

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

IN THE MATTER OF THE  
GUARDIANSHIP OF THE PERSON  
AND ESTATE OF KATHLEEN JUNE  
JONES, PROTECTED PERSON

KATHLEEN JUNE JONES,

Appellant,

vs.

ROBYN FRIEDMAN; AND DONNA  
SIMMONS,

Respondents.

No. 83967

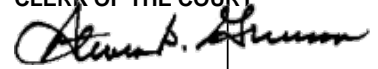
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Clerk of Supreme Court

**RESPONDENTS' APPENDIX  
Volume 13 (Nos. 2220–2330)**

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**SUPP**

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and Donna Simmons*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

IN THE MATTER OF THE GUARDIANSHIP )	Case Number: G-19-052263-A
OF THE PERSON AND ESTATE OF: )	Department: B
)	
Kathleen June Jones, )	
)	
An Adult Protected Person. )	
)	

**SECOND SUPPLEMENT TO 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**

☐ TEMPORARY GUARDIANSHIP  
☐ Person  
☐ Estate ☐ Summary Admin.  
☐ Person and Estate

☒ GENERAL GUARDIANSHIP  
☐ Person  
☐ Estate ☐ Summary Admin.  
☒ Person and Estate

☐ SPECIAL GUARDIANSHIP  
☐ Person  
☐ Estate ☐ Summary Admin.  
☐ Person and Estate

☐ NOTICES / SAFEGUARDS  
☐ Blocked Account  
☐ Bond Posted  
☐ Public Guardian Bond

Robyn Friedman and Donna Simmons ("Petitioners" or "Robyn and Donna"), as former-

1 temporary guardians of the Protected Person, family members and interested parties in this  
2 matter, by and through their attorneys at Michaelson & Associates, Ltd., submit this Second  
3 Supplement to Omnibus Reply to Kimberly Jones' Response to Petition for Reimbursement of  
4 Temporary Guardianship Costs and Legal Fees and Costs Advanced to the Guardianship Estate  
5 and Kathleen June Jones' Objection to Petition for Reimbursement of Temporary Guardians'  
6 Costs and Legal Fees and Costs Advanced to the Guardianship Estate as follows:

7 1. As discussed at the hearing on August 19, 2021, counsel for Robyn and Donna, Mr.  
8 Michaelson, read to the Court excerpts from an email from counsel for the Guardian, Mr.  
9 Beckstrom, to the undersigned counsel dated February 20, 2020, including from Mr.  
10 Beckstrom's rough draft of his Notice of Intent to Seek Fees that he attached to the same email,  
11 as well as excerpts from Mr. Beckstrom's email dated May 1, 2020. In those emails and  
12 document, Mr. Beckstrom explicitly referenced an "agreement" between Robyn and Mr.  
13 Beckstrom's firm and wrote, "Reimbursement of Robyn and Perry for A-Case Fees and Costs."

14 2. At the hearing, Mr. Beckstrom objected to Mr. Michaelson reading from documents that  
15 had not been previously provided to the parties and to the Court. As Mr. Michaelson stated at  
16 the hearing, Mr. Beckstrom's continual insistence that Robyn "gifted" funds to his firm for the  
17 civil litigation required Mr. Michaelson to continue searching through the myriad of emails he  
18 exchanged with Mr. Beckstrom over the last couple of years. During that search in preparation  
19 for the hearing, Mr. Michaelson located the additional emails and documents he read at the  
20 hearing. At the hearing, Mr. Michaelson informed the Court that he would supplement the Reply  
21 with the documents.

22 3. To address Mr. Beckstrom's objection, Robyn and Donna supplement Paragraph 20 of  
23 the Reply as follows (supplement in bold):

24 Kim, as Guardian of June's estate, entered into an agreement with Robyn  
25 regarding Robyn's willingness to pay for the civil litigation. That agreement came  
together through numerous discussions, emails, and letters between counsel for

1 both parties. Those letters and emails have been provided to the Court as exhibits  
2 to the Petition. **Furthermore, Robyn and Donna provide two additional**  
3 **emails from Mr. Beckstrom, the email dated February 20, 2020 (including**  
4 **Mr. Beckstrom's rough draft of his Notice of Intent to Seek Fees<sup>1</sup> that he**  
5 **attached to said email) and the email dated May 1, 2020, both of which are**  
6 **attached as Exhibits 1 and 2 to this Second Supplement.**

7 4. Disdain is defined as the feeling that someone is unworthy of one's respect; contempt.  
8 That is what Kim and her counsel have had for the Nevada guardianship process throughout the  
9 course of this guardianship matter. Disdain for the guardianship rules, procedures, and norms.  
10 Disdain for their prior agreement with Robyn. Disdain that Robyn dares to ask for them to adhere  
11 to their prior agreement. Disdain that Robyn asks for court intervention after Kim and her counsel  
12 refused to honor the agreement outside of court.

13 5. Candor. The rules of professional conduct require that a "lawyer shall not knowingly  
14 make a false statement of fact or law to a tribunal or fail to correct a false statement of material  
15 fact or law previously made to the tribunal by the lawyer." NRPC 3.3(a)(1). It is a complete  
16 fabrication, a lack of candor, for Mr. Beckstrom to straight-faced tell this Court that the  
17 agreement was for Robyn to gift monies to Kim to pay Mr. Beckstrom's fees in the civil  
18 litigation. A fabrication, lack of candor, that Mr. Beckstrom supports with no evidence or  
19 documentation. A fabrication, lack of candor, that Mr. Beckstrom maintains even while  
20 confronted with his own emails that state otherwise. A fabrication, lack of candor, that Mr.  
21 Beckstrom maintains even against Robyn who signed a service agreement with his firm, paid the  
22 initial \$5,000 retainer and continued paying his firm over \$41,000. Petitioners are not merely  
23 referring to a single sentence in a single email that Mr. Beckstrom might contend is being taken  
24 out of context. Petitioners are referring to multiple emails and documents written by Mr.

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25 <sup>1</sup> Robyn and Donna only include the rough draft of Mr. Beckstrom's Notice of Intent to Seek Fees  
that he attached to the February 20, 2020, email for the sole proposition that Mr. Beckstrom  
previously referenced an "agreement" between his firm and Robyn – not a "gift" from Robyn to  
his firm. Mr. Beckstrom removed the reference and discussion from the final draft that was  
ultimately filed with the Court.

1 Beckstrom over the course of several months that are all consistent with each other – a  
2 consistency that proves that Mr. Beckstrom is violating his duty of candor to the Court under  
3 NRPC 3.3(a)(1).

4 6. At the hearing, Mr. Beckstrom seemed to be trying to argue the Friedman's should not  
5 be repaid because their withdrawal of funding wrecked the A case. As stated at the hearing, the  
6 Friedman's funding was set to continue with the stipulation that the house conversion matter stay  
7 in civil court. Funding was withdrawn as indicated many times to Mr. Beckstrom and his client  
8 when they voluntarily and inexplicably attempted to move the litigation back to guardianship  
9 court. The Friedman's could have provided funds to retain experts, etc. Mr. Beckstrom's law  
10 firm never would have engaged with Kimberly in the first place without the advancement of  
11 funds from the Friedman's. Additionally, no recovery would have been possible without the  
12 Friedman's payments to Mr. Beckstrom's law firm because the guardianship estate lacked the  
13 funds to go after Richard Powell and Gerald Yeoman for taking June's home. Though the  
14 recovery was far less than hoped for or expected, none of it would have happened without the  
15 guardian having access to litigation counsel.

16  
17 /////

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1        7. Petitioners wish to point out to the Court that the notice requirement referenced in NRS  
2 159.344 regarding an intent to recover fees explicitly applies only to one “who retains an attorney  
3 for the purposes of representing a party in a guardianship proceeding.” The A case funding did  
4 not involve representation in a guardianship proceeding but was third party litigation authorized  
5 by the guardianship Court and Petitioners’ request for reimbursement is not subject to the notice  
6 requirements of NRS 159.344.

7        DATED: August 25, 2021.

MICHAELSON & ASSOCIATES, LTD.

8  
9        /s/ John P. Michaelson  
10        John Michaelson, Esq.  
11        Nevada Bar No. 7822  
12        Ammon E. Francom, Esq.  
13        Nevada Bar No. 14196  
14        2200 Paseo Verde Parkway, Ste. 160  
15        Henderson, Nevada 89052  
16        *Counsel for Petitioners*  
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**CERTIFICATE OF SERVICE**

Pursuant to NEFCR 9, that on August 25, 2021, the undersigned hereby certifies a copy of the foregoing SUPPLEMENT was electronically served on the following individuals and/or entities at the following addresses. In addition, pursuant to Nevada Rule of Civil Procedure 5(b), the undersigned hereby certifies that on August 25, 2021, a copy of the SUPPLEMENT was mailed by regular US first class mail, postage prepaid, in a sealed envelope in Henderson, Nevada, to the following individuals and/or entities at the following addresses:

Jeffrey R. Sylvester, Esq. <a href="mailto:jeff@sylvesterpolednak.com">jeff@sylvesterpolednak.com</a>  Kelly L. Easton <a href="mailto:kellye@sylvesterpolednak.com">kellye@sylvesterpolednak.com</a>  Co-Counsel for Petitioners, Robyn Friedman and Donna Simmons	Maria L. Parra-Sandoval, Esq. Legal Aid Center of Southern Nevada <a href="mailto:mparra@lacs.org">mparra@lacs.org</a> <i>Attorney for Kathleen June Jones</i>  Penny Walker <a href="mailto:walker@lacs.org">walker@lacs.org</a>  <i>Counsel for June Jones</i>
Geraldine Tomich, Esq. <a href="mailto:gtomich@maclaw.com">gtomich@maclaw.com</a>  James Beckstrom, Esq. <a href="mailto:jbeckstrom@maclaw.com">jbeckstrom@maclaw.com</a>  Cheryl Becnel <a href="mailto:cbecnel@maclaw.com">cbecnel@maclaw.com</a>  <i>Attorneys for Kimberly Jones</i>	Kate McCloskey <a href="mailto:NVGCO@nvcourts.nv.gov">NVGCO@nvcourts.nv.gov</a>  LaChasity Carroll <a href="mailto:lcarr@nvcourts.nv.gov">lcarr@nvcourts.nv.gov</a>  Sonja Jones <a href="mailto:sjones@nvcourts.nv.gov">sjones@nvcourts.nv.gov</a>
Elizabeth Brickfield DAWSON & LORDAHL PLLC <a href="mailto:ebbrickfield@dlnevadalaw.com">ebbrickfield@dlnevadalaw.com</a>  Melissa R. Douglas <a href="mailto:mdouglas@dlnevadalaw.com">mdouglas@dlnevadalaw.com</a>  Karen Friedrich <a href="mailto:kfriedrich@dlnevadalaw.com">kfriedrich@dlnevadalaw.com</a>	

1	<i>Guardian Ad Litem for Kathleen June Jones</i>	
2	Teri Butler	Scott Simmons
3	586 N. Magdalena Street	1054 S. Verde Street
4	Dewey, AZ 86327	Anaheim, CA 92805
5	Jen Adamo	Jon Criss
6	14 Edgewater Drive	804 Harkness Lane, Unit 3
7	Magnolia, DE 19962	Redondo Beach, CA 90278
8	Ryan O'Neal	Tiffany O'Neal
9	112 Malvern Avenue, Apt. E	177 N. Singing Wood Street, Unit 13
10	Fullerton, CA 92832	Orange, CA 92869
11	Courtney Simmons	
12	765 Kimbark Avenue	
13	San Bernardino, CA 92407	

MICHAELSON & ASSOCIATES, LTD.

/s/ Janelle Bednar

Employee of Michaelson & Associates



# EXHIBIT 1

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**From:** James A. Beckstrom <[jbeckstrom@maclaw.com](mailto:jbeckstrom@maclaw.com)>

**Sent:** Thursday, February 20, 2020 1:08 PM

**To:** John Michaelson <[john@Michaelsonlaw.com](mailto:john@Michaelsonlaw.com)>

**Subject:** Notice of Intent to Seek Payment of Attorneys\_ Fees and Costs from Guardianship Case

John,

As I mentioned a while back, Maria has asked that we file a disclosure as to the financial arrangement we have in the June Jones litigation. After the Court's ruling on Jeff's motion, we want to be very clear and upfront with everyone involved. As such, enclosed is the notice of intent to seek fees with the appropriate delineations and clarification of the payment arrangement we have with Robyn.

I would like to have this approved as to form and content to confirm Robyn remains in agreement. In short, any work we have done thus far has only been billed to Robyn for the return of property, petition to file the A-case, and the work in the actual a-case. All other appearances and work relating to the guardianship only is being billed to a separate file. That work has been fairly minimal and we want to notify the court that from this point forward should we need to do work in the guardianship case (something Robyn understandably isn't paying for) we want to make clear that we will seek reimbursement for such through the estate.

Let me know your thoughts



**James A. Beckstrom, Esq.**

10001 Park Run Drive

Las Vegas, NV 89145

t | 702.207.6081

f | 702.856.8981

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

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



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

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

**DISTRICT COURT**  
**CLARK COUNTY, NEVADA**

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

KATHLEEN JUNE JONES

An Adult Protected Person.

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

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

☐ **TEMPORARY GUARDIANSHIP**

- ☐ Person  
☐ Estate  
☐ Person and Estate

☐ **SPECIAL GUARDIANSHIP**

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

☒ **GENERAL GUARDIANSHIP**

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

☐ **NOTICES/SAFEGUARDS**

- ☐ Blocked Account Required  
☐ Bond Required

**MARQUIS AURBACH COFFING HEREBY GIVES NOTICE** that they intend to seek reimbursement of their attorneys' fees and costs incurred in this Guardianship action pursuant to NRS 159.344 from the date of this Notice forward. As required by NRS 159.344(3),

1 and in support of the foregoing notice, Marquis Aurbach Coffing provides the following  
2 information:

3 a. Compensation Arrangement.

4 The attorneys and staff at Marquis Aurbach Coffing, bill their services by the hour on a  
5 six-minute increment of time rounded to the nearest one-tenth of an hour. Billing occurs on a  
6 monthly basis and payment is required within fifteen days of the date of the billing statement.  
7 **Marquis Aurbach Coffing has appeared in this Guardianship action prior to the filing of**  
8 **this Notices as co-counsel for the Guardian Kimberly Jones, however no claim for**  
9 **reimbursement has or will be made for work pertaining to this Guardianship action prior**  
10 **to the filing of this Notice because all such appearances were for the purposes of litigating**  
11 **(1) the Guardian's Motion for Return of Property of Protected Person and (2) Petition for**  
12 **Confirmation to Bring Civil Action on Behalf of Kathleen June Jones. Appearances and**  
13 **work performed preceding this Notice have been paid through a separate agreement with**  
14 **the protected persons daughter, Robyn Friedman.** Likewise, the on-going litigation  
15 specifically pertaining to the return of the protected person's residence and other monetary relief  
16 (District Court Case No. A-19-807458-C), is also being **paid through said agreement with the**  
17 **protected persons daughter, Robyn Friedman.**

18 In the event additional representation is necessary in this proceeding, District Court Case  
19 No. A-19-807458-C, or any collateral proceeding, reasonable reimbursement for fees and costs  
20 incurred will be made against the Estate **from the date of this Notice forward.** For Purposes of  
21 tracking work applicable to this Guardianship case and District Court Case No. A-19-807458-C,  
22 Marquis Aurbach Coffing is retaining separate files for the work performed in each matter.

23 b. Hourly Billing Rates. The hourly billing rates of the attorneys and paralegals at  
24 Marquis Aurbach Coffing, presently assigned to this matter are as follows:

- 25 i. Geraldine Tomich, Esq. - \$415.00 per hour.  
26 ii. James Beckstrom, Esq. - \$275.00 per hour.

27 Geraldine Tomich, Esq., is the principal attorney assigned to the matter. James A.  
28 Beckstrom, Esq., is the associate attorney assigned to the matter. The firm reserves the right to

1 change the attorneys assigned to the matter. Attorneys at the firm generally bill at hourly rates  
2 between \$235 and \$450. Senior paralegals of the firm bill at an hourly rate of \$170 per hour for  
3 Guardianship matters. An increase in billing rates may occur in the future.

4 c. Necessity of Services. The services of an attorney for the Guardian is necessary in  
5 this matter to aid Kimberly Jones in preserving her status as Guardian of the Person and Estate,  
6 to investigate and respond to exploitative actions taken by certain interested parties, and to  
7 provide guidance to the Guardian on Nevada law for the Guardian to make informed decisions  
8 regarding the administration of the Guardianship. To the extent the Guardian must retain counsel  
9 to prosecute any collateral case on behalf of the Protected Person, including the civil action  
10 approved by this Court, future fees and costs incurred after this Notice may accrue.

