entitled to *unrestricted* contact with their family. If a guardian opposes a
17 request from a family member for communication and contact with the
18 Protected Person, the guardian bears the burden of proof.
19

20
21 Only a guardian may request a restriction of a family member's
22 communication and contact with the Protected Person. Here, Nevada
23 Guardianship statutes require that protected people be allowed
24 communication and visitation with their families. A guardian is specifically
25 prohibited from restricting communication and visits. *See* NRS 159.332.
26

27
28 Only under specific circumstances may a guardian seek to limit or restrict

1 contact through the court. The procedure and evidence necessary to restrict
2 contact is clearly detailed within the statute. *See* NRS 159.332.

3
4 The Protected Person’s Bill of Rights is codified in NRS 159.328.
5 However, the rights enumerated do not abrogate any remedies provided by
6 law. *See* NRS 159.328(2). A protected person is to be granted the greatest
7 degree of freedom possible, consistent with the reasons for guardianship, and
8 exercise control of all aspects of his or her life that are not delegated to a
9 guardian specifically by a court order. NRS 159.328(1)(i).

10
11 A protected person may receive telephone calls and have visitors, unless
12 her guardian and the court determine that particular correspondence, or a
13 particular visitor will cause harm to the protected person. NRS
14
15 159.328(1)(n).

16
17 Each protected person has a right to “[r]emain as independent as possible,
18 including, without limitation to have his or her preference honored regarding
19 his or her residence and standard of living, either as expressed or
20 demonstrated before a determination was made relating to capacity or as
21 currently expressed, if the preference is reasonable under the circumstances.”
22
23 NRS 159.328(h).

24
25 Each protected person has a “right to have a family member . . . raise any
26 issues of concern on behalf of the protected person during a court hearing,
27
28

1 either orally or in writing, including without limitation, issues relating to a
2 conflict with a guardian.”

3
4 Communication, visitation, and interaction between a protected person and
5 a relative is governed by NRS 159.331 through NRS 159.338. A guardian is
6 prohibited from restricting communication, visitation, or interaction between
7 a protected person and a relative. *See* NRS 159.332. NRS 159.332 provides
8 as follows:
9

10 1. A guardian shall not restrict the right of a protected person to
11 communicate, visit or interact with a relative or person of natural
12 affection, including, without limitation, by telephone, mail or
13 electronic communication, unless:

14 (a) The protected person expresses to the guardian and
15 at least one other independent witness who is not affiliated
16 with or related to the guardian or the protected person that the
17 protected person does not wish to communicate, visit or
18 interact with the relative or person of natural affection;

19 (b) There is currently an investigation of the relative or
20 person of natural affection by law enforcement or a court
21 proceeding concerning the alleged abuse of the protected
22 person and the guardian determines that it is in the best
23 interests of the protected person to restrict the
24 communication, visitation or interaction between the
25 protected person and the relative or person of natural
26 affection because of such an investigation or court
27 proceeding;

28 (c) The restriction on the communication, visitation or
interaction with the relative or person of natural affection is
authorized by a court order;

(d) Subject to the provisions of subsection 2, the
guardian determines that the protected person is being
physically, emotionally or mentally harmed by the relative or
person of natural affection; or

(e) Subject to the provisions of subsection 3, a
determination is made that, as a result of the findings in a plan

1 for the care or treatment of the protected person, visitation,
2 communication or interaction between the protected person
3 and the relative or person of natural affection is detrimental to
the health and well-being of the protected person.

4 2. Except as otherwise provided in this subsection, if a guardian
5 restricts communication, visitation or interaction between a
6 protected person and a relative or person of natural affection
7 pursuant to paragraph (d) of subsection 1, the guardian shall file a
8 petition pursuant to NRS 159.333 not later than 10 days after
9 restricting such communication, visitation or interaction. A guardian
10 is not required to file such a petition if the relative or person of
natural affection is the subject of an investigation or court
proceeding pursuant to paragraph (b) of subsection 1 or a pending
petition filed pursuant to NRS 159.333.

11 3. A guardian may consent to restricting the communication,
12 visitation or interaction between a protected person and a relative or
13 person of natural affection pursuant to paragraph (e) of subsection 1
14 if the guardian determines that such a restriction is in the best
15 interests of the protected person. If a guardian makes such a
16 determination, the guardian shall file a notice with the court that
17 specifies the restriction on communication, visitation or interaction
18 not later than 10 days after the guardian is informed of the findings
in the plan for the care or treatment of the protected person. The
guardian shall serve the notice on the protected person, the attorney
of the protected person and any person who is the subject of the
restriction on communication, visitation or interaction.

19 In any proceeding held pursuant to NRS 159.331 to 159.338, the guardian
20 has the burden of proof, if a guardian opposes a petition filed pursuant to
21 NRS 159.335.
22

23 Here, in response to a request for communication and visitation by the
24 Protected Person's two daughters, the Guardian and the Protected Person
25 propose a visitation schedule that would allow family members to visit and
26 call the Protected Person during a two-hour window one time per week.
27
28

1 However, the Protected Person is entitled to *unrestricted* communication
2 and visitation with her family. The Guardian and Protected Person have
3 failed to meet the statutory requirements that would allow the Court to
4 restrict communication with the Protected Person.
5

6 Robyn and Donna's Petition for Communication filed December 30, 2020,
7 and Petition for Visitation filed April 23, 2021, were both filed pursuant to
8 NRS 159.335 and requested that the Court grant a relative access to the
9 Protected Person and removal of the guardian. *See* Verified Petition for
10 Communication, Visits, and Vacation Time with Protected Person, filed
11 December 30, 2020, at page 20, paragraph 62.
12

13 Kimberly has the burden of proof, as she opposes Robyn and Donna's
14 petition for communication. *See* Kimberly's Opposition filed January 25,
15 2021; Kimberly's Pre-Trial Memorandum filed June 7, 2021.
16

17 No care plan has suggested that interaction between any family members
18 is detrimental to the health and well-being of the Protected Person. Kimberly
19 has not filed any petition with the Court advising that she has restricted
20 interaction. Only *a guardian* may file a petition for order restricting
21 communication, visitation, or interaction between a protected person and a
22 relative. *See* NRS 159.333 [emphasis added].
23

24 Here, the Guardian, Kimberly, did not file a petition for order restricting
25 communication. Instead, the Protected Person has filed a petition for
26
27
28

1 visitation order. This request by the protected person is a request for a court
2 order restricting. *See* Petition to Approve Kathleen June Jones' Visitation
3 Schedule filed May 5, 2021.
4

5 The request to restrict communication does not contain any Affidavit or
6 Declaration executed by the Protected Person. At the Evidentiary Hearing,
7 Counsel for Protected Person failed to present evidence or testimony through
8 an independent statement by an unrelated party. The argument by Counsel
9 for the Protected Person does not represent a statement by witness who is not
10 affiliated with the Protected Person.
11
12

13 If the Guardian believed that she was restricting interaction between
14 Protected Person and her relatives based upon the Protected Person's wishes,
15 the Guardian would be required to file a petition with the Court within ten
16 days of the restriction pursuant to NRS 159.332(2). No such petition was
17 filed by the Guardian.
18
19

20 ***Annual Accounting***

21 NRS 159.179 governs the contents of an annual accounting and requires a
22 guardian to retain receipts or vouchers for all expenditures. The statute also
23 provides a pathway to prove payment when a receipt or voucher is lost. NRS
24 159.179 provides as follows:
25

- 26 1. An account made and filed by a guardian of the estate or
27 special guardian who is authorized to manage the property of a
28

protected person must include, without limitation, the following information:

(a) The period covered by the account.

(b) The assets of the protected person at the beginning and end of the period covered by the account, including the beginning and ending balances of any accounts.

(c) All cash receipts and disbursements during the period covered by the account, including, without limitation, any disbursements for the support of the protected person or other expenses incurred by the estate during the period covered by the account.

(d) All claims filed and the action taken regarding the account.

(e) Any changes in the property of the protected person due to sales, exchanges, investments, acquisitions, gifts, mortgages or other transactions which have increased, decreased or altered the property holdings of the protected person as reported in the original inventory or the preceding account, including, without limitation, any income received during the period covered by the account.

(f) Any other information the guardian considers necessary to show the condition of the affairs of the protected person.

(g) Any other information required by the court.

2. All expenditures included in the account must be itemized.

3. If the account is for the estates of two or more protected persons, it must show the interest of each protected person in the receipts, disbursements and property. As used in this subsection, "protected person" includes a protected minor.

4. Receipts or vouchers for all expenditures must be retained by the guardian for examination by the court or an interested person. A guardian shall produce such receipts or vouchers upon the request of the court, the protected person to whom the receipt or voucher pertains, the attorney of such a protected person or any interested person. The guardian shall file such receipts or vouchers with the court only if the court orders the filing.

5. On the court's own motion or on ex parte application by an interested person which demonstrates good cause, the court may:

(a) Order production of the receipts or vouchers that support the account; and

(b) Examine or audit the receipts or vouchers that support the account.

1 6. If a receipt or voucher is lost or for good reason cannot be
2 produced on settlement of an account, payment may be proved by
3 the oath of at least one competent witness. The guardian must be
4 allowed expenditures if it is proven that:
5 (a) the receipt or voucher for any disbursement has been lost or
6 destroyed so that it is impossible to obtain a duplicate of the receipt
7 or voucher; and
8 (b) Expenses were paid in good faith and were valid charges against
9 the estate.

10 Here, the Guardian failed to itemize all expenditures. Further, the
11 Guardian failed to retain receipts and vouchers. If the receipts and vouchers
12 were lost, the Guardian failed to establish that it is impossible to obtain a
13 duplicate and that the expenses were paid in good faith and were valid
14 charges.

15 The Court details herein the failure of the Guardian to account for the
16 approximately \$22,000.00 expended in a home renovation. Further, the
17 Guardian fails to account for a significant amount of funds withdrawn.

18 ***Removal***

19 NRS 159.185 governs the conditionals for removal of a guardian and
20 provides as follows:
21

- 22 1. The court may remove a guardian if the court determines that:
23 (a) The guardian has become mentally incapacitated, unsuitable or
24 otherwise incapable of exercising the authority and performing the
25 duties of a guardian as provided by law;
26 (b) The guardian is no longer qualified to act as a guardian pursuant
27 to NRS 159.0613;
28 (c) The guardian has filed for bankruptcy within the previous 5
years;

1 (d) The guardian of the estate has mismanaged the estate of the
2 protected person;

3 (e) The guardian has negligently failed to perform any duty as
4 provided by law or by any order of the court and:

5 (1) The negligence resulted in injury to the protected person or
6 the estate of the protected person; or

7 (2) There was a substantial likelihood that the negligence
8 would result in injury to the protected person or the estate of the
9 protected person;

10 (f) The guardian has intentionally failed to perform any duty as
11 provided by law or by any lawful order of the court, regardless of
12 injury;

13 (g) The guardian has violated any right of the protected person that
14 is set forth in this chapter;

15 (h) The guardian has violated a court order or committed an abuse
16 of discretion in making a determination pursuant to paragraph (b) of
17 subsection 1 or subsection 3 of NRS 159.332;

18 (i) The guardian has violated any provision of NRS
19 159.331 to 159.338, inclusive, or a court order issued pursuant to NRS
20 159.333;

21 (j) The best interests of the protected person will be served by the
22 appointment of another person as guardian; or

23 (k) The guardian is a private professional guardian who is no
24 longer qualified as a private professional guardian pursuant to NRS
25 159.0595 or 159A.0595.

26 2. A guardian may not be removed if the sole reason for removal
27 is the lack of money to pay the compensation and expenses of the
28 guardian.

Here, Kimberly has negligently failed to assist the Protected Person to
have visitation and communication with her family. Kimberly through her
actions and inactions has created an environment in which the Protected
Person has been isolated from her family. Kimberly has made it difficult for
the family to have visitation and communication with the Protected Person.

1 In addition, Kimberly has failed to provide the required annual accounting.
2 Specifically, Kimberly failed to itemize all expenditures and retain receipts
3 and/or vouchers for expenses related to the guardianship estate, as required
4 by NRS 159.179.
5

6 ***Successor Guardian***
7

8 Pursuant to NRS 159.1871, the Court may appoint a successor guardian at
9 any time to serve immediately or when a designated event occurs. The
10 revocation of letters of guardianship by the court or any other court action to
11 suspend the authority of a guardian may be considered to be a designated
12 event for the purposes of NRS 159.1871 if the revocation or suspension of
13 authority is based on the guardian's noncompliance with his or her duties and
14 responsibilities as provided by law.
15
16

17 ***Guardian's Request for Caregiver and Guardians Fees***
18

19 Guardian, Kimberly Jones, requests caregiver fees and guardian fees.
20 Kimberly requests \$90,000 in past caregiver fees for the services she
21 rendered during the first eighteen months of the guardianship.
22

23 Kimberly also requests that the Court prospectively approve and allow
24 Kimberly to bill the Guardianship Estate for both caregiver fees and
25 guardianship fees in the future. Kimberly requests the Court approve
26 caregiver fees of \$21.00 per hour, ten hours per day, five days a week.
27
28

1 Kimberly requests the Court approve guardianship fees of \$100 per hour for
2 up to five hours each week.

3
4 NRS159.183 governs compensation of a guardian and allows
5 compensation, subject to the discretion and approval of the court, of expenses
6 incurred. Here, Kimberly requests compensation for work already completed
7 (\$90,000 in caregiving fees for the first eighteen months of the guardianship)
8 and compensation for work to be completed in the future (\$500 per week in
9

10 The petition is insufficient to establish, pursuant to NRS 159.183, that the
11 caregiver fees requested were reasonable and necessary in exercising the
12 authority and performing the duties of a guardian. Further, the petition is
13 insufficient to establish the type, duration, and complexity of the services
14 rendered. The petition makes general statements about the type of duties and
15 services that the Guardian has undertaken. Additionally, the petition is
16 insufficient to establish that future caregiver fees and guardianship fees can
17 be approved. The statute allows for the payment of expenses incurred. The
18 statute does not allow for anticipated or future expenses to be pre-approved.
19
20
21

22 ***Guardian's Request for Attorney's Fees***

23
24 Guardian, Kimberly Jones, requests the Court approve the payment of
25 attorney's fees and costs in the amount of \$101,558.24 from the
26 Guardianship Estate for fees and costs incurred from December 31, 2019,
27
28

1 through February 25, 2021. Kimberly's Counsel also submitted a *Brunzell*
2 Affidavit in support of the request for fees.

3
4 Kimberly failed to file a timely notice of intent to seek reimbursement of
5 attorney's fees pursuant to NRS 159.344. Kimberly filed a Notice of Intent
6 to seek reimbursement of attorney's fees on January 15, 2020, well after her
7 first appearance in this matter on October 2, 2019. The Protected Person
8 initially objected to the untimely notice. *See* Objection filed February 11,
9 2020.
10

11
12 On February 21, 2020, new attorneys for Kimberly, Marquis Aurbach
13 Coffing, filed a "Notice of Intent to Seek Payment of Attorneys' Fees and
14 Costs from Guardianship Case" on behalf of themselves, not on behalf of
15 Kimberly.
16

17 Nevertheless, the petition fails to address all of the fourteen factors, which
18 include *Brunzell* factors, the Court may consider in determining whether
19 attorney's fees are just, reasonable, and necessary in NRS 159.344(5).
20

21 Certainly, Counsel for Kimberly is well qualified, and the difficult work
22 performed required skill. However, the Court is very concerned about the
23 ability of the estate to pay, considering: the value of the estate; the nature,
24 extent, and liquidity of the assets of the estate; the disposable net income of
25 the estate; the anticipated future needs of the protected person; and other
26 foreseeable expenses. The value of the Guardianship Estate, based upon the
27
28

1 recent accounting and production of documents, is fuzzy. The Guardian's
2 lack of receipts and failure to itemize expenses, do not allow the Court to
3 reasonably rely upon the Guardian's representations relative to the value of
4 the estate. The income each month is minimal, and the largest asset is the
5 California residence. The estate is unable to cover the current needs of the
6 Protected Person. The Guardian requests approximately \$190,000.00 be
7 paid from the Estate to cover past expenses. The Estate will be unable to
8 provide for the future needs of the Protected Person given the enormity of
9 these expenses.
10
11
12

13 Further, the Court cannot say given the totality of litigation to this point
14 that Kimberly has conferred any actual benefit upon the Protected Person or
15 attempted to advance the best interest of the Protected Person pursuant to
16 NRS 159.344(5)(b). Kimberly has not made efforts to reduce and minimize
17 issues in this guardianship litigation. *See* NRS 159.344(5)(k). Further, the
18 Court cannot find that Kimberly has acted in good faith during her time
19 managing the Guardianship Estate.
20
21
22

23 Kimberly initially objected to the guardianship and then petitioned for
24 guardianship. She withheld medications and information from the
25 Temporary Guardians. She created an environment in which the Protected
26 Person was isolated from her family. She withdrew approximately
27 \$23,000.00 from the Estate without the required detailed explanation. She
28

1 failed, despite many opportunities, to provide a sufficient accounting. Many
2 statements by Kimberly are a combination of double-talk and feigned
3 confusion.
4

5 NRS 159.183(5) does not allow compensation or expenses incurred as a
6 result of petition to have a guardian removed, if the court removes the
7 guardian.
8

9 NRS 159.338 allows a court to impose sanctions and award attorney's fees
10 against a guardian, if the court finds a guardian has acted frivolously or in
11 bad faith in restricting communication between a protected person and a
12 family member.
13

14 ***Findings of Fact***
15

16 THE COURT HEREBY FINDS that in the instant case, the
17 statutory requirements relative to restriction of visitation and communication
18 were not met by the Guardian in restricting access to the Protected Person.
19

20 THE COURT FURTHER FINDS that the Protected Person failed to
21 establish the statutory requirements necessary in order to restrict visitation
22 and communication with her family members.
23

24 THE COURT FURTHER FINDS Kimberly had difficulty
25 answering questions and difficulty understanding questions related to
26 visitation and communication between the Protected Person and her family.
27 The Court finds that Kimberly's testimony was not credible.
28

1 THE COURT FURTHER FINDS that the Guardian through her
2 actions and inactions restricted the Protected Person's communication,
3 visitation, and access to her relatives contrary to the Protected Person's Bill
4 of Rights and NRS 159.331 to NRS 159.338.
5

6 THE COURT FURTHER FINDS that the Guardian, Kimberly
7 Jones, in violation of NRS 159.179: failed to itemize all expenditures in the
8 annual accounting; failed to retain receipts and/or vouchers related to
9 expenditures to support the annual accounting; and failed to retain receipts
10 relative to cash and disbursements.
11
12

13 THE COURT FURTHER FINDS that pursuant to NRS 159.185(i),
14 the conditions for removal of the Guardian have been met because the
15 Guardian has violated provisions of NRS 159.331 to 159.338, inclusive,
16 relative to communication and visitation.
17

18 THE COURT FURTHER FINDS that pursuant to NRS 159.185(e),
19 the conditions for removal of the Guardian have been met because the
20 Guardian has negligently failed to perform a duty as provided by law and
21 there is a substantial likelihood that the negligence would result in injury to
22 the Protected Person's estate, relative to failure to itemize expenditures,
23 retain cash and disbursement receipts, and retain receipts relating to
24 expenditures.
25
26
27
28

1 THE COURT FURTHER FINDS that pursuant to NRS 159.185(d),
2 the conditions for removal of the Guardian have been met because the
3 Guardian of the Estate has mismanaged the estate of the Protected Person.
4

5 THE COURT FURTHER FINDS that pursuant to NRS 159.185(j),
6 the conditions for removal of the Guardian have been met because the best
7 interest of the Protected Person will be served by the appointment of another
8 person as guardian.
9

10 THE COURT FURTHER FINDS that pursuant to NRS 159.1871, a
11 Successor Guardian shall be appointed. A designated event has occurred,
12 specifically, the revocation of Kimberly Jones' letters of guardianship,
13 herein.
14

15 THE COURT FURTHER FINDS that pursuant to NRS 159.199,
16 Kimberly Jones shall not be discharged as Guardian or relieved from liability
17 as she has not had an Accounting approved by this Court, and has not filed
18 receipts or vouchers showing compliance with the orders of the court in
19 winding up the affairs of the guardianship.
20

21 ***Orders***
22

23 IT IS HEREBY ORDERED that the Request for Our Family Wizard
24 or Talking Parents is DENIED.
25

26 IT IS FURTHER ORDERED that the request for Family Mediation
27 is DENIED.
28

1 IT IS FURTHER ORDERED that the request for communication
2 and visitation is GRANTED. Pursuant to the Protected Person's Bill of
3 Rights, the Protected Person shall have unrestricted access to all family
4 members. The Guardian shall support, assist, and facilitate communication
5 and visitation with family as necessary based upon the Protected Person's
6 unique abilities.
7

8
9 IT IS FURTHER ORDERED that the Protected Person's request to
10 limit all communication and visitation with family members to a two hour
11 window one day per week is DENIED.
12

13 IT IS FURTHER ORDERED the Guardian Kimberly Jones' request
14 for caregiver fees already incurred is DENIED.
15

16 IT IS FURTHER ORDERED that Guardian Kimberly Jones'
17 request for attorneys' fees and costs from the Guardianship Estate is
18 DENIED.
19

20 IT IS FURTHER ORDERED that Guardian Kimberly Jones'
21 request for pre-approval to bill caregiver and guardianship fees from the
22 Guardianship Estate in the future is DENIED.
23

24 IT IS FURTHER ORDERED that the request to remove Kimberly
25 Jones as guardian of the person and estate is GRANTED.
26
27
28

1 IT IS FURTHER ORDERED that pursuant to NRS 159.185,
2 Kimberly Jones SHALL be removed as Guardian over the Person and Estate
3 of Protected Person, Kathleen Jones.
4

5 IT IS FURTHER ORDERED that the Letters of Guardianship
6 issued to Kimberly Jones are hereby REVOKED.
7

8 IT IS FURTHER ORDERED that pursuant to NRS 159.1871,
9 Robyn Friedman SHALL be appointed as Successor Guardian of the Person
10 and Estate of Kathleen Jones. An Order Appointing Successor Guardian
11 shall issue, along with Letters of Guardianship.
12

13 IT IS FURTHER ORDERED that Successor Guardian, Robyn
14 Friedman, SHALL file an Inventory of the Estate with sixty (60) days of the
15 Order Appointing Guardian.
16

17 IT IS FURTHER ORDERED that the Successor Guardian, Robyn
18 Friedman, file a proposed care plan within ninety (90) days of the Order
19 Appointing Guardian, after review of medical records, medical evaluation,
20 and consultation with medical professionals.
21

22 IT IS FURTHER ORDERED that the Successor Guardian, Robyn
23 Friedman, file a proposed budget within ninety (90) days of the Order
24 Appointing Guardian, considering the Inventory and the proposed Care Plan.
25
26
27
28

1 IT IS FURTHER ORDERED that the Successor Guardian, Robyn
2 Friedman, shall not move the Protected Person's temporary residence without
3 permission from the Court.
4

5 IT IS FURTHER ORDERED that a forensic financial investigation
6 shall be ordered relative to the management of the Guardianship Estate by
7 former Guardian Kimberly Jones to include the personal finances of former
8 Guardian Kimberly Jones. An Order Appointing Investigator shall issue and
9 a return for Investigator's Report scheduled on the Court's Chambers
10 Calendar set for March 2, 2022, at 5:00 AM.
11

12 IT IS SO ORDERED.
13

14 Dated this 6th day of December, 2021

15 
16

17 0B8 D29 E25A C6A5
18 Linda Marquis
19 District Court Judge
20
21
22
23
24
25
26
27
28

1 **CSERV**

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5
6 In the Matter of the Guardianship CASE NO: G-19-052263-A
7 of:
8 Kathleen Jones, Protected
9 Person(s)

DEPT. NO. Department B

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

12 This automated certificate of service was generated by the Eighth Judicial District
13 Court. The foregoing Findings of Fact, Conclusions of Law and Judgment was served via the
14 court's electronic eFile system to all recipients registered for e-Service on the above entitled
15 case as listed below:

16 Service Date: 12/6/2021

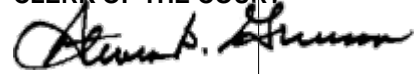
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11	Scott Simmons	scott@technocoatings.com
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14	Kellie Piet	kpiet@maclaw.com

15 If indicated below, a copy of the above mentioned filings were also served by mail
16 via United States Postal Service, postage prepaid, to the parties listed below at their last
17 known addresses on 12/7/2021

18	Elizabeth Brickfield	Dawson & Lordahl PLLC
19		Attn: Elizabeth Brickfield, Esq
20		9130 West Post Road, Suite 200
21		Las Vegas, NV, 89148



1 **NEOJ**

2 Maria L. Parra-Sandoval, Esq.

3 Nevada Bar No. 13736

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5 **LEGAL AID CENTER OF**
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7 725 E. Charleston Blvd

8 Las Vegas, NV 89104

9 Telephone: (702) 386-1526

10 Facsimile: (702) 386-1526

11 *Attorney for Kathleen J. Jones, Protected Person*

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

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

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

19 **KATHLEEN J. JONES,**

20 **An Adult Protected Person.**

21 **NOTICE OF ENTRY OF ORDER**

22 YOU AND EACH OF YOU WILL PLEASE TAKE NOTICE that the attached
23 **FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ORDER REGARDING**
24 **VISITATION, FIRST ANNUAL ACCOUNTING, GUARDIAN'S FEES, CARETAKING**
25 **FEES, ATTORNEY'S FEES AND COSTS, AND REMOVAL OF THE GUARDIAN** in
26 the above captioned matter was entered on the 6th day of December 2021.

27 DATED this 13th day of December, 2021.

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

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

Maria L. Parra-Sandoval, Esq.

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Attorney for Kathleen J. Jones, Protected Person

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 13th day of December, 2021, I deposited in the United States Mail at Las Vegas, Nevada, a copy of the foregoing document entitled **NOTICE OF ENTRY OF ORDER** in a sealed envelope, mailed regular U.S. mail, upon which first class postage was fully prepaid, addressed to the following:

Teri Butler
586 N Magdalena St.
Dewey, AZ 86327

Jen Adamo
14 Edgewater Dr.
Magnolia, DE 19962

Scott Simmons
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Jon Criss
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112 Malvern Avenue, Apt. E
Fullerton, CA 92832

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

Ampersand Man
2824 High Sail Court
Las Vegas, NV 89117

Courtney Simmons
765 Kimbark Avenue
San Bernardino, CA 92407

AND I FURTHER CERTIFY that on the same date I electronically served the same document to the following via ODYSSEY, the Court's electronic filing system, pursuant to NEFCR 9:

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1 *Court-Appointed Guardian Ad Litem*

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4 Cameron Simmons

5 Cameronnscott@yahoo.com

6 Kate McCloskey

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8 Sonja Jones

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12 All other recipients registered for e-Service on the above entitled case

13
14 /s/ Rosie Najera

15 Employee of Legal Aid Center of Southern Nevada

FFCL

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

In the Matter of the Guardianship of the) Case No.: G-19-052263-A
Person and Estate:) Dept. No.: B
)
Kathleen Jones,)
)
Protected Person(s).)
_____)

**FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ORDER
REGARDING VISITATION, FIRST ANNUAL ACCOUNTING,
GUARDIAN'S FEES, CARETAKING FEES, ATTORNEY'S FEES
AND COSTS, AND REMOVAL OF THE GUARDIAN**

The above-entitled matter having come before this Honorable Court June 8, 2021, and August 12, 2021, Maria Parra-Sandoval, Esq., appearing for Protected Person, James Beckstrom, Esq., appearing on behalf of Guardian Kimberly Jones, Kimberly Jones appearing, John Michaelson, Esq., appearing on behalf of interested parties Robyn Friedman and Donna Simmons, Robyn Friedman and Donna Simmons appearing, Elizabeth Brickfield, Esq., appearing as Court appointed Guardian Ad Litem, for an Evidentiary Hearing, relative to visitation and communication with the Protected Person and the First Annual Accounting, the Court hereby makes the following Findings of Fact and Conclusions of Law and Orders:

1 ***Relevant Procedural History***

2 In September 2019, two of the daughters of the Protected Person, Robyn
3 Friedman and Donna Simmons, petitioned the District Court for guardianship
4 of their mother alleging, in part, that the Proposed Protected Person's Power
5 of Attorney, Kimberly Jones, was unwilling or unable to address serious
6 issues effecting the health and welfare of the Proposed Protected Person.
7 The Proposed Protected Person's Power of Attorney, Kimberly Jones, is the
8 daughter of the Proposed Protected Person and sister to both Robyn and
9 Donna.
10 Donna.

11 Initially, Kimberly objected to the need for a guardian for her Mother.
12 Later, Kimberly opposed Robyn and Donna's petition and filed her own
13 petition for guardianship. Jerry, the husband of the Proposed Protected
14 Person, objected and filed a counter petition for guardianship. The three
15 competing petitions alleged: elder abuse; financial misconduct; exploitation;
16 isolation; kidnapping; and many other things. See Robyn and Donna's
17 Petition Guardianship, filed September 19, 2019; Kimberly's Opposition and
18 Counter-Petition, filed October 2, 2019; Jerry's Opposition and Counter-
19 Petition, filed October 2, 2019.

20 Ultimately, Robyn and Donna withdrew their Petition and supported
21 Kimberly. Kimberly was appointed guardian of the person and estate of her
22 Mother on October 15, 2020.

1 After the appointment of Kimberly, the guardianship proceedings and
2 related civil proceedings remained actively contentious. Allegations of
3 isolation of the Protected Person from her family by the Guardian persisted,
4 simmering under the surface, while more immediate and complex litigation
5 concerns were addressed.
6

7
8 In December 2020, Robyn and Donna filed a Petition for Communication,
9 Visits, and Vacation Time with the Protected Person. The Petition requested
10 that Kimberly assist the Protected Person to “[r]eceive telephone calls and
11 personal mail and have visitors . . .” consistent with the Protected Person’s
12 Bill of Rights. *See* NRS 159.328(1)(n). Robyn and Donna did not seek “to
13 compel Ms. Jones to visit with them. Rather, they seek a routine or series of
14 windows of opportunity so that all sides can plan to be available to
15 accomplish the visits.” *See* Petition for Communication at page 3.
16

17
18 In their Petition for Communication, Robyn and Donna alleged that the
19 Protected Person needs assistance to receive telephone calls and have visitors
20 because: she cannot operate her telephone without assistance; has severe
21 memory impairment; and is often disoriented as to time. Robyn and Donna
22 further allege many specific instances in which their sister and Guardian,
23 Kimberly, failed to facilitate telephone calls and visitors for the Protected
24 Person.
25
26
27
28

1 The Protected Person, through counsel, vehemently objected to the request
2 for communication. The Protected Person “is clear that she does not want the
3 imposition of anything that looks like a visitation schedule, nor does she
4 want her guardian to be bound by a communication protocol to arrange calls
5 or visitation when June is easily accessible.” *See* Objection filed January 25,
6 2021.
7

8
9 The Guardian, Kimberly, also objected to the Petition for Communication,
10 alleging that she has not restricted communication or visits, presenting her
11 own allegations of specific instances in which she has facilitated
12 communication and visitation. The Guardian further argued that a schedule
13 would be too burdensome for the Guardian because she is busy caring for the
14 Protected Person whose mental and physical health is declining.
15

16
17 The Court appointed a Guardian Ad Litem, Elizabeth Brickfield, Esq.,
18 pursuant to NRS 159.0455, and Nevada Statewide Guardianship Rule 8. *See*
19 Order Appointing Guardian Ad Litem filed February 12, 2021. Ms.
20 Brickfield submitted her Report and Recommendations March 29, 2021.
21

22 While these issues of communication and access to the Protected Person
23 remained pending, issues regarding potential settlement of an associated civil
24 litigation, requiring the Protected Person to promptly vacate her long-time
25 residence, were presented, and mandated immediate attention and multiple
26 hearings. Because the permanent and temporary location of the Protected
27
28

1 Person (California or Nevada) directly impacted issues of communication
2 and visitation, the Court continued the Request for Communication pending
3 the determination of the Protected Person's relocation.
4

5 On April 23, 2021, Robyn filed a Petition for Visitation with the Protected
6 Person relative to Mother's Day 2021.
7

8 On May 5, 2021, the Protected Person dramatically reversed course.
9 Protected Person's Counsel initially objected to the request for
10 communication and visitation by Robyn and Donna. However, Protected
11 Person's Counsel now proposed a restriction for phone calls and in-person
12 visits between the Protected Person and family members. The Protected
13 Person requested limiting all family visits and communications to a two hour
14 window each Friday. Counsel for Protected Person filed a Petition to
15 Approve Proposed Visitation Schedule. In the Petition, the Protected Person
16 argued, "[d]espite her own desired wished and stated preferences, [Protected
17 Person] feels she has been forced by all parties, including the court-appointed
18 Guardian Ad Litem, to concede on the issue of visitation." See Petition at
19 page 3. While maintaining she was still opposed to a Court ordered schedule,
20 the Protected Person proposed the Court order a specific schedule.
21
22
23
24

25 In a Minute Order, the Court vacated the Hearing on the Petition for
26 Visitation (Mother's Day) and the Hearing on the Petition to Approve
27 Protected Person's Proposed Visitation Schedule. The Court ordered all
28

1 pending visitation matters set for Evidentiary Hearing. The Court further
2 ordered that the Parties submit: proposed witness lists; proposed exhibit lists;
3 and briefs by a certain date and time. Importantly, the Court directed that the
4 supplemental legal briefs further examine the issues contained in NRS
5 159.332 through NRS 159.334 (visitation and communication); NRS 159.335
6 through NRS 159.337 (removal of a guardian); and NRS 159.328 (Protected
7 Persons' Bill of Rights). *See* Minute Order filed May 12, 2021.¹

8
9
10 Later the same day, Protected Person filed a Motion for Stay in the District
11 Court, referencing the already pending Nevada Supreme Court case. Exhibits
12 supporting the Motion for Stay and a Notice of Hearing were filed the next
13 day, June 3, 2021. The hearing on the Motion to Stay was scheduled by the
14 Clerk's Office for July 8, 2021. On June 7, 2021, the Court denied the
15 Protected Person's request for stay pending her petition for extraordinary
16 relief and the Evidentiary Hearing went forward.

17
18
19
20 ***Statement of Facts***

21 The Protected Person was not present at the Evidentiary Hearing.

22 Mr. Michaelson, on behalf of Robyn and Donna, called the Protected
23 Person as the first witness. Both Counsel for the Protected Person and
24

25
26

¹ Both the Protected Person and the Guardian failed to comply with the Court's Order.
27 Guardian and Protected Person did not submit legal briefs, proposed exhibits, or proposed
28 witness lists in a timely manner.

1 Counsel for the Guardian objected to the Protected Person being subject to
2 any questions by Counsel and/or the Court. The objection was based upon:
3
4 (1) Protected Person's representations to her attorney that she did not want to
5 participate in the proceeding; and (2) that based on Protected Person's
6 Counsel's observations of the Protected Person, the Protected Person's
7 participation in the proceeding would cause emotional distress.
8

9 The Court declined to ORDER the Protected Person to testify or
10 participate in the proceedings, despite Mr. Michaelson's objection. Mr.
11 Michaelson anticipated that the Protected Person would testify as to her
12 desires for visitation with family members and her personal ability and
13 familiarity with the telephone. See Pre Trial Memorandum filed June 1,
14 2021, at page 10.
15
16

17 Many family members testified that they would like to visit with the
18 Protected Person and/or have communication with the Protected Person.
19 However, the family members did not feel comfortable being around the
20 Guardian or the Guardian's boyfriend for various reasons.
21
22

23 The Protected Person cannot operate a telephone. She cannot answer or
24 place telephone calls. Guardian Kimberly Jones testified that she makes all
25 appointments for the Protected Person. Guardian Kimberly Jones testified
26 that she placed or received all telephone calls on behalf of the Protected
27 Person.
28

1 ***Scott Simmons***

2 Scott Simmons, son of the Protected Person, testified. He last saw his
3
4 Mother on the Saturday before Mother's Day 2021. Prior to that Mother's
5 Day visit, he had not seen his Mother for fifteen to seventeen (15-17) months
6 because he does not want to see or interact with Kimberly, the Guardian,
7
8 and/or Kimberly's boyfriend, Dean. Scott has not tried to call the Protected
9 Person or respond to Kimberly's communication because he does not want to
10 interact with Kimberly or Kimberly's boyfriend, Dean. Approximately 15-
11
12 17 months ago, Kimberly indicated to Scott that she planned to bring
13 Protected Person to his home. Instead, Kimberly brought Dean to the
14 meeting. During the meeting, Scott believes Dean threatened him, saying
15 "things are going to come down hard and come down on you."
16

17 Scott does not have the land line telephone number for his Mother's
18 current residence. Mr. Simmons further testified that he works on Fridays.
19

20 Scott testified that his Mother was unable to verbally answer to questions
21 during his recent visit. Instead, his Mother simply nodded and shook her
22 head in the affirmative or negative. The only thing she verbalized during that
23 visit was that she wanted to take a nap. He assisted her and helped her move
24 to take a nap.
25

26 In his experience, the Protected Person's proposed visitation schedule is
27 inconsistent with her previous attitude toward visitation and communication
28

1 with her family. Scott indicated her door was always open and she was
2 always happy to visit with her entire family.

3
4 Scott indicates that he would like to visit with his Mother at another
5 neutral location, like at his sister's house.

6 Scott was evicted from the Anaheim rental owned by Protected Person.
7
8 Scott paid \$1,200.00 per month for approximately 18 years. The Guardian
9 increased the rent by \$800.00 per month. The home is approximately 60
10 years old.

11
12 ***Cameron Simmons***

13 Cameron Simmons is the son of Scott Simmons and the grandson of the
14 Protected Person. He has a background in IT.

15
16 At the Mother's Day visit, the Protected Person was not talkative. By her
17 face and smile, Mr. Simmons could see she was happy. He showed her
18 pictures and gave her information about new happenings in the family. The
19 Protected Person nodded and smiled. She did verbally ask him to help her
20 lay down to take a nap. Grandmother nodded her head affirming, upon his
21 question if she wanted him to come visit.

22
23
24 Jerry and the Protected Person had a joint cell phone. Cameron and the
25 Protected Person would call and text each other. The last time he FaceTime
26 her, Cameron thought he was at Rodney's wedding, and he thinks the
27 Protected Person used Donna's cell phone.
28

1 Cameron testified that the visitation schedule is inconsistent with her
2 historic desire toward visitation and communication with her family.

3
4 Cameron testified that his Grandmother is unable to effectively communicate
5 via telephone. He does not have Kimberly's cellular number because
6 Kimberly had no assigned cellular phone number. The last he knew,
7
8 Kimberly had three phones dependent upon Wi-Fi. However, he
9 acknowledged that he could have obtained the telephone numbers.

10 Cameron testified he will not go to the Anaheim house because of
11
12 Kimberly's boyfriend, Dean. He is afraid to be around Dean because of his
13 history, an incident with Kimberly, and information and statements provided
14 from the neighbors.

15
16 In an incident, Kimberly requested that Cameron wipe all data from her
17 laptop and make sure there is no tracking devices or location sharing
18 applications on her two cellular telephones or laptop in order to ensure that
19
20 Dean was unable to access information relative to her location. Cameron
21 indicated that the request was a red flag. He does not believe Kimberly feels
22 safe with Dean. He remains concerned for Kimberly's safety.

23
24 Cameron testified that, based upon the Protected Person's mobility, a
25 landline will not assist in communication. Cameron testified that he sent her
26 a Christmas present.
27
28

1 Cameron further testified that he did not receive a text from Kimberly nor
2 his Grandmother at Christmas time.

3
4 ***Samantha Simmons***

5 Samantha Simmons, Granddaughter of the Protected Person and daughter
6 of Donna Simmons, testified. On her 21st birthday, Samantha came to Las
7 Vegas to visit and celebrate with the Protected Person. The night before
8 Samantha visited, she was advised by Kimberly that the Protected Person
9 would be unavailable and was vacationing in Arizona.
10

11
12 Kimberly later reached out to Samantha relative to a visit. Kimberly made
13 a reservation at the restaurant. Kimberly brought Protected Person to
14 Donna's house for a boat ride about eight months ago. Samantha does not
15 have great relationship with Kimberly. She has not reached out to Kimberly
16 relative to visits or communication. Samantha saw her Grandmother in
17 January 2021 and Mother's Day 2021.
18

19
20 ***Donna Simmons***

21 Donna Simmons is the daughter of the Protected Person. Donna worked
22 as a caregiver for many years for two individuals. Donna testified that her
23 Mother, the Protected Person, is hard of hearing and takes a "long time" to
24 process things. Consequently, the Protected Person responds to a lot of
25 conversations with a head nod in the affirmative.
26
27
28

1 Donna testified that the Protected Person cannot operate a cellular phone
2 and cannot answer phone calls. All telephone calls with the Protected Person
3 are made through Kimberly.
4

5 In the last year, Donna has called her Mother at least fifty times. The
6 Protected Person does not answer but sometimes calls back, only with the
7 assistance of Kimberly. Donna receives texts from Kimberly indicating that
8 the Protected Person is trying to call her. Kimberly helps the Protected
9 Person use the cellular telephone. Usually, the speaker is on and Donna can
10 hear Kimberly in the background. Kimberly talks for her Mother and/or
11 interjects in the conversation, denying the opportunity for one-on-one
12 communication between Donna and her mother. Donna testified that she
13 prefers one-on-one communication with her Mother.
14
15
16

17 Approximately six months ago, Donna spoke with her Mother via
18 FaceTime. When Donna speaks to her Mother on the telephone, her Mother
19 is in a rush to get off the phone because she has hearing issues. Donna wishes
20 she could have private conversations with her Mother.
21
22

23 Donna testified that her Mother does not know what day of the week,
24 month of the year, or time of the day it is. The Protected Person cannot
25 schedule or plan a visit. She does not remember plans, nor does she know
26 how to cancel plans.
27
28

1 Donna testified that when she speaks with her Mother, her Mother is
2 unable to discern when she last saw her. Donna testified she thinks her
3 Mother likes her, but is unable to remember that she is supposed to call.
4

5 Donna testified that Kimberly is not trustworthy.

6 Donna testified that, instead of permitting phone calls with the Protected
7 Person, Kimberly tries to force Donna into communicating with the Protected
8 Person via text messages in order to show the Judge. Donna prefers to
9 communicate with her own mother via telephone.
10
11

12 Most of the time that Donna has seen her Mother, Kimberly asks Donna to
13 watch her Mother. Most of the time, Kimberly contacts Donna last minute
14 for the same.
15

16 In one instance, just before a hearing in September 2020, Kimberly called
17 Donna at the last minute with no advance notice and indicated to Donna that
18 she was in California. Donna dropped everything and met Kimberly on the
19 side of the road so that she could see her Mother. As they met, Donna and
20 Kimberly discussed where to go and eat. There were several fast foods
21 restaurants nearby. Donna asked her Mother which one she wanted to eat at.
22
23 Kimberly told Donna that the Protected Person is unable to make decisions,
24 and that Donna needed to “just tell her where you were going.”
25
26
27
28

1 Relative to the Report of the Guardian Ad Litem, Donna believes the
2 Report is an accurate description of her Mother's wishes. The Protected
3 person has never said that she does not want to see Donna.
4

5 Previously, Jerry, the Protected Person's late husband, facilitated
6 telephone calls from his telephone to ensure that the Protected Person was
7 speaking with her family. Donna desires that Kimberly facilitate
8 communication as was previously done.
9

10 Donna would further like to drive the Protected Person to the beach, visit
11 people, visit in the area, and get her nails done, all in the best interest and
12 happiness of the Protected Person.
13

14 Donna does not feel safe visiting with her Mother at the house if Dean,
15 Kimberly's boyfriend, is living at the house or is at the house. Donna
16 describes a suspicious instance involving keys that were missing from her
17 purse. Donna does not want to be around Dean and his associates. Donna is
18 worried that someone will come after her.
19

20 Donna is unable to accommodate the family visits at her residence on
21 Fridays because Donna works on Friday. Donna believed things would be
22 easier once the Protected Person moved to Anaheim, California. However,
23 communication and visitation remain difficult.
24

25 Donna does not believe that the Protected Person's proposed schedule was
26 created or drafted by her Mother.
27
28

1 The Protected Person has hearing aids, however, she will not wear them
2 because she hears background noises. Donna has talked to Kimberly about
3 assisting Protected Person with the hearing aids.
4

5 Donna indicated that she never asked Kimberly to leave the room so that
6 Donna and her Mother could have a private conversation. Donna testified
7 that Kimberly has never said “no, you cannot see her.” However, Donna
8 indicates that Kimberly has made it hard or impossible to see or
9 communicate with the Protected Person.
10
11

12 Kimberly only offers an opportunity to see her Mother before a Court
13 hearing. Donna testified that she would like to stop by her Mother’s house at
14 any time.
15

16 ***Robyn Friedman***

17 Robyn Friedman, daughter of the Protected Person, similarly testified that
18 her telephone calls with the Protected Person are limited by Kimberly.
19

20 For a period during the guardianship, Robyn and Kimberly reached an
21 agreement or understanding allowing Robyn to visit with her Mother every
22 Wednesday and every other Saturday, have FaceTime communication one
23 time per week, twice weekly telephone communication, and scheduled
24 vacations. The agreement lasted only a short period of time and resulted in
25 significant attorney’s fees.
26
27
28

1 At one scheduled visit in June 2020, Kimberly brought out a wheelchair.
2 Robyn indicated that she did not need the wheelchair during the visit as she
3 planned to take her Mother on a scenic drive.
4

5 Robyn took her Mother on a scenic drive to Mt. Charleston and returned
6 approximately two hours later. Upon their return to the Protected Person's
7 home, there was no answer at the door. Robyn took her Mother, the
8 Protected Person, and her four year old son to a neighbor's home so that they
9 both could utilize the restroom.
10
11

12 Robyn used her Mother's phone to call Kimberly. Kimberly indicated that
13 she could be there in thirty minutes, or she could pick her up at Robyn's
14 house.
15

16 Kimberly texted Robyn that the key to the front door was in the
17 wheelchair. However, Kimberly had not advised Robyn that the keys were in
18 the wheelchair when Robyn picked up her Mother.
19

20 Robyn believes that Kimberly's intentional failure to assist and support the
21 Protected Person in facilitating communication and visitation is hurting the
22 Protected Person. The Protected Person is unable to make and execute plans,
23 which is stressful to the Protected Person. Robyn believes that it is especially
24 cruel of Kimberly to require the Protected Person to manage her own
25 schedule and execute plans without the assistance of Kimberly.
26
27
28

1 Robyn testified about the trouble she encountered with Kimberly when
2 wanting to bring her four-year-old son over to the Protected Person's home,
3 so that the Protected Person could see him in his Halloween costume.
4

5 Robyn testified about the difficulty in getting Kimberly to confirm a flower
6 delivery for the Protected Person.
7

8 Robyn testified about problems associated with spending time with her
9 Mother around the Christmas season to exchange gifts. The first floor of
10 Robyn's home was inaccessible because the flooring was being redone. The
11 Protected Person could not easily access the second floor via a spiral
12 staircase. Robyn wanted to visit alone with her Mother for an hour.
13 Kimberly would not leave her home so that Robyn could spend time alone
14 with her Mother. Instead, Kimberly drove her Mother forty-five minutes to
15 Robyn's residence. Robyn visited with her Mother inside Robyn's car, in
16 front of her house, and exchanged gifts. Robyn pretended everything was ok
17 so that her Mother would not be upset.
18
19
20

21 Robyn testified about the events surrounding Easter 2021. Robyn had an
22 Easter Basket delivered to the Protected Person's home and was advised that
23 the residence was empty and vacant. Robyn knew the Protected Person's
24 housing situation was unstable and she would likely move to California.
25 However, Robyn did not know where her Mother was at that time.
26
27
28

1 Robyn testified that 48 hours before the Protected Person's birthday,
2 Kimberly advised that she and the Protected Person *might* be going to
3 Arizona the next day. Robyn believed the trip to Arizona was an effort by
4 Kimberly to avoid visitation between the Protected Person and Robyn.
5

6 Robyn has contacted Kimberly very few times in the last few months.
7
8 Robyn has not attempted to see her Mother in Anaheim based on Kimberly's
9 actions. Kimberly's actions and inactions have resulted in a restriction of
10 visitation, communication, or interaction between the family and the
11 Protected Person.
12

13 ***Kimberly Jones, Guardian***

14 Kimberly testified that she cares for her Mother, the Protected Person,
15 twenty-four hours per day. She lives with the Protected Person, in the
16 Protected Person's home. Kimberly cooks, manages medication, schedules
17 all appointments, and must assist the Protected Person in answering incoming
18 telephone calls and placing outgoing telephone calls.
19
20

21 Kimberly testified that she believes her Mother, the Protected Person,
22 wants to communicate and visit with all of her family members.
23

24 Kimberly testified that she never refused a request for visitation with her
25 Mother. Kimberly acknowledged that she refuses to leave the Protected
26 Person's residence so that family may have private visits with the Protected
27 Person.
28

1 Kimberly testified that her boyfriend, Dean, is at the Protected Person's
2 home quite often, but Dean does not live at the home. Dean stays overnight
3 sometimes.
4

5 Kimberly testified that she has never not allowed her Mother to answer the
6 telephone. Yet, concedes her Mother requires assistance to operate the
7 telephone.
8

9 Kimberly does not want a visitation schedule imposed.

10 ***Guardian Ad Litem***
11

12 The Court appointed a Guardian Ad Litem pursuant to Nevada
13 Guardianship Rule 8. The Court appointed attorney Elizabeth Brickfield
14 who has practiced in the area of probate, trust, and guardianship for over
15 twenty-five years. In her March 29, 2021, Report, Guardian Ad Litem
16 Brickfield stated that: it is in the best interest of the Protected Person for the
17 Protected Person to visit and communicate with her children and
18 grandchildren; Guardian Kimberly Jones has not encouraged or facilitated
19 visits and communications between the Protected Person and her family; and
20 that Guardian Kimberly Jones is unlikely to encourage and facilitate visits
21 without supervision by the Court.
22
23
24

25 Specifically, Guardian Ad Litem Brickfield indicates, given the Protected
26 Person's unique abilities and need for assistance, the Guardian should be
27
28

1 facilitating and encouraging the mutual desire of parent and child to visit and
2 communicate with each other on a regular basis.