11 Dated this \_\_\_\_ day of February, 2020.

12 MARQUIS AURBACH COFFING

13  
14 By /s/ James A. Beckstrom  
15 Geraldine Tomich, Esq.  
16 Nevada Bar No. 8369  
17 James A. Beckstrom, Esq.  
18 Nevada Bar No. 14032  
19 10001 Park Run Drive  
20 Las Vegas, Nevada 89145  
21 *Attorneys for Kimberly Jones, Guardian*  
22 *of Kathleen June Jones*

23 Approved as to form and content:

24 MICHAELSON & ASSOCIATES, LTD.

25 By \_\_\_\_\_  
26 John P. Michaelson, Esq.  
27 Nevada Bar No. 7822  
28 2200 Paseo Verde Parkway, Ste. 160  
Henderson, NV 89052  
*Attorneys for Robyn Friedman and*  
*Donna Simmons*

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **NOTICE OF INTENT TO SEEK PAYMENT OF ATTORNEYS' FEES AND COSTS FROM GUARDIANSHIP CASE** was submitted electronically for filing and/or service with the Eighth Judicial District Court on the \_\_\_\_ day of February, 2020. Electronic service of the foregoing document shall be made in accordance with the E-Service List as follows:<sup>1</sup>

Ty E. Kehoe, Esq.  
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871 Coronado Center Drive, Ste. 200  
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Laura Deeter, Esq.  
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*Attorneys for Rodney Gerald Yeoman*

Maria L. Parra-Sandoval, Esq.  
LEGAL AID OF SOUTHERN NEVADA  
725 E. Charleston Blvd.  
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*Attorneys for Protected Person*

John P. Michaelson, Esq.  
MICHAELSON & ASSOCIATES, LTD.  
2200 Paseo Verde Parkway, Ste. 160  
Henderson, NV 89052  
*Attorneys for Robyn Friedman and Donna Simmons*

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

N/A

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

**MARQUIS AURBACH COFFING**

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

An employee of Marquis Aurbach Coffing

## EXHIBIT 2

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**From:** James A. Beckstrom <[jbeckstrom@maclaw.com](mailto:jbeckstrom@maclaw.com)>  
**Sent:** Friday, May 01, 2020 12:01 PM  
**To:** John Michaelson <[john@Michaelsonlaw.com](mailto:john@Michaelsonlaw.com)>  
**Cc:** Jeff Sylvester <[Jeff@sylvesterpolednak.com](mailto:Jeff@sylvesterpolednak.com)>; '15820\_001\_Friedman\_Robyn\_Simmons\_Donna\_Quiet Title\_Lis Pendens\_4\_E\_Mails\_EMAIL\_15820\_001' <[F1091261.iManage@AMUN.marquisaurbach.com](mailto:F1091261.iManage@AMUN.marquisaurbach.com)>  
**Subject:** RE: Kathleen June Jones [IWOV-iManage.FID1091261]

John,

This is my proposal in an attempt to streamline this and get everyone on the same page in writing. I would like to agree on the below so I can petition the court early next week.

1. **Visitation-** This issue should be dealt with. Kimberly is open to Robyn or any of June's children's seeing June whenever they can, to the extent a specific day and time frame is desired—Kimberly will agree to such. It would be nice to know June will be with her other children on a specified date and time, as that would give Kimberly a break. Robyn can propose a day and time if she has one in mind.
2. **Refinance of Anaheim and Kraft Avenue-** June has expressed she does not want to sell this property. The plan for the future (which could change of course as no one can predict the future) is that upon obtaining title to the Kraft Avenue Property that home will be sold. The proceeds from that home will be used to pay for June's care and living expenses. June desires to continue to rent out the Anaheim property with future plans to move in with Kimberly. Again, moving is not even considered until the Kraft Avenue Property is dealt with and of course can be part of additional family discussion.
3. **Reimbursement of Robyn and Perry for A-Case Fees and Costs:** As discussed, Kimberly and June are aware of and appreciative of Robyn advancing funds to retake the Kraft Avenue Property and obtain relief for June. Upon a favorable judgment in June's favor (return of Kraft Avenue with no mortgage) or return of Kraft Avenue with damages and/or reimbursement for fees and costs from Richard Powell, Kimberly supports the Court authorizing reimbursement of these fees and costs to Robyn from the judgment proceeds.

In addition, I will continue to keep Robyn, Perry, and You in the loop and discussions as to how best to proceed in the A-Case. While Kimberly will have the final say as guardian, she wants everyone to have the same goals in the A-Case. Kimberly's goal is to at minimum obtain the return of Kraft Avenue with no mortgage. If Dick Powell doesn't do that, Kimberly will move forward in the civil elder abuse lawsuit against all adverse parties and obtain as much money as possible for June.

4. **Compensation for Kimberly and Medical Documentation:** June continues to be seen at Cleveland Clinic. She was recently administered a mental status exam. I am in the process of obtaining those documents and will get those to You and any siblings who want them. We are going to have June's physician provide a medial opinion of the care June requires. June has expressed to her attorney and Kimberly that she wants Kimberly with her during the day and would prefer to avoid an outside service. This will confirm June needs at least 8 hours of care per day, but we all want this in writing for this litigation.

As such, Kimberly has proposed a very reasonable rate of \$19 per hour for caring for June. This rate is the same rate being charged by the service previously used for June. June's preference takes priority and she would prefer not to have someone outside care for her. Because of the Kraft Avenue situation and status of the Anaheim property, Kimberly acknowledges June's estate cannot currently fund this rate (for her or an outside agency). Thus, until the Kraft Avenue property is dealt with, or June's finances improve (by renting the Anaheim property), Kimberly is proposing and will ask the Court for an hourly rate of \$19 per hour for 5 hours per day (despite this being many more actual hours). This totals \$2,660 per month. Once June's finances improve (which they will), Kimberly will have this changed to reflect the actual hours she is caring for June. Kimberly is also going to petition the Court to award her past due care fees for the prior five months only (total would be \$13,300). We can all agree that care was provided prior to that time, but only five months will be sought. This amount will be able to be paid from the remainder amount of June's forthcoming refinance and will still leave June with a \$4,000-5,000 savings buffer, which will be supplemented by her social security and the forthcoming Anaheim rental proceeds.

The long term goal, looking past the next 4-6 months with the pending litigation is for Kimberly to continue to care for June. Thereafter, after June is able to sell the Kraft Avenue property, June will have liquidity to either pay Kimberly or an outside agency to assist Kimberly with her care. This will vary considerably based on June's mental and physical ability, which as we know could change drastically in the next 6 months.

5. **Court Required Accountings:** Kimberly has confirmed that no additional cash exists in any safe deposit box. The only account June has is her Bank of America Account, which has been disclosed to the Court (including all statements). Kimberly will continue to make the Court required disclosures and accountings.

Upon confirmation that Robyn agrees with the above and will not be taking a position adversarial to this, I will stay on this case and the A-Case. I will also follow this with the disclosure of the medical records as stated above and a formal letter stating the same. Within my letter, I will provide an informal accounting of June's assets on hand and expected income until the Kraft Avenue Property is dealt with.

As we both have discussed, the goal in coming to an agreement on all of these issues is to continue to present a united front and reduce costs in this case for everyone. In short, we want to deal with these points once and not have to deal with them again until the Kraft Avenue Property is retaken and new decisions have to be made. I am confident that Maria Parra Sandoval will agree on all of these points. We all have to remember that the goal in this case is to protect June and for now, make sure she is compensated for the abuse inflicted upon her by Richard and Gerry.

I would ask that You confirm the above, confirm you will file a joinder to my opposition to Gerry's pending petition (as Maria Parra Sandoval is filing), file a joinder to my forthcoming petition for permission to refinance the Anaheim property, and join in my forthcoming petition for compensation to Kimberly.

James



**James A. Beckstrom, Esq.**

10001 Park Run Drive

Las Vegas, NV 89145

t | 702.207.6081

f | 702.382.5816

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

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**From:** John Michaelson <[john@Michaelsonlaw.com](mailto:john@Michaelsonlaw.com)>

**Sent:** Friday, May 1, 2020 9:49 AM

**To:** James A. Beckstrom <[jbeckstrom@maclaw.com](mailto:jbeckstrom@maclaw.com)>

**Cc:** Jeff Sylvester <[Jeff@sylvesterpolednak.com](mailto:Jeff@sylvesterpolednak.com)>

**Subject:** [External] Kathleen June Jones

James, based on our conversation, can you confirm that your client fully supports Robyn and Perry in having priority to recover litigation expenses advanced to June in the A case, should any recovery be had, and that your client would support that in proceedings and in writing in the A case or guardianship matter?

John P. Michaelson, Esq.

MICHAELSON & ASSOCIATES, LTD.

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

[www.michaelsonlaw.com](http://www.michaelsonlaw.com)

Tel. (702) 731-2333

Fax. (702) 731-2337

**The District**

2200 Paseo Verde Parkway, Suite 160

Henderson, Nevada 89052

\*Please send correspondence to Henderson address

**Downtown Summerlin**

1980 Festival Plaza Drive, Suite 300

Las Vegas, Nevada, 89135

**Reno**

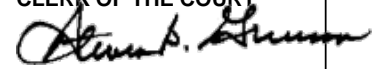
5470 Kietzke Lane, Suite 300

Reno, Nevada 89511

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DISTRICT COURT  
CLARK COUNTY, NEVADA

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

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

**NOTICE OF ACCOUNTING REVIEW**

**TO: Elizabeth Brickfield  
Kimberly Jones**

The Eighth Judicial District Court Guardianship Compliance Division (GCD) has reviewed the Receipts and/or Vouchers in Support of the First Accounting filed on 09/16/2021 (9/16/2021 SUPPORT) as it relates to the Supplement to Accounting filed 8/9/2021 (8/9/2021 SUPPLEMENT). The timeframe covered by the accounting is: 10/15/2019 to 10/15/2020. The GCD recommends discussion of the following items:

- ☐ The above referenced accounting has been reviewed by GCD and no issues were identified.
- ☐ There is time missing or overlapping between the prior accounting ending date of \_\_\_\_\_.
- ☐ The account is for multiple protected persons/minors and each protected person's interests in receipts, disbursements, and assets are not clearly shown.
- ☐ A hearing has not been set and proof of service has not been filed for this accounting.
- ☐ Based on case type an annual accounting submission is not required.

**Account Summary**

- ☐ Is missing or incomplete;
- ☐ Is illegible;
- ☐ Contains mathematical error(s);
- ☐ Is not consistent with the information on the supporting worksheets; and
- ☐ Other Issues and Comments:

**Worksheet A: Assets & Debts**

☐ Is missing or incomplete;

☐ Is illegible;

☐ Contains mathematical error(s);

☒ The Starting Balance is inconsistent with past filings;

☒ The Ending Balance is inconsistent with the transactions; and

☒ Other Issues and Comments: The Starting Balance used for the 8/9/2021 SUPPLEMENT does not reflect the actual balances of the listed assets. The bank accounts listed in the 9/16/2021 SUPPORT total \$2,549.34 as of the accounting starting date. The 8/9/2021 SUPPLEMENT lists \$98.00 as the accounting starting balance. The real and personal property total either \$478,247.89 or \$485,247.89. See below.

The actual total is unknown because the personal property total is listed as \$21,000 when in fact the itemized values total only \$14,000. This value was not adjusted in the accounting. It is unknown which value is correct.

**Worksheet B: Gross Income**

☐ Is missing or incomplete;

☐ Is illegible;

☐ Contains mathematical error(s);

☐ Contains gaps and missing entries for expected income (e.g., pensions, Social Security, rental income); and

☒ Other Issues and Comments: The Supplement shows that the house was refinanced to get cash from the equity in the home.

**Worksheet C: Expenses**

☐ Is missing or incomplete;

☐ Is illegible;

☐ Contains mathematical error(s);

☐ Is missing entries for expected expenses (e.g., health insurance, property insurance, room and board);

☐ Expenditures are not itemized; and

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☒ Other Issues and Comments:        There were seven payments to a Citibank credit card totaling \$1,108.62. The credit card was not in the name of the protected person. It is not known if these payments are for the benefit of the protected person.

There were five cash withdrawals in the account totaling \$8,100. The statements provided also show other cash withdrawals of \$1,550.00 prior to the start of the accounting period.

There are multiple expenses related to an automobile and auto fuel. No automobile is listed in the starting or ending balance.

Credit card appears to have charges for property tax and property inspectors in California and for utilities for property in Nevada.

Credit card statements were provided for review. It is not known if credit card charges are for the benefit of the protected person. The only payments for the credit card were made from the protected person's account. The charges were made by June Jones.

**Other Issues and Comments:**

/s/ Riley Wilson  
Guardianship Compliance Division

**CERTIFICATE OF SERVICE**

I hereby certify that on the above file stamped date, a copy of the foregoing Notice was E-Served pursuant to NEFCR 9 or mailed to pro se litigants, via first class mail, postage fully prepaid to:

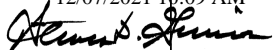
James A. Beckstrom  
Marquis Aurbach Coffing  
Attn: James A. Beckstrom  
10001 Park Run Drive  
Las Vegas, NV 89145

Maria L. Parra-Sandoval  
725 E Charleston BLVD  
Las Vegas, NV 89104

Elizabeth Brickfield  
Dawson & Lordahl PLLC  
Attn Elizabeth Brickfield Esq  
9130 West Post Road Suite 200  
Las Vegas NV 89148

/s/ Riley Wilson  
Guardianship Compliance Employee



  
CLERK OF THE COURT

OAI

**DISTRICT COURT  
CLARK COUNTY, NEVADA**

In the Matter of the Guardianship of: ) Case No.: G-19-052263-A  
) Dept. No.: B  
Kathleen Jones, )  
) Hearing Date: March 2, 2022  
Protected Person. ) Hearing Time: 5:00 AM  
)

**ORDER TO APPOINT INVESTIGATOR**

This matter has been reviewed by the Court. The Court, having jurisdiction of the subject matter, finds an investigation is required in this matter.

**IT IS HEREBY ORDERED:**

1. The Court appoints the following as investigator in this matter:

Kate McCloskey, State Guardianship Compliance Officer, or  
designee  
201 S. Carson Street, Suite 250  
Carson City, NV 89701-4702  
Phone: 775-684-1783  
Fax: 775-684-1723

///

///

///

- 1           2. The State Guardianship Compliance Officer shall conduct an  
2           investigation into the Protected Person's personal circumstances  
3           including, but not limited to, the Protected Person's medical and  
4           psychiatric/psychological condition, care and maintenance,  
5           educational status, placement, and financial status.  
6
- 7           3. Specifically, the State Guardianship Compliance Officer shall review  
8           the management of the Guardianship Estate by former Guardian  
9           Kimberly Jones to include the personal finances of former Guardian  
10          Kimberly Jones.  
11
- 12          4. Upon presentation of this Order to any hospital, medical care  
13          facility, health care provider, educational institution, human  
14          service agency, financial institution, or other agency or individual  
15          providing placement, care, treatment, services, or benefits to the  
16          Protected Person, including records of protected health information  
17          under the provision of the Federal Health Insurance Portability and  
18          Accountability Act of 1996, the State Guardianship Compliance  
19          Officer shall be authorized to access, review, and/or copy any  
20          record relating to the Protected Person, within the scope of this  
21          investigation.  
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1 5. The State Guardianship Compliance Officer shall file a written  
2 report with the Court, documenting the results of this investigation.  
3  
4 The investigative report shall be sent to the parties in this matter,  
5 by the State Guardianship Compliance Officer.  
6

7  
8 **IT IS SO ORDERED.**  
9  
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12

13 Dated this 7th day of December, 2021

14   
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16 77A ABF 5480 4C0B  
17 Linda Marquis  
18 District Court Judge  
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1 CSERV

2 DISTRICT COURT  
3 CLARK COUNTY, NEVADA  
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5  
6 In the Matter of the Guardianship CASE NO: G-19-052263-A  
7 of:  
8 Kathleen Jones, Protected  
9 Person(s)  
10

DEPT. NO. Department B

11 **AUTOMATED CERTIFICATE OF SERVICE**

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

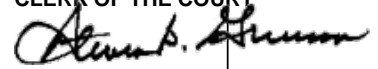
16 Service Date: 12/7/2021

17 Heather Ranck	heather@michaelsonlaw.com
18 Kelly Easton	kellye@sylvesterpolednak.com
19 Monica Gillins	mlg@johnsonlegal.com
20 Lenda Murnane	lenda@michaelsonlaw.com
21 Rosie Najera	rnajera@lacs.org
22 James Beckstrom	jbeckstrom@maclaw.com
23 John Michaelson	john@michaelsonlaw.com
24 John Michaelson	john@michaelsonlaw.com
25 David Johnson	dcj@johnsonlegal.com
26 Geraldine Tomich	gtomich@maclaw.com
27 Jeffrey Sylvester	jeff@sylvesterpolednak.com
28	

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7	Deana DePry	ddepry@maclaw.com
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10	Matthew Whittaker	matthew@michaelsonlaw.com
11	Ammon Francom	ammon@michaelsonlaw.com
12	Matthew Whittaker	matthew@michaelsonlaw.com
13	Ammon Francom	ammon@michaelsonlaw.com
14	Kellie Piet	kpiet@maclaw.com

18 If indicated below, a copy of the above mentioned filings were also served by mail  
19 via United States Postal Service, postage prepaid, to the parties listed below at their last  
20 known addresses on 12/8/2021

20	Elizabeth Brickfield	Dawson & Lordahl PLLC
21		Attn: Elizabeth Brickfield, Esq
22		9130 West Post Road, Suite 200
23		Las Vegas, NV, 89148



**PET**

MICHAELSON LAW  
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Ph: (702) 731-2333  
Fax: (702) 731-2337  
*Attorneys for Robyn Friedman  
and Donna Simmons*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

IN THE MATTER OF THE GUARDIANSHIP ) Case Number: G-19-052263-A  
OF THE PERSON AND ESTATE OF: ) Department: B

Kathleen June Jones,

An Adult Protected Person.

**PETITION TO COMPEL KIMBERLY JONES TO PROVIDE ANY AND ALL  
INFORMATION AND DOCUMENTATION RELATED TO THE PROTECTED  
PERSON TO THE SUCCESSOR GUARDIAN**

☐ TEMPORARY GUARDIANSHIP  
☐ Person  
☐ Estate ☐ Summary Admin.  
☐ Person and Estate

☒ GENERAL GUARDIANSHIP  
☐ Person  
☐ Estate ☐ Summary Admin.  
☒ Person and Estate

☐ SPECIAL GUARDIANSHIP

☐ NOTICES / SAFEGUARDS

☐ Person  
☐ Estate ☐ Summary Admin.  
☐ Person and Estate

☒ Blocked Account  
☐ Bond Posted  
☐ Public Guardian Bond

COMES NOW Robyn Friedman, Successor Guardian of the Person and Estate of  
Kathleen June Jones, and Donna Simmons, daughter of the protected person as an interested party,

1 by and through Michaelson Law, and file this Petition to Compel Kimberly Jones to Provide Any  
2 and All Information and Documentation Related to the Protected Person to the Successor  
3 Guardian.

4 **BACKGROUND RELEVANT TO THIS PETITION**

5 **A. Procedural Background**

6 1. On December 6, 2021, this Court filed its Findings of Fact and Conclusions of Law and  
7 Order Regarding Visitation, First Annual Accounting, Guardian's Fees, Caretaking Fees,  
8 Attorney's Fees and Costs and Removal of the Guardian ("FOFCOL"), in which this Court  
9 removed Kimberly Jones ("Kimberly") as the Guardian of the Person and Estate of Kathleen June  
10 Jones ("Ms. Jones" or "June") and appointed Robyn Friedman ("Robyn") as the Successor  
11 Guardian of the Person and Estate of Ms. Jones.

12 2. On December 7, 2021, this Court issued an Order Appointing Successor Guardian by  
13 which Robyn Friedman was in fact appointed as Ms. Jones Successor Guardian. The same day,  
14 Robyn Friedman also filed an Oath and an Acknowledgement of her duties as guardian.  
15

16 3. Also on December 7, 2021, this Court appointed Kate McCloskey, State Compliance  
17 Officer to investigate Mr. Jones' medical and psychiatric/psychological condition, care and  
18 maintenance placement and financial status. *See* Order to Appoint Investigator filed with this  
19 Court on December 7, 2021.

20 4. On December 8, 2021, Robyn filed the Notice of Entry of Order Appointing Successor  
21 Guardian and served it upon all interested parties and the protected person in accordance with  
22 NRS 159.074(1).

23 5. On December 8, 2021, the Court Clerk issued Letters of General Guardianship for Robyn.  
24  
25

1       6. As this Court is aware, Kimberly had been Ms. Jones' guardian since the hearing on  
2       October 15, 2019. She has also been Ms. Jones' primary caregiver since then.

3       7. Prior to Kimberly's appointment, Robyn and Donna Simmons ("Donna") were appointed  
4       as temporary guardians. While temporary guardians, Robyn and Donna had difficulty getting or  
5       were unable to get Kimberly to provide important information about Ms. Jones' medications,  
6       finances or other vital questions.

7       8. As this Court is also aware, it previously granted, in part, former-guardian Kimberly's  
8       Petition to Relocate Ms. Jones to Anaheim, California to facilitate Ms. Jones' move from her prior  
9       residence here in Las Vegas as a condition of the settlement of the civil lawsuit filed in Case No.  
10      A-19-807458-C (the "A Case"). This Court only granted a temporary relocation to the Anaheim  
11      Property. *See* April 9, 2021, Order Granting Petition to Relocate Protected Person and Transfer  
12      Guardianship in Part and Denying in Part. This means that Robyn is now guardian of her mother  
13      who is hundreds of miles away.

14  
15      **B. Robyn's Attempt to Coordinate Transfer of Guardianship with Kimberly**

16      9. Immediately upon receiving this Court's FOFCOL, Robyn prepared a list of information  
17      and items that she would require from Kimberly to complete the transition between guardians.

18      10. Undersigned counsel emailed the list to Kimberly's counsel, James Beckstrom, on  
19      December 8, 2021. *See* Exhibit 1 attached hereto. Robyn also texted the same information to  
20      Kimberly that day.

21      11. Mr. Beckstrom asked that Robyn have those communications directly with Kimberly, and  
22      he said he forwarded the email to Kimberly. *See* Exhibit 1. Mr. Beckstrom further stated that  
23      "Kimberly wants an orderly transition and will continue to care for June until Robyn is ready."  
24      *Id.*



1 12. Unfortunately, but not surprisingly, Robyn's attempts to communicate directly with  
2 Kimberly have been almost entirely futile. Robyn started a group text message with her siblings  
3 including Kimberly in the afternoon of December 8, 2021. *See* Exhibit 2 attached hereto. The  
4 group message included a request for information from Kimberly including asking for Kimberly's  
5 plans for June's care for the next few days, whether there were any immediate concerns<sup>1</sup>, and  
6 asked if Kimberly would continue to care for June until Monday evening, while also informing  
7 Kimberly that Robyn had arranged for other care plans if Kimberly would not do it. Kimberly did  
8 not respond. *Id.*

9 13. A few hours later, Robyn sent another text message to the group stating that she had  
10 received Mr. Beckstrom's email stating that Kimberly would continue to care for June as needed.  
11 *Id.* Robyn informed Kimberly that Robyn would be there at 5:00 p.m. on Monday. *Id.* Robyn  
12 asked Kimberly to confirm that she was good with the plan to care for June until Monday.  
13 Kimberly did not respond. *Id.*

14 14. Rather than respond to the text message (Kimberly has communicated from time to time  
15 randomly with Robyn via text message), Kimberly sent Robyn an email later that day stating that  
16 she would make the transition as smooth as possible for Ms. Jones and told Robyn to contact her  
17 at a specific phone number. *See* Exhibit 3 attached hereto.

18 15. Robyn responded to the email that she tried reaching out by text message but had not  
19 heard back from Kimberly. *Id.* Robyn asked Kimberly to confirm that she would care for Ms.  
20 Jones until 5:00 p.m. on Monday and that Kimberly received the longer email with questions and  
21 requests. *Id.*

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25 <sup>1</sup> Upon information and belief, June was admitted to a hospital recently.

1 16. Kimberly responded via email, “Yes, 5:00 on Monday is fine. I did not receive a text from  
2 you.” She then included the phone number again to use. *Id.*

3 17. Robyn responded that she had in fact used that number in the prior text thread. *Id.* Robyn  
4 asked if her number was blocked on Kimberly’s phone or if there was another number to use. *Id.*  
5 Kimberly responded simply that group messaging was turned off.

6 18. Additionally, Kimberly and Mr. Beckstrom did not attend the hearing before this Court  
7 on December 9, 2021, on the Guardian ad Litem’s petition for fees and costs. This is odd given  
8 the nature and circumstances in this case as that hearing would have been an opportune time for  
9 the Court to give directions to the parties and resolve any ambiguities.

10 19. Mr. Beckstrom filed a Motion to Withdraw as Counsel on December 10, 2021.

11 20. At the time of filing this Petition, Kimberly has provided some information, but flat out  
12 refuses to provide other information.

13 21. Only after being threatened with legal action, did Kimberly provide basic information, but  
14 she refuses to provide detailed information. Kimberly provided a basic outline of Ms. Jones’ daily  
15 routine. Kimberly also provided basic information about upcoming appointments. She provided  
16 Ms. Jones’ Nevada identification, a debit card with no pin number or password to access the  
17 account, a credit card, two rings, and a key. Kimberly also provided a list of Ms. Jones’ medical  
18 providers and a note that Ms. Jones has no immediate medical appointments until January 5, 2022.  
19 Kimberly provided a business card for Walmart, several prescription bottles, and three weeks of  
20 pills in a plastic container.  
21

22 22. Kimberly has not provided detailed information about Ms. Jones’ medications. She also  
23 has not provided any detailed information about what the prescriptions are or what they are for.  
24 The pills were given to Robyn in a jumbled, daily pill divider with no identifiers as to what the  
25

1 pills were or the dosing information. Kimberly only provided a note with a brief mention that,  
2 “Her medications are number 1-8 and filled for 3 weeks, everything is taken at night except for  
3 the next 5 days one pink pill from the blue bottel (sic) in the morning.” Robyn does not even  
4 know if the pills are legitimate. Some of the containers are empty or do not have the same pills as  
5 the others. Robyn lacks information to figure out what is going on with the different pills. Kim’s  
6 instructions were inaccurate and if Robyn had continued with the instructions Kim provided,  
7 Robyn would have been dosing a medication daily instead of weekly as was instructed by the  
8 box. This could have led to a possible overdoes.

9 23. Robyn continues to lack vital information regarding the prescriptions. One of the  
10 medications appears to have expired in 2020. The other medications appear to have been  
11 prescribed by an eye doctor and a Dr. Richard Rodriquez. Robyn was given a business card for  
12 Walmart’s pharmacy that leads her to assume that all medications are filled there. But Walmart  
13 would not speak with Robyn about the medications because she lacks certain information.

14 24. Robyn called the phone number for Dr. Rodriquez. That phone number turned out to be  
15 his personal cell phone. Robyn tracked down his medical practice information and got ahold of  
16 the care team manager. The care team manager confirmed that Dr. Rodriguez never returns phone  
17 calls to his personal cell phone. The care team manager told Robyn should not give Ms. Jones  
18 any of the medications that Kimberly left for her. He is sending a medication list to Robyn and  
19 calling in new medications. Ms. Jones has already missed one night’s medication due to  
20 Kimberly’s inability to communicate with Robyn. Ms. Jones took her heart medication only as  
21 advised by the care manager.  
22

23 25. Additionally, Robyn learned that Ms. Jones has a heart monitor that Kimberly did not  
24 mention. On December 13, 2021, Robyn noticed that Ms. Jones had a device attached to her chest.  
25

1 Ms. Jones did not explain its existence or purpose prior to visual discovery my Robyn. After  
2 Robyn demanded answers, Kimberly finally stated that it was a heart monitor device, but nothing  
3 further. Robyn's research showed that this particular heart monitor is meant for high-risk patients  
4 and may only be good for up to 14 days. This all occurred after Robyn was told by Kimberly (and  
5 in an email from Mr. Beckstrom) that there were no immediate medical issues that Robyn needed  
6 to know about. Kimberly only provided the information after Robyn saw proof of the heart  
7 monitor in person.

8 26. On December 14, 2021, Ms. Jones removed the heart monitor during the night. Robyn  
9 still does not have needed information and documentation from Kimberly. She is going to simply  
10 show up at the Cardiologists office and hope they will see Ms. Jones.

11 27. Par for the course in this matter, it took getting attorneys involved before Kimberly would  
12 provide further information about the heart monitor. On December 14, 2021, Robyn's counsel  
13 emailed June's counsel Maria Sandoval and Mr. Beckstrom about, among other issues, the heart  
14 monitor. Ms. Sandoval was able to get more information out of Kimberly than Robyn was – that  
15 the heart monitor should not get wet and her next appointment for the heart monitor issue was  
16 January 5, 2021, along with the name of the doctor to contact for information.

17 28. Robyn continues to lack information from Kimberly necessary to accessing Ms. Jones'  
18 medical information. Kimberly provided no information about whether Ms. Jones' medical  
19 information can be accessed through website portals. Robyn has tried to contact the doctors  
20 Kimberly listed. Robyn was able to speak with the doctor's offices but has not been able to get  
21 needed information due to lack of documentation that Kimberly has in her possession and to date  
22 has not turned over to Robyn. Right now, Robyn is left to blindly provide care for Ms. Jones.  
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1 29. Robyn has not been able to locate Ms. Jones' functional wheelchair. Ms. Jones has a  
2 walker. And Robyn found a broken, destroyed wheelchair in the garage. But Robyn cannot find  
3 a functioning wheelchair. Kimberly will not provide information about where Ms. Jones' working  
4 wheelchair is currently located.

5 30. Kimberly only provided Robyn with a key to the front door. Robyn learned that she does  
6 not have a key to two additional exterior doors, one door from the interior to the garage, the  
7 manual lift up garage door, and two interior bedrooms. Robyn was forced to pay to have all locks  
8 rekeyed.

9 31. Kim has not provided Ms. Jones' cell phone to Robyn. Robyn has no idea where the cell  
10 phone is. Ms. Jones has an Apple Watch, but Robyn cannot locate the cell phone. Kimberly will  
11 not answer any questions regarding the cell phone. Robyn also did not find a landline in the  
12 Anaheim property. Robyn asked Ms. Jones where her phone was, and Ms. Jones had no idea. At  
13 the time of filing this Petition, Robyn still does not know where the cell phone is or why Kimberly  
14 will not give it to Robyn.  
15

16 32. Besides providing the debit (but not the pin or password rendering them virtually useless)  
17 and credit cards, Kimberly has not provided Robyn with any information necessary for Robyn to  
18 gain access to Ms. Jones' financial accounts.

19 33. Furthermore, Robyn located a cat roaming around inside Ms. Jones' Anaheim Property.  
20 Robyn now knows the cat belongs to Ms. Jones. However, Kimberly has not mentioned anything  
21 to Robyn about the cat. Kimberly has not disclosed the veterinarian information, if the cat has  
22 been chipped, what kind of food the cat eats, etc. The cat food is currently in a zip lock bag with  
23 no identifying information.  
24

25 **C. Dean Loggans and a Recording Device in the Garage**

1       34. Kim refuses to provide entry to the garage of the Anaheim Property. Kim notified Robyn  
2 that Kimberly will vacate the Property in 30 days. *See* Exhibit 4. But Kimberly asks that the  
3 master bedroom and the garage remain “off limits.” *Id.* Robyn met with Kim at 5:00 p.m. on  
4 December 13, 2021. The meeting took place at the Anaheim Property. There, Kim refused Robyn  
5 entry into the garage. Kimberly said it was locked but did not have a key. Kim would provide no  
6 further information. Kim does not have authority to make the garage “off limits.” Per the Lease  
7 Agreement, Kim rents the master bedroom with the ability to use the common areas. The Lease  
8 Agreement says nothing about the garage.

9       35. Robyn found Dean Loggans (“Dean”) hiding in the locked garage the morning of  
10 December 14, 2021. Because Kim refused to provide Robyn with access to the garage, Robyn  
11 hired a locksmith to open the garage around 7:30 a.m. Once opened, Dean was observed in the  
12 garage getting into his Corvette. Robyn asked the locksmith if there was a guy in the garage when  
13 the locksmith first opened the door. The locksmith confirmed Dean was in the locked garage  
14 when he opened the door. In an email to Ms. Parra-Sandoval and Mr. Beckstrom on December  
15 14, 2021, Kimberly denies that there was anyone “hiding” in the garage. However, it appears that  
16 Dean and Kimberly had not been able to coordinate yet on what their story would be because  
17 Robyn took a video on her cell phone that shows Dean in the garage right after the locksmith  
18 opened the door and video of the locksmith confirming that there was a guy in the garage when  
19 the door was unlocked. After the locksmith opened the garage, Dean pulled his Corvette out of  
20 the garage and closed the garage door behind him. Dean caused the door to lock again. Robyn  
21 was forced to pay the locksmith a second time to unlock the door. The locksmith’s bill was over  
22 \$2,000. This was an unnecessary expense to the estate of the protected person.  
23  
24  
25

1 36. All interactions with Dean are captured on cell phone video. To preclude Kimberly's  
2 denial that there was no one hiding in the garage on the morning of December 14, 2021, Robyn  
3 provides the following screen shot from the cell phone video she took showing Dean in the garage  
4 with his Corvette right after the locksmith opened the door:



16 37. Either Kimberly lied about not having a key to the garage, or Dean had been locked in the  
17 garage for an unknown amount of time.