3
4 ***Annual Accounting***

5 The Annual Accounting in this matter was due within sixty (60) days of
6 the anniversary date and must include those items mandated by statute. *See*
7
8 NRS 159.176; NRS 159.177; NRS 159.179.

9 Here, the first accounting was filed by the Guardian Kimberly Jones on
10 December 21, 2020. The relevant accounting period is October 15, 2019,
11 through October 15, 2020.

13 The Eighth Judicial District Court Guardianship Compliance Division's
14 reviewed the First Annual Accounting and filed an Accounting Review on
15 January 8, 2021. The Accounting Review noted the following issues: time
16 missing between prior accounting; account summary is not consistent with
17 information on supporting worksheets; ending balance does not equal the
18 assets listed; starting balance is inconsistent with past filings; ending balance
19 is inconsistent with transactions; starting balance does not match various
20 inventories filed; assets do not match recap; income is not itemized and in
21 depth analysis is not available; expenditures are not itemized; expenses not
22 itemized and in depth analysis is not available.

26 On June 3, 2021, Guardian Kimberly Jones filed an Amended First
27 Accounting, and an Accounting Review was filed on June 7, 2021. The
28

1 Accounting Review indicated the following issues: contains mathematical
2 errors; is not consistent with information in supporting worksheets; assets do
3 not total the amount listed in Account Summary Starting or Ending Balances;
4 the starting balance is inconsistent with past filings; the ending balance is
5 inconsistent with transactions; income is not itemized and in depth analysis
6 of income is not available; expenditures not itemized; expenses not itemized
7 and in depth analysis of the appropriateness of the expenses is not available.
8

9
10 On June 16, 2021, the Guardian Kimberly Jones filed a Notice of Hearing,
11 six months after the first accounting was filed, and set the Accounting
12 Hearing for July 15, 2021. The Accounting Hearing was continued, pursuant
13 to stipulation.
14

15
16 On July 15, 2021, Robyn Friedman and Donna Simmons filed an objection
17 to the Guardian's Accounting and First Amended Accounting.
18

19 On August 9, 2021, the Guardian filed a Second Amendment to the First
20 Accounting, just days prior to Accounting Hearing scheduled for August 12,
21 2021.
22

23 The Guardian's Second Amendment to the First Accounting purports to
24 correct and recalculate based upon CPA's omission of credit card
25 transactions and replaces all prior versions of first annual accounting. *See*
26 Guardian's Second Amendment, filed August 9, 2021, at footnote 1.
27
28

1 After the August 9, 2021, Accounting Hearing, the Court ordered the
2 Guardian Kimberly Jones to produce all receipts or vouchers that support the
3 accounting pursuant to NRS 159.179(5) on or before September 14, 2021.
4
5 See Order to Produce filed August 31, 2021.

6 On September 16, 2021, Guardian Kimberly Jones filed Receipts and/or
7
8 Vouchers in Support of the First Accounting. The documents provided in
9 support of the First Accounting include the following: (1) statements from
10 Bank of American XX7492, approximately August 2019 through October
11 2020; (2) statements from Citibank Credit Card XX1157, approximately
12 September 2019 through November 2020; and (3) statements from Bank of
13 American XX8243, approximately August 2020 through November 2020.
14
15

16 Despite the title of Guardian Kimberly Jones' pleading, the documents
17 filed do not include any receipts. Instead, the documents are bank statements
18 and credit card statements.
19

20 The Bank of America records indicate that there was a withdrawal on
21 September 11, 2020, of \$15,215.15. See Production at Jones 000857. The
22 withdrawal was made just days after the proceeds from the refinance were
23 deposited into the Bank of America account. The Accounting contains no
24 information or itemization relative to this large withdrawal.
25

26 After the Guardian's production of "receipts and/or vouchers" pursuant to
27 NRS 159.179, an Accounting Review was again conducted at the direction of
28

1 the Court. *See* Accounting Review filed November 16, 2021. The
2 Accounting Review identified the following issues relative to Worksheet A:

3
4 The starting balance is inconsistent with past filings;
5 The ending balance is inconsistent with the transactions; and
6 The starting balance used for the 8/9/2021 Supplement does not reflect the
7 actual balances of the listed assets. The bank accounts listed in the
8 9/16/2021 Support total \$2,549.34 as of the accounting starting date. The
9 8/9/2021 Supplements lists \$98.00 as the accounting starting balance. The
10 real and personal property total either \$478,247.89 or \$485,247.89. The
11 actual total is unknown because the personal property is listed as \$21,000
12 when in fact the itemized values total only \$14,000. This value was not
13 adjusted in the accounting. It is unknown which value is correct.

14 The Accounting Review further states, in reference to Worksheet C:

15 There were seven payments to a Citibank credit card totaling \$1,108.62.
16 The credit card was not in the name of the protected person. It is not
17 known if these payments are for the benefit of the protected person.
18 There were five cash withdrawals in the account totaling \$8,100. The
19 statements provided also show other cash withdrawals of \$1,550.00 prior
20 to the start of the accounting period.
21 There are multiple expenses related to an automobile and auto fuel. No
22 automobile is listed in the starting or ending balance.

23 Another Notice of Accounting Review was filed on December 2, 2021,
24 and highlights six cash withdrawals, totaling \$23,300.00 which include:
25 Customer Withdrawal Image on September 11, 2020, of \$15,230.00; branch
26 withdrawal on April 2, 2020, of \$5,000.00; branch withdrawal on September
27 21, 2020, of \$2,260.00; and cash withdrawals of \$1,550.00 prior to the start
28 of the accounting period.

The Guardian's Second Supplement indicates that the Estate received
\$88,011.00 and expended \$56,018.88 during the accounting period. The

Guardian alleges that the Protected Person received \$18,381.00 in Social Security income and \$13,500.00 in income relative to a rental property. The largest source of income for the Protected Person's Estate was \$54,345.00, which was received as a result of the real property refinance. The Guardian alleges that \$22,870.56 was expended on the remodel of the real property. However, the expenditures relative to the remodel were not itemized and only a handful of receipts provided.

After a careful review of the Debit Card and Credit Card records provided in the Production of Documents, approximately \$4,000.00 can arguably be categorized as expended relative to a renovation because the purchases were made at Home Depot, Lowes, and a paint store.

Some of the small number of receipts provided by the Guardian do not coincide with the relevant accounting period. Exhibit 1 to the Second Amendment provides receipts and invoices for expenditures as follows:

Document	Dated	Amount
American Vision Windows, Inc. Invoice Windows/Sliding Doors Marked "Paid 12/10/2020"	11/24/2020	740.00
American Vision Windows, Inc. Invoice Windows/Sliding Doors Marked "Paid 12/10/2020"	11/30/3020	2,960.00
American Vision Windows, Inc. Invoice Windows/Sliding Doors \$3,700.00 Permit fee 190.91	03/03/2021	3,965.91

1	Service Pulled fee 75.00		
2	Home Depot Receipt Garden Grove	07/25/2020	146.52
3			
4	Home Depot Cut Merchandise Ticket		
5	Laminate 23.69		
6	60 cases		
7	13 under		
8	Vinyl 20.8, \$51.79		
9	66 case		
10	“Not to be used as a Release of Merchandise. This does not constitute a sales receipt unless Register Receipt attached”		
11	Home Depot Receipt Orange County	07/25/2020	65.87
12	Home Depot Quote	07/27/2020	1,070.11
13	19 HDC Baneberry Oak 20.8, \$51.79		
14	Home Depot Customer Receipt		2,654.00
15	Costco Receipt (Costco Visa X1157)	07/03/2020	265.29
16	Walmart Receipt (US Debit 2282)	03/24/2020	304.33
17	Walmart Receipt (US Debit 2282)	03/05/2020	385.51
18	Walmart Receipt (US Debit 2282)	02/04/2020	376.74
19	Walmart Receipt (US Debit 2282)	12/10/2019	281.68
20	Walmart Receipt (US Debit 2282)	11/05/2019	349.24
21	Walmart Receipt (US Debit 2282)	11/16/2019	379.99
22			
23			

24 The accounting period for the first accounting should be October 15, 2019,

25 through October 15, 2020. All three of the American Vision Windows

26 Invoices are dated and paid outside the accounting period. Two of the

27

28

1 American Vision Invoices, dated 11/24/2020 and 11/30/2020, are stamped
2 “Paid.” The “Paid” date on both Invoices is 12/10/2020.

3
4 The notations on the first two American Vision Invoices, dated 11/24/2020
5 and 11/30/2020, are for “Windows/Sliding Doors.” The first, dated
6 11/24/2020, totals \$740.00. The second, dated 11/30/2020, totals \$2,960.00.
7
8 The third American Vision Invoice, dated 03/03/2021, seems to represent a
9 summary of all charges and incorporates the earlier Invoices. The third
10 Invoice notes, “Windows/Sliding Doors” \$3,700.00, which is coincidentally
11 the exact sum of the first two Invoices for the identical item (11/24/2020
12 Invoice \$740.00, plus 11/30/2020 Invoice \$2,960.00, equals the 3/03/2021
13 Invoice \$3,700.00). The 03/03/2021 Invoice also adds the permit fee
14 (\$190.91) and the service charge for pulled fee (\$75.00).
15
16

17 ***Financial History***

18 A Financial Forensic Audit, filed March 13, 2020, revealed that Kimberly
19 Jones withdrew \$4,836.00 from Bank of American Account X6668 in August
20 2019 and placed the cash in a Safe Deposit Box. The Audit further revealed,
21 consistent with allegations by the Protected Person’s late husband that
22 Kimberly Jones was utilizing the Protected Person’s accounts. Kimberly
23 Jones withdrew \$2,652.82 from Bank of America x7492 in July 2019. At the
24 time of the Audit, Kimberly Jones provided an accounting of the \$2,652.82
25 withdrawn by her from Bank of America x7492 and indicated that she paid
26
27
28

1 for a Safety Deposit Box. *See* Financial Forensic Audit filed March 13, 2020
2 at page 6, 7, 10, and Exhibit E.

3
4 The Guardian's Inventory, filed before the March 2020 Forensic Audit,
5 does not reference a Safe Deposit Box or cash on hand. The three versions of
6 accountings, filed before and after the Forensic Audit, also fail to reference
7 cash held in a Safe Deposit Box. However, the records produced from Bank
8 of America note \$100 paid on August 5, 2020, toward a Safe Box rental. *See*
9 Production filed on 9/16/21 at Jones 000853.
10

11 ***Conclusions of Law***

12 ***Communication and Visitation***

13
14 A guardian may not restrict communication or visitation between a
15 protected person and the protected person's family. A protected person is
16 entitled to *unrestricted* contact with their family. If a guardian opposes a
17 request from a family member for communication and contact with the
18 Protected Person, the guardian bears the burden of proof.
19

20
21 Only a guardian may request a restriction of a family member's
22 communication and contact with the Protected Person. Here, Nevada
23 Guardianship statutes require that protected people be allowed
24 communication and visitation with their families. A guardian is specifically
25 prohibited from restricting communication and visits. *See* NRS 159.332.
26

27
28 Only under specific circumstances may a guardian seek to limit or restrict

1 contact through the court. The procedure and evidence necessary to restrict
2 contact is clearly detailed within the statute. *See* NRS 159.332.

3
4 The Protected Person’s Bill of Rights is codified in NRS 159.328.
5 However, the rights enumerated do not abrogate any remedies provided by
6 law. *See* NRS 159.328(2). A protected person is to be granted the greatest
7 degree of freedom possible, consistent with the reasons for guardianship, and
8 exercise control of all aspects of his or her life that are not delegated to a
9 guardian specifically by a court order. NRS 159.328(1)(i).

10
11 A protected person may receive telephone calls and have visitors, unless
12 her guardian and the court determine that particular correspondence, or a
13 particular visitor will cause harm to the protected person. NRS
14
15 159.328(1)(n).

16
17 Each protected person has a right to “[r]emain as independent as possible,
18 including, without limitation to have his or her preference honored regarding
19 his or her residence and standard of living, either as expressed or
20 demonstrated before a determination was made relating to capacity or as
21 currently expressed, if the preference is reasonable under the circumstances.”
22
23 NRS 159.328(h).

24
25 Each protected person has a “right to have a family member . . . raise any
26 issues of concern on behalf of the protected person during a court hearing,
27
28

1 either orally or in writing, including without limitation, issues relating to a
2 conflict with a guardian.”

3
4 Communication, visitation, and interaction between a protected person and
5 a relative is governed by NRS 159.331 through NRS 159.338. A guardian is
6 prohibited from restricting communication, visitation, or interaction between
7 a protected person and a relative. *See* NRS 159.332. NRS 159.332 provides
8 as follows:
9

10 1. A guardian shall not restrict the right of a protected person to
11 communicate, visit or interact with a relative or person of natural
12 affection, including, without limitation, by telephone, mail or
13 electronic communication, unless:

14 (a) The protected person expresses to the guardian and
15 at least one other independent witness who is not affiliated
16 with or related to the guardian or the protected person that the
17 protected person does not wish to communicate, visit or
18 interact with the relative or person of natural affection;

19 (b) There is currently an investigation of the relative or
20 person of natural affection by law enforcement or a court
21 proceeding concerning the alleged abuse of the protected
22 person and the guardian determines that it is in the best
23 interests of the protected person to restrict the
24 communication, visitation or interaction between the
25 protected person and the relative or person of natural
26 affection because of such an investigation or court
27 proceeding;

28 (c) The restriction on the communication, visitation or
interaction with the relative or person of natural affection is
authorized by a court order;

(d) Subject to the provisions of subsection 2, the
guardian determines that the protected person is being
physically, emotionally or mentally harmed by the relative or
person of natural affection; or

(e) Subject to the provisions of subsection 3, a
determination is made that, as a result of the findings in a plan

1 for the care or treatment of the protected person, visitation,
2 communication or interaction between the protected person
3 and the relative or person of natural affection is detrimental to
the health and well-being of the protected person.

4 2. Except as otherwise provided in this subsection, if a guardian
5 restricts communication, visitation or interaction between a
6 protected person and a relative or person of natural affection
7 pursuant to paragraph (d) of subsection 1, the guardian shall file a
8 petition pursuant to NRS 159.333 not later than 10 days after
9 restricting such communication, visitation or interaction. A guardian
10 is not required to file such a petition if the relative or person of
natural affection is the subject of an investigation or court
proceeding pursuant to paragraph (b) of subsection 1 or a pending
petition filed pursuant to NRS 159.333.

11 3. A guardian may consent to restricting the communication,
12 visitation or interaction between a protected person and a relative or
13 person of natural affection pursuant to paragraph (e) of subsection 1
14 if the guardian determines that such a restriction is in the best
15 interests of the protected person. If a guardian makes such a
16 determination, the guardian shall file a notice with the court that
17 specifies the restriction on communication, visitation or interaction
18 not later than 10 days after the guardian is informed of the findings
in the plan for the care or treatment of the protected person. The
guardian shall serve the notice on the protected person, the attorney
of the protected person and any person who is the subject of the
restriction on communication, visitation or interaction.

19 In any proceeding held pursuant to NRS 159.331 to 159.338, the guardian
20 has the burden of proof, if a guardian opposes a petition filed pursuant to
21 NRS 159.335.
22

23 Here, in response to a request for communication and visitation by the
24 Protected Person's two daughters, the Guardian and the Protected Person
25 propose a visitation schedule that would allow family members to visit and
26 call the Protected Person during a two-hour window one time per week.
27
28

1 However, the Protected Person is entitled to *unrestricted* communication
2 and visitation with her family. The Guardian and Protected Person have
3 failed to meet the statutory requirements that would allow the Court to
4 restrict communication with the Protected Person.
5

6 Robyn and Donna's Petition for Communication filed December 30, 2020,
7 and Petition for Visitation filed April 23, 2021, were both filed pursuant to
8 NRS 159.335 and requested that the Court grant a relative access to the
9 Protected Person and removal of the guardian. *See* Verified Petition for
10 Communication, Visits, and Vacation Time with Protected Person, filed
11 December 30, 2020, at page 20, paragraph 62.
12

13 Kimberly has the burden of proof, as she opposes Robyn and Donna's
14 petition for communication. *See* Kimberly's Opposition filed January 25,
15 2021; Kimberly's Pre-Trial Memorandum filed June 7, 2021.
16

17 No care plan has suggested that interaction between any family members
18 is detrimental to the health and well-being of the Protected Person. Kimberly
19 has not filed any petition with the Court advising that she has restricted
20 interaction. Only *a guardian* may file a petition for order restricting
21 communication, visitation, or interaction between a protected person and a
22 relative. *See* NRS 159.333 [emphasis added].
23

24 Here, the Guardian, Kimberly, did not file a petition for order restricting
25 communication. Instead, the Protected Person has filed a petition for
26
27
28

1 visitation order. This request by the protected person is a request for a court
2 order restricting. *See* Petition to Approve Kathleen June Jones' Visitation
3 Schedule filed May 5, 2021.
4

5 The request to restrict communication does not contain any Affidavit or
6 Declaration executed by the Protected Person. At the Evidentiary Hearing,
7 Counsel for Protected Person failed to present evidence or testimony through
8 an independent statement by an unrelated party. The argument by Counsel
9 for the Protected Person does not represent a statement by witness who is not
10 affiliated with the Protected Person.
11
12

13 If the Guardian believed that she was restricting interaction between
14 Protected Person and her relatives based upon the Protected Person's wishes,
15 the Guardian would be required to file a petition with the Court within ten
16 days of the restriction pursuant to NRS 159.332(2). No such petition was
17 filed by the Guardian.
18
19

20 ***Annual Accounting***

21 NRS 159.179 governs the contents of an annual accounting and requires a
22 guardian to retain receipts or vouchers for all expenditures. The statute also
23 provides a pathway to prove payment when a receipt or voucher is lost. NRS
24 159.179 provides as follows:
25

- 26 1. An account made and filed by a guardian of the estate or
27 special guardian who is authorized to manage the property of a
28

1 protected person must include, without limitation, the following
2 information:

3 (a) The period covered by the account.

4 (b) The assets of the protected person at the beginning and
5 end of the period covered by the account, including the
6 beginning and ending balances of any accounts.

7 (c) All cash receipts and disbursements during the period
8 covered by the account, including, without limitation, any
9 disbursements for the support of the protected person or other
10 expenses incurred by the estate during the period covered by
11 the account.

12 (d) All claims filed and the action taken regarding the
13 account.

14 (e) Any changes in the property of the protected person due to
15 sales, exchanges, investments, acquisitions, gifts, mortgages
16 or other transactions which have increased, decreased or
17 altered the property holdings of the protected person as
18 reported in the original inventory or the preceding account,
19 including, without limitation, any income received during the
20 period covered by the account.

21 (f) Any other information the guardian considers necessary to
22 show the condition of the affairs of the protected person.

23 (g) Any other information required by the court.

24 2. All expenditures included in the account must be itemized.

25 3. If the account is for the estates of two or more protected persons,
26 it must show the interest of each protected person in the receipts,
27 disbursements and property. As used in this subsection, "protected
28 person" includes a protected minor.

4. Receipts or vouchers for all expenditures must be retained by the
guardian for examination by the court or an interested person. A
guardian shall produce such receipts or vouchers upon the request of
the court, the protected person to whom the receipt or voucher
pertains, the attorney of such a protected person or any interested
person. The guardian shall file such receipts or vouchers with the
court only if the court orders the filing.

5. On the court's own motion or on ex parte application by an
interested person which demonstrates good cause, the court may:

(a) Order production of the receipts or vouchers that support
the account; and

(b) Examine or audit the receipts or vouchers that support the
account.

1 6. If a receipt or voucher is lost or for good reason cannot be
2 produced on settlement of an account, payment may be proved by
3 the oath of at least one competent witness. The guardian must be
4 allowed expenditures if it is proven that:
5 (a) the receipt or voucher for any disbursement has been lost or
6 destroyed so that it is impossible to obtain a duplicate of the receipt
7 or voucher; and
8 (b) Expenses were paid in good faith and were valid charges against
9 the estate.

10 Here, the Guardian failed to itemize all expenditures. Further, the
11 Guardian failed to retain receipts and vouchers. If the receipts and vouchers
12 were lost, the Guardian failed to establish that it is impossible to obtain a
13 duplicate and that the expenses were paid in good faith and were valid
14 charges.