18 38. Moreover, Robyn found a cell phone that was actively recording in the garage. After Dean  
19 left in his Corvette, Robyn began taking a video inventory of the contents of the garage. She  
20 opened a cabinet and found an Apple iPhone. The iPhone had a voice recording app open and the  
21 app was actively recording and had been recording for 55 minutes. Robyn later confirmed that  
22 the phone belongs to Dean. Again, Robyn captured all of this in cell phone videos and  
23 photographs. Robyn is unsure if there are any other recording devices around the Anaheim  
24 Property. Robyn is further perplexed why Dean was in the garage (after Kimberly told Robyn that  
25 it was locked and Kimberly didn't have a key) and why he felt a need to leave his iPhone behind

1 actively recording. To preclude any denials that the phone was recording or belongs to Dean,  
2 Robyn provides the Court with the following photographs. The first is a screenshot from the video  
3 Robyn took showing where she found the phone. The second shows that the phone was actively  
4 recording. And the third photograph shows the phones contacts that state the phone belongs to  
5 Dean.





1 39. In the garage, Robyn found several industrial strength plastic crates. Robyn does not know  
2 what is in the crates because the crates are zip-tied closed to ensure that no one can look inside.

3 40. In the evening of December 14, 2021, Kimberly and Dean showed up at the Anaheim  
4 Property while Robyn was there alone with Ms. Jones. They started banging on the front door and  
5 demanded that Robyn let them in. Robyn agreed to let Kimberly in but stated that Dean was not  
6 welcomed. Robyn opened the door to let Kimberly in when Kimberly and Dean forced their way  
7 in. Dean's entry bodily forced Robyn to the side and demanded to know where his cell phone was  
8 (confirming that the phone Robyn found was in fact Dean's phone). Feeling unsafe after the  
9 forced entry, Robyn took Ms. Jones out of the home, and they went to Robyn's rental car. Robyn  
10 called for the police. During this incursion, Dean yelled out "I do live here". At the time of filing,  
11 this situation has not been resolved.

12 41. Kimberly should immediately disclose if there are any weapons, including guns, on the  
13 property and if there are any more recording devices set up in the home.

14  
15 **PETITION FOR ORDER TO COMPEL KIMBERLY TO IMMEDIATELY PROVIDE**  
16 **ANY AND ALL INFORMATION REGARDING MS. JONES**

17 42. Robyn requires a significant amount of information from Kimberly to ensure that Ms.  
18 Jones continues to receive the care that she requires and allow Robyn to complete her duties as  
19 Ms. Jones' guardian without prohibitive expense to Ms. Jones' estate to replace all the documents  
20 Kimberly is holding in her possession.

21 43. As guardian of the estate and person of Ms. Jones, Robyn has significant duties and  
22 responsibilities. Robyn has the duty to ensure Ms. Jones receives the care she requires including  
23 food, clothing, shelter, medical, surgical, dental, psychiatric, psychological, hygienic, and other  
24 remedial care and treatment. *See* NRS 159.079(1). Her other duties and responsibilities include  
25 taking possession and title to property of the protected person and securing documents including

1 contracts, power of attorney, and estate planning documents. *See* NRS 159.089. Robyn also has  
2 the responsibility to gain access to Ms. Jones' financial accounts. *See* NRS 159.0893.

3 44. To complete these duties, Robyn requires Kimberly's cooperation in turning over and  
4 making available information. Kimberly's cooperation is required quickly and timely to ensure  
5 Ms. Jones' is properly and adequately cared for through this transition. Though Kimberly and her  
6 counsel have stated her willingness to make the transition smooth, Robyn has not received  
7 answers from Kimberly about information vital to Robyn taking over as guardian.

8 45. Robyn took significant steps to try and get this vital information directly from Kimberly.  
9 Mr. Beckstrom informed counsel that Kimberly is willing to ensure that there is a smooth  
10 transition – that the sisters should simply work together to coordinate directly with each other.  
11 The problem is that Kimberly is not voluntarily forthcoming with the information – basic  
12 information that is important to get right such as ensuring Robyn knows the purpose of Ms. Jones  
13 medications. Further, Kimberly took affirmative steps to preclude Robyn from taking full control  
14 of the Anaheim Property and locked Robyn out of the garage. As Robyn learned, Kimberly locked  
15 Robyn out of the garage because Dean was inside.

16 46. Further, Kimberly's answer to many of Robyn's questions has been "I will tell you later"  
17 or "I'll tell you tomorrow." Other of Kimberly's answers have proven to be false such as "the  
18 garage is off limits because Kimberly moved her office into the garage." Robyn found no office  
19 in the garage but did find Dean who is not supposed to be living at the Anaheim Property (that  
20 Kimberly represented to this Court more than once is not living at the Anaheim Property) and a  
21 white Corvette.  
22

23 47. Instead of providing information, Kimberly has created a hostile, unsafe environment at  
24 June's home. It has been well documented before this Court (and within the Court's FOFCOL)  
25

1 that Ms. Jones' family are scared of Dean. Yet, Dean was found at June's home. He left his iPhone  
2 to record after he left. He returned that night pounding on the door. He physically pushed Robyn.  
3 And he forced Robyn to remove Ms. Jones from the home.

4 48. Further, on December 14, 2021, when the police were called to the Anaheim property,  
5 Kimberly was asked by the police officer where the passport, social security card, Medicaid car  
6 and other documents were. She first claimed she didn't have them. Then when the police officer  
7 pressed, she stated that the documents were in her possession and at the Anaheim property, but  
8 that they were mixed in with other things from her office. And she would give them to Robyn at  
9 a later time but couldn't articulate when that "later time" was.

10 49. Robyn requested the following information from Kimberly:

- 11 a. All of June's identifications including passport;
- 12 b. List of June's doctors including addresses, phone numbers, identification of
- 13 what each doctor is for, and the issues that the doctor is currently treating June
- 14 for;
- 15 c. List of upcoming doctor appointments;
- 16 d. List of June's medications including what the medications are for;
- 17 e. Detailed contact information, including company names, names of caregivers,
- 18 and phone numbers, for any caregivers that have providing care to June;
- 19 f. Schedule for any caregivers along with how much each caregiver is paid and
- 20 how those payments are made;
- 21 g. Copy of June's medical records;
- 22 h. Any end-of-life instructions and personal paperwork;
- 23 i. All of June's insurance and government benefits information;
- 24
- 25

- j. Keys and garage fobs to the Anaheim property;
- k. List of all utilities including account numbers and balances;
- l. Copy of the homeowner's insurance policy on the Anaheim property along with the most recent statements;
- m. Statements for June's financial accounts including all bank accounts and credit cards, including passwords, pin numbers and any answers to security questions on the account;
- n. A list of June's friends that she stays in contact with including contact information;
- o. List of all the foods that June likes and doesn't like to eat;
- p. List of all medical and personal hygiene supplies June uses and the brands/types;
- q. List of June's favorite TV shows;
- r. List of activities and traditions June currently enjoys and participates in;
- s. List of any entertainment June enjoys or other groups she's a part of;
- t. List of the doctors June saw in Nevada, including contact info;
- u. List of June's upcoming social appointments;
- v. Any upcoming travel that had been planned for June;
- w. June's passwords to online accounts including financial accounts, utilities accounts, and doctor portal accounts;
- x. Information regarding June's cell phone account, including who pays the bill and who the owner of the account

- 1 y. Handicap placard for the car; or conversely, confirming that one has never  
2 been obtained on behalf of June;  
3 z. Safety deposit box information and keys; and  
4 aa. Copy of June's Last Will and Testament, or confirmation that her Last will and  
5 Testament has been revoked and no new Last will and Testament has been  
6 executed while Kimberly was guardian.  
7 bb. June's working wheelchair  
8 cc. Any and all other relevant items, personal belongings, information that will  
9 help the transition to Robyn as Guardian.

10 50. Robyn hereby requests that this Court order Kimberly to provide this information within  
11 seven days of the entry of this Court's order. Robyn further requests that this Court admonition  
12 Kimberly that failure to do so will be considered a failure to appear before the Court pursuant to  
13 NRS 159.1857 that provides if a guardian fails to appear before the Court after the court deems a  
14 petition to remove the guardian to be sufficient, then the Court may hold the guardian in contempt  
15 of court, require the guardian to appear at a date and time set by the court, issue a bench warrant  
16 for the arrest and appearance of the guardian, and/or find that the guardian caused harm to the  
17 protected person or the estate of the protected person and issue an order accordingly. If Kimberly  
18 fails to meet the seven-day deadline, Robyn requests that this Court hold Kimberly in contempt  
19 of Court, find that Kimberly caused harm to Ms. Jones, and issue an order accordingly.  
20

21 **PRAYER FOR RELIEF**

22 WHEREFORE, based upon the foregoing, Successor Guardian Robyn requests that the  
23 Court GRANT this Petition in its entirety and ORDER:  
24  
25

1. Kimberly immediately disclose if there are any weapons, including guns, on the property and if there are any more recording devices set up in the home.
2. Kimberly shall provide the following information within seven days from entry of the Order granting this Petition:
  - a. All of June's identifications including passport;
  - b. List of June's doctors including addresses, phone numbers, identification of what each doctor is for, and the issues that the doctor is currently treating June for;
  - c. List of upcoming doctor appointments;
  - d. List of June's medications including what the medications are for;
  - e. Detailed contact information, including company names, names of caregivers, and phone numbers, for any caregivers that have providing care to June;
  - f. Schedule for any caregivers along with how much each caregiver is paid and how those payments are made;
  - g. Copy of June's medical records;
  - h. Any end-of-life instructions and personal paperwork;
  - i. All of June's insurance and government benefits information;
  - j. Keys and garage fobs to the Anaheim property;
  - k. List of all utilities including account numbers and balances;
  - l. Copy of the homeowner's insurance policy on the Anaheim property along with the most recent statements;
  - m. Statements for June's financial accounts including all bank accounts and credit cards, including passwords, pin numbers and any answers to security questions on the account;

- 1 n. A list of June's friends that she stays in contact with including contact  
2 information;
- 3 o. List of all the foods that June likes and doesn't like to eat;
- 4 p. List of all medical and personal hygiene supplies June uses and the  
5 brands/types;
- 6 q. List of June's favorite TV shows;
- 7 r. List of activities and traditions June currently enjoys and participates in;
- 8 s. List of any entertainment June enjoys or other groups she's a part of;
- 9 t. List of the doctors June saw in Nevada, including contact info;
- 10 u. List of June's upcoming social appointments;
- 11 v. Any upcoming travel that had been planned for June;
- 12 w. June's passwords to online accounts including financial accounts, utilities  
13 accounts, and doctor portal accounts;
- 14 x. Information regarding June's cell phone account, including who pays the bill  
15 and who the owner of the account
- 16 y. Handicap placard for the car; or conversely, confirming that one has never  
17 been obtained on behalf of June;
- 18 z. Safety deposit box information and keys;
- 19 aa. Copy of June's Last Will and Testament, or confirmation that her Last will and  
20 Testament has been revoked and no new Last will and Testament has been  
21 executed while Kimberly was guardian; and  
22  
23 bb. June's working wheelchair.  
24  
25

1 3. Any and all other relevant items, personal belongings, information that will help the  
2 transition to Robyn as Guardian. If Kimberly fails to provide the information above  
3 within seven days from entry of the Order granting this Petition, that this Court issue  
4 an order to show cause why Kimberly should not be held in contempt of court and find  
5 that Kimberly caused harm to Ms. Jones.

6 Dated 15<sup>th</sup> day of December, 2021.

8 MICHAELSON LAW

9 By: /s/ John Michaelson  
10 John P. Michaelson, Esq.  
11 Nevada Bar No. 7822  
12 Ammon E. Francom, Esq.  
13 Nevada Bar No. 14196  
14 1746 W. Horizon Ridge Parkway  
15 Henderson, NV 89012  
16 Counsel for Robyn Friedman and Donna  
17 Simmons  
18  
19  
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21  
22  
23  
24  
25



**CERTIFICATE OF SERVICE**

Pursuant to NEFCR 9, that on December 15, 2021, the undersigned hereby certifies a copy of the foregoing Petition was electronically served on the following individuals and/or entities at the following addresses. In addition, pursuant to Nevada Rule of Civil Procedure 5(b), the undersigned hereby certifies that on December 15, 2021, a copy of the Petition was mailed by regular US first class mail, postage prepaid, in a sealed envelope in Henderson, Nevada, to the following individuals and/or entities at the following addresses:

Jeffrey R. Sylvester, Esq. <a href="mailto:jeff@sylvesterpolednak.com">jeff@sylvesterpolednak.com</a>  Kelly L. Easton <a href="mailto:kellye@sylvesterpolednak.com">kellye@sylvesterpolednak.com</a>  Co-Counsel for Petitioners, Robyn Friedman and Donna Simmons	Maria L. Parra-Sandoval, Esq. Legal Aid Center of Southern Nevada <a href="mailto:mparra@lacs.org">mparra@lacs.org</a> <i>Attorney for Kathleen June Jones</i>  Rosie Najera <a href="mailto:rnajera@lacs.org">rnajera@lacs.org</a>  <i>Counsel for June Jones</i>
Geraldine Tomich, Esq. <a href="mailto:gtomich@maclaw.com">gtomich@maclaw.com</a>  James Beckstrom, Esq. <a href="mailto:jbeckstrom@maclaw.com">jbeckstrom@maclaw.com</a>  Deana DePry <a href="mailto:ddepry@maclaw.com">ddepry@maclaw.com</a>  Kellie Piet <a href="mailto:kpier@maclaw.com">kpier@maclaw.com</a>  <i>Attorneys for Kimberly Jones</i>	Kate McCloskey <a href="mailto:NVGCO@nvcourts.nv.gov">NVGCO@nvcourts.nv.gov</a>  LaChasity Carroll <a href="mailto:lcarrol@nvcourts.nv.gov">lcarrol@nvcourts.nv.gov</a>  Sonja Jones <a href="mailto:sjones@nvcourts.nv.gov">sjones@nvcourts.nv.gov</a>
Elizabeth Brickfield DAWSON & LORDAHL PLLC <a href="mailto:ebrickfield@dlnevalaw.com">ebrickfield@dlnevalaw.com</a>  Melissa R. Douglas <a href="mailto:mdouglas@dlnevalaw.com">mdouglas@dlnevalaw.com</a>  <i>Guardian Ad Litem for Kathleen June Jones</i>	Kathleen June Jones 1055 S. Verde Street Anaheim, California 92805

1 2	Teri Butler 586 N. Magdalena Street Dewey, AZ 86327	Scott Simmons <a href="mailto:scott@technocoatings.com">scott@technocoatings.com</a>
3 4	Jen Adamo 14 Edgewater Drive Magnolia, DE 19962	Jon Criss 804 Harkness Lane, Unit 3 Redondo Beach, CA 90278
5 6	Ryan O'Neal 112 Malvern Avenue, Apt. E Fullerton, CA 92832	Tiffany O'Neal 177 N. Singing Wood Street, Unit 13 Orange, CA 92869
7 8	Courtney Simmons 765 Kimbark Avenue San Bernardino, CA 92407	Cameron Simmons <a href="mailto:Cameronnscottt@yahoo.com">Cameronnscottt@yahoo.com</a>

MICHAELSON & ASSOCIATES, LTD.

/s/ Janelle Bednar

Employee of Michaelson Law

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**VERIFICATION**

Robyn Friedman, being first duly sworn, under penalty of perjury, hereby deposes and says: that she is a Petitioner in the Petition above; that she has read the foregoing Petition and knows the contents thereof; that the same are true of her own knowledge except as to those matters therein stated upon information and belief and as to those matters, she believes them to be true.

/s/ Robyn Friedman  
ROBYN FRIEDMAN

# Exhibit 1

**From:** James A. Beckstrom <[jbeckstrom@maclaw.com](mailto:jbeckstrom@maclaw.com)>  
**Date:** Wednesday, December 8, 2021 at 4:16 PM  
**To:** John Michaelson <[john@Michaelsonlaw.com](mailto:john@Michaelsonlaw.com)>, Ammon Francom <[Ammon@Michaelsonlaw.com](mailto:Ammon@Michaelsonlaw.com)>  
**Cc:** 'Maria Parra-Sandoval' <[MParra@lacs.org](mailto:MParra@lacs.org)>  
**Subject:** RE: Kathleen June Jones

Kimberly tried to contact Robyn. Please have her communicate directly with her sister. I have also forwarded this e-mail to Kimberly.

We are in the process of withdrawing from the case.

It should come of no surprise that June is safe and happy at the Anaheim property. Kimberly wants an orderly transition and will continue to care for June until Robyn is ready. I hope you include June's attorney in this discussion on transition of care. She is copied to keep her in the loop.

If Robyn will speak with Kimberly, they could work all of these items out. I am not getting involved in negotiations involving "what June wants to eat" or what "TV shows she likes." I am a lawyer not a babysitter. They can coordinate times, transitions, move-out, and production of any documents in an orderly manner. Kimberly is ready and willing to facilitate an orderly transition.



**James A. Beckstrom, Esq.**  
10001 Park Run Drive  
Las Vegas, NV 89145  
t | 702.207.6081  
f | 702.382.5816  
[jbeckstrom@maclaw.com](mailto:jbeckstrom@maclaw.com)  
[maclaw.com](http://maclaw.com)



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**From:** John Michaelson <[john@Michaelsonlaw.com](mailto:john@Michaelsonlaw.com)>  
**Sent:** Wednesday, December 8, 2021 12:13 PM  
**To:** James A. Beckstrom <[jbeckstrom@maclaw.com](mailto:jbeckstrom@maclaw.com)>; Ammon Francom <[Ammon@Michaelsonlaw.com](mailto:Ammon@Michaelsonlaw.com)>  
**Subject:** [External] Kathleen June Jones

James,

As you're likely aware, the Court appointed Robyn as successor guardian in Monday's order. Accordingly, we're reaching out to you about coordinating the transition. We're filing our

necessary guardianship documents starting today to initiate the transition. Robyn will arrive at the Anaheim home on Monday.

In the meantime, and until we are notified otherwise, our understanding is that Kim will continue to provide physical care. If not, please let us know immediately as we have lined up independent care if needed until Monday evening when Robyn arrives. We intend to continue with any outside in-home care providers already scheduled if they are willing and honor any other social or medical appointments we are made aware of. If Kim has alternate suggestions to make the transition easier for June, please let us know immediately.

Please let Kim know that Robyn intends to begin the eviction process immediately unless Kim intends to move out quickly. Robyn further intends that the third bedroom will be used by the care providers and/or Robyn when she is there. Additionally, let Kim know that Dean is not welcome to stay in the Anaheim property past Sunday evening because he is not a tenant.

Additionally, we need the following information, documents, and items from Kim by this Friday by 10 a.m. to smooth the transition:

1. All of June's identifications including passport;
2. List of June's doctors including addresses, phone numbers, identification of what each doctor is for, and the issues that the doctor is currently treating June for;
3. List of upcoming doctor appointments;
4. List of June's medications including what the medications are for;
5. The actual medications themselves, *i.e.*, bottles, etc.;
6. Contact information for any caregivers currently providing care to June;
7. Schedule for any caregivers along with how much each caregiver is paid and how those payments are made;
8. Copy of June's medical records;
9. All of June's insurance and government benefits information;
10. Keys and garage fobs to the Anaheim property;
11. List of all utilities including account numbers and balances;
12. Copy of the homeowner's insurance policy on the Anaheim property along with the most recent statements;
13. Statements for June's financial accounts including all bank accounts and credit cards;
14. A list of June's friends that she stays in contact with including contact information;
15. List of all the foods that June likes and doesn't like to eat;
16. List of all medical and personal hygiene supplies June uses and the brands/types;
17. List of June's clothing sizes;

18. List of June's favorite TV shows;
19. List of activities and traditions June currently enjoys and participates in;
20. List of any entertainment June enjoys or other groups she's a part of;
21. List of the doctors June saw in Nevada, including contact info;
22. List of June's upcoming social appointments;
23. Any upcoming travel that had been planned for June;
24. June's passwords to online accounts including financial accounts, utilities accounts, and doctor portal accounts;
25. Safety deposit box information and keys; and
26. Copy of June's Last Will and Testament.

Additionally, the Guardian's Acknowledgment of Duties and Responsibilities filed today has a list of information that Robyn is responsible for. We incorporate that information into this letter and ask for Kim to assist in transitioning that information to Robyn.

It is imperative that we know immediately if Kim is able to continue to care for June through Monday. We also ask you to forward this email to Kim.

Please let me know when you are available to discuss. We'd like to move quickly to ensure that June is well taken care of.

John P. Michaelson, Esq.  
MICHAELSON & ASSOCIATES, LTD.  
[john@michaelsonlaw.com](mailto:john@michaelsonlaw.com)  
[www.michaelsonlaw.com](http://www.michaelsonlaw.com)  
Tel. (702) 731-2333  
Fax. (702) 731-2337

**The District**

2200 Paseo Verde Parkway, Suite 160  
Henderson, Nevada 89052

\*Please send correspondence to Henderson address

**Downtown Summerlin**

1980 Festival Plaza Drive, Suite 300  
Las Vegas, Nevada, 89135

**Reno**

5470 Kietzke Lane, Suite 300  
Reno, Nevada 89511

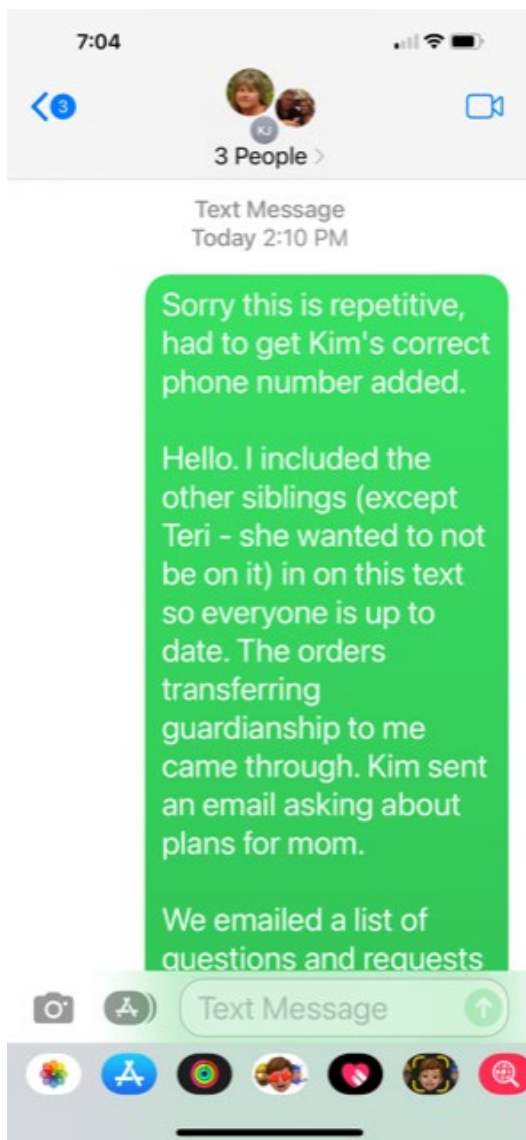
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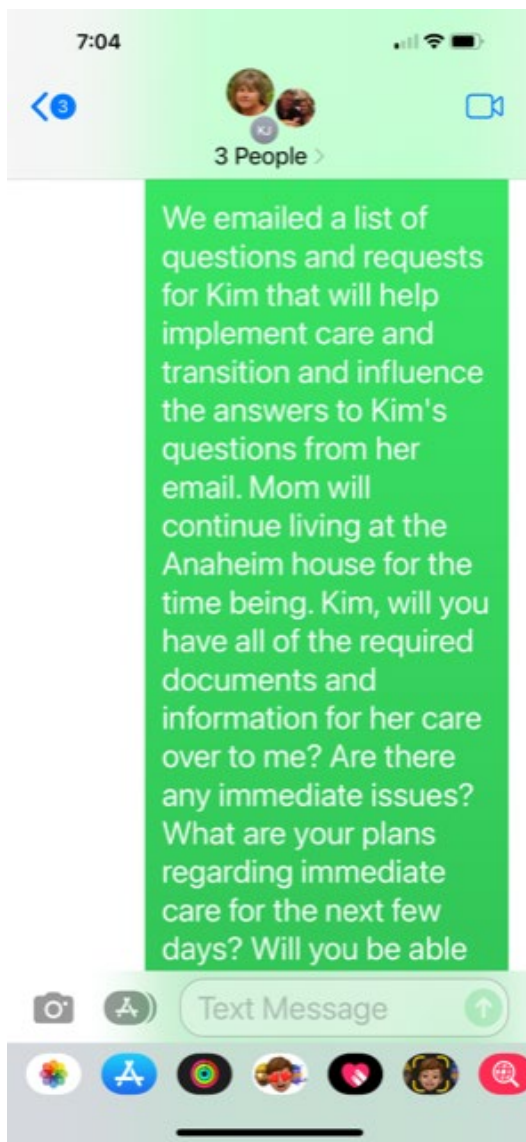
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To ensure compliance with requirements imposed by the IRS Circular 230, we hereby inform you that any U. S. tax advice contained in this communication (including attachments, if any) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any matter addressed herein.

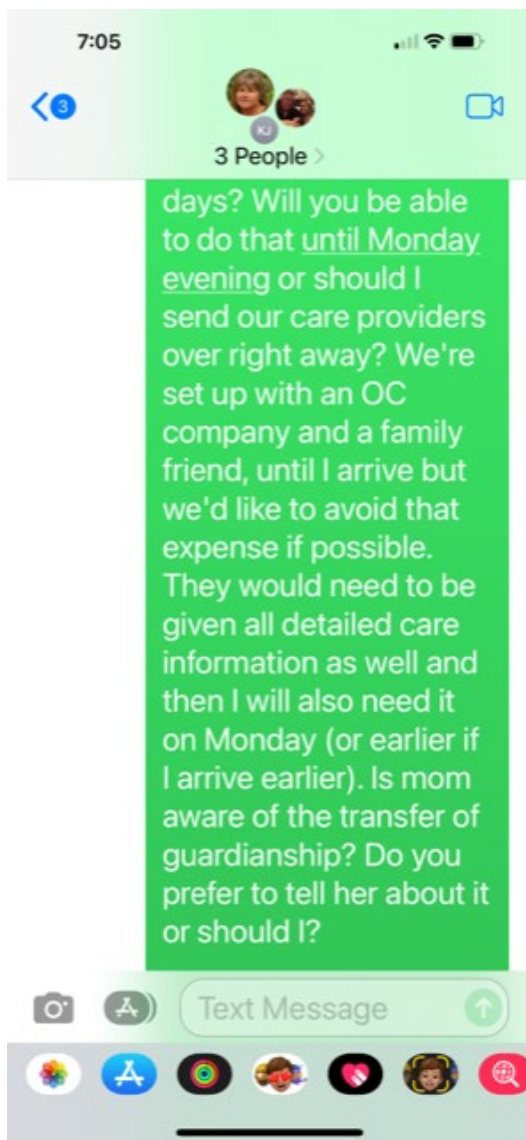


# Exhibit 2

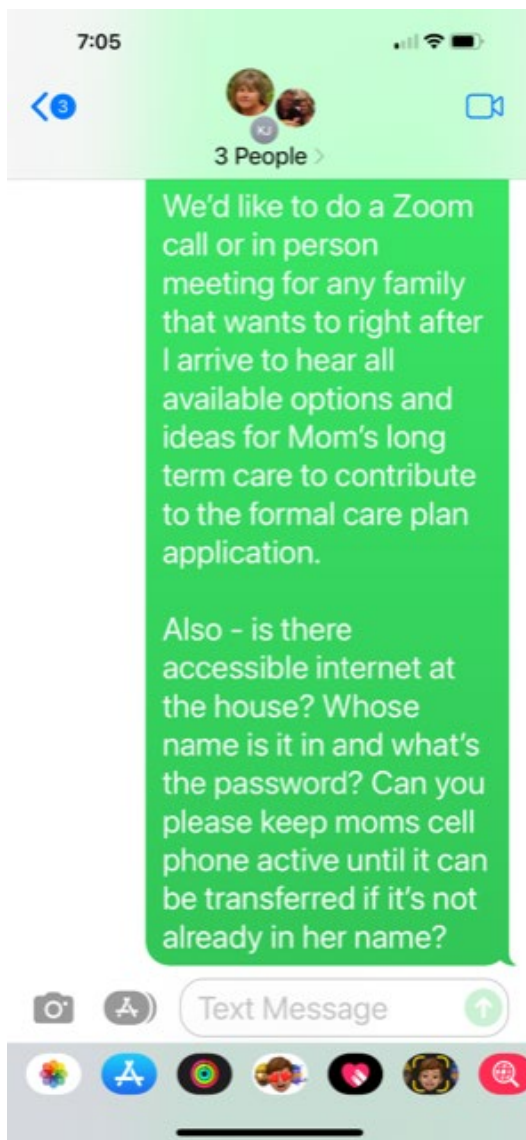




We emailed a list of questions and requests for Kim that will help implement care and transition and influence the answers to Kim's questions from her email. Mom will continue living at the Anaheim house for the time being. Kim, will you have all of the required documents and information for her care over to me? Are there any immediate issues? What are your plans regarding immediate care for the next few days? Will you be able



days? Will you be able to do that until Monday evening or should I send our care providers over right away? We're set up with an OC company and a family friend, until I arrive but we'd like to avoid that expense if possible. They would need to be given all detailed care information as well and then I will also need it on Monday (or earlier if I arrive earlier). Is mom aware of the transfer of guardianship? Do you prefer to tell her about it or should I?





# Exhibit 3

**From:** Robyn Friedman <[vgsfun@hotmail.com](mailto:vgsfun@hotmail.com)>  
**Sent:** Thursday, December 9, 2021 1:25 AM  
**To:** Kimberly Jones <[flyonthewall2you@gmail.com](mailto:flyonthewall2you@gmail.com)>  
**Subject:** Re: Mom

I did. Is it possible that I'm blocked to that number and it's needs to be unblocked? If that's not the issue, is there another number I can use? I can send screen shots of the sent text messages if needed. Donna and Scott were on the same text thread and it shows it going to your correct number on their end as well.

Thanks,

Robyn

---

**From:** Kimberly Jones <[flyonthewall2you@gmail.com](mailto:flyonthewall2you@gmail.com)>  
**Sent:** Wednesday, December 8, 2021 9:49 PM  
**To:** Robyn Friedman <[vgsfun@hotmail.com](mailto:vgsfun@hotmail.com)>  
**Subject:** Re: Mom

Robyn,

Yes, 5:00 on Monday is fine. I did not receive a text from you, please use 714-450-2061.

On Dec 8, 2021, at 6:08 PM, Robyn Friedman <[vgsfun@hotmail.com](mailto:vgsfun@hotmail.com)> wrote:

I've reached out via text today but haven't heard back. We were told this, this afternoon, from James.

Kimberly wants an orderly transition and will continue to care for June until Robyn is ready.

Can you confirm you are ok caring for Mom until 5pm on Monday, when I arrive and that you've received the other longer email with lots of questions and requests?

Thanks,

Robyn

---

**From:** Kimberly Jones <[flyonthewall2you@gmail.com](mailto:flyonthewall2you@gmail.com)>  
**Sent:** Wednesday, December 8, 2021 7:17 AM  
**To:** Robyn Friedman <[vgsfun@hotmail.com](mailto:vgsfun@hotmail.com)>  
**Subject:** Mom



Robyn,

Although I disagree with the decision, I would like to make this transition as smooth as possible for mom. Would you please let me know what you intend to do regarding her care and living arrangement. In addition, if you need to contact me please use 714-450-2061.

Sincerely,  
Kimberly

# Exhibit 4

**From:** Kimberly Jones <[flyonthewall2you@gmail.com](mailto:flyonthewall2you@gmail.com)>  
**Sent:** Monday, December 13, 2021 8:58 AM  
**To:** Robyn Friedman <[vgsfun@hotmail.com](mailto:vgsfun@hotmail.com)>  
**Subject:** Re: Mom

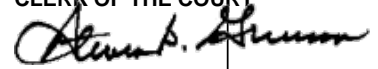
Hi Robyn,

My understanding was that James had communicated the following to Michelson last week. Mom has no immediate health needs or appointments and her health condition is good right now. With what's been going on in the last few days, she has had a couple bouts of diarrhea and is vocal regarding her thoughts and feelings. I called/texted Donna asking her to talk to mom because I thought it would be helpful.

Regarding scheduled appointments, she doesn't have anything until January 5th and that's with her cardiologist for a follow up at UCI at 10 o'clock. I will give you a list of all of her pending appointments, medication and the other things that you had asked for.