15 The Court details herein the failure of the Guardian to account for the
16 approximately \$22,000.00 expended in a home renovation. Further, the
17 Guardian fails to account for a significant amount of funds withdrawn.

18 ***Removal***

19 NRS 159.185 governs the conditionals for removal of a guardian and
20 provides as follows:
21

- 22 1. The court may remove a guardian if the court determines that:
23 (a) The guardian has become mentally incapacitated, unsuitable or
24 otherwise incapable of exercising the authority and performing the
25 duties of a guardian as provided by law;
26 (b) The guardian is no longer qualified to act as a guardian pursuant
27 to NRS 159.0613;
28 (c) The guardian has filed for bankruptcy within the previous 5
years;

1 (d) The guardian of the estate has mismanaged the estate of the
2 protected person;

3 (e) The guardian has negligently failed to perform any duty as
4 provided by law or by any order of the court and:

5 (1) The negligence resulted in injury to the protected person or
6 the estate of the protected person; or

7 (2) There was a substantial likelihood that the negligence
8 would result in injury to the protected person or the estate of the
9 protected person;

10 (f) The guardian has intentionally failed to perform any duty as
11 provided by law or by any lawful order of the court, regardless of
12 injury;

13 (g) The guardian has violated any right of the protected person that
14 is set forth in this chapter;

15 (h) The guardian has violated a court order or committed an abuse
16 of discretion in making a determination pursuant to paragraph (b) of
17 subsection 1 or subsection 3 of NRS 159.332;

18 (i) The guardian has violated any provision of NRS
19 159.331 to 159.338, inclusive, or a court order issued pursuant to NRS
20 159.333;

21 (j) The best interests of the protected person will be served by the
22 appointment of another person as guardian; or

23 (k) The guardian is a private professional guardian who is no
24 longer qualified as a private professional guardian pursuant to NRS
25 159.0595 or 159A.0595.

26 2. A guardian may not be removed if the sole reason for removal
27 is the lack of money to pay the compensation and expenses of the
28 guardian.

Here, Kimberly has negligently failed to assist the Protected Person to
have visitation and communication with her family. Kimberly through her
actions and inactions has created an environment in which the Protected
Person has been isolated from her family. Kimberly has made it difficult for
the family to have visitation and communication with the Protected Person.

1 In addition, Kimberly has failed to provide the required annual accounting.
2 Specifically, Kimberly failed to itemize all expenditures and retain receipts
3 and/or vouchers for expenses related to the guardianship estate, as required
4 by NRS 159.179.
5

6 ***Successor Guardian***
7

8 Pursuant to NRS 159.1871, the Court may appoint a successor guardian at
9 any time to serve immediately or when a designated event occurs. The
10 revocation of letters of guardianship by the court or any other court action to
11 suspend the authority of a guardian may be considered to be a designated
12 event for the purposes of NRS 159.1871 if the revocation or suspension of
13 authority is based on the guardian's noncompliance with his or her duties and
14 responsibilities as provided by law.
15
16

17 ***Guardian's Request for Caregiver and Guardians Fees***
18

19 Guardian, Kimberly Jones, requests caregiver fees and guardian fees.
20 Kimberly requests \$90,000 in past caregiver fees for the services she
21 rendered during the first eighteen months of the guardianship.
22

23 Kimberly also requests that the Court prospectively approve and allow
24 Kimberly to bill the Guardianship Estate for both caregiver fees and
25 guardianship fees in the future. Kimberly requests the Court approve
26 caregiver fees of \$21.00 per hour, ten hours per day, five days a week.
27
28

1 Kimberly requests the Court approve guardianship fees of \$100 per hour for
2 up to five hours each week.

3
4 NRS159.183 governs compensation of a guardian and allows
5 compensation, subject to the discretion and approval of the court, of expenses
6 incurred. Here, Kimberly requests compensation for work already completed
7 (\$90,000 in caregiving fees for the first eighteen months of the guardianship)
8 and compensation for work to be completed in the future (\$500 per week in
9

10 The petition is insufficient to establish, pursuant to NRS 159.183, that the
11 caregiver fees requested were reasonable and necessary in exercising the
12 authority and performing the duties of a guardian. Further, the petition is
13 insufficient to establish the type, duration, and complexity of the services
14 rendered. The petition makes general statements about the type of duties and
15 services that the Guardian has undertaken. Additionally, the petition is
16 insufficient to establish that future caregiver fees and guardianship fees can
17 be approved. The statute allows for the payment of expenses incurred. The
18 statute does not allow for anticipated or future expenses to be pre-approved.
19
20
21

22 ***Guardian's Request for Attorney's Fees***

23
24 Guardian, Kimberly Jones, requests the Court approve the payment of
25 attorney's fees and costs in the amount of \$101,558.24 from the
26 Guardianship Estate for fees and costs incurred from December 31, 2019,
27
28

1 through February 25, 2021. Kimberly's Counsel also submitted a *Brunzell*
2 Affidavit in support of the request for fees.

3
4 Kimberly failed to file a timely notice of intent to seek reimbursement of
5 attorney's fees pursuant to NRS 159.344. Kimberly filed a Notice of Intent
6 to seek reimbursement of attorney's fees on January 15, 2020, well after her
7 first appearance in this matter on October 2, 2019. The Protected Person
8 initially objected to the untimely notice. *See* Objection filed February 11,
9 2020.
10

11
12 On February 21, 2020, new attorneys for Kimberly, Marquis Aurbach
13 Coffing, filed a "Notice of Intent to Seek Payment of Attorneys' Fees and
14 Costs from Guardianship Case" on behalf of themselves, not on behalf of
15 Kimberly.
16

17 Nevertheless, the petition fails to address all of the fourteen factors, which
18 include *Brunzell* factors, the Court may consider in determining whether
19 attorney's fees are just, reasonable, and necessary in NRS 159.344(5).
20

21 Certainly, Counsel for Kimberly is well qualified, and the difficult work
22 performed required skill. However, the Court is very concerned about the
23 ability of the estate to pay, considering: the value of the estate; the nature,
24 extent, and liquidity of the assets of the estate; the disposable net income of
25 the estate; the anticipated future needs of the protected person; and other
26 foreseeable expenses. The value of the Guardianship Estate, based upon the
27
28

1 recent accounting and production of documents, is fuzzy. The Guardian's
2 lack of receipts and failure to itemize expenses, do not allow the Court to
3 reasonably rely upon the Guardian's representations relative to the value of
4 the estate. The income each month is minimal, and the largest asset is the
5 California residence. The estate is unable to cover the current needs of the
6 Protected Person. The Guardian requests approximately \$190,000.00 be
7 paid from the Estate to cover past expenses. The Estate will be unable to
8 provide for the future needs of the Protected Person given the enormity of
9 these expenses.
10
11
12

13 Further, the Court cannot say given the totality of litigation to this point
14 that Kimberly has conferred any actual benefit upon the Protected Person or
15 attempted to advance the best interest of the Protected Person pursuant to
16 NRS 159.344(5)(b). Kimberly has not made efforts to reduce and minimize
17 issues in this guardianship litigation. *See* NRS 159.344(5)(k). Further, the
18 Court cannot find that Kimberly has acted in good faith during her time
19 managing the Guardianship Estate.
20
21
22

23 Kimberly initially objected to the guardianship and then petitioned for
24 guardianship. She withheld medications and information from the
25 Temporary Guardians. She created an environment in which the Protected
26 Person was isolated from her family. She withdrew approximately
27 \$23,000.00 from the Estate without the required detailed explanation. She
28

1 failed, despite many opportunities, to provide a sufficient accounting. Many
2 statements by Kimberly are a combination of double-talk and feigned
3 confusion.
4

5 NRS 159.183(5) does not allow compensation or expenses incurred as a
6 result of petition to have a guardian removed, if the court removes the
7 guardian.
8

9 NRS 159.338 allows a court to impose sanctions and award attorney's fees
10 against a guardian, if the court finds a guardian has acted frivolously or in
11 bad faith in restricting communication between a protected person and a
12 family member.
13

14 ***Findings of Fact***
15

16 THE COURT HEREBY FINDS that in the instant case, the
17 statutory requirements relative to restriction of visitation and communication
18 were not met by the Guardian in restricting access to the Protected Person.
19

20 THE COURT FURTHER FINDS that the Protected Person failed to
21 establish the statutory requirements necessary in order to restrict visitation
22 and communication with her family members.
23

24 THE COURT FURTHER FINDS Kimberly had difficulty
25 answering questions and difficulty understanding questions related to
26 visitation and communication between the Protected Person and her family.
27

28 The Court finds that Kimberly's testimony was not credible.

1 THE COURT FURTHER FINDS that the Guardian through her
2 actions and inactions restricted the Protected Person's communication,
3 visitation, and access to her relatives contrary to the Protected Person's Bill
4 of Rights and NRS 159.331 to NRS 159.338.
5

6 THE COURT FURTHER FINDS that the Guardian, Kimberly
7 Jones, in violation of NRS 159.179: failed to itemize all expenditures in the
8 annual accounting; failed to retain receipts and/or vouchers related to
9 expenditures to support the annual accounting; and failed to retain receipts
10 relative to cash and disbursements.
11
12

13 THE COURT FURTHER FINDS that pursuant to NRS 159.185(i),
14 the conditions for removal of the Guardian have been met because the
15 Guardian has violated provisions of NRS 159.331 to 159.338, inclusive,
16 relative to communication and visitation.
17

18 THE COURT FURTHER FINDS that pursuant to NRS 159.185(e),
19 the conditions for removal of the Guardian have been met because the
20 Guardian has negligently failed to perform a duty as provided by law and
21 there is a substantial likelihood that the negligence would result in injury to
22 the Protected Person's estate, relative to failure to itemize expenditures,
23 retain cash and disbursement receipts, and retain receipts relating to
24 expenditures.
25
26
27
28

1 THE COURT FURTHER FINDS that pursuant to NRS 159.185(d),
2 the conditions for removal of the Guardian have been met because the
3 Guardian of the Estate has mismanaged the estate of the Protected Person.
4

5 THE COURT FURTHER FINDS that pursuant to NRS 159.185(j),
6 the conditions for removal of the Guardian have been met because the best
7 interest of the Protected Person will be served by the appointment of another
8 person as guardian.
9

10 THE COURT FURTHER FINDS that pursuant to NRS 159.1871, a
11 Successor Guardian shall be appointed. A designated event has occurred,
12 specifically, the revocation of Kimberly Jones' letters of guardianship,
13 herein.
14

15 THE COURT FURTHER FINDS that pursuant to NRS 159.199,
16 Kimberly Jones shall not be discharged as Guardian or relieved from liability
17 as she has not had an Accounting approved by this Court, and has not filed
18 receipts or vouchers showing compliance with the orders of the court in
19 winding up the affairs of the guardianship.
20

21 ***Orders***
22

23 IT IS HEREBY ORDERED that the Request for Our Family Wizard
24 or Talking Parents is DENIED.
25

26 IT IS FURTHER ORDERED that the request for Family Mediation
27 is DENIED.
28

1 IT IS FURTHER ORDERED that the request for communication
2 and visitation is GRANTED. Pursuant to the Protected Person's Bill of
3 Rights, the Protected Person shall have unrestricted access to all family
4 members. The Guardian shall support, assist, and facilitate communication
5 and visitation with family as necessary based upon the Protected Person's
6 unique abilities.
7

8
9 IT IS FURTHER ORDERED that the Protected Person's request to
10 limit all communication and visitation with family members to a two hour
11 window one day per week is DENIED.
12

13 IT IS FURTHER ORDERED the Guardian Kimberly Jones' request
14 for caregiver fees already incurred is DENIED.
15

16 IT IS FURTHER ORDERED that Guardian Kimberly Jones'
17 request for attorneys' fees and costs from the Guardianship Estate is
18 DENIED.
19

20 IT IS FURTHER ORDERED that Guardian Kimberly Jones'
21 request for pre-approval to bill caregiver and guardianship fees from the
22 Guardianship Estate in the future is DENIED.
23

24 IT IS FURTHER ORDERED that the request to remove Kimberly
25 Jones as guardian of the person and estate is GRANTED.
26
27
28

1 IT IS FURTHER ORDERED that pursuant to NRS 159.185,
2 Kimberly Jones SHALL be removed as Guardian over the Person and Estate
3 of Protected Person, Kathleen Jones.
4

5 IT IS FURTHER ORDERED that the Letters of Guardianship
6 issued to Kimberly Jones are hereby REVOKED.
7

8 IT IS FURTHER ORDERED that pursuant to NRS 159.1871,
9 Robyn Friedman SHALL be appointed as Successor Guardian of the Person
10 and Estate of Kathleen Jones. An Order Appointing Successor Guardian
11 shall issue, along with Letters of Guardianship.
12

13 IT IS FURTHER ORDERED that Successor Guardian, Robyn
14 Friedman, SHALL file an Inventory of the Estate with sixty (60) days of the
15 Order Appointing Guardian.
16

17 IT IS FURTHER ORDERED that the Successor Guardian, Robyn
18 Friedman, file a proposed care plan within ninety (90) days of the Order
19 Appointing Guardian, after review of medical records, medical evaluation,
20 and consultation with medical professionals.
21

22 IT IS FURTHER ORDERED that the Successor Guardian, Robyn
23 Friedman, file a proposed budget within ninety (90) days of the Order
24 Appointing Guardian, considering the Inventory and the proposed Care Plan.
25
26
27
28

1 IT IS FURTHER ORDERED that the Successor Guardian, Robyn
2 Friedman, shall not move the Protected Person's temporary residence without
3 permission from the Court.
4

5 IT IS FURTHER ORDERED that a forensic financial investigation
6 shall be ordered relative to the management of the Guardianship Estate by
7 former Guardian Kimberly Jones to include the personal finances of former
8 Guardian Kimberly Jones. An Order Appointing Investigator shall issue and
9 a return for Investigator's Report scheduled on the Court's Chambers
10 Calendar set for March 2, 2022, at 5:00 AM.
11

12 IT IS SO ORDERED.
13

14 Dated this 6th day of December, 2021

15 
16

17 0B8 D29 E25A C6A5
18 Linda Marquis
19 District Court Judge
20
21
22
23
24
25
26
27
28

1 **CSERV**

2
3 DISTRICT COURT
4 CLARK COUNTY, NEVADA

5
6 In the Matter of the Guardianship CASE NO: G-19-052263-A
7 of:
8 Kathleen Jones, Protected
9 Person(s)

DEPT. NO. Department B

10
11 **AUTOMATED CERTIFICATE OF SERVICE**

12 This automated certificate of service was generated by the Eighth Judicial District
13 Court. The foregoing Findings of Fact, Conclusions of Law and Judgment was served via the
14 court's electronic eFile system to all recipients registered for e-Service on the above entitled
15 case as listed below:

16 Service Date: 12/6/2021

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13	Ammon Francom	ammon@michaelsonlaw.com
14	Kellie Piet	kpiet@maclaw.com

15 If indicated below, a copy of the above mentioned filings were also served by mail
16 via United States Postal Service, postage prepaid, to the parties listed below at their last
17 known addresses on 12/7/2021

18	Elizabeth Brickfield	Dawson & Lordahl PLLC
19		Attn: Elizabeth Brickfield, Esq
20		9130 West Post Road, Suite 200
21		Las Vegas, NV, 89148

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES****October 03, 2019**

G-19-052263-A

In the Matter of the Guardianship of:
Kathleen Jones, Protected Person(s)

October 03, 2019**9:00 AM****All Pending Motions****HEARD BY:** Marquis, Linda**COURTROOM:** RJC Courtroom 10A**COURT CLERK:** Karen Christensen; Tanya Stengel**PARTIES:**

Donna Simmons, Petitioner, Temporary Guardian, not present	Matthew Whittaker, Attorney, not present
Elizabeth Brickfield, Guardian Ad Litem, not present	Pro Se
Kathleen Jones, Protected Person, present	Maria Parra-Sandoval, Attorney, present
Kimberly Jones, Other, present	
Richard Powell, Other, not present	Pro Se
Robyn Friedman, Petitioner, Temporary Guardian, present	John Michaelson, Attorney, present
Rodney Yeoman, Other, present	Ty Kehoe, Attorney, present
State Guardianship Compliance Officer, Agency, not present	

JOURNAL ENTRIES

- HEARING FOR TEMPORARY GUARDIANSHIP...OPPOSITION AND COUNTERMOTION: OPPOSITION TO APPOINTMENT OF TEMPORARY GUARDIAN; COUNTER PETITION FOR APPOINTMENT OF TEMPORARY GUARDIAN OF THE PERSON AND ESTATE AND ISSUANCE OF LETTERS OF TEMPORARY GUARDIANSHIP; AND COUNTER PETITION FOR APPOINTMENT OF GENERAL GUARDIAN OF THE PERSON AND ESTATE AND ISSUANCE OF LETTERS OF GENERAL GUARDIANSHIP.

Attorney Ross Evans, Nevada Bar #11374, present on behalf of Kimberly Jones (daughter).

Terri Butler, oldest daughter, present.

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Court noted the presence of Protected Person (PP)

Upon Court's inquiry regarding resolution, Mr. Evans advised he and Mr. Kehoe have a proposed resolution, however he felt Mr. Michaelson's clients may disagree. Mr. Evans proposed ending the temporary guardianship and revoking the letters. PP and her husband would live together as husband and wife, and as Kimberly has been the attorney-in-fact for PP, she would oversee the financial and healthcare needs of PP, in the best interest of PP. Mr. Evans made statements regarding the sale of the house and getting the proceeds of that sale returned. Mr. Evans advised there is a durable power of attorney, established in 2012 over finances, and a durable healthcare power of attorney, established in 2005. Mr. Evans stated Kimberly did not oversee the sale of the house as PP was living with her husband at the time. The current owner is Mr. Yeoman's son, who is willing to reverse it entirely.

Ms. Parra-Sandoval advised she spoke with PP, who is able to direct her and tell her who she wants as her guardian. PP had no recollection of transferring her home to anyone, signing a deed, or the sale of the house. PP wants Kimberly Jones to be her guardian if a guardian is necessary, her daughters to care for her, and her husband to live with her. Ms. Parra-Sandoval requested the investigator look into the situation.

Mr. Kehoe informed the Court Mr. Yeoman wants to re-establish his relationship with his wife and wants the care of PP to be resolved. He believes outside care is occasionally needed. PP and Mr. Yeoman would share the cost of a caregiver. Mr. Kehoe advised he agreed with the resolution as stated by Mr. Evans. Mr. Kehoe requested a status check on 10/15. Court expressed concern regarding the sale of the house and someone taking advantage of PP, especially since PP didn't know about the sale of the house.

Mr. Michaelson advised everyone's goal is to work out a situation, there has been an unwillingness to communicate with the temporary guardians, they have been denied medication, given outdated medication and medication mixed with Mr. Yeoman's medications. Mr. Evans and Mr. Kehoe disagreed and advised they provided the requested information. Argument and discussion regarding medication being locked in the trunk of the car in the garage. Mr. Michaelson advised Kimberly has not returned phone calls. Mr. Michaelson requested temporary guardianship remain in place until a permanent guardian can be appointed, and additionally requested mediation or a settlement conference. Ms. Parra-Sandoval requested temporary guardianship stay in place, and again advised PP wants Kimberly Jones to be her guardian if it is necessary.

Court admonished parties regarding the care of PP and warned against misuse of her medication, withholding of information regarding her doctors and other basic healthcare needs. Family members need to set aside their differences and work together for the best interest and protection of PP.

Dean Loggins, Kimberly Jones' fiancé, made statements in favor of Kimberly being named as guardian.

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Terri Butler made statements regarding PP's best interests.

Argument between counsel regarding PP's care by her husband.

Court noted its concern and stated it has no choice but to continue the temporary guardianship until it receives the results of investigation. If allegations are proven to be true, it is a likely court outcome that despite the nomination of guardian, a different person or persons may be appointed.

Mr. Michaelson advised Mr. Yeoman is in the process of trying to evict Kimberly and her fiancée that are the caregivers from the home. Mr. Kehoe disagreed and explained the evictions. Court again expressed concern regarding the significant allegations and suitability.

Discussion regarding visitation.

COURT ORDERED:

Temporary Guardianship shall REMAIN in place. Protected Person shall REMAIN where she is with Kimberly Jones providing care until the next hearing. Order extending TEMPORARY GUARDIANSHIP signed in OPEN COURT and shall EXPIRE on 12/3/19. Order returned to Mr. Michaelson for filing.

Hearing set for 10/15/19 shall STAND.

Supreme Court Guardianship Compliance Officer shall be APPOINTED to investigate the case and get all the applicable documents from the sale of the house. Although a report will not be completed, Investigator shall appear at the hearing to orally report any findings.

Mr. Yeoman shall have UNSUPERVISED VISITATION with Protected Person between 8:00 AM and 8:00 PM.

A list of medications and any doctor appointments shall be sent to temporary guardians within 48 hours of today's hearing.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES****October 15, 2019**

G-19-052263-A

In the Matter of the Guardianship of:
Kathleen Jones, Protected Person(s)

October 15, 2019**10:00 AM****Citation to Appear****HEARD BY:** Marquis, Linda**COURTROOM:** RJC Courtroom 10A**COURT CLERK:** Karen Christensen; Tanya Stengel**PARTIES:**

Donna Simmons, Petitioner, Temporary Guardian, present	John Michaelson, Attorney, present
Elizabeth Brickfield, Guardian Ad Litem, not present	Pro Se
Kathleen Jones, Protected Person, not present	Maria Parra-Sandoval, Attorney, present
Kimberly Jones, Other, present	Jeffrey Luszeck, Attorney, present
Richard Powell, Other, not present	Pro Se
Robyn Friedman, Petitioner, Temporary Guardian, present	John Michaelson, Attorney, present
Rodney Yeoman, Other, present	Ty Kehoe, Attorney, present
State Guardianship Compliance Officer, Agency, not present	

JOURNAL ENTRIES

- AMENDED CITATION TO APPEAR AND SHOW CAUSE

Court Clerks: Karen Christensen, Tanya Stengel (ts)

Scott Simmons, appeared telephonically.

Court noted Investigator was unable to find out information on such a quick turn around.

Attorney Michaelson informed the Court, they did not receive information within 48 hours as Ordered at the previous hearing but was given some medical information from Kimberly within the

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last few days. Attorney Michaelson stated they did not receive anything from Mr. Yeoman's side. Attorney Michaelson stated the need for a General Guardian in order to file an A-Case in regards to Mr. Powell not giving back Protected Person's house.

Attorney Parra-Sandoval stated she spoke with Protected Person and she continues to voice her strong preference for Kimberly to be her Guardian and wants to remain in her home that she still believes is hers; Protected Person has no recollection of signing anything regarding gifting her home.

Court and Counsel engaged in discussion regarding the sale of the home. Upon inquiry from the Court, Attorney Parra-Sandoval stated Protected Person's signature is on the documents; it is believed that the sale of the home was hidden from the Power of Attorney at the time.

Attorney Kehoe made statements regarding the importance of Protected Person and Mr. Yeoman living together. Upon inquiry from the Court, Attorney Kehoe stated Mr. Yeoman does not want to live in the home if Kimberly is living there. Attorney Kehoe made statements regarding the Power of Attorney and further stated the transfer of the home happened 21 months ago and there is no proof that Protected Person was incapacitated at the time.

Court stated concerns regarding the sale of Protected Person's home to Mr. Yeoman's son, Mr. Powell, at \$100,000 less than market value and stated further concerns that no documents have been turned over and the house hasn't been given back.