I intend to move out of the Verde Street house as soon as possible, I estimate it's gonna take at least 30 days to find a place and get moved. The spare room which is my office that I work in, I can move into the garage. My room is the master bedroom, I'm asking that these two areas are off limits to anyone until I've moved. I will give you a list of her preferences as you have asked as well.

Sincerely,  
Kimberly



**PET**

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and Donna Simmons*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

IN THE MATTER OF THE GUARDIANSHIP ) Case Number: G-19-052263-A  
OF THE PERSON AND ESTATE OF: ) Department: B

Kathleen June Jones,

An Adult Protected Person.

**PETITION TO RELOCATE THE PROTECTED PERSON TO NEVADA**

☐ TEMPORARY GUARDIANSHIP

☐ Person

☐ Estate

☐ Person and Estate

☐ Summary Admin.

☒ GENERAL GUARDIANSHIP

☐ Person

☐ Estate

☒ Person and Estate

☐ Summary Admin.

☐ SPECIAL GUARDIANSHIP

☐ Person

☐ Estate

☐ Person and Estate

☐ Summary Admin.

☐ NOTICES / SAFEGUARDS

☒ Blocked Account

☐ Bond Posted

☐ Public Guardian Bond

COMES NOW Robyn Friedman, Successor Guardian of the Person and Estate of  
Kathleen June Jones, and Donna Simmons, daughter of the protected person as an interested party,

1 by and through Michaelson Law, and files this Petition to Relocate the Protected Person to  
2 Nevada.

3 **BACKGROUND RELEVANT TO THIS PETITION**

4 **A. Procedural Background**

5 1. On December 6, 2021, this Court filed its Findings of Fact and Conclusions of Law and  
6 Order Regarding Visitation, First Annual Accounting, Guardian's Fees, Caretaking Fees,  
7 Attorney's Fees and Costs and Removal of the Guardian ("FOFCOL"), in which this Court  
8 removed Kimberly Jones ("Kimberly") as the Guardian of the Person and Estate of Kathleen June  
9 Jones ("Ms. Jones" or "June") and appointed Robyn Friedman ("Robyn") as the Successor  
10 Guardian of the Person and Estate of Ms. Jones.

11 2. On December 7, 2021, this Court issued an Order Appointing Successor Guardian by  
12 which Robyn Friedman was in fact appointed as Ms. Jones Successor Guardian. The same day,  
13 Robyn Friedman also filed an Oath and an Acknowledgement of her duties as guardian.

14 3. Also on December 7, 2021, this Court appointed Kate McCloskey, State Compliance  
15 Officer to investigate Mr. Jones' medical and psychiatric/psychological condition, care and  
16 maintenance placement and financial status. *See* Order to Appoint Investigator filed with this  
17 Court on December 7, 2021.

18 4. On December 8, 2021, Robyn filed the Notice of Entry of Order Appointing Successor  
19 Guardian and served it upon all interested parties and the protected person in accordance with  
20 NRS 159.074(1).  
21

22 5. On December 8, 2021, the Court Clerk issued Letters of General Guardianship for Robyn.

23 6. As this Court is aware, Kimberly had been Ms. Jones' guardian since the hearing on  
24 October 15, 2019. She has also been Ms. Jones' primary caregiver since then.  
25

1 7. Prior to Kimberly's appointment, Robyn and Donna Simmons ("Donna") were appointed  
2 as temporary guardians. While temporary guardians, Robyn and Donna had difficulty getting or  
3 were unable to get Kimberly to provide important information about Ms. Jones' medications,  
4 finances or other vital questions.

5 8. As this Court is also aware, it previously granted, in part, former-guardian Kimberly's  
6 Petition to Relocate Ms. Jones to Anaheim, California to facilitate Ms. Jones' move from her prior  
7 residence here in Las Vegas as a condition of the settlement of the civil lawsuit filed in Case No.  
8 A-19-807458-C (the "A Case"). This Court only granted a temporary relocation to the Anaheim  
9 Property. *See* April 9, 2021, Order Granting Petition to Relocate Protected Person and Transfer  
10 Guardianship in Part and Denying in Part. This means that Robyn is now guardian of her mother  
11 who is hundreds of miles away.

12 **B. Robyn's Attempt to Coordinate Transfer of Guardianship with Kimberly**

13 9. Immediately upon receiving this Court's FOFCOL, Robyn prepared a list of information  
14 and items that she would require from Kimberly to complete the transition between guardians.  
15

16 10. Undersigned counsel emailed the list to Kimberly's counsel, James Beckstrom, on  
17 December 8, 2021. *See* Exhibit 1 attached hereto. Robyn also texted the same information to  
18 Kimberly that day.

19 11. Mr. Beckstrom asked that Robyn have those communications directly with Kimberly, and  
20 he said he forwarded the email to Kimberly. *See* Exhibit 1. Mr. Beckstrom further stated that  
21 "Kimberly wants an orderly transition and will continue to care for June until Robyn is ready."  
22 *Id.*

23 12. Unfortunately, but not surprisingly, Robyn's attempts to communicate directly with  
24 Kimberly have been almost entirely futile. Robyn started a group text message with her siblings  
25

1 including Kimberly in the afternoon of December 8, 2021. *See* Exhibit 2 attached hereto. The  
2 group message included a request for information from Kimberly including asking for Kimberly's  
3 plans for June's care for the next few days, whether there were any immediate concerns<sup>1</sup>, and  
4 asked if Kimberly would continue to care for June until Monday evening, while also informing  
5 Kimberly that Robyn had arranged for other care plans if Kimberly would not do it. Kimberly did  
6 not respond. *Id.*

7 13. A few hours later, Robyn sent another text message to the group stating that she had  
8 received Mr. Beckstrom's email stating that Kimberly would continue to care for June as needed.  
9 *Id.* Robyn informed Kimberly that Robyn would be there at 5:00 p.m. on Monday. *Id.* Robyn  
10 asked Kimberly to confirm that she was good with the plan to care for June until Monday.  
11 Kimberly did not respond. *Id.*

12 14. Rather than respond to the text message (Kimberly has communicated from time to time  
13 randomly with Robyn via text message), Kimberly sent Robyn an email later that day stating that  
14 she would make the transition as smooth as possible for Ms. Jones and told Robyn to contact her  
15 at a specific phone number. *See* Exhibit 3 attached hereto.

16 15. Robyn responded to the email that she tried reaching out by text message but had not  
17 heard back from Kimberly. *Id.* Robyn asked Kimberly to confirm that she would care for Ms.  
18 Jones until 5:00 p.m. on Monday and that Kimberly received the longer email with questions and  
19 requests. *Id.*

20 16. Kimberly responded via email, "Yes, 5:00 on Monday is fine. I did not receive a text from  
21 you." She then included the phone number again to use. *Id.*

---

22  
23  
24  
25 <sup>1</sup> Upon information and belief, June was admitted to a hospital recently.

1 17. Robyn responded that she had in fact used that number in the prior text thread. *Id.* Robyn  
2 asked if her number was blocked on Kimberly's phone or if there was another number to use. *Id.*  
3 Kimberly responded simply that group messaging was turned off.

4 18. Additionally, Kimberly and Mr. Beckstrom did not attend the hearing before this Court  
5 on December 9, 2021, on the Guardian ad Litem's petition for fees and costs. This is odd given  
6 the nature and circumstances in this case as that hearing would have been an opportune time for  
7 the Court to give directions to the parties and resolve any ambiguities.

8 19. Mr. Beckstrom filed a Motion to Withdraw as Counsel on December 10, 2021.

9 20. At the time of filing this Petition, Kimberly has provided some information, but flat out  
10 refuses to provide other information.

11 21. Only after being threatened with legal action, did Kimberly provide basic information, but  
12 she refuses to provide detailed information. Kimberly provided a basic outline of Ms. Jones' daily  
13 routine. Kimberly also provided basic information about upcoming appointments. She provided  
14 Ms. Jones' Nevada identification, a debit card with no pin number or password to access the  
15 account, a credit card, two rings, and a key. Kimberly also provided a list of Ms. Jones' medical  
16 providers and a note that Ms. Jones has no immediate medical appointments until January 5, 2022.  
17 Kimberly provided a business card for Walmart, several prescription bottles, and three weeks of  
18 pills in a plastic container.  
19

20 22. Kimberly has not provided detailed information about Ms. Jones' medications. She also  
21 has not provided any detailed information about what the prescriptions are or what they are for.  
22 The pills were given to Robyn in a jumbled, daily pill divider with no identifiers as to what the  
23 pills were or the dosing information. Kimberly only provided a note with a brief mention that,  
24 "Her medications are number 1-8 and filled for 3 weeks, everything is taken at night except for  
25



1 the next 5 days one pink pill from the blue bottel (sic) in the morning.” Robyn does not even  
2 know if the pills are legitimate. Some of the containers are empty or do not have the same pills as  
3 the others. Robyn lacks information to figure out what is going on with the different pills. Kim’s  
4 instructions were inaccurate and if Robyn had continued with the instructions Kim provided,  
5 Robyn would have been dosing a medication daily instead of weekly as was instructed by the  
6 box. This could have led to a possible overdoes.

7 23. Robyn continues to lack vital information regarding the prescriptions. One of the  
8 medications appears to have expired in 2020. The other medications appear to have been  
9 prescribed by an eye doctor and a Dr. Richard Rodriquez. Robyn was given a business card for  
10 Walmart’s pharmacy that leads her to assume that all medications are filled there. But Walmart  
11 would not speak with Robyn about the medications because she lacks certain information.

12 24. Robyn called the phone number for Dr. Rodriquez. That phone number turned out to be  
13 his personal cell phone. Robyn tracked down his medical practice information and got ahold of  
14 the care team manager. The care team manager confirmed that Dr. Rodriguez never returns phone  
15 calls to his personal cell phone. The care team manager told Robyn should not give Ms. Jones  
16 any of the medications that Kimberly left for her. He is sending a medication list to Robyn and  
17 calling in new medications. Ms. Jones has already missed one night’s medication due to  
18 Kimberly’s inability to communicate with Robyn. Ms. Jones took her heart medication only as  
19 advised by the care manager.  
20

21 25. Additionally, Robyn learned that Ms. Jones has a heart monitor that Kimberly did not  
22 mention. On December 13, 2021, Robyn noticed that Ms. Jones had a device attached to her chest.  
23 Ms. Jones did not explain its existence or purpose prior to visual discovery by Robyn. After  
24 Robyn demanded answers, Kimberly finally stated that it was a heart monitor device, but nothing  
25

1 further. Robyn's research showed that this particular heart monitor is meant for high-risk patients  
2 and may only be good for up to 14 days. This all occurred after Robyn was told by Kimberly (and  
3 in an email from Mr. Beckstrom) that there were no immediate medical issues that Robyn needed  
4 to know about. Kimberly only provided the information after Robyn saw proof of the heart  
5 monitor in person.

6 26. On December 14, 2021, Ms. Jones removed the heart monitor during the night. Robyn  
7 still does not have needed information and documentation from Kimberly. She is going to simply  
8 show up at the Cardiologists office and hope they will see Ms. Jones.

9 27. Par for the course in this matter, it took getting attorneys involved before Kimberly would  
10 provide further information about the heart monitor. On December 14, 2021, Robyn's counsel  
11 emailed June's counsel Maria Sandoval and Mr. Beckstrom about, among other issues, the heart  
12 monitor. Ms. Sandoval was able to get more information out of Kimberly than Robyn was – that  
13 the heart monitor should not get wet and her next appointment for the heart monitor issue was  
14 January 5, 2021, along with the name of the doctor to contact for information.  
15

16 28. Robyn continues to lack information from Kimberly necessary to accessing Ms. Jones'  
17 medical information. Kimberly provided no information about whether Ms. Jones' medical  
18 information can be accessed through website portals. Robyn has tried to contact the doctors  
19 Kimberly listed. Robyn was able to speak with the doctor's offices but has not been able to get  
20 needed information due to lack of documentation that Kimberly has in her possession and to date  
21 has not turned over to Robyn. Right now, Robyn is left to blindly provide care for Ms. Jones.  
22

23 29. Robyn has not been able to locate Ms. Jones' functional wheelchair. Ms. Jones has a  
24 walker. And Robyn found a broken, destroyed wheelchair in the garage. But Robyn cannot find  
25

1 a functioning wheelchair. Kimberly will not provide information about where Ms. Jones' working  
2 wheelchair is currently located.

3 30. Kimberly only provided Robyn with a key to the front door. Robyn learned that she does  
4 not have a key to two additional exterior doors, one door from the interior to the garage, the  
5 manual lift up garage door, and two interior bedrooms. Robyn was forced to pay to have all locks  
6 rekeyed.

7 31. Kim has not provided Ms. Jones' cell phone to Robyn. Robyn has no idea where the cell  
8 phone is. Ms. Jones has an Apple Watch, but Robyn cannot locate the cell phone. Kimberly will  
9 not answer any questions regarding the cell phone. Robyn also did not find a landline in the  
10 Anaheim property. Robyn asked Ms. Jones where her phone was, and Ms. Jones had no idea. At  
11 the time of filing this Petition, Robyn still does not know where the cell phone is or why Kimberly  
12 will not give it to Robyn.

13 32. Besides providing the debit (but not the pin or password rendering them virtually useless)  
14 and credit cards, Kimberly has not provided Robyn with any information necessary for Robyn to  
15 gain access to Ms. Jones' financial accounts.  
16

17 33. Furthermore, Robyn located a cat roaming around inside Ms. Jones' Anaheim Property.  
18 Robyn now knows the cat belongs to Ms. Jones. However, Kimberly has not mentioned anything  
19 to Robyn about the cat. Kimberly has not disclosed the veterinarian information, if the cat has  
20 been chipped, what kind of food the cat eats, etc. The cat food is currently in a zip lock bag with  
21 no identifying information.

22 **C. Dean Loggans and a Recording Device in the Garage**

23 34. Kim refuses to provide entry to the garage of the Anaheim Property. Kim notified Robyn  
24 that Kimberly will vacate the Property in 30 days. *See Exhibit 4.* But Kimberly asks that the  
25

1 master bedroom and the garage remain “off limits.” *Id.* Robyn met with Kim at 5:00 p.m. on  
2 December 13, 2021. The meeting took place at the Anaheim Property. There, Kim refused Robyn  
3 entry into the garage. Kimberly said it was locked but did not have a key. Kim would provide no  
4 further information. Kim does not have authority to make the garage “off limits.” Per the Lease  
5 Agreement, Kim rents the master bedroom with the ability to use the common areas. The Lease  
6 Agreement says nothing about the garage.

7 35. Robyn found Dean Loggans (“Dean”) hiding in the locked garage the morning of  
8 December 14, 2021. Because Kim refused to provide Robyn with access to the garage, Robyn  
9 hired a locksmith to open the garage around 7:30 a.m. Once opened, Dean was observed in the  
10 garage getting into his Corvette. Robyn asked the locksmith if there was a guy in the garage when  
11 the locksmith first opened the door. The locksmith confirmed Dean was in the locked garage  
12 when he opened the door. In an email to Ms. Parra-Sandoval and Mr. Beckstrom on December  
13 14, 2021, Kimberly denies that there was anyone “hiding” in the garage. However, it appears that  
14 Dean and Kimberly had not been able to coordinate yet on what their story would be because  
15 Robyn took a video on her cell phone that shows Dean in the garage right after the locksmith  
16 opened the door and video of the locksmith confirming that there was a guy in the garage when  
17 the door was unlocked. After the locksmith opened the garage, Dean pulled his Corvette out of  
18 the garage and closed the garage door behind him. Dean caused the door to lock again. Robyn  
19 was forced to pay the locksmith a second time to unlock the door. The locksmith’s bill was over  
20 \$2,000. This was an unnecessary expense to the estate of the protected person.  
21

22 36. All interactions with Dean are captured on cell phone video. To preclude Kimberly’s  
23 denial that there was no one hiding in the garage on the morning of December 14, 2021, Robyn  
24  
25

1 provides the following screen shot from the cell phone video she took showing Dean in the garage  
2 with his Corvette right after the locksmith opened the door:



13  
14 37. Either Kimberly lied about not having a key to the garage, or Dean had been locked in the  
15 garage for an unknown amount of time.

16 38. Moreover, Robyn found a cell phone that was actively recording in the garage. After Dean  
17 left in his Corvette, Robyn began taking a video inventory of the contents of the garage. She  
18 opened a cabinet and found an Apple iPhone. The iPhone had a voice recording app open and the  
19 app was actively recording and had been recording for 55 minutes. Robyn later confirmed that  
20 the phone belongs to Dean. Again, Robyn captured all of this in cell phone videos and  
21 photographs. Robyn is unsure if there are any other recording devices around the Anaheim  
22 Property. Robyn is further perplexed why Dean was in the garage (after Kimberly told Robyn that  
23 it was locked and Kimberly didn't have a key) and why he felt a need to leave his iPhone behind  
24 actively recording. To preclude any denials that the phone was recording or belongs to Dean,  
25 Robyn provides the Court with the following photographs. The first is a screenshot from the video

1 Robyn took showing where she found the phone. The second shows that the phone was actively  
2 recording. And the third photograph shows the phones contacts that state the phone belongs to  
3 Dean.