Attorney Luszeck made statements about actions taken by Ms. Jones, Power of Attorney, when she found out about the sale of the home. Attorney Luszeck stated reasons why Ms. Jones should be appointed as General Guardian.

Attorney Michaelson made statements regarding preference of Ms. Jones as Guardian over Mr. Yeoman; however made statements regarding Ms. Jones suitability as Guardian and her request for \$500 a day to be Protected Person's caregiver.

Court and Counsel engaged in discussion regarding Ms. Jones' suitability as Guardian. Court stated it's concerns.

Attorney Kehoe made further statements regarding the sale of the home. Attorney Kehoe stated Mr. Powell paid off the \$140,000 mortgage and the other side has only offered to pay him \$1 for the home to be returned.

Court stated further concerns that Attorney Kehoe is not concerned or worried and that Attorney Kehoe stated there is not a contract of sale or any other documents to provide regarding the sale of the home.

Court advised Ms. Jones to be proactive regarding the housing situation due to neither her or Protected Person owning the home.

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Court, Counsel and parties engaged in discussion regarding visitation between Protected Person and Mr. Yeoman. Court clarified the Order is NOT that Mr. Yeoman moves out of the home. Mr. Yeoman voluntarily moved out of the home but is welcome to live there.

Court and Counsel further engaged in discussion regarding exchange of medical records for Protected Person and Mr. Yeoman. Court noted if Mr. Yeoman is not willing to provide his medical information to Guardian; she must be present during visitations.

COURT ORDERED,

Order Appointing Guardian (KIMBERLY JONES) over the Person and Estate shall be APPROVED and GRANTED. Courtroom clerk administered oath to the Guardian IN OPEN COURT.

Guardian shall file an INVENTORY within 60 DAYS.

Mr. Yeoman shall have SUPERVISED visitation with Protected Person. Mr. Yeoman shall notify Guardian if he will be out of town or unavailable for visitations.

Guardian shall notify Mr. Yeoman with information regarding all levels of Protected Person's medical care.

A Supreme Court Investigator shall be APPOINTED to investigate this case. The Investigator shall review the entire Adult Protective Services file and obtain Protected Person's medical records.

A Financial Forensic Specialist shall be APPOINTED to investigate this case. The Investigator shall review all financial records that pertain to the sale of the property, including Protected Person, Mr. Yeoman, and Mr. Yeoman's son, Dick Powell, and anyone else with ties to that property.

Matter CONTINUED to 1/14/20 at 1:30 pm for both Investigation Reports.

Matter SET for EVIDENTIARY HEARING/STATUS CHECK 2/20/20 at 1:30 pm.

ALL Parties must act and speak to each other in a CIVIL MANNER.

Attorney Kehoe shall be considered an interested party and shall be allowed access to the Physician's Certificate.

Attorney Luszeck shall prepare and submit an Order.

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INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES**

November 06, 2019

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

November 06, 3:30 PM Minute Order
2019

HEARD BY: Marquis, Linda**COURTROOM:** RJC Courtroom 10A**COURT CLERK:** Karen Christensen**PARTIES:**

Donna Simmons, Petitioner, Temporary Guardian, not present	Matthew Whittaker, Attorney, not present
Elizabeth Brickfield, Guardian Ad Litem, not present	Pro Se
Kathleen Jones, Protected Person, not present	Maria Parra-Sandoval, Attorney, not present
Richard Powell, Other, not present	Pro Se
Robyn Friedman, Petitioner, Guardian of Person and Estate, not present	Matthew Whittaker, Attorney, not present
State Guardianship Compliance Officer, Agency, not present	

JOURNAL ENTRIES

- MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES
RE: G-19-052263-A

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to ensure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c) and 5.11(e), this Court can consider a motion and issue a decision on the papers at any time without a hearing.

On November 6, 2019, Mr. Ty Kehoe informed the Court that there is a disagreement among counsel with regard to the language in the Proposed Order from the October 15, 2019 Hearing. Accordingly, Mr. Ty Kehoe shall draft a competing Order. This proposed Order shall be served on all counsel in

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this matter and submitted to the Department. This Matter shall be set on the Court's Chamber's calendar on November 25, 2019, for review of the competing Orders, and the Court shall make its determination accordingly. No appearance required.

A copy of this Minute Order shall be provided to all Parties.

CLERK'S NOTE: A copy of this Minute Order was mailed to attorneys at the addresses listed on court records 11/6/19. (kc)

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES**

December 10, 2019

G-19-052263-A

In the Matter of the Guardianship of:
Kathleen Jones, Protected Person(s)

December 10, 2019 9:30 AM**All Pending Motions****HEARD BY:** Marquis, Linda**COURTROOM:** RJC Courtroom 10A**COURT CLERK:** Tanya Stengel; Karen Christensen**PARTIES:**

Donna Simmons, Petitioner, Temporary Guardian, present	John Michaelson, Attorney, present
Elizabeth Brickfield, Guardian Ad Litem, not present	Pro Se
Kathleen Jones, Protected Person, not present	Maria Parra-Sandoval, Attorney, not present
Kimberly Jones, Other, Guardian of Person and Estate, present	
Richard Powell, Other, not present	Pro Se
Robyn Friedman, Petitioner, Temporary Guardian, present	John Michaelson, Attorney, present
Rodney Yeoman, Other, present	Ty Kehoe, Attorney, present
State Guardianship Compliance Officer, Agency, present	

JOURNAL ENTRIES

- HEARING: PETITION FOR RETURN OF PROPERTY OF PROTECTED PERSON AND PETITION FOR CONFIRMATION TO BRING CIVIL ACTIONS ON BEHALF OF KATHLEEN June JONES...OPPOSITION: RODNEY G. YEOMAN'S OPPOSITION TO PETITION FOR RETURN OF PROPERTY OF PROTECTED PERSON...OPPOSITION: RODNEY GERALD YEOMAN'S OPPOSITION TO PETITION FOR CONFIRMATION TO BRING CIVIL ACTIONS ON BEHALF OF KATHLEEN June JONES...HEARING: REPLY IN SUPPORT OF PETITION FOR RETURN OF PROPERTY OF PROTECTED PERSON...HEARING: REPLY IN SUPPORT OF PETITION FOR CONFIRMATION TO BRING CIVIL ACTIONS ON BEHALF OF KATHLEEN June JONES.

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COURT CLERKS: Tanya Stengel, Karen Christensen (kc)

Attorney Constantina Rentzios, Nevada Bar #13747, appeared on behalf of Protected Person and for attorney Maria Parra-Sandoval.

Sonia Jones, Supreme Court Financial Forensic Specialist, present.

Protected Person's daughter, Donna Simmons, participated telephonically.

Mr. Beckstrom made arguments in support of dogs Nikki and Charlie being gifted to Protected Person. The dogs are essentially chattel and they can't be divided like community property such as real estate. The dogs have been in Mr. Yeoman's possession since October and Protected Person requests the return of her dogs daily.

Mr. Kehoe argued both of the dogs are community property. Court noted this is a guardianship case, not a divorce case, and the parties would typically look for an offset or credit. Mr. Kehoe advised Protected Person treated the dogs as if they were also Mr. Yeoman's property, as he also cared for the dogs. Mr. Kehoe advised Mr. Yeoman cared for the dogs for eight years, and Protected Person cannot currently care for the dogs. Mr. Kehoe noted errors and contradictions in the declarations and reply brief, and requested an evidentiary hearing to resolve the matter.

Court requested Mr. Michaelson caution Ms. Friedman regarding speaking out in court.

Mr. Kehoe made statements regarding making offsets in lieu of keeping the dogs, returning them after Mr. Yeoman's death, or having parties attend mediation. Court noted it does not have jurisdiction over pre-estate planning.

Ms. Rentzios advised she read all the pleadings. Protected Person wants her dogs returned and asks about them every day. Protected Person indicated to Ms. Parra-Sandoval she would be willing to share the dogs with Mr. Yeoman if an amicable solution could be found. Ms. Rentzios advised Nikki was a gift to Protected Person. She and Mr. Yeoman did not pay for the dog using community funds. Court inquired whether an evidentiary hearing was needed. Ms. Rentzios stated an evidentiary hearing was not needed. There is no clear dispute as to ownership of the dogs. An evidentiary hearing would be a waste of Protected Person's time and resources. Ms. Rentzios requested the return of the dogs to Protected Person.

Court and counsel engaged in further discussion regarding the ownership and gifting of the dogs, and return of the dogs, or at least one dog to PP, until an evidentiary hearing. Court noted it would be a likely court outcome it would accept statements of law and conclusions of law as set forth from Petitioner's Motion and Court would expect a request for attorney fees at the evidentiary hearing.

Mr. Beckstrom requested at least one of the dogs be returned to Protected Person pending the outcome of the evidentiary hearing. Mr. Kehoe advised he asked Mr. Yeoman regarding the matter

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and Mr. Yeoman declined as the dogs have not been separated. Mr. Beckstrom noted there has been no compromise and requested Protected Person at least have Nikki through the holidays until evidentiary hearing. Ms. Rentzios agreed. Mr. Kehoe stated Court recognized due process has not been accomplished. Court clarified it was trying to make a clear record to avoid appeal and further litigation. Ms. Kehoe stated there was no reason to separate the dogs, and requested Mr. Yeoman keep the dogs until the evidentiary hearing. Court noted the dogs have been with Mr. Yeoman for about two months. The dogs will be returned to Protected Person by 5:00 PM tomorrow until evidentiary hearing. Court will make a final determination at the evidentiary hearing.

Mr. Michaelson made statements regarding Mr. Yeoman's alleged elder abuse of Protected Person. Mr. Michaelson made additional statements regarding Mr. Yeoman's microchip of the dogs, and requested Court make an order to have the information attached to the microchip changed. Discussion.

As to the civil action, Mr. Beckstrom advised Guardian has researched the financial records and found a significant amount of elder abuse and intentional actions to punish Protected Person. Visitation hasn't occurred, the dogs have been kept from Protected Person, and funds have been removed from the account. These matters need to be brought forth in a civil suit. Mr. Beckstrom requested Court allow the filing of a civil suit. Mr. Kehoe argued against a civil suit, in part to running up additional fees. Mr. Kehoe argued Mr. Powell's wife has been brought into the litigation and felt it was additional punishment to his client. Ms. Rentzios advised Protected Person is okay proceeding with the civil litigation, however she does not want to name Mr. Yeoman in the suit. Mr. Beckstrom confirmed he would be named in the suit to protect Protected Person's interests.

Court noted Ms. Jones was present in the courtroom. Ms. Jones stated she came to hear the facts of the case today to gain some clarity regarding the home, funds in the account, and the time period involved.

Mr. Kehoe made statements regarding supervised visitation with Mr. Yeoman, due to physical constraints. Mr. Kehoe stated he provided a declaration to Guardian's former attorney. Argument and discussion. Court noted matter is not on calendar today and encouraged counsel to continue to work on a resolution.

COURT ORDERED:

Both dogs, Nikki and Charlie, shall be TEMPORARILY RETURNED to Protected Person no later than 5:00 PM tomorrow (12/13/19). Court shall make a final determination at the Evidentiary Hearing.

Future hearings, Investigator's Report, set for 1/14/20 at 1:30 PM, and Evidentiary Hearing, set for 2/20/20 at 1:30 PM shall STAND.

Court shall allow up to thirty (30) minutes of argument and discussion regarding the dogs at the Evidentiary Hearing. Counsel may STIPULATE to the entry of documents. Counsel shall make NO

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opening statements and shall SUBMIT closing briefs regarding the issue of the dogs. Witnesses may appear TELEPHONICALLY, with the prior filing of intent to appear telephonically.

Petition for Confirmation to Bring Civil Actions on Behalf of Protected Person shall be GRANTED. Mr. Beckstrom shall submit an Order for Court's signature.

Counsel shall provide information as requested to Ms. Jones in order for her to adequately complete a financial forensic investigation.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES**

January 14, 2020

G-19-052263-A

In the Matter of the Guardianship of:
Kathleen Jones, Protected Person(s)

January 14, 2020**1:30 PM****Return Hearing****HEARD BY:** Marquis, Linda**COURTROOM:** RJC Courtroom 10A**COURT CLERK:** Karen Christensen; Tanya Stengel**PARTIES:**

Donna Simmons, Petitioner, Temporary Guardian, present	John Michaelson, Attorney, present
Elizabeth Brickfield, Guardian Ad Litem, not present	Pro Se
Kathleen Jones, Protected Person, not present	Maria Parra-Sandoval, Attorney, present
Kimberly Jones, Other, Guardian of Person and Estate, present	Geraldine Tomich, Attorney, not present
Richard Powell, Other, not present	Pro Se
Robyn Friedman, Petitioner, Temporary Guardian, present	John Michaelson, Attorney, present
Rodney Yeoman, Other, present	Ty Kehoe, Attorney, present
State Guardianship Compliance Officer, Agency, present	

JOURNAL ENTRIES

- RETURN HEARING FOR INVESTIGATOR'S REPORT

Court Clerks: Karen Christensen, Tanya Stengel (ts)

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

Counsel stated they reviewed the investigator's report.

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

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

Attorney Beckstrom gave the status of the A-Case.

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

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

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

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

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

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

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

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

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

COURT ORDERED, the following:

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

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

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

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

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES**

February 07, 2020

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

February 07, 2020 7:30 AM Minute Order

HEARD BY: Marquis, Linda**COURTROOM:** RJC Courtroom 10A**COURT CLERK:** Karen Christensen**PARTIES:**

Donna Simmons, Petitioner, Temporary Guardian, not present	Matthew Whittaker, Attorney, not present
Elizabeth Brickfield, Guardian Ad Litem, not present	Pro Se
Kathleen Jones, Protected Person, not present	Maria Parra-Sandoval, Attorney, not present
Richard Powell, Other, not present	Pro Se
Robyn Friedman, Petitioner, Guardian of Person and Estate, not present	Matthew Whittaker, Attorney, not present
State Guardianship Compliance Officer, Agency, not present	

JOURNAL ENTRIES

- MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES
RE: G-19-052263-A

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to ensure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c), this Court can consider a motion and issue a decision on the papers at any time without a hearing.

At the October 15, 2019 hearing, the Court ordered that Kimberly Jones shall be appointed as the Guardian over the Person and Estate of the Protected Person in this matter. The Court ordered the Guardian to file an Inventory within 60 days. The Court set a Status Check for February 20, 2020 at 1:30 p.m. to determine if an Evidentiary Hearing was needed in this matter.

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On December 10, 2019, the Court held a Hearing on the Petition for Return of Property of Protected Person and related matters. At this hearing, the Court ordered that it would make the final determination as to the issue of the Return of Property of the Protected Person at the Evidentiary Hearing on February 20, 2020.

On February 4, 2020, the Court received a Stipulation and Order resolving the issue of the Petition for Return of Property of Protected Person. The Court signed this Order, and it was filed on February 7, 2020.

There are no unresolved issues remaining in this matter. The Court orders stand. Accordingly, the Evidentiary Hearing on February 20, 2020 SHALL be vacated.

A copy of this minute order shall be provided to all Parties.

CLERK'S NOTE: A copy of this Minute Order was mailed to parties at the address(es) listed in court records 2/7/20. (kc)

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES**

February 13, 2020

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

February 13, 2020 10:00 AM All Pending Motions

HEARD BY: Marquis, Linda**COURTROOM:** RJC Courtroom 10A**COURT CLERK:** Karen Christensen; Blanca Madrigal**PARTIES:**

Donna Simmons, Petitioner, Temporary Guardian, present	John Michaelson, Attorney, present
Elizabeth Brickfield, Guardian Ad Litem, not present	Pro Se
Kathleen Jones, Protected Person, not present	Maria Parra-Sandoval, Attorney, present
Kimberly Jones, Other, Guardian of Person and Estate, present	Geraldine Tomich, Attorney, not present
Richard Powell, Other, not present	Pro Se
Robyn Friedman, Petitioner, Temporary Guardian, present	John Michaelson, Attorney, present
State Guardianship Compliance Officer, Agency, not present	

JOURNAL ENTRIES

- PETITION FOR PAYMENT OF GUARDIAN'S ATTORNEY'S FEES AND COSTS

COURT CLERKS: Karen Christensen, Blanca Madrigal (mb).

Attorneys, James Beckstrom, Ross Evans, and Laura Deeter, also present in court. Donna Simmons and Robyn Friedman present by telephone.

Discussion regarding payment of guardian's fees and costs from the estate. The Notice of Intent was filed on January 15th. Mr. Evans argued the Guardian was unemployed, relocated to care for the Protected Person, and there was no opposition to the guardianship in general; an opposition was

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filed as to the temporary guardianship only.

Mr. Beckstrom acknowledged a guardianship was necessary, and Guardian was providing excellent care for the Protected Person; however, Mr. Beckstrom argued against payment of attorney fees. Ms. Parra-Sandoval argued against payment of fees and costs from the estate, and had no objection to payment of fees after the filing of the Notice of Intent; however, she objected to undecipherable entries.

The Court finds Notice was not given at the onset and asked counsels if she had discretion to grant fees from the estate under the statute. Ms. Parra-Sandoval noted the statute was silent and requested the Court provide a written opinion if the Court grants fees; based on the lack of notice of intent.

Ms. Deeter stated that the issue with the investigators fell off the radar, and requested the Court set the matter for a status check on 3/17/2020. No objection by either counsel.

COURT ORDERED:

- 1) The Court will allow fees after January 15th; the Court will review the entries after the same date and issue a written decision. The Court believes the statute does not give this Court jurisdiction and requires the filing of a Notice at the onset. The Court did not know Guardian needed fees at the onset. The Guardian was a successor guardian on a temporary guardianship and ultimately made the permanent guardian; therefore, attorney's fees post-January 15th are appropriate, subject to Ms. Parra-Sandoval's specific objections;
- 2) Matter set for STATUS CHECK on Investigative Reports on 3/17/2020 at 9:30 AM.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES**

March 02, 2020

G-19-052263-A

In the Matter of the Guardianship of:
Kathleen Jones, Protected Person(s)

March 02, 2020**8:30 AM****Status Check****HEARD BY:** Marquis, Linda**COURTROOM:** RJC Courtroom 10A**COURT CLERK:****PARTIES:**

Donna Simmons, Petitioner, Temporary
Guardian, not present

Matthew Whittaker, Attorney, not present

Elizabeth Brickfield, Guardian Ad Litem, not
present

Pro Se

Kathleen Jones, Protected Person, not present

Maria Parra-Sandoval, Attorney, not present

Richard Powell, Other, not present

Pro Se

Robyn Friedman, Petitioner, Guardian of
Person and Estate, not present

Matthew Whittaker, Attorney, not present

State Guardianship Compliance Officer,
Agency, not present

JOURNAL ENTRIES

- Per Minute Order, COURT ORDERED, matter CONTINUED placed on the Chambers Calendar for March 16, 2020.

INTERIM CONDITIONS:**FUTURE HEARINGS:**

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES**

March 02, 2020

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

March 02, 2020 2:30 PM Minute Order

HEARD BY: Marquis, Linda**COURTROOM:** RJC Courtroom 10A**COURT CLERK:** ; Antoria Pickens**PARTIES:**

Donna Simmons, Petitioner, Temporary Guardian, not present	Matthew Whittaker, Attorney, not present
Elizabeth Brickfield, Guardian Ad Litem, not present	Pro Se
Kathleen Jones, Protected Person, not present	Maria Parra-Sandoval, Attorney, not present
Richard Powell, Other, not present	Pro Se
Robyn Friedman, Petitioner, Guardian of Person and Estate, not present	Matthew Whittaker, Attorney, not present
State Guardianship Compliance Officer, Agency, not present	

JOURNAL ENTRIES

- MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES
RE: G-19-052263-A

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to ensure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c), this Court can consider a motion and issue a decision on the papers at any time without a hearing.

This matter was placed on the Court's Chamber's Calendar to issue a Written Order. Accordingly, this matter shall be continued to March 16, 2020 at 8:30 a.m. on the Court's Chamber's Calendar. No appearances necessary.

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A copy of this minute order shall be provided to all Parties. (ap)

INTERIM CONDITIONS:

FUTURE HEARINGS:

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

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES****March 13, 2020**

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

March 13, 2020 3:15 PM Minute Order

HEARD BY: Marquis, Linda**COURTROOM:** RJC Courtroom 10A**COURT CLERK:** Karen Christensen**PARTIES:**

Donna Simmons, Petitioner, Temporary Guardian, not present	Matthew Whittaker, Attorney, not present
Elizabeth Brickfield, Guardian Ad Litem, not present	Pro Se
Kathleen Jones, Protected Person, not present	Maria Parra-Sandoval, Attorney, not present
Richard Powell, Other, not present	Pro Se
Robyn Friedman, Petitioner, Guardian of Person and Estate, not present	Matthew Whittaker, Attorney, not present
State Guardianship Compliance Officer, Agency, not present	

JOURNAL ENTRIES

- MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES
RE: G-19-052263-A

The hearing scheduled for March 17, 2020 at 9:30 a.m. has been continued to April 3, 2020 at 9:00 a.m.

The Eighth Judicial District Chief Judge Linda Bell has issued Administrative Order 20-01 which suspends all non-essential District Court Hearings and requires hearings to be conducted by video or telephone.

Further, Judge Bell has ordered that Protected Persons SHALL NOT appear in court. That means, the person who is subject of the guardianship CANNOT come to court. Instead, the Protected Person or Proposed Protected Person may appear by telephone.

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

Family, attorneys, and parties are **STRONGLY ENCOURAGED** to stay at home and appear by telephone. In order to decrease the risk and spread of the CoVID-19 worldwide pandemic, the Court encourages all parties and attorneys to appear for scheduled hearing by telephone.

The attached Notice of Telephone Appearance form can be filed online at:
<http://www.clarkcountycourts.us/departments/clerk/electronic-filing/> or can be faxed to Department B at (702)385-1583. The form advises the Court of the telephone number at which you can be reached for the Court hearing.

If you have any questions or need any additional information, please contact the Self Help Center at flshcinfo@lacsnc.org. The Self Help Center will provide assistance remotely to you.

CLERK'S NOTE: A copy of this Minute Order was mailed to parties at the addresses listed in court records 3/13/20. (kc)

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES****April 02, 2020**

G-19-052263-A

In the Matter of the Guardianship of:
Kathleen Jones, Protected Person(s)

April 02, 2020**8:00 AM****Minute Order****HEARD BY:** Marquis, Linda**COURTROOM:** Chambers**COURT CLERK:** Tanya Stengel**PARTIES:**

Donna Simmons, Petitioner, Temporary
Guardian, not present

Matthew Whittaker, Attorney, not present

Elizabeth Brickfield, Guardian Ad Litem, not
present

Pro Se

Kathleen Jones, Protected Person, not present

Maria Parra-Sandoval, Attorney, not present

Richard Powell, Other, not present

Pro Se

Robyn Friedman, Petitioner, Guardian of
Person and Estate, not present

Matthew Whittaker, Attorney, not present

State Guardianship Compliance Officer,
Agency, not present

JOURNAL ENTRIES

- MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES

RE: G-19-052263-A

The Hearing scheduled for April 3, 2020 at 9:00 a.m. has been continued to April 15, 2020 at 11:00 a.m.

The Eighth Judicial District Chief Judge Linda Bell has issued Administrative Order 20-01 which suspends all non-essential District Court Hearings and has ordered non-essential District Court Hearings to be conducted by video or telephone.

Further, Judge Bell has ordered that Protected Persons SHALL NOT appear in court. That means, the person who is subject of the guardianship CANNOT come to court. Instead, the Protected Person or Proposed Protected Person may appear by telephone.

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Family, attorneys, and parties are **STRONGLY ENCOURAGED** to stay at home and appear by telephone. In order to decrease the risk and spread of the CoVID-19 worldwide pandemic, the Court encourages all parties and attorneys to appear for scheduled hearing by telephone.

The attached Notice of Telephone Appearance form can be filed online at <http://www.clarkcountycourts.us/departments/clerk/electronic-filing/> or can be faxed to Department B at (702)385-1583. The form advises the Court of the telephone number at which you can be reached for the Court hearing.

If you have any questions or need any additional information, please contact the Self Help Center at flshcinfo@lacsnc.org. The Self Help Center will provide assistance remotely to you.

CLERK'S NOTE: A copy of the Minute Order was e-mailed to parties at the e-address(es) listed on court records 4/2/2020. (ts)

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES****April 15, 2020**

G-19-052263-A

In the Matter of the Guardianship of:
Kathleen Jones, Protected Person(s)

April 15, 2020**11:00 AM****All Pending Motions****HEARD BY:** Marquis, Linda**COURTROOM:** RJC Courtroom 10A**COURT CLERK:** Karen Christensen; Tanya Stengel**PARTIES:**

Donna Simmons, Petitioner, Temporary Guardian, present	John Michaelson, Attorney, present
Elizabeth Brickfield, Guardian Ad Litem, not present	Pro Se
Kathleen Jones, Protected Person, not present	Maria Parra-Sandoval, Attorney, present
Kimberly Jones, Other, Guardian of Person and Estate, present	
Richard Powell, Other, not present	Pro Se
Robyn Friedman, Petitioner, Temporary Guardian, present	John Michaelson, Attorney, present
Rodney Yeoman, Other, present	Ty Kehoe, Attorney, present
State Guardianship Compliance Officer, Agency, not present	

JOURNAL ENTRIES

- MOTION FOR PROTECTIVE ORDER... ROBYN FRIEDMAN AND DONNA SIMMONS' JOINDER TO KIMBERLY JONES' MOTION FOR PROTECTIVE ORDER... OPPOSITION TO MOTION FOR PROTECTIVE ORDER... KIMBERLY JONES' REPLY IN SUPPORT OF MOTION FOR PROTECTIVE ORDER... REPLY IN SUPPORT OF MOTION FOR PROTECTIVE ORDER... PETITION FOR APPROVAL OF ATTORNEY'S FEES AND COSTS AND REQUEST TO ENTER A JUDGMENT AGAINST THE REAL PROPERTY OF THE ESTATE... KATHLEEN JUNE JONES' OBJECTION TO PETITION FOR APPROVAL OF ATTORNEY'S FEES AND COSTS AND REQUEST TO ENTER A JUDGMENT AGAINST THE REAL PROPERTY OF THE ESTATE... OPPOSITION TO FRIEDMAN AND SIMMONS PETITION FOR APPROVAL OF ATTORNEY'S FEES AND COSTS AND REQUEST

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TO ENTER A JUDGMENT AGAINST THE REAL PROPERTY OF THE ESTATE; AND JOINDER TO KATHLEEN June JONES' OBJECTION... RESPONSE TO (1) KATHLEEN June JONES' OBJECTION TO PETITION FOR APPROVAL OF ATTORNEY'S FEES AND COSTS AND REQUEST TO ENTER A JUDGMENT AGAINST THE REAL PROPERTY OF THE ESTATE; (2) RESPONSE TO KIMBERLY JONES' JOINDER TO OBJECTION TO FRIEDMAN AND SIMMONS' PETITION FOR APPROVAL OF ATTORNEY'S FEES AND COSTS AND REQUEST TO ENTER A JUDGMENT AGAINST THE REAL PROPERTY OF THE ESTATE AND (3) RESPONSE TO JOINDER TO OPPOSITION TO PETITION FOR APPROVAL OF ATTORNEY'S FEES AND COSTS AND REQUEST TO ENTER A JUDGMENT AGAINST THE REAL PROPERTY OF THE ESTATE FILED BY RODNEY GERALD YEOMAN

Court Clerks: Karen Christensen, Tanya Stengel (ts)

Donna Simmons, Robyn Friedman, and Attorney Ross appeared telephonically. All other parties appeared via BlueJeans.

Court noted Petition for Removal of Guardian was filed yesterday and two dates were given in error. Court stated the hearing set for 5/6/20 does not give enough time for replies and objections and so that hearing shall be vacated; the 5/20/20 date shall stand.

Court noted it is prepared to rule based on the pleadings. Court inquired whether or not there were any further arguments that needed to be made.

Attorney Michaelson made statements regarding the back and forth history of the case and the costs related to this case.

Attorney Beckstrom made statements regarding the Protective Order being unnecessary and made reference to the cost of the case.

Attorney Ross made statements regarding Attorney s Fees and requested to withdraw as Attorney of record for Kimberly Jones.

Attorney Sylvester made statements regarding clarification on interested parties as to discovery.

Attorney Kehoe pointed out to the Court that the investigator, Ms. Jones, was not on the call and had been present for past hearings.

Court noted Ms. Jones written report was filed and very detailed; her presence was not needed for today s hearing.

Attorney Deeter made statements regarding Attorney Sylvester s request for clarification about parties in regard to discovery. Attorney Deeter argued that his clients should be considered parties to the case. Attorney Deeter made further statements regarding Evidentiary Hearing issues and

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discovery.

Attorney Michaelson replied to arguments regarding his Attorney's Fees.

Attorney Parra-Sandoval replied to Attorney Michaelson's argument.

The Court commented on interested parties according to the statute. Court noted the statute states all family members within two degrees of consanguinity as well as other people are considered parties to the case but may not necessarily be considered interested parties as to the litigation. Court made further statements regarding whether or not Temporary Guardians relieved of their duties would be considered interested parties to the litigation. Court stated a definite answer could not be given without additional briefing.

Attorney Beckstrom made statements regarding this issue being addressed in the Objection to the Petition for Removal of Guardian that was recently filed.

Court and Counsel engaged in discussion.

Court advised Counsel to include in their replies or responses to the Petition who should be considered an interested party for purposes of discovery.

COURT ORDERED, the following:

Motion for Protective Order shall be GRANTED IN PART.

Attorney Michaelson: Petition for Approval of Attorney's Fees and Costs and Request to Enter a Judgment against the Real Property of the Estate shall be GRANTED IN PART.

Petition to Withdraw as Counsel for Guardian shall be APPROVED and GRANTED.

Attorney Ross: Payment of Guardian's Attorney Fees and Costs shall be GRANTED IN PART.

Prevailing Parties Attorney's shall prepare and submit Orders ELECTRONICALLY as a modifiable form so the Court can include additional findings and exact amount of fees.

Hearing set on 5/6/20 at 10:00 am shall be VACATED.

Hearing set on 5/20/20 at 9:00 am shall STAND.

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INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES**

May 20, 2020

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

May 20, 2020 9:00 AM All Pending Motions

HEARD BY: Marquis, Linda**COURTROOM:** RJC Courtroom 10A**COURT CLERK:** Karen Christensen; Tanya Stengel**PARTIES:**

Donna Simmons, Petitioner, Temporary Guardian, present	John Michaelson, Attorney, present
Elizabeth Brickfield, Guardian Ad Litem, not present	Pro Se
Kathleen Jones, Protected Person, not present	Maria Parra-Sandoval, Attorney, present
Kimberly Jones, Other, Guardian of Person and Estate, present	
Richard Powell, Other, not present	Pro Se
Robyn Friedman, Petitioner, Temporary Guardian, present	John Michaelson, Attorney, present
Rodney Yeoman, Other, present	Ty Kehoe, Attorney, present
State Guardianship Compliance Officer, Agency, not present	

JOURNAL ENTRIES

- CITATION REGARDING PETITION FOR REMOVAL OF GUARDIAN AND FOR RETURN OF PROTECTED PERSON'S PROPERTY... KIMBERLY JONES' OPPOSITION TO RODNEY GERALD YEOMAN'S PETITION FOR REMOVAL OF GUARDIAN AND FOR RETURN OF PROTECTED PERSON'S PROPERTY AND COUNTERPETITION FOR ATTORNEY FEES AND COSTS PURSUANT TO NRS 159.1583(4) AND COURT ORDERED SUPPLEMENTAL OPPOSITION CONCERNING DISCOVERY OF INTERESTED PARTIES PURSUANT TO NRS 159.047... HEARING REGARDING REPLY TO OPPOSITIONS REGARDING PETITION FOR REMOVAL OF GUARDIAN AND FOR RETURN OF PROTECTED PERSON'S PROPERTY...HEARING REGARDING REPLY TO ROBYN FRIEDMAN'S AND DONNA SIMMONS' OPPOSITION REGARDING PETITION FOR

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REMOVAL OF GUARDIAN AND FOR RETURN OF PROTECTED PERSON'S PROPERTY AND
OPPOSITION TO PETITION FOR SANCTIONS... PETITION FOR APPROVAL REGARDING
REFINANCE REAL PROPERTY OF THE PROTECTED PERSON... HEARING REGARDING
RESPONSE TO PETITION FOR APPROVAL TO REFINANCE REAL PROPERTY OF THE
PROTECTED PERSON

Court Clerks: Karen Christensen, Tanya Stengel (ts)

All parties appeared via BlueJeans.

Court and Counsel engaged in discussion regarding the Petition to Remove Guardian.

Attorney Parra-Sandoval stated they filed a Joinder to Kimberly Jones' Opposition; Protected Person has not changed her preferences on this matter and still wants Kimberly to remain as her Guardian.

Attorney Michaelson stated they do not agree that Kimberly should be removed as Guardian.

Attorney Beckstrom stated they filed an Opposition to the Petition and further stated the allegations are false. Attorney Beckstrom stated the Investigator found no wrong doings; all other issues were previously addressed by the Court and denied. Attorney Beckstrom further stated the Petition has no merit and stated Mr. Yeoman would not be a suitable Guardian.

Attorney Deeter stated the Guardian removed \$5,000.00 and only put it back when it was found through the investigation. Attorney Deeter made further statements regarding the safety deposit box not being listed on the inventory, the refinance Petition, the Guardian not properly managing the estate, and the Guardian not being suitable. Attorney Deeter stated the matter should be set for Evidentiary Hearing. Attorney Deeter further stated Mr. Yeoman had everything taken away from him and is fighting to be in Protected Person's life and only wants her interests protected.

Attorney Kehoe stated concerns about the late filing of the Joinder and further stated the signature blocks were not signed by Robyn or Donna. Attorney Kehoe further stated concerns regarding Kimberly not adequately sharing information as previously Ordered by the Court. Attorney Kehoe made further statements regarding Kimberly's suitability as Guardian.

Court, Counsel, and parties engaged in discussion regarding the Petition for Approval to Refinance Real Property.

Court noted concerns regarding the \$20,000.00 estimate and inquired whether or not Kimberly's boyfriend, Dean, is a Licensed Contractor. Court further inquired whether or not the estimated cost is appropriate and reasonable for the renovations. Court stated all parties agree there should be a refinance and the property requires renovation.

Attorney Beckstrom stated it has been difficult to get estimates and exact interest rates right now but

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they put together the best one they could from a loan company. Attorney Beckstrom further stated Dean has an extensive background in construction and would be doing the work at no cost; the estimate is for purchasing materials only. Attorney Beckstrom further stated Protected Person is out of money and costs are a major concern; Protected Person trusts Dean and wants him to do the work on the home.

Attorney Parra-Sandoval stated Protected Person is not opposing the refinance and supports Kimberly's actions. Attorney Parra-Sandoval further stated there should not be any unnecessary restrictions imposed on Kimberly to renovate the house and Protected Person wants Dean to help with it.

Court reviewed the damages and repairs and stated based on the pictures, some repairs may require a Licensed Professional to do some of the work.

Attorney Michaelson made statements regarding an inspection being absolutely necessary.

Kimberly made statements regarding her not being opposed to calling in a Plumber or a Professional. Kimberly stated it is a basic remodel and requested the Court not put her in a position of responsibility and then tie her hands.

Attorney Deeter stated she agrees with Attorney Michaelson's clients and made statements regarding the liability of the estate if something were to happen. Attorney Deeter stated a Licensed Contractor needs to complete the work so the estate is not sued.

Court noted concerns with the proposed plan or lack of plan for the remodel. Court noted the concern is not regarding Dean painting the walls but stated this is more than a simple remodel as there are missing appliances, structural issues, and holes going to the outside of the house. Court stated it does not want to micro-manage the remodel but Professionals need to be used where Professionals are required.

Court suggested an Inspector go into the home and identify the issues/repairs that need to be done, which would offer all parties a roadmap of what needs to be done to move forward. Court suggested parties then come up with a plan on what items require a Professional and what items can be done by Dean.

Upon inquiry from the Court, Counsel stated no objections.

Attorney Michaelson requested the Inspector and/or Professional Contractors hired have no relation to Kimberly.

Court and Counsel engaged in discussion regarding having a Licensed Contractor versus a Licensed Inspector go into the home. Court stated an Inspector does not have a financial interest but a Contractor would have an interest in the outcome.

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Attorney Kehoe made statements regarding the statute requiring setting a maximum interest rate on the refinancing.

Court and Counsel engaged in discussion regarding the interest rate.

Attorney Beckstrom requested the Court to approve 3.5% interest rate.

Attorney Kehoe requested the interest rate be set at 6%.

Upon inquiry from the Court, there were no objections to setting the interest rate at 6%.

Court informed Counsel that the Petition for Fees, Removal of Temporary Guardians, and the interested parties issues are being addressed in the Written Order.

Attorney Kehoe informed the Court that Guardian no longer wanted the male dog and he is now in the possession of Mr. Yeoman. Attorney Kehoe wanted to clarify that this was permanent possession and ownership. Court advised Attorney Kehoe to submit a Stipulation and Order.

COURT ORDERED, the following:

Petition for Removal of Guardian and for Return of Protected Person's Property shall be DENIED. Attorney Beckstrom shall prepare and submit an Order electronically.

Counter-motion for Sanctions shall be DENIED. Attorney Beckstrom shall prepare and submit an Order electronically.

Petition for Approval to Refinance Real Property of the Protected Person shall be GRANTED IN PART.

An INSPECTOR from CALIFORNIA shall be allowed to inspect the home and identify all of the issues. The final report shall be sent to the Court for review. Court will provide a copy to Counsel if necessary.

All work required to be completed by a Licensed Professional shall be completed by a Licensed Professional.

Kimberly's boyfriend, Dean shall be allowed to complete work, NOT REQUIRED by a Licensed Professional, AT NO COST to the Estate EXCEPT for Materials. Attorney Michaelson shall prepare and submit an Order electronically.

Matter set on CHAMBER'S CALENDAR 7/20/20 at 8:30 am to review the INSPECTION REPORT.

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

INTERIM CONDITIONS:

FUTURE HEARINGS: Jul 20, 2020 8:30AM Status Check
Review of Inspector's report (inspection of the property for necessary repairs) No appearance required
Chambers Marquis, Linda

**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES**

July 20, 2020

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

July 20, 2020 8:30 AM Status Check

HEARD BY: Marquis, Linda**COURTROOM:** Chambers**COURT CLERK:** Karen Christensen**PARTIES:**

Donna Simmons, Petitioner, Temporary Guardian, not present	Matthew Whittaker, Attorney, not present
Elizabeth Brickfield, Guardian Ad Litem, not present	Pro Se
Kathleen Jones, Protected Person, not present	Maria Parra-Sandoval, Attorney, not present
Richard Powell, Other, not present	Pro Se
Robyn Friedman, Petitioner, Guardian of Person and Estate, not present	Matthew Whittaker, Attorney, not present
State Guardianship Compliance Officer, Agency, not present	

JOURNAL ENTRIES

- MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES
RE: G-19-052263-A

This matter was placed on the Court's Chamber's Calendar for July 20, 2020 at 8:30 a.m. for the Review of the Inspector's Report (Inspection of the Real Property).

The Inspector's Report was received on July 20, 2020, and reviewed by the Court.

A copy of this Minute Order shall be provided to all parties.

CLERK'S NOTE: A copy of this Minute Order was mailed to parties at the addresses listed in court records 7/22/20. (kc)

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

INTERIM CONDITIONS:

FUTURE HEARINGS: Jul 20, 2020 8:30AM Status Check
Review of Inspector's report (inspection of the property for necessary repairs) No appearance required
Chambers Marquis, Linda

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES**

July 31, 2020

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

July 31, 2020 12:40 AM Minute Order

HEARD BY: Marquis, Linda**COURTROOM:** Chambers**COURT CLERK:** Tanya Stengel**PARTIES:**

Donna Simmons, Petitioner, Temporary Guardian, not present	Matthew Whittaker, Attorney, not present
Elizabeth Brickfield, Guardian Ad Litem, not present	Pro Se
Kathleen Jones, Protected Person, not present	Maria Parra-Sandoval, Attorney, not present
Richard Powell, Other, not present	Pro Se
Robyn Friedman, Petitioner, Guardian of Person and Estate, not present	Matthew Whittaker, Attorney, not present
State Guardianship Compliance Officer, Agency, not present	

JOURNAL ENTRIES

- MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES**RE: G-19-052263-A**

The Court notes that there is a Hearing on August 6, 2020 at 12:30 p.m. for the Motion Pursuant To E.D.C.R. 2.24, N.R.C.P. 52, 59 And 60 Regarding The Decision And Order Entered On MAY 21, 2020; Kimberly Jones Opposition To Motion Pursuant To EDCR 2.24, NRCP 52, 59, AND 60, Regarding The Decision And Order Entered On 5-21-20 And Countermotion To Transfer To Chambers Calendar Without Oral Argument; Reply To Opposition To Motion Pursuant To EDCR 2.24, NRCP 52, 59, AND 60, Regarding The Decision And Order Entered On 5-21-20.

In addition, there is a Hearing set for August 12, 2020 at 9:30 a.m. for Motion to Consolidate; Kimberly Jones s Motion for Order Quieting Title, Directing Execution of Deed, And/Or in the Alternative Petition for Instruction and Advice; Opposition to Motion to Consolidate; Opposition to

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Kimberly Jones s Motion for Order Quieting title, Directing Execution of Deed, and/or In the Alternative Petition for Instruction and Advice; Kimberly Jones s Reply to Support of Motion for Order Quieting Title, Directing Execution of Deed, and or in the Alternative Petition for Instruction and Advice; Kimberly Jones Reply In Support of Motion to Consolidate.

Pursuant to the Notice of Appeal filed on June 26, 2020, the hearings set for August 6, 2020 at 12:30 p.m. and August 12, 2020 at 9:30 a.m. are VACATED. Consistent with Huneycutt v. Huneycutt, 94 Nev. 79, 575 P.2d 585 (1978), a Motion will be necessary for the Supreme Court to ascertain which Motions are viable for the District Court to hear pending the decision of the Appeal.

A copy of this Minute Order shall be provided to all parties.

CLERK'S NOTE: A copy of the Minute Order was e-mailed to parties at the e-mail address(es) listed on court records 7/31/2020. (ts)

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES****September 17, 2020**

G-19-052263-A

In the Matter of the Guardianship of:
Kathleen Jones, Protected Person(s)

**September 17,
2020****10:00 AM****Motion to Rehear****HEARD BY:** Marquis, Linda**COURTROOM:** RJC Courtroom 10A**COURT CLERK:** Tanya Stengel**PARTIES:**

Donna Simmons, Petitioner, present

John Michaelson, Attorney, present

Elizabeth Brickfield, Guardian Ad Litem, not present

Pro Se

Kathleen Jones, Protected Person, not present

Maria Parra-Sandoval, Attorney, present

Kimberly Jones, Other, Guardian of Person and Estate, not present

James Beckstrom, Attorney, present

Richard Powell, Other, present

Pro Se

Robyn Friedman, Petitioner, present

John Michaelson, Attorney, present

State Guardianship Compliance Officer, Agency, not present

JOURNAL ENTRIES

- MOTION FOR STATUS CHECK TO RESET VACATED HEARING DATE

Patrick McDonnell, Nevada Bar #13188, appeared via BlueJeans on behalf of Donna Simmons and Robyn Friedman.

All other parties also appeared via BlueJeans.

Court noted the Minute Order issued 7/31/20 vacating future hearings was issued by Senior Judge Steel in the Court's absence.

Upon inquiry from the Court, Counsel stated no objections to resetting the hearing.

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Attorney Beckstrom stated there was an Appeal filed by Mr. Yeoman; however, it has now been rendered Moot due to Mr. Yeoman passed away a few weeks ago. Attorney Beckstrom made further statements regarding pending issues.

Upon inquiry, Attorney Deeter stated an Estate has not yet been opened but they are in the process of doing that. Attorney Deeter stated parties are participating in a Settlement Conference for the Civil Litigation at the end of September and there may be a resolution.

Attorney Michaelson made statements regarding the lack of communication from the Guardian; they just found out this morning that Mr. Yeoman passed away. Attorney Michaelson requested the Court have parties communicate through Family Wizard or Talking Parents.

Court made statements to the parties about the importance of setting differences aside and communicating with each other. Court stated it will issue stricter Orders if necessary which will give parties no ability to use their own judgment.

Court and Counsel engaged in discussion regarding communication, visitation, and Family Mediation Center (FMC).

Attorney Beckstrom stated his objection to FMC and further stated Protected Person has a very strong stance on the issue about her daughters trying to dictate her life. Attorney Beckstrom requested an Evidentiary Hearing regarding visitation to allow Protected Person to voice her opinion on the issue.

Court stated it was under the impression visitation was just a scheduling issue.

Attorney Parra-Sandoval stated Protected Person did not find out about the death of her husband until one week later and Attorney Parra-Sandoval stated she was the one who had to tell her. Attorney Parra-Sandoval further stated Protected Person doesn't want a visitation schedule and is willing to tell the Court what her wishes are.

Court and Counsel engaged in further discussion regarding visitation. Attorney Parra-Sandoval requested a Petition for Visitation be filed so she can further discuss it with Protected Person.

Attorney Michaelson inquired whether or not Protected Person is still in Nevada. Court and Counsel engaged in discussion. Court stated it would be upset if Protected Person was moved out of the state without the Court's permission and requested Attorney Beckstrom speak with the Guardian about the issue.

Statements made by Ms. Simmons and Ms. Friedman.

COURT ORDERED, the following:

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Motion to Reset Vacated Hearing shall be APPROVED and GRANTED.

Matter shall be SET 10/7/20 at 9:00 am.

Attorney Deeter shall file a Suggestion of Death for Rodney Yeoman.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES****October 07, 2020**

G-19-052263-A

In the Matter of the Guardianship of:
Kathleen Jones, Protected Person(s)

October 07, 2020**9:00 AM****Status Check****HEARD BY:** Marquis, Linda**COURTROOM:** RJC Courtroom 10A**COURT CLERK:** Karen Christensen; Tanya Stengel**PARTIES:**

Donna Simmons, Petitioner, present	John Michaelson, Attorney, present
Elizabeth Brickfield, Guardian Ad Litem, not present	Pro Se
Kathleen Jones, Protected Person, not present	Maria Parra-Sandoval, Attorney, present
Kimberly Jones, Other, Guardian of Person and Estate, not present	James Beckstrom, Attorney, present
Richard Powell, Other, present	Pro Se
Robyn Friedman, Petitioner, present	John Michaelson, Attorney, present
State Guardianship Compliance Officer, Agency, not present	

JOURNAL ENTRIES

- STATUS CHECK**COURT CLERKS:** Tanya Stengel, Karen Christensen (kc)

Attorneys Maria Parra-Sandoval, John Michaelson, Ty Kehoe, Laura Deeter, Matthew Piccolo, and James Beckstrom appeared via BlueJeans video conference.