24 39. In the garage, Robyn found several industrial strength plastic crates. Robyn does not know  
25 what is in the crates because the crates are zip-tied closed to ensure that no one can look inside.

1 40. In the evening of December 14, 2021, Kimberly and Dean showed up at the Anaheim  
2 Property while Robyn was there alone with Ms. Jones. They started banging on the front door and  
3 demanded that Robyn let them in. Robyn agreed to let Kimberly in but stated that Dean was not  
4 welcomed. Robyn opened the door to let Kimberly in when Kimberly and Dean forced their way  
5 in. Dean's entry bodily forced Robyn to the side and demanded to know where his cell phone was  
6 (confirming that the phone Robyn found was in fact Dean's phone). Feeling unsafe after the  
7 forced entry, Robyn took Ms. Jones out of the home, and they went to Robyn's rental car. Robyn  
8 called for the police. During this incursion, Dean yelled out "I do live here". At the time of filing,  
9 this situation has not been resolved.

10 **REQUEST FOR AUTHORITY TO MOVE THE PROTECTED PERSON**

11 41. NRS 159.079(1)(a) provides:

12 1. Except as otherwise ordered by the court, a guardian of the person has the care,  
13 custody and control of the person of the protected person, and has the authority and,  
14 subject to subsection 2, shall perform the duties necessary for the proper care,  
15 maintenance, education and support of the protected person, including, without  
16 limitation, the following:

17 (a) Supplying the protected person with food, clothing, shelter and all incidental  
18 necessities, including locating an appropriate residence for the protected person  
19 based on the financial situation and needs of the protected person, including,  
20 without limitation, any medical needs or needs relating to his or her care.

21 42. Moreover, the guardian is required to provide notification to all interested parties if the  
22 protected person changes her residence. *See* NRS 159.0807. Robyn files this Petition to also  
23 satisfy the notification requirement.

24 43. This Court informed Robyn that she must not move Ms. Jones' temporary residence  
25 without permission from the Court. *See* FOFCOL p. 45:1-3.

1       44. Robyn is now Successor Guardian for Ms. Jones who is in Anaheim California, hundreds  
2 of miles away from Robyn's home in Las Vegas, Nevada. Kimberly has failed to directly respond  
3 to Robyn's questions, which is consistent with Kimberly's inability and unwillingness to  
4 effectively communicate regarding her mother's care and one of the reasons Kimberly was  
5 removed as guardian.

6       45. Additionally, Robyn does not know if it is safe for Robyn to provide care for Ms. Jones  
7 in the Anaheim Property. As the FOFCOL summarizes, many members of Ms. Jones' family  
8 testified that they do not feel safe around Kimberly's boyfriend Dean. While Kimberly testified  
9 that Dean does not live at the Anaheim Property, neither Robyn, nor any of the many other family  
10 members know the extent of Dean's stay at the Anaheim Property. Nor does Robyn know  
11 Kimberly's plans regarding whether she intends to continue residing at the Anaheim Property,  
12 although Kimberly has stated through counsel she needs 30 days to find another place. Further,  
13 Kimberly went to extreme measures to hide the fact that Dean was at the Anaheim Property. She  
14 locked Robyn out of the garage. She lied about not having a key. Or, conversely, Dean has been  
15 locked in the garage for an unknown amount of time. A locksmith unlocked the garage. Dean was  
16 inside. After he left, Robyn found Dean's iPhone actively recording sound and people in the  
17 garage. Many of the belongings and items in the garage do not appear to belong to June, such as  
18 an air compressor and tools. The evidence suggests Dean has indeed been living at the Anaheim  
19 property or spends enough time there that he feels comfortable hiding overnight and parking his  
20 car in June's garage all without the knowledge of a family member sleeping in the other room.  
21 Robyn does not know if Dean will return. Robyn does not know what is inside the zip-tied crates  
22 in the garage. Robyn does not know why Dean felt it necessary to record sounds and people's  
23 conversations that may have occurred in the garage after he left the Property. Additionally, Dean  
24  
25



1 returned and pushed Robyn. Robyn had to remove Ms. Jones from the Anaheim Property while  
2 awaiting for the police to arrive. Accordingly, Robyn does not feel safe trying to provide care for  
3 Ms. Jones in the Anaheim Property while these issues surrounding Dean remain unknown, nor  
4 while Kimberly, who holds a degree in geriatric care and claims years of relevant court  
5 experience, is not communicating.

6 46. It should be noted that the locksmith's bill was over \$2,000. This was an unnecessary  
7 expense to the estate of the protected person.

8 47. Further, Kimberly requires 30 days to vacate the Anaheim Property. Kimberly actively  
9 restricted access to the garage. Kimberly only provided a key to the front door while precluding  
10 Robyn from receiving a key to the garage. For all Robyn knows, Dean has been living in the  
11 garage, or, there are illicit operations ongoing in the garage such as storing stolen property or a  
12 drugs, guns or other recording devices. Robyn has no way of knowing. But any one of these  
13 things, let alone all of them together, create an unsafe environment for Ms. Jones.

14 48. To ensure that Ms. Jones gets the care that she requires, and that family in addition to  
15 Kimberly can visit with June without fear of running into Dean or his associates, Robyn hereby  
16 requests immediate authority from this Court to move Ms. Jones from her residence located at  
17 1055 S. Verde Street, Anaheim, California to Robyn's home located at 1315 Enchanted River  
18 Drive, Henderson, Nevada 89012 until such time as Kimberly Jones cooperates in providing all  
19 information and documentation regarding June's medications and immediate health issues, Robyn  
20 has had sufficient time to create and implement a care plan, and reasonable assurances can be  
21 made that Dean will not be visiting or frequenting the Anaheim property.  
22  
23  
24  
25

1 49. Robyn's home has plenty of space for Ms. Jones. It has a bedroom that will be all for her.  
2 The bedroom and associated bathroom are wheelchair accessible and will be a safe environment  
3 for Ms. Jones.

4 **PRAYER FOR RELIEF**

5 WHEREFORE, based upon the foregoing, Successor Guardian Robyn requests that the  
6 Court GRANT this Petition in its entirety and ORDER:

- 7 1. Authority to Robyn to temporarily relocate Ms. Jones from her residence located at  
8 1055 S. Verde Street, Anaheim, California to Robyn's home located at 1315  
9 Enchanted River Drive, Henderson, Nevada 89012.

10 Dated 15<sup>th</sup> day of December, 2021.

11 MICHAELSON LAW

12 By: /s/ John Michaelson  
13 John P. Michaelson, Esq.  
14 Nevada Bar No. 7822  
15 Ammon E. Francom, Esq.  
16 Nevada Bar No. 14196  
17 1746 W. Horizon Ridge Parkway  
18 Henderson, NV 89012  
19 *Counsel for Robyn Friedman and Donna*  
20 *Simmons*  
21  
22  
23  
24  
25

### CERTIFICATE OF SERVICE

Pursuant to NEFCR 9, that on December 15, 2021, the undersigned hereby certifies a copy of the foregoing Petition was electronically served on the following individuals and/or entities at the following addresses. In addition, pursuant to Nevada Rule of Civil Procedure 5(b), the undersigned hereby certifies that on December 15, 2021, a copy of the Petition was mailed by regular US first class mail, postage prepaid, in a sealed envelope in Henderson, Nevada, to the following individuals and/or entities at the following addresses:

Jeffrey R. Sylvester, Esq. <a href="mailto:jeff@sylvesterpolednak.com">jeff@sylvesterpolednak.com</a>  Kelly L. Easton <a href="mailto:kellye@sylvesterpolednak.com">kellye@sylvesterpolednak.com</a>  Co-Counsel for Petitioners, Robyn Friedman and Donna Simmons	Maria L. Parra-Sandoval, Esq. Legal Aid Center of Southern Nevada <a href="mailto:mparra@lacs.org">mparra@lacs.org</a> <i>Attorney for Kathleen June Jones</i>  Rosie Najera <a href="mailto:rnajera@lacs.org">rnajera@lacs.org</a>  <i>Counsel for June Jones</i>
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Elizabeth Brickfield DAWSON & LORDAHL PLLC <a href="mailto:ebrickfield@dlnevalaw.com">ebrickfield@dlnevalaw.com</a>  Melissa R. Douglas <a href="mailto:mdouglas@dlnevalaw.com">mdouglas@dlnevalaw.com</a>  <i>Guardian Ad Litem for Kathleen June Jones</i>	Kathleen June Jones 1055 S. Verde Street Anaheim, California 92805

1 2	Teri Butler 586 N. Magdalena Street Dewey, AZ 86327	Scott Simmons <a href="mailto:scott@technocoatings.com">scott@technocoatings.com</a>
3 4	Jen Adamo 14 Edgewater Drive Magnolia, DE 19962	Jon Criss 804 Harkness Lane, Unit 3 Redondo Beach, CA 90278
5 6	Ryan O'Neal 112 Malvern Avenue, Apt. E Fullerton, CA 92832	Tiffany O'Neal 177 N. Singing Wood Street, Unit 13 Orange, CA 92869
7 8	Courtney Simmons 765 Kimbark Avenue San Bernardino, CA 92407	Cameron Simmons <a href="mailto:Cameronnscottt@yahoo.com">Cameronnscottt@yahoo.com</a>

MICHAELSON & ASSOCIATES, LTD.

/s/ Janelle Bednar

Employee of Michaelson Law

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**VERIFICATION**

Robyn Friedman, being first duly sworn, under penalty of perjury, hereby deposes and says: that she is a Petitioner in the Petition above; that she has read the foregoing Petition and knows the contents thereof; that the same are true of her own knowledge except as to those matters therein stated upon information and belief and as to those matters, she believes them to be true.

/s/ Robyn Friedman  
ROBYN FRIEDMAN

# Exhibit 1

**From:** James A. Beckstrom <[jbeckstrom@maclaw.com](mailto:jbeckstrom@maclaw.com)>  
**Date:** Wednesday, December 8, 2021 at 4:16 PM  
**To:** John Michaelson <[john@Michaelsonlaw.com](mailto:john@Michaelsonlaw.com)>, Ammon Francom <[Ammon@Michaelsonlaw.com](mailto:Ammon@Michaelsonlaw.com)>  
**Cc:** 'Maria Parra-Sandoval' <[MParra@lacs.org](mailto:MParra@lacs.org)>  
**Subject:** RE: Kathleen June Jones

Kimberly tried to contact Robyn. Please have her communicate directly with her sister. I have also forwarded this e-mail to Kimberly.

We are in the process of withdrawing from the case.

It should come of no surprise that June is safe and happy at the Anaheim property. Kimberly wants an orderly transition and will continue to care for June until Robyn is ready. I hope you include June's attorney in this discussion on transition of care. She is copied to keep her in the loop.

If Robyn will speak with Kimberly, they could work all of these items out. I am not getting involved in negotiations involving "what June wants to eat" or what "TV shows she likes." I am a lawyer not a babysitter. They can coordinate times, transitions, move-out, and production of any documents in an orderly manner. Kimberly is ready and willing to facilitate an orderly transition.



**James A. Beckstrom, Esq.**  
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**From:** John Michaelson <[john@Michaelsonlaw.com](mailto:john@Michaelsonlaw.com)>  
**Sent:** Wednesday, December 8, 2021 12:13 PM  
**To:** James A. Beckstrom <[jbeckstrom@maclaw.com](mailto:jbeckstrom@maclaw.com)>; Ammon Francom <[Ammon@Michaelsonlaw.com](mailto:Ammon@Michaelsonlaw.com)>  
**Subject:** [External] Kathleen June Jones

James,

As you're likely aware, the Court appointed Robyn as successor guardian in Monday's order. Accordingly, we're reaching out to you about coordinating the transition. We're filing our

necessary guardianship documents starting today to initiate the transition. Robyn will arrive at the Anaheim home on Monday.

In the meantime, and until we are notified otherwise, our understanding is that Kim will continue to provide physical care. If not, please let us know immediately as we have lined up independent care if needed until Monday evening when Robyn arrives. We intend to continue with any outside in-home care providers already scheduled if they are willing and honor any other social or medical appointments we are made aware of. If Kim has alternate suggestions to make the transition easier for June, please let us know immediately.

Please let Kim know that Robyn intends to begin the eviction process immediately unless Kim intends to move out quickly. Robyn further intends that the third bedroom will be used by the care providers and/or Robyn when she is there. Additionally, let Kim know that Dean is not welcome to stay in the Anaheim property past Sunday evening because he is not a tenant.

Additionally, we need the following information, documents, and items from Kim by this Friday by 10 a.m. to smooth the transition:

1. All of June's identifications including passport;
2. List of June's doctors including addresses, phone numbers, identification of what each doctor is for, and the issues that the doctor is currently treating June for;
3. List of upcoming doctor appointments;
4. List of June's medications including what the medications are for;
5. The actual medications themselves, *i.e.*, bottles, etc.;
6. Contact information for any caregivers currently providing care to June;
7. Schedule for any caregivers along with how much each caregiver is paid and how those payments are made;
8. Copy of June's medical records;
9. All of June's insurance and government benefits information;
10. Keys and garage fobs to the Anaheim property;
11. List of all utilities including account numbers and balances;
12. Copy of the homeowner's insurance policy on the Anaheim property along with the most recent statements;
13. Statements for June's financial accounts including all bank accounts and credit cards;
14. A list of June's friends that she stays in contact with including contact information;
15. List of all the foods that June likes and doesn't like to eat;
16. List of all medical and personal hygiene supplies June uses and the brands/types;
17. List of June's clothing sizes;



18. List of June's favorite TV shows;
19. List of activities and traditions June currently enjoys and participates in;
20. List of any entertainment June enjoys or other groups she's a part of;
21. List of the doctors June saw in Nevada, including contact info;
22. List of June's upcoming social appointments;
23. Any upcoming travel that had been planned for June;
24. June's passwords to online accounts including financial accounts, utilities accounts, and doctor portal accounts;
25. Safety deposit box information and keys; and
26. Copy of June's Last Will and Testament.

Additionally, the Guardian's Acknowledgment of Duties and Responsibilities filed today has a list of information that Robyn is responsible for. We incorporate that information into this letter and ask for Kim to assist in transitioning that information to Robyn.

It is imperative that we know immediately if Kim is able to continue to care for June through Monday. We also ask you to forward this email to Kim.

Please let me know when you are available to discuss. We'd like to move quickly to ensure that June is well taken care of.