Donna Simmons, Robyn Friedman and her husband, Dick Powell also appeared via BlueJeans.

Court reviewed the pleadings on file, and inquired if the issue regarding signature for refinance was moot or still unresolved. Mr. Beckstrom responded the matter is now MOOT with the passing of Mr. Yeoman.

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Court noted it was prepared to make a decision today regarding Mr. Yeoman's Motion pursuant to 2.24, 52, 59, 60, regarding decision ordered 5/21/20, without further arguments. Ms. Deeter advised a procedural issue may delay a decision, in that an estate is not yet opened for Mr. Yeoman. Ms. Deeter stated it is expected to be opened in the next couple of weeks, however there is no one technically authorized to take action regarding the estate at this time. If an administrator is named, the matter would be moot. Court noted a Suggestion of Death was filed yesterday.

Court noted the Motion asked for reconsideration and re-argues many of the issues that were already argued.

Argument and discussion regarding Ms. Jones' Motion to Consolidate. Court noted it did not review the pleadings in the civil case, and while it was understandable counsel would want to consolidate cases, Court stated it would not be inclined to do that. Court noted the concern regarding jurisdiction and informed counsel it regularly covers civil and criminal matters for colleagues. Court addressed other jurisdictional issues and also addressed its inability to consolidate cases not within the family court guardianship division, as that would come from the chief judge.

Mr. Kehoe stated he filed a stay pending appeal if the motion was denied. Mr. Beckstrom and Mr. Michaelson opposed a stay; Ms. Parra-Sandoval deferred to Court's decision. Mr. Kehoe responded.

COURT ORDERED:

Motion Pursuant to E.D.C.R. 2.24, N.R.C.P. 52, 59 and 60 Regarding Decision and Order Entered 5/21/20 shall be DENIED as it does not raise any new issues.

Ms. Jones' Motion to Consolidate shall be DENIED.

Mr. Kehoe's Petition for a STAY pending appeal shall be DENIED.

INTERIM CONDITIONS:

FUTURE HEARINGS: Oct 07, 2020 9:00AM Status Check
(Cont from 9/17/20)
RJC Courtroom 10A Marquis, Linda

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES**

January 21, 2021

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

January 21, 2021 9:30 AM All Pending Motions

HEARD BY: Marquis, Linda**COURTROOM:** RJC Courtroom 10A**COURT CLERK:** Karen Christensen; Tanya Stengel**PARTIES:**

Donna Simmons, Petitioner, Temporary Guardian, not present	Matthew Whittaker, Attorney, not present
Elizabeth Brickfield, Guardian Ad Litem, not present	Pro Se
Kathleen Jones, Protected Person, not present	Maria Parra-Sandoval, Attorney, present
Kimberly Jones, Other, Guardian of Person and Estate, present	Geraldine Tomich, Attorney, not present
Richard Powell, Other, present	Pro Se
Robyn Friedman, Petitioner, present	John Michaelson, Attorney, present
State Guardianship Compliance Officer, Agency, not present	

JOURNAL ENTRIES

- HEARING: MOTION PURSUANT TO E.D.C.R 2.24, N.R.C.P 52.9 AND 60 REGARDING THE ORDERS RE MOTION FOR RECONSIDERATION ENTERED ON October 27, 2020... OPPOSITION TO MOTION PURSUANT TO E.D.C.R 2.24, N.R.C.P 52.9 AND 60 REGARDING THE ORDERS RE MOTION FOR RECONSIDERATION ENTERED ON October 27, 2020; COUNTER-PETITION FOR REMOVAL OF RODNEY GERALD YEOMAN FROM THE GUARDIANSHIP PROCEEDINGS; AND MOTION FOR SANCTIONS... REPLY TO OPPOSITION TO MOTION PURSUANT TO E.D.C.R 2.24, N.R.C.P 52.9 AND 60 REGARDING THE ORDERS RE MOTION FOR RECONSIDERATION ENTERED ON October 27, 2020

In accordance with Administrative Order 20-01, out of an abundance of caution, in order to prevent the spread of COVID-19 infection in the community, this Hearing was held via video conference

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through BlueJeans.

Court Clerks: Karen Christensen, Tanya Stengel (ts)

The Court reviewed the case history and pleadings on file. Court stated no additional arguments were needed.

Attorney Michaelson stated they were fully in support of removing Mr. Yeoman and Mr. Powell from the service list and they were also in favor of sanctions.

Attorney Parra-Sandoval stated she was also in support of removing Mr. Yeoman and his Attorney's. Attorney Parra-Sandoval stated the statutes indicate interested parties must be a live person.

Further statements by Attorney Michaelson and Attorney Beckstrom. Attorney Beckstrom requested the Court consider sealing the Guardianship proceedings.

Arguments by Attorney Kehoe.

Court stated it would not consider sealing the case today because it is not on calendar. Court further stated this is currently a public case and the Court will not Order the Clerk's Office to remove Mr. Yeoman from automatic service; however, he will be removed as an interested party.

Attorney Michaelson clarified that Mr. Powell and Mr. Yeoman's Counsel are not interested parties and should also be removed from the service list.

Court stated Mr. Powell does not meet the criteria to be considered an interested party.

COURT stated FINDINGS and ORDERED, the following:

Motion Pursuant to E.D.C.R. 2.24, N.R.C.P 52.59 and 60 Regarding the Order Re: Motion for Reconsideration entered on October 27, 2020 shall be DENIED.

Counter-Petition for Removal of Rodney Gerald Yeoman from the Guardianship Proceedings shall be APPROVED and GRANTED. Mr. Yeoman and his Attorney's shall no longer require service.

Motion for Sanctions shall be DENIED. Court ADMONISHED Counsel to continue to endeavor and remain professional and focus on the issues at hand.

Future Hearing Dates shall STAND.

Attorney Beckstrom shall prepare and submit an Order; Counsel shall sign as to form and content.

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FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES**

February 11, 2021

G-19-052263-A

In the Matter of the Guardianship of:
Kathleen Jones, Protected Person(s)

February 11, 2021 9:30 AM**All Pending Motions****HEARD BY:** Marquis, Linda**COURTROOM:** RJC Courtroom 10A**COURT CLERK:** Karen Christensen; Tanya Stengel**PARTIES:**

Donna Simmons, Petitioner, present	John Michaelson, Attorney, present
Elizabeth Brickfield, Guardian Ad Litem, not present	Pro Se
Kathleen Jones, Protected Person, present	Maria Parra-Sandoval, Attorney, present
Kimberly Jones, Other, Guardian of Person and Estate, present	Geraldine Tomich, Attorney, not present
Richard Powell, Other, present	Pro Se
Robyn Friedman, Petitioner, present	John Michaelson, Attorney, present
State Guardianship Compliance Officer, Agency, not present	

JOURNAL ENTRIES

- HEARING: GUARDIAN OF THE PROTECTED PERSON'S PETITION TO COMPROMISE PROPERTY OF PROTECTED PERSON AND SEAL HEARING... HEARING: VERIFIED PETITION FOR COMMUNICATION, VISITS AND VACATION TIME WITH PROTECTED PERSON... KATHLEEN June JONES' OPPOSITION TO VERIFIED PETITION FOR COMMUNICATION, VISITS AND VACATION TIME WITH PROTECTED PERSON... KIMBERLY JONES' OPPOSITION TO VERIFIED PETITION FOR COMMUNICATION, VISITS AND VACATION TIME WITH PROTECTED PERSON... PETITIONERS OMNIBUS REPLY TO: (1) KIMBERLY JONES' OPPOSITION TO VERIFIED PETITION FOR COMMUNICATION, VISITS AND VACATION TIME WITH PROTECTED PERSON; AND (2) KATHLEEN June JONES OPPOSITION TO VERIFIED PETITION FOR COMMUNICATION, VISITS AND VACATION TIME WITH PROTECTED PERSON

In accordance with Administrative Order 20-01, out of an abundance of caution, in order to prevent

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the spread of COVID-19 infection in the community, this Hearing was held via video conference through BlueJeans.

Court Clerks: Karen Christensen, Tanya Stengel (ts)

James Beckstrom, Nevada Bar #14032, appeared on behalf of Kimberly Jones.

Teri Butler, Protected Person's Daughter, appeared.

Perry Friedman, Protected Person's Son-in-law, appeared.

Legal Aid Observer: Jeffery Sheehan, Esq.

The Court reviewed the case history and pleadings on file.

Attorney Parra-Sandoval stated she has spoken to Protected Person about the settlement offer and she is agreeable to the terms. Upon inquiry from the Court, Attorney Parra-Sandoval stated she supports the Guardian's request to seal and believes the request to seal for 120 days is the most appropriate.

Attorney Beckstrom made statements regarding Attorney Kehoe and Mr. Powell being present at the hearing and stated it prohibits parties from openly discussing the settlement.

Attorney Michaelson made statements and requested the entire proceeding be sealed.

Court and Counsel engaged in discussion regarding the Petition to Seal; in what manner the case should be sealed, and what parties should be allowed to participate in the sealed hearing.

Court stated it reviewed the Petition for Communication, Visits and Vacation Time with Protected Person and inquired if there were any objections or concerns.

Ms. Butler made statements opposing the Petition and stated Robyn has a need to control everything. Court and Ms. Butler engaged in discussion regarding her concerns.

Arguments by Counsel.

Court stated it would not be Ordering FMC (Family Mediation Center) because the Court is unsure if they are well-prepared and/or well-suited to resolve this issue. Court further stated it would also not be Ordering Guardianship mediation or Talking Parents.

Attorney Michaelson stated if the settlement is approved, it would leave Protected Person in a possible homeless situation and there are concerns about Protected Person being moved out of state because of that situation. Attorney Michaelson stated he does not believe that should be allowed to happen without permission from the Court.

Court stated that issue would be addressed at the sealed hearing; however, the Court advised ALL

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Counsel that before Protected Person is relocated a Petition would be required to be filed with the Court.

COURT ORDERED, the following:

Petition to Seal the hearing relative to the Petition to Compromise Property shall be APPROVED and GRANTED. The HEARING shall be SEALED for ONE HUNDRED AND TWENTY (120) DAYS. Attorney Beckstrom shall prepare and submit an Order.

Matter set for HEARING 2/12/21 at 9:00 am for Approval of Settlement Agreement. THIS HEARING SHALL BE SEALED.

Matter set for STATUS CHECK 6/3/21 at 1:00 pm to determine if the hearing should be UNSEALED.

Guardian Ad Litem, Elizabeth Brickfield, shall be appointed to represent the Protected Person.

A Supreme Court Investigator shall be APPOINTED to investigate this case. The Investigator shall review current medical records and current suggestions and/or recommendations by Protected Person's Physician about her level of care; speak with all Protected Person's daughters, Robyn, Donna, and Teri, (their counsel may be present) to discuss visitation, time together, communications, and their needs, requests, and concerns with regard to Protected Person; review all records relative to conversations with the siblings as well as phone call and text message records supplied to Investigator by family members to assist Court in applying statutes as to whether or not Guardian has been acting unreasonably.

Matter shall be CONTINUED to 5/13/21 at 1:00 pm for INVESTIGATOR'S REPORT, Petition for Communication, Visits and Vacation Time with Protected Person, and Oppositions.

INTERIM CONDITIONS:

FUTURE HEARINGS: Feb 12, 2021 9:00AM Hearing
SEALED HEARING - Approval of Settlement Agreement
RJC Courtroom 10A Marquis, Linda

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES****March 10, 2021**

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

March 10, 2021 3:45 PM Minute Order

HEARD BY: Marquis, Linda**COURTROOM:** Chambers**COURT CLERK:** Karen Christensen**PARTIES:**

Donna Simmons, Petitioner, Temporary Guardian, not present	Matthew Whittaker, Attorney, not present
Elizabeth Brickfield, Guardian Ad Litem, not present	Pro Se
Kathleen Jones, Protected Person, not present	Maria Parra-Sandoval, Attorney, not present
Richard Powell, Other, not present	Pro Se
Robyn Friedman, Petitioner, Guardian of Person and Estate, not present	Matthew Whittaker, Attorney, not present
State Guardianship Compliance Officer, Agency, not present	

JOURNAL ENTRIES

- MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES
RE: G-19-052263-A

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to ensure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c), this Court can consider a motion and issue a decision on the papers at any time without a hearing.

The Court notes that an Ex Parte Petition to Shorten Time to Hear Verified Petition for Communication, Visits, and Vacation Time with Protected Person was filed on March 9, 2021, and a proposed Order Setting Hearing on Shortened Time on Verified Petition for Communication and Visitation was submitted to the Court electronically.

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Upon review, the Ex Parte Petition to Shorten Time to Hear Verified Petition for Communication, Visits, and Vacation Time with Protected Person is DENIED. The Court notes that the recently appointed Guardian ad Litem may require additional time to advocate for the Protected Person's best interest.

A copy of this Minute Order shall be provided to all parties.

CLERK'S NOTE: A copy of this Minute Order was e-mailed to parties at the e-mail addresses listed in court records 3/10/21. (kc)

INTERIM CONDITIONS:

FUTURE HEARINGS: Feb 12, 2021 9:00AM Hearing
SEALED HEARING - Approval of Settlement Agreement
RJC Courtroom 10A Marquis, Linda

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES****March 11, 2021**

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

March 11, 2021 1:45 PM Minute Order

HEARD BY: Marquis, Linda**COURTROOM:** Chambers**COURT CLERK:** Karen Christensen**PARTIES:**

Donna Simmons, Petitioner, Temporary Guardian, not present	Matthew Whittaker, Attorney, not present
Elizabeth Brickfield, Guardian Ad Litem, not present	Pro Se
Kathleen Jones, Protected Person, not present	Maria Parra-Sandoval, Attorney, not present
Richard Powell, Other, not present	Pro Se
Robyn Friedman, Petitioner, Guardian of Person and Estate, not present	Matthew Whittaker, Attorney, not present
State Guardianship Compliance Officer, Agency, not present	

JOURNAL ENTRIES

- MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES
RE: G-19-052263-A

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to ensure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c), this Court can consider a motion and issue a decision on the papers at any time without a hearing.

The Court notes that this matter was set for a Status Check Hearing on March 11, 2021, at 2:00 p.m.

Upon review, the Court notes that BlueJeans, the Court's video appearance application is experiencing significant network issues.

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Accordingly, the Status Check set for March 11, 2021, at 2:00 p.m. SHALL be continued to March 12, 2021, at 2:00 p.m.

A copy of this minute order shall be provided to all Parties.

CLERK'S NOTE: A copy of this Minute Order was e-mailed to parties at the e-mail addresses listed in court records 3/11/21. (kc)

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES****March 30, 2021**

G-19-052263-A

In the Matter of the Guardianship of:
Kathleen Jones, Protected Person(s)

March 30, 2021**8:30 AM****Settlement Conference****HEARD BY:** Marquis, Linda**COURTROOM:** RJC Courtroom 10A**COURT CLERK:** Karen Christensen;**PARTIES:**

Donna Simmons, Petitioner, present
Elizabeth Brickfield, Guardian Ad Litem,
present
Kathleen Jones, Protected Person, present
Kimberly Jones, Other, Guardian of Person
and Estate, present
Richard Powell, Other, not present
Robyn Friedman, Petitioner, present
State Guardianship Compliance Officer,
Agency, not present

John Michaelson, Attorney, present
Pro Se
Maria Parra-Sandoval, Attorney, present
James Beckstrom, Attorney, present
Pro Se
John Michaelson, Attorney, present

JOURNAL ENTRIES

- SETTLEMENT CONFERENCE

Settlement Conference heard in Courtroom 10A, Regional Justice Center. Court Clerk was not present at the Settlement Conference.

Matters not settled. Issues not resolved.

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FUTURE HEARINGS: Mar 12, 2021 2:00PM Status Check
Protected Person's Placement
RJC Courtroom 10A Marquis, Linda

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES****April 06, 2021**

G-19-052263-A

In the Matter of the Guardianship of:
Kathleen Jones, Protected Person(s)

April 06, 2021**10:00 AM****All Pending Motions****HEARD BY:** Marquis, Linda**COURTROOM:** RJC Courtroom 10A**COURT CLERK:** Karen Christensen; Tanya Stengel**PARTIES:**

Donna Simmons, Petitioner, present

John Michaelson, Attorney, present

Elizabeth Brickfield, Guardian Ad Litem,
present

Pro Se

Kathleen Jones, Protected Person, not present

Maria Parra-Sandoval, Attorney, present

Kimberly Jones, Other, Guardian of Person
and Estate, present

James Beckstrom, Attorney, present

Richard Powell, Other, present

Pro Se

Robyn Friedman, Petitioner, present

John Michaelson, Attorney, present

State Guardianship Compliance Officer,
Agency, not present

JOURNAL ENTRIES

- MOTION: GUARDIAN KIMBERLY JONES' PETITION TO RELOCATE PROTECTED PERSON AND TRANSFER GUARDIANSHIP...ROBYN FRIEDMAN AND DONNA SIMMONS' OPPOSITION TO PETITION TO RELOCATE PROTECTED PERSON AND TRANSFER GUARDIANSHIP.

In accordance with Administrative Order 20-01, out of abundance of caution, and in order to prevent the spread of COVID-19 infection in the community, this Hearing was held via video conference through BlueJeans.

Court Clerks: Tanya Stengel, Karen Christensen (kc)

Perry Friedman also appeared.

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Court noted matter was set on an Order Shortening Time. Mr. Beckstrom reviewed the recent history of the case and stated Protected Person is packed and ready for the relocation to Anaheim, which is now vacant and available for the move.

Ms. Parra-Sandoval objected to the transfer of guardianship case to California as there are unresolved matters pending in this court. Additionally, Ms. Parra-Sandoval stated Protected Person did not want to accept the \$4,000 to stay additional time in the Kraft home. She also declined any offers to stay with Robyn temporarily. Ms. Brickfield joined with Ms. Parra-Sandoval's objection to transfer jurisdiction at this time. Ms. Brickfield noted a copy of a lease attached to the petition, and stated ongoing concerns regarding the lease and visitation between Protected Person and her family members.

Court noted Mr. Michaelson's opposition was filed yesterday. Mr. Michaelson made arguments regarding unresolved issues as to the family members' access to Protected Person, and Guardian's move with Protected Person to California without Court's permission. Mr. Michaelson also made arguments regarding Protected Person's finances. Mr. Beckstrom responded. Argument and discussion between counsel.

Court noted Mr. Michaelson's partial opposition to relocation, and also noted he raised the issue of Court's ability to remove a guardian under SB20. Court noted its ability to remove a guardian for cause does not require notice, however Court was not inclined to consider that request at today's hearing. Court stated it would only address the request for relocation and transfer of guardianship at today's hearing.

Ms. Parra-Sandoval stated she spoke with Protected Person, who again stated she would like to move to California with Guardian. She represented to Ms. Parra-Sandoval only she and Guardian would be living in the Anaheim property.

Ms. Brickfield made statements regarding the importance of the family coming to an agreement regarding visitation. Additional arguments by counsel, and statements made by family members.

Mr. Kehoe had no comments and stated he was just monitoring today's hearing.

Court noted concern the Petition filed did not meet all of the statutory requirements. Court additionally noted an accounting hearing has not been set, and the accounting has not been approved.

COURT ORDERED:

Based on concerns and missing information, Request for a PERMANENT Relocation and Transfer of Guardianship to California shall be DENIED, without prejudice.

Court shall allow a TEMPORARY RELOCATION of Protected Person to California, with Guardian

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living in the same residence.

Mr. Beckstrom shall prepare the Order for Temporary Relocation. Mr. Michaelson and Ms. Parra-Sandoval shall countersign.

All future hearing dates shall STAND.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES****May 12, 2021**

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

May 12, 2021 2:45 PM Minute Order

HEARD BY: Marquis, Linda**COURTROOM:** Chambers**COURT CLERK:** Karen Christensen**PARTIES:**

Donna Simmons, Petitioner, Temporary Guardian, not present	Matthew Whittaker, Attorney, not present
Elizabeth Brickfield, Guardian Ad Litem, not present	Pro Se
Kathleen Jones, Protected Person, not present	Maria Parra-Sandoval, Attorney, not present
Richard Powell, Other, not present	Pro Se
Robyn Friedman, Petitioner, Guardian of Person and Estate, not present	Matthew Whittaker, Attorney, not present
State Guardianship Compliance Officer, Agency, not present	

JOURNAL ENTRIES

- MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES
RE: G-19-052263-A

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to ensure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c), this Court can consider a motion and issue a decision on the papers at any time without a hearing.

The Court notes that a Petition for Communication, Visits, and Vacation Time with Protected Person was filed December 30, 2020; Kathleen June Jones' Opposition was filed January 25, 2021; Kimberly Jones' Opposition was filed January 25, 2021; Petitioner's Omnibus Reply was filed February 1, 2021. All are set for Hearing May 13, 2021, at 1:00 p.m.

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The Court further notes that a Petition to Approve Kathleen June Jones' Proposed Visitation Schedule is set for Hearing on May 27, 2021. The Protected Person requests a specific schedule be accepted by the Court, despite the Protected Person's Opposition filed on January 25, 2021. The Ex Parte Request for an Order Shortening Time was granted and the matter set for hearing May 13, 2021.

Relative to Mother's Day visitation, the Protected Person's Daughters, Robyn Friedman and Donna Simmons, filed a Petition for Visitation with the Protected Person on April 23, 2021, which is set for hearing June 3, 2021. The Guardian filed a Limited Response to Petition for Visitation with the Protected Person on May 3, 2021. The Ex Parte Request for an Order Shortening Time was granted and set for hearing May 13, 2021.

Upon review, the Court finds that there remain issues of fact that must first be determined by the Court at an Evidentiary Hearing before the Court can enter an order relative to Robyn Friedman and Donna Simmons' request for communication, access, and time with their Mother, the Protected Person, pursuant to NRS 159.332 through NRS 159.337, and NRS 159.328.

Therefore, an Evidentiary Hearing relative to the Petitions for Visitation, Petition to Approve Proposed Visitation Schedule, and Oppositions SHALL be set for Tuesday, June 8, 2021, at 9:00 a.m. Each Party shall file a Pre-Trial Memorandum on or before June 1, 2021, at 5:00 p.m., especially focusing on legal points and authorities. Each Party shall electronically submit to the Department's Law Clerk an Index of Proposed Exhibits and the Proposed Exhibits via e-mail on or before June 1, 2021, at 5:00 p.m. Counsel shall meet and confer prior to the Evidentiary Hearing to determine whether a stipulation can be reached relative to the Proposed Exhibits.

Accordingly, the Hearings set for the following dates are VACATED: May 13, 2021; May 27, 2021; and June 3, 2021.

The Court notes that this matter remains in non-compliance.

A copy of this Minute Order shall be provided to all parties.

CLERK S NOTE: A copy of this Minute Order was e-mailed to parties at the e-mail address on record with the Court; if no e-mail address was available, the minute order was mailed to the physical address of record 5/12/21. (kc)

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES**

June 08, 2021

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

June 08, 2021 9:00 AM Evidentiary Hearing

HEARD BY: Marquis, Linda**COURTROOM:** RJC Courtroom 10A**COURT CLERK:** ; Karen Christensen**PARTIES:**

Donna Simmons, Petitioner, present	John Michaelson, Attorney, present
Elizabeth Brickfield, Guardian Ad Litem, present	Pro Se
Kathleen Jones, Protected Person, not present	Maria Parra-Sandoval, Attorney, present
Kimberly Jones, Other, Guardian of Person and Estate, present	James Beckstrom, Attorney, present
Richard Powell, Other, present	Pro Se
Robyn Friedman, Petitioner, present	John Michaelson, Attorney, present
State Guardianship Compliance Officer, Agency, present	

JOURNAL ENTRIES

- EVIDENTIARY HEARING: VISITATION, PROPOSED VISITATION SCHEDULE, AND
OPPOSITIONS

This Hearing was held via video conference through BlueJeans.

The following also appeared via BlueJeans:

LaChasity Carroll, Supreme Court Guardianship Compliance Investigator
Attorney Matthew Whittaker, Nevada Bar #13281
Attorney Scott Cardenas, Nevada Bar #14851
Richard and Candi Powell
Attorney Ty Kehoe, Nevada Bar #6011
Teri Butler (daughter)

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Scott Simmons (son)
Perry Friedman (son-in-law)
Cameron Simmons (grandson)
Samantha Simmons (granddaughter)

Ms. Parra-Sandoval objected to the Powells' participation in today's hearing. Mr. Michaelson and Mr. Beckstrom agreed. Mr. Beckstrom also objected to Mr. Kehoe's appearance and made statements regarding settlement funds not being transferred to Protected Person. Mr. Kehoe stated he and the Powells were observing and did not plan to participate in the hearing. Arguments between counsel. Court stated this case was not sealed and allowed Mr. Kehoe and the Powells to remain in the hearing.

Court noted a Motion in Limine was filed yesterday by Mr. Beckstrom. Court DENIED the Motion in Limine.

Court and counsel engaged in discussion regarding the admission of text messages.

Court noted its intention to admit Ms. Carroll's and Ms. Brickfield's reports as Court Exhibits.

Ms. Parra-Sandoval advised Protected Person was not present today and she indicated she would be too stressed and upset to testify.

Court noted it took JUDICIAL NOTICE of all the pleadings on file.

Counsel engaged in argument and discussion regarding the admission of exhibits. Court noted, per stipulation, Protected Person's exhibits ADMITTED. None of Respondent's or Petitioners' exhibits were admitted by stipulation at this time.

Mr. Michaelson questioned the scope of the hearing. Arguments by counsel.

Mr. Michaelson called Protected Person as a witness. Court heard arguments as to whether or not to have Protected Person testify. Court noted as Protected Person was not issued a subpoena to testify, it would not order Protected Person to testify at this hearing.

Witnesses and exhibits presented (see worksheets).

Matter TRAILED.

Matter RECALLED.

Witnesses and exhibits presented (continued).

Court and counsel engaged in discussion regarding the admission of Ms. Brickfield's report and Ms.

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Carroll's investigation report.

Matter RECESSED for lunch.

Matter RECALLED.

Counsel STIPULATED to Respondent's Exhibits A - F.

Counsel STIPULATED to Petitioner's Exhibits 1, 4-10.

Witnesses and exhibits presented (continued).

Petitioner's Exhibits 2 and 3 ADMITTED.

Matter TRAILED.

Matter RECALLED.

Witnesses and exhibits presented (continued).

Mr. Michaelson noted discrepancies in text messages provided, and requested supplementing more text messages in his closing argument brief like the ones already submitted, however they would show a more complete pattern of deleting portions of text messages. Upon Court's inquiry, Mr. Michaelson stated Robyn's text messages were professionally extracted, and they show important omissions by the Guardian. Discussion between Court and counsel regarding the submission of text messages. Court ALLOWED the submission of the supplemented text messages. Mr. Beckstrom and Ms. Parra-Sandoval may object in their briefs to the supplements.

COURT ORDERED:

Counsel shall submit written CLOSING ARGUMENTS and Proposed Findings of Fact/Conclusions of Law no later than Friday, 6/18/21 at 5:00 PM.

Matter shall be taken UNDER ADVISEMENT and placed on Court's Chambers Calendar 7/21/21, for Court to issue a WRITTEN DECISION.

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FUTURE HEARINGS: Jun 08, 2021 9:00AM Evidentiary Hearing
Visitation, Proposed Visitation Schedule, and Oppositions
RJC Courtroom 10A Marquis, Linda

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES**

June 17, 2021

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

June 17, 2021 1:30 PM Hearing

HEARD BY: Steel, Cynthia Dianne**COURTROOM:** RJC Courtroom 10A**COURT CLERK:** Karen Christensen; Tanya Stengel**PARTIES:**

Donna Simmons, Petitioner, Temporary Guardian, not present	Matthew Whittaker, Attorney, not present
Elizabeth Brickfield, Guardian Ad Litem, present	Pro Se
Kathleen Jones, Protected Person, not present	Maria Parra-Sandoval, Attorney, present
Kimberly Jones, Other, Guardian of Person and Estate, present	James Beckstrom, Attorney, present
Richard Powell, Other, not present	Pro Se
Robyn Friedman, Petitioner, present	John Michaelson, Attorney, present
State Guardianship Compliance Officer, Agency, not present	

JOURNAL ENTRIES

- HEARING: PETITION FOR PAYMENT OF GUARDIAN FEES AND ATTORNEY FEES AND COSTS FILED MARCH 12, 2021

In accordance with Administrative Order 21-03, out of an abundance of caution, in order to prevent the spread of COVID-19 infection in the community, this Hearing was held via video conference through BlueJeans.

Matter heard by Senior Judge Dianne Steel.

Court Clerks: Karen Christensen, Tanya Stengel (ts)

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Perry Friedman, Protected Person's son in law, appeared.
Jack Butler, Protected Person's son in law, appeared.
Ty Kehoe, Nevada Bar #6011, observed.

Attorney Michaelson stated their continued objection to allowing Attorney Kehoe to be present for the hearing.

Court stated the case is not sealed and anyone is allowed to appear; however, Attorney Kehoe was not sent a BlueJeans link from the Court's department due to the protocols of Judge Marquis.

Attorney Parra-Sandoval stated Protected Person doesn't wish to object to the requested Guardian and Attorney's Fees. Attorney Parra-Sandoval stated there is approximately \$40,000.00 worth of blocked billing, which the Guardian should be personally liable for under the statute. Attorney Parra-Sandoval further stated due to the liquidity of the estate, the fees should be awarded in the form of a judgment to be recorded on the lien of Protected Person's property. Attorney Parra-Sandoval stated Protected Person has not received the funds from the settlement agreement; however, when the funds are received, they should be used for Protected Person's care.

Attorney Beckstrom stated there was a supplement filed breaking down the alleged blocked billing; however they do not believe it to be blocked billing.

Court stated concerns that this case is under submission by Judge Marquis and the prevailing parties have not been determined.

Court and Attorney Beckstrom engaged in discussion regarding the requested fees.

Arguments by Attorney Michaelson. Attorney Michaelson requested the matter be continued pending the Court's decision on other matters.

Court and Counsel engaged in further discussion.

COURT ORDERED, the following:

Matter shall be CONTINUED to 7/15/21 at 2:00 pm to be heard by Judge Marquis.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES**

July 21, 2021

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

July 21, 2021 12:45 AM Minute Order

HEARD BY: Marquis, Linda**COURTROOM:** Chambers**COURT CLERK:** Tanya Stengel**PARTIES:**

Donna Simmons, Petitioner, Temporary Guardian, not present	Matthew Whittaker, Attorney, not present
Elizabeth Brickfield, Guardian Ad Litem, not present	Pro Se
Kathleen Jones, Protected Person, not present	Maria Parra-Sandoval, Attorney, not present
Richard Powell, Other, not present	Pro Se
Robyn Friedman, Petitioner, Guardian of Person and Estate, not present	Matthew Whittaker, Attorney, not present
State Guardianship Compliance Officer, Agency, not present	

JOURNAL ENTRIES

- MINUTE ORDER: NO HEARING HELD AND NO APPEARANCES
RE: G-19-052263-A

NRCP 1 and EDCR 1.10 state that the procedure in district courts shall be administered to ensure efficient, speedy, and inexpensive determinations in every action. Pursuant to EDCR 2.23(c), this Court can consider a motion and issue a decision on the papers at any time without a hearing.

The Court notes that this matter is set for a Status Check for a Decision on the Court's Chambers Calendar for July 21, 2021. Upon review, the Court notes that an Amended Accounting was filed on June 3, 2021, which is set for hearing on August 12, 2021 at 9:00 a.m.

The Court continues the Status Check for Decision set for July 21, 2021, to the Accounting Hearing set

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for August 12, 2021 at 9:00 a.m.

A copy of this minute order shall be provided to all Parties.

CLERK'S NOTE: A copy of the Minute Order was e-mailed and/or mailed to parties at the address(es) listed on court records 07/21/2021. (ts)

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES****August 12, 2021**

G-19-052263-A

In the Matter of the Guardianship of:
Kathleen Jones, Protected Person(s)

August 12, 2021**9:00 AM****All Pending Motions****HEARD BY:** Marquis, Linda**COURTROOM:** RJC Courtroom 10A**COURT CLERK:** Karen Christensen; Tanya Stengel**PARTIES:**

Donna Simmons, Petitioner, present

John Michaelson, Attorney, present

Elizabeth Brickfield, Guardian Ad Litem,
present

Pro Se

Kathleen Jones, Protected Person, not present

Maria Parra-Sandoval, Attorney, present

Kimberly Jones, Guardian of Person and
Estate, present

James Beckstrom, Attorney, present

Richard Powell, Other, not present

Pro Se

Robyn Friedman, Petitioner, present

John Michaelson, Attorney, present

State Guardianship Compliance Officer,
Agency, not present

JOURNAL ENTRIES

- HEARING: AMENDED FIRST ACCOUNTING...HEARING: PETITION FOR PAYMENT OF GUARDIAN'S FEE AND ATTORNEY FEES AND COSTS FILED MARCH 12, 2021...OBJECTION: ROBYN FRIEDMAN AND DONNA SIMMONS' OBJECTION TO GUARDIAN'S ACCOUNTING AND FIRST AMENDED ACCOUNTING...STATUS CHECK...OBJECTION: KIMBERLY JONES' OBJECTION TO ROBYN FRIEDMAN AND DONNA SIMMONS' OBJECTION TO GUARDIAN'S ACCOUNTING AND FIRST AMENDED ACCOUNTING.

In accordance with Administrative Order 20-01, and in order to prevent the spread of COVID-19 infection in the community, this Hearing was held via video conference through BlueJeans.

Court Clerks: Tanya Stengel, Karen Christensen (kc)

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Also appearing:

Perry Friedman, husband of Robyn

Jack Butler, Protected Person's son

Attorney Ty Kehoe, Nevada Bar #6011

Court reviewed all of the pleadings on file, and noted it had read through and reviewed all filings. Court inquired if anyone who had not filed a responsive pleading would like to make an objection.

Ms. Parra-Sandoval stated her client did not object, however Ms. Parra-Sandoval wanted to make a comment. She made statements regarding the settlement funds received yesterday, Guardian's request for \$90,000, and the absence of an independent assessment. Ms. Parra-Sandoval requested an independent assessment be conducted if additional costs are sought. Ms. Brickfield agreed with Ms. Parra-Sandoval's request for independent assessment.

Mr. Beckstrom stated a compliance issues from a prior order on the issue of the settlement agreement, sealed, per Court order. Court noted it would hear the matter after all other issues were heard and prior to excusing Attorney Kehoe and Mr. Powell.

Mr. Beckstrom stated no objection to an individual assessment, and made statements regarding an evaluation conducted last week in Orange County.

Mr. Michaelson stated objections to Guardian's request for fees. Mr. Michaelson also made statements regarding missing and erroneous items in the accounting, and asked that a full accounting be provided in a timely manner. Mr. Beckstrom stated accounting and budget were two separate items, and made arguments. Additional arguments made by Mr. Michaelson and Mr. Beckstrom.

Mr. Kehoe stated some of the statements made by counsel were improper, however he didn't object to being excused for the status check portion of the settlement.

Following additional arguments, Mr. Kehoe and Mr. Powell were excused from the hearing.

Mr. Beckstrom summarized a hearing held last week in civil court and stated the settlement funds were received. Mr. Beckstrom itemized deductions made to the settlement. Discussion regarding appliances, and an unexplained amount of \$300. Following discussion regarding estimated cost of appliances, and potential attorney fees to contest the deductions, counsel and parties determined it wasn't worth the litigation to fight the minimal deductions. Court requested a stipulation to that effect.

Ms. Brickfield made statements as to the condition of the Anaheim property when the prior tenants left the home. Mr. Beckstrom advised the prior tenant was Protected Person's son. Discussion.

COURT ORDERED:

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Court shall issue a WRITTEN DECISION.

Mr. Beckstrom shall draft a Stipulation and Order as to deductions from the settlement funds.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES****August 19, 2021**

G-19-052263-A

In the Matter of the Guardianship of:
Kathleen Jones, Protected Person(s)

August 19, 2021**1:30 PM****All Pending Motions****HEARD BY:** Marquis, Linda**COURTROOM:** RJC Courtroom 10A**COURT CLERK:** Karen Christensen; Tanya Stengel**PARTIES:**

Donna Simmons, Petitioner, present

John Michaelson, Attorney, present

Elizabeth Brickfield, Guardian Ad Litem, not present

Pro Se

Kathleen Jones, Protected Person, not present

Maria Parra-Sandoval, Attorney, not present

Kimberly Jones, Guardian of Person and Estate, present

James Beckstrom, Attorney, present

Richard Powell, Other, present

Pro Se

Robyn Friedman, Petitioner, present

John Michaelson, Attorney, present

State Guardianship Compliance Officer, Agency, not present

JOURNAL ENTRIES

- HEARING: PETITION FOR REIMBURSEMENT OF TEMPORARY GUARDIANS COSTS AND LEGAL FEES AND COSTS ADVANCED TO THE GUARDIANSHIP ESTATE... OBJECTION: OBJECTION TO PETITION FOR REIMBURSEMENT OF TEMPORARY GUARDIANS COSTS AND LEGAL FEES AND COSTS ADVANCED TO THE GUARDIANSHIP ESTATE... HEARING: RESPONSE TO PETITION FOR REIMBURSEMENT OF TEMPORARY GUARDIANS COSTS AND LEGAL FEES AND COSTS ADVANCED TO THE GUARDIANSHIP ESTATE... HEARING: PETITIONERS' OMNIBUS REPLY TO KIMBERLY JONES' RESPONSE TO PETITION FOR REIMBURSEMENT OF TEMPORARY GUARDIANS' COSTS AND LEGAL FEES AND COSTS ADVANCED TO THE GUARDIANSHIP ESTATE AND KATHLEEN June JONES' OBJECTION TO PETITION FOR REIMBURSEMENT OF TEMPORARY GUARDIANS COSTS AND LEGAL FEES AND COSTS ADVANCED TO THE GUARDIANSHIP ESTATE

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In accordance with Administrative Order 21-04, out of an abundance of caution, in order to prevent the spread of COVID-19 infection in the community, this Hearing was held via video conference through BlueJeans.

Court Clerks: Karen Christensen, Tanya Stengel (ts)

Scott Cardenas, Nevada Bar #14851, appeared for Attorney Parra-Sandoval on behalf of Protected Person.

Perry Friedman, Protected Person's son-in-law, appeared.

Jack Butler, Protected Person's son-in-law, appeared.

Ty Kehoe, Nevada Bar #6011, appeared on behalf of Richard Powell.

The Court reviewed the case history and pleadings on file.

Attorney Cardenas stated Petitioner has had plenty of time to seek fees throughout this case and are just doing so now. Attorney Cardenas stated there hasn't been a showing that the Senior Helpers fees were reasonable and necessary since Kimberly was caring for Protected Person at the time. Attorney Cardenas further stated the legal fees were presumed to be a gift, not a loan or a reimbursement that would be sought from the estate. Attorney Cardenas made further statements regarding there being no basis for the legal fees.

Attorney Beckstrom stated he agreed with Attorney Cardenas' points and stated Ms. Friedman stated multiple times the fees would be a gift. Attorney Beckstrom stated Ms. Friedman caused more damage than good by funding the A-case in the beginning and then leaving them with no resources. Attorney Beckstrom stated if Ms. Friedman is looking for this Court to enforce a contract for reimbursement then she will need to file a separate action because this Court does not have jurisdiction to authorize that. Attorney Beckstrom further stated if Ms. Friedman has a claim that his firm owes her money, she would also need to file that as a separate civil action.

Attorney Michaelson stated no recovery would've happened in this case if the Friedman's had not fronted the money. Attorney Michaelson requested to read e-mails from Attorney Beckstrom on the record.

Attorney Beckstrom stated his objection. Court stated it would allow Attorney Michaelson to continue.

Attorney Michaelson stated the funds were never intended to be a gift. Attorney Michaelson read Attorney Beckstrom's e-mails on the record indicating their understanding that Ms. Friedman was advancing the funds and Kimberly's support of the Court authorizing reimbursement for fees and costs to Ms. Friedman from judgement proceeds. Further arguments by Attorney Michaelson.

Ms. Simmons made statements.

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Attorney Kehoe made statements regarding defamatory statements made in the Petition about Mr. Powell. Attorney Kehoe stated there has never been any misconduct or wrong doings by Mr. Powell and requested the improper defamatory statements cease. Attorney Kehoe stated the settlement amount was the initial amount offered by Mr. Powell before the guardianship was ever granted.

Arguments by Counsel regarding testimony.

Court stated the statute requires the Court to hear from family members and those of natural affection and would allow them to be heard.

Mr. Friedman made statements regarding the agreement made between the parties as it pertained to the settlement. Mr. Friedman stated he has an e-mail from Attorney Beckstrom stating they would support reimbursement if there was any recovery.

Further arguments by Attorney Michaelson.

Attorney Beckstrom clarified for the record that the witnesses were not sworn in and none of their testimony is evidence. Attorney Beckstrom requested the Court look at the Pleadings submitted and issue a written decision.

COURT ORDERED, the following:

A WRITTEN DECISION shall issue.

Matter set on the Court's Chambers Calendar 9/15/21 for decision.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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**DISTRICT COURT
CLARK COUNTY, NEVADA**

Guardianship of Adult**COURT MINUTES**

December 09, 2021

G-19-052263-A

In the Matter of the Guardianship of:
Kathleen Jones, Protected Person(s)

December 09, 2021 11:00 AM**Hearing****HEARD BY:** Marquis, Linda**COURTROOM:** RJC Courtroom 10A**COURT CLERK:** Karen Christensen; Tanya Stengel**PARTIES:**

Donna Simmons, Petitioner, present	Matthew Whittaker, Attorney, not present
Elizabeth Brickfield, Guardian Ad Litem, present	Pro Se
Kathleen Jones, Protected Person, not present	Maria Parra-Sandoval, Attorney, present
Richard Powell, Other, present	Pro Se
Robyn Friedman, Petitioner, Guardian of Person and Estate, present	Matthew Whittaker, Attorney, not present
State Guardianship Compliance Officer, Agency, not present	

JOURNAL ENTRIES

- HEARING: PETITION FOR APPROVAL OF GUARDIAN AD LITEM'S FEES AND COSTS

In accordance with Administrative Order 20-01, and in order to prevent the spread of COVID-19 infection in the community, this Hearing was held via video conference through BlueJeans.

Court Clerks: Tanya Stengel, Karen Christensen (kc)

Attorney Ty Kehoe, Nevada Bar #6011, appeared.

Court noted Ms. Brickfield's petition for approval of fees and an objection filed 11/18/21.

Mr. Kehoe stated he had no objections; he was simply observing the hearing.

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Mr. Michaelson stated no objections and was in support of the Guardian Ad Litem being compensated.

Ms. Parra-Sandoval made statements in support of her opposition, and cited Guardianship Rule 8(j). Ms. Parra-Sandoval requested Court make Findings on the record determining the Guardian Ad Litem benefited Protected Person, and why Guardian Ad Litem should be paid at an attorney rate for non-legal services.

Ms. Brickfield responded. Mr. Michaelson concurred with Ms. Brickfield, and stated surprised at Legal Aid's objection.

COURT ORDERED:

Petition for Approval of Guardian Ad Litem's Fees and Costs shall be APPROVED and GRANTED.

Court shall issue a Written Order with Findings detailing all factors under the statute.

INTERIM CONDITIONS:

FUTURE HEARINGS:

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

PETITIONER EXHIBITS

CASE NO. G-19-052263-A

In the Matter of the Guardianship of Kathleen (June) Jones

6/8/21

[illegible]

CASE NO. G-19-052263-A
In the Matter of the Guardianship of Kathleen (June) Jones

[illegible]

PROTECTED PERSON EXHIBITS

CASE NO. G-19-052263-A

In the Matter of the Guardianship of Kathleen (June) Jones

[illegible]

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; STATEMENT OF LEGAL AID REPRESENTATION AND FEE WAIVER; DISTRICT COURT DOCKET ENTRIES; CIVIL COVER SHEET; FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ORDER REGARDING VISITATION, FIRST ANNUAL ACCOUNTING, GUARDIAN'S FEES, CARETAKING FEES, ATTORNEY'S FEES AND COSTS, AND REMOVAL OF THE GUARDIAN; NOTICE OF ENTRY OF ORDER; NOTICE OF ENTRY OF ORDER; DISTRICT COURT MINUTES; EXHIBITS LIST

In the Matter of the Guardianship of:

KATHLEEN JUNE JONES,

An Adult Protected Person.

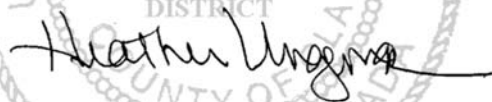
Case No: G-19-052263-A

Dept No: B

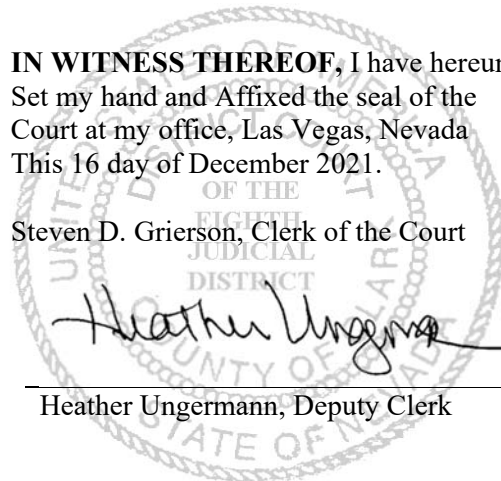
now on file and of record in this office.

IN WITNESS THEREOF, I have hereunto
Set my hand and Affixed the seal of the
Court at my office, Las Vegas, Nevada
This 16 day of December 2021.

Steven D. Grierson, Clerk of the Court



Heather Ungermann, Deputy Clerk





**EIGHTH JUDICIAL DISTRICT COURT
CLERK OF THE COURT**

REGIONAL JUSTICE CENTER
200 LEWIS AVENUE, 3rd FL.
LAS VEGAS, NEVADA 89155-1160
(702) 671-4554

Steven D. Grierson
Clerk of the Court

Anntoinette Naumec-Miller
Court Division Administrator

December 16, 2021

Elizabeth A. Brown
Clerk of the Court
201 South Carson Street, Suite 201
Carson City, Nevada 89701-4702

RE: In the Matter of the Guardianship of: KATHLEEN JUNE JONES, An Adult Protected Person.
D.C. CASE: G-19-052263-A

Dear Ms. Brown:

Please find enclosed a Notice of Appeal packet, filed December 16, 2021. Due to extenuating circumstances minutes from the date(s) listed below have not been included:

February 12, 2021
March 19, 2021

March 4, 2021

March 12, 2021

We do not currently have a time frame for when these minutes will be available.

If you have any questions regarding this matter, please contact me at (702) 671-0512.

Sincerely,
STEVEN D. GRIERSON, CLERK OF THE COURT

/s/ Heather Ungermann
Heather Ungermann, Deputy Clerk