John P. Michaelson, Esq.  
MICHAELSON & ASSOCIATES, LTD.  
[john@michaelsonlaw.com](mailto:john@michaelsonlaw.com)  
[www.michaelsonlaw.com](http://www.michaelsonlaw.com)  
Tel. (702) 731-2333  
Fax. (702) 731-2337

**The District**

2200 Paseo Verde Parkway, Suite 160  
Henderson, Nevada 89052

\*Please send correspondence to Henderson address

**Downtown Summerlin**

1980 Festival Plaza Drive, Suite 300  
Las Vegas, Nevada, 89135

**Reno**

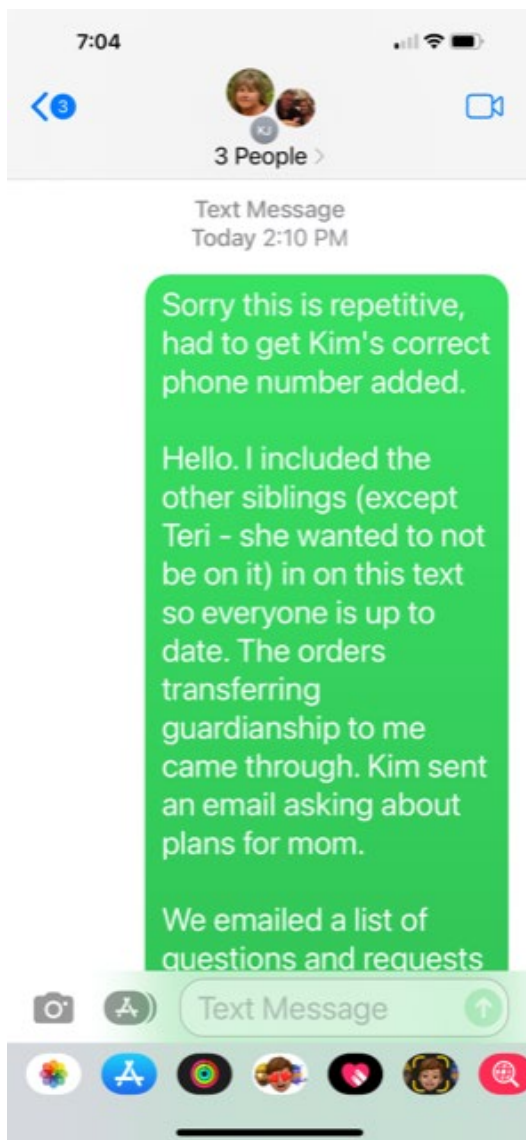
5470 Kietzke Lane, Suite 300  
Reno, Nevada 89511

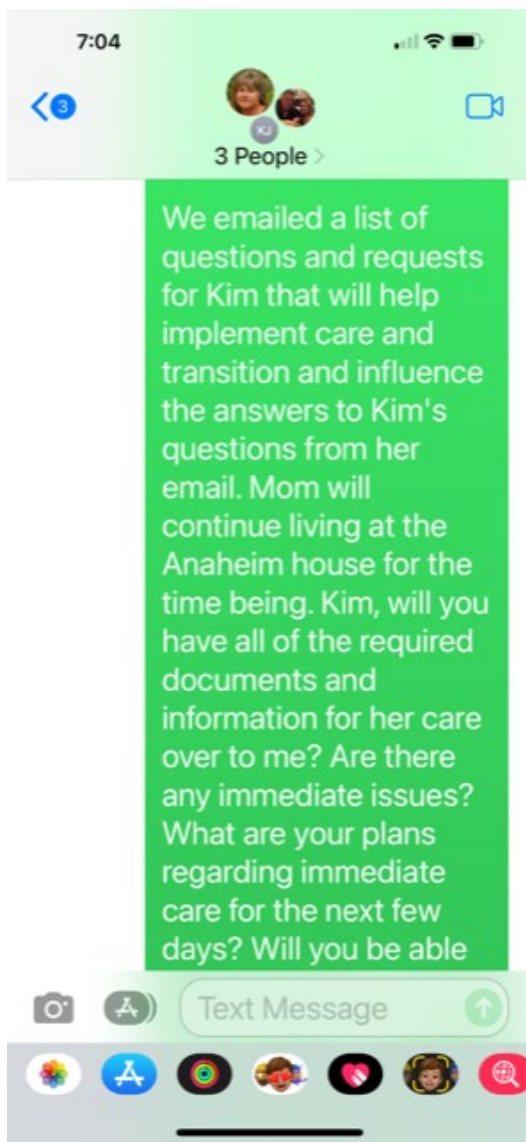
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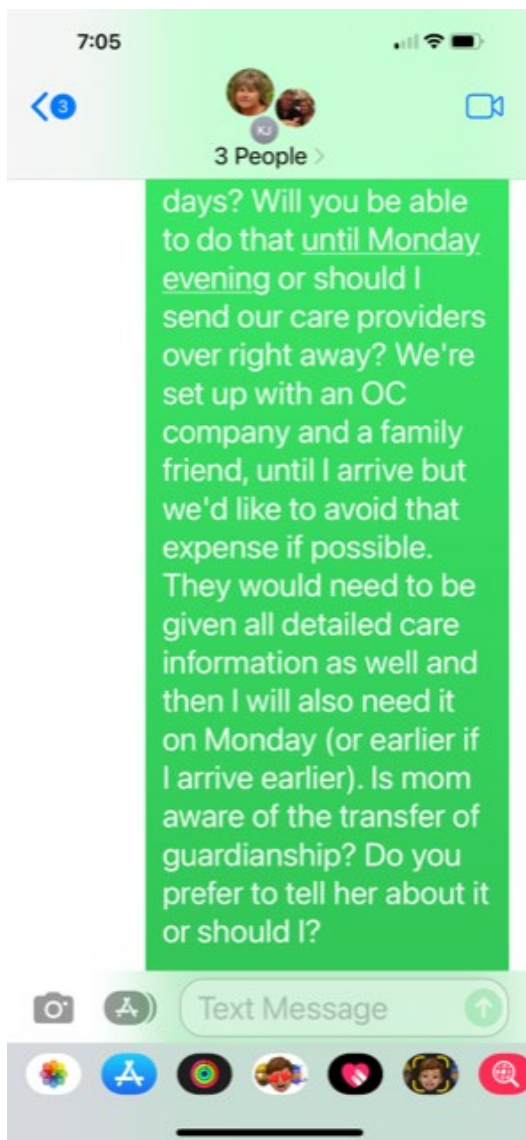
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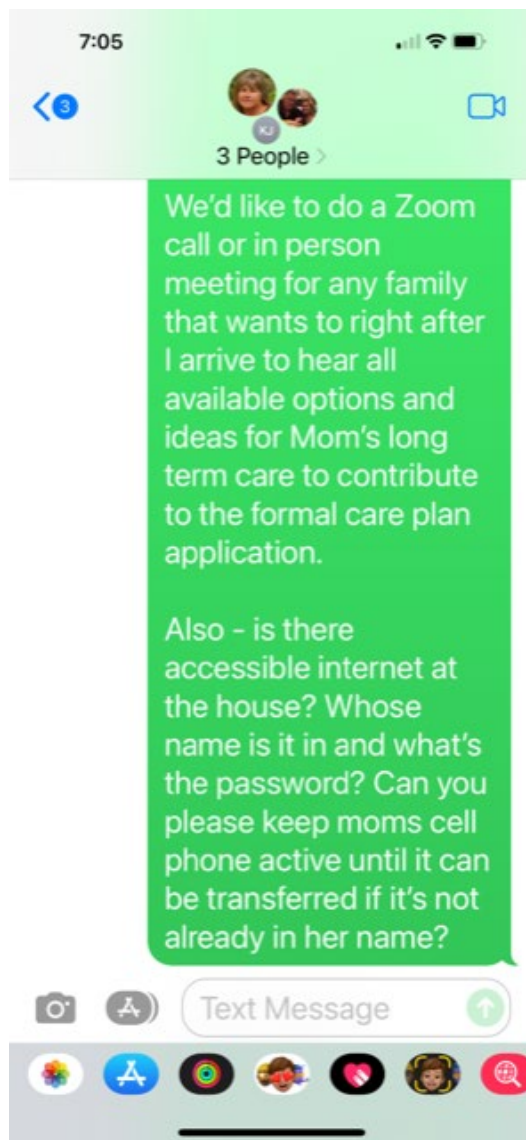
# Exhibit 2







days? Will you be able to do that until Monday evening or should I send our care providers over right away? We're set up with an OC company and a family friend, until I arrive but we'd like to avoid that expense if possible. They would need to be given all detailed care information as well and then I will also need it on Monday (or earlier if I arrive earlier). Is mom aware of the transfer of guardianship? Do you prefer to tell her about it or should I?







# Exhibit 3

**From:** Robyn Friedman <[vgsfun@hotmail.com](mailto:vgsfun@hotmail.com)>  
**Sent:** Thursday, December 9, 2021 1:25 AM  
**To:** Kimberly Jones <[flyonthewall2you@gmail.com](mailto:flyonthewall2you@gmail.com)>  
**Subject:** Re: Mom

I did. Is it possible that I'm blocked to that number and it's needs to be unblocked? If that's not the issue, is there another number I can use? I can send screen shots of the sent text messages if needed. Donna and Scott were on the same text thread and it shows it going to your correct number on their end as well.

Thanks,

Robyn

---

**From:** Kimberly Jones <[flyonthewall2you@gmail.com](mailto:flyonthewall2you@gmail.com)>  
**Sent:** Wednesday, December 8, 2021 9:49 PM  
**To:** Robyn Friedman <[vgsfun@hotmail.com](mailto:vgsfun@hotmail.com)>  
**Subject:** Re: Mom

Robyn,

Yes, 5:00 on Monday is fine. I did not receive a text from you, please use 714-450-2061.

On Dec 8, 2021, at 6:08 PM, Robyn Friedman <[vgsfun@hotmail.com](mailto:vgsfun@hotmail.com)> wrote:

I've reached out via text today but haven't heard back. We were told this, this afternoon, from James.

Kimberly wants an orderly transition and will continue to care for June until Robyn is ready.

Can you confirm you are ok caring for Mom until 5pm on Monday, when I arrive and that you've received the other longer email with lots of questions and requests?

Thanks,

Robyn

---

**From:** Kimberly Jones <[flyonthewall2you@gmail.com](mailto:flyonthewall2you@gmail.com)>  
**Sent:** Wednesday, December 8, 2021 7:17 AM  
**To:** Robyn Friedman <[vgsfun@hotmail.com](mailto:vgsfun@hotmail.com)>  
**Subject:** Mom

Robyn,

Although I disagree with the decision, I would like to make this transition as smooth as possible for mom. Would you please let me know what you intend to do regarding her care and living arrangement. In addition, if you need to contact me please use 714-450-2061.

Sincerely,  
Kimberly

# Exhibit 4

**From:** Kimberly Jones <[flyonthewall2you@gmail.com](mailto:flyonthewall2you@gmail.com)>  
**Sent:** Monday, December 13, 2021 8:58 AM  
**To:** Robyn Friedman <[vgsfun@hotmail.com](mailto:vgsfun@hotmail.com)>  
**Subject:** Re: Mom

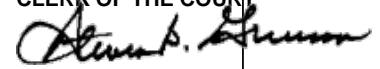
Hi Robyn,

My understanding was that James had communicated the following to Michelson last week. Mom has no immediate health needs or appointments and her health condition is good right now. With what's been going on in the last few days, she has had a couple bouts of diarrhea and is vocal regarding her thoughts and feelings. I called/texted Donna asking her to talk to mom because I thought it would be helpful.

Regarding scheduled appointments, she doesn't have anything until January 5th and that's with her cardiologist for a follow up at UCI at 10 o'clock. I will give you a list of all of her pending appointments, medication and the other things that you had asked for.

I intend to move out of the Verde Street house as soon as possible, I estimate it's gonna take at least 30 days to find a place and get moved. The spare room which is my office that I work in, I can move into the garage. My room is the master bedroom, I'm asking that these two areas are off limits to anyone until I've moved. I will give you a list of her preferences as you have asked as well.

Sincerely,  
Kimberly



MSTY  
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Telephone: (702) 386-1526  
Facsimile: (702) 386-1526

*Attorneys for Kathleen June Jones, Adult Protected Person*

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

**Hearing Requested**

**MOTION TO STAY ORDER FOR REMOVAL OF GUARDIAN AND ORDER  
APPOINTING SUCCESSOR GENERAL GUARDIAN OF THE PERSON AND  
ESTATE AND FOR ISSUANCE OF LETTERS OF GENERAL GUARDIANSHIP**

Adult Protected Person, Kathleen June Jones ("June"), by and through her counsel, Maria L. Parra-Sandoval, Esq., of Legal Aid Center of Southern Nevada, Inc., respectfully requests this Court to stay its Orders For Removal of the Guardian filed December 6, 2021 and Order Appointing Successor General Guardian of the Person and Estate and for Issuance of Letters of General Guardianship filed on December 7, 2021<sup>1</sup> (collectively to be known as "Orders Removing Guardian and Appointing Successor Guardian") pending resolution of the appeal filed

<sup>1</sup> See 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, filed December 6, 2021 on file herein and Order Appointing Successor General Guardian of the Person and Estate and for Issuance of Letters of General Guardianship, filed December 7, 2021 on file herein.

1 on December 15, 2021. The Notice of Appeal was electronically stamped by the Supreme Court  
2 of Nevada as case number 83967 on December 22, 2021.

3 This Motion is based on NRAP 8(a)(1), the following Memorandum of Points and  
4 Authorities, and any other evidence this Court may wish to consider.

5 DATED this 22<sup>nd</sup> day of December 2021.

6  
7 **LEGAL AID CENTER OF  
SOUTHERN NEVADA, INC.**

8 /s/ Elizabeth R. Mikesell

9 Maria L. Parra-Sandoval, Esq.  
10 Nevada Bar No. 13736  
Elizabeth R. Mikesell, Esq.  
11 Nevada Bar No. 8034  
725 E. Charleston Blvd.  
12 Las Vegas, Nevada 89104  
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13 [mparra@lacsni.org](mailto:mparra@lacsni.org)  
14 *Attorneys for Kathleen June Jones, Adult  
Protected Person*

15  
16 **MEMORANDUM OF POINTS AND AUTHORITIES**

17  
18 **I. BACKGROUND**

19 June brings this Motion to Stay the Orders Removing Guardian and Appointing  
20 Successor Guardian in order to allow the Nevada Supreme Court to reach a decision in the  
21 pending appeal.<sup>2</sup>

22 This Court has continually ignored June's due process rights and her rights under the  
23 Protected Person's Bill of Rights. June has been clear that she does not want a guardian and had  
24 taken steps, like completing a Power of Attorney, to ensure that did not happen. This Court  
25 disregarded the plan put in place by June, prior to any claim of a lack of capacity, and eventually  
26

27  
28 \_\_\_\_\_  
<sup>2</sup> Notice of Appeal filed December 15, 2021 on file herein.

1 appointed Kimberly Jones as guardian, the same person named as the agent under the Power of  
2 Attorney.

3 Then June clearly expressed her preference against the imposition of a visitation schedule  
4 with her family or visitation restrictions early in the guardianship. Yet, this Court again  
5 disregarded June's express wishes and went so far as to appoint a guardian ad litem to determine  
6 what is in June's best interests. The Court then proceeded to hold an evidentiary hearing  
7 regarding visitation ("Visitation Hearing"), which June also objected.  
8

9 This Court set the Visitation Hearing via a Minute Order dated May 12, 2021. The  
10 Minute Order instructed, "an Evidentiary Hearing relative to the Petitions for Visitation, Petition  
11 to Approve Proposed Visitation Schedule, and Oppositions SHALL be set..."<sup>3</sup>

12 The Court held the Visitation Hearing on June 8, 2021. On that date, the Court set the  
13 scope of the hearing as "whether or not Kimberly unlawfully restricted communication,  
14 visitation or interaction between the protected person and Donna and Robyn<sup>4</sup> pursuant to the  
15 protected person's bill of rights and the portions of the guardian statutes which govern  
16 communication, visitation and interaction between the protected person and relatives."<sup>5</sup>  
17

18 On December 6, 2021, this Court issued its Findings of Fact and Conclusions of Law and  
19 Order Regarding Visitation, First Annual Accounting, Guardian's Fees, Caretaking Fees,  
20 Attorney's Fees and Costs, and Removal of the Guardian ("Order for Removal of Guardian")  
21 based upon the June 8, 2021 evidentiary hearing.<sup>6</sup> Despite the narrow scope of the evidentiary  
22 hearing and no Petition to Remove the Guardian having been filed, the Court ordered, "that the  
23  
24  
25

---

26 <sup>3</sup> See Minute Order dated May 12, 2021 on file herein.

27 <sup>4</sup> Robyn Friedman and Donna Simmons are also the daughters of June.

28 <sup>5</sup> See video of Case No. G-19-052263-A, June 8, 2021 at 28:13.

<sup>6</sup> The Order Appointing Successor General Guardian of the Person and Estate and for 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.



1 request to remove Kimberly Jones as guardian of the person and estate is GRANTED”.<sup>7</sup> The  
2 Court then appointed Robyn Friedman (“Robyn”) as successor guardian. This Order is a  
3 violation of NRS 159.1853, NRS 159.1855 and NRS 159.328.

4 June filed her Notice of Appeal on December 15, 2021. This Motion seeks a stay of the  
5 Orders Removing Guardian and Appointing Successor Guardian while the appeal is pending  
6 in the Nevada Supreme Court.

## 8 II. STANDARD OF REVIEW

9 Typically, a party must first move in the district court for stay of an order pending appeal  
10 before it can request a stay from the appellate court. NRAP 8(a)(1)(A). When determining  
11 whether to grant a request for stay, the Court must consider the following factors:

12 (1) whether the object of the appeal will be defeated if the stay is denied; (2) whether  
13 appellant will suffer irreparable or serious injury if the stay is denied; (3) whether respondent  
14 will suffer irreparable or serious injury if the stay is granted; and (4) whether appellant is likely  
15 to prevail on the merits in the appeal. *Mikohn Gaming Corp. v. McCrea*, 120 Nev. 248, 251, 89  
16 P.3d 36, 38 (2004). No one factor carries more weight than another, but the Nevada Supreme  
17 Court has recognized that if one or two factors are especially favorable to the appellant, they  
18 may counterbalance other weak factors. *See id.* (citing *Hansen v. Eighth Judicial Dist. Court*,  
19 116 Nev. 650, 659, 6 P.3d 982, 987 (2000)).  
20  
21

22 Consideration of these factors weighs heavily in favor of granting June’s request for a  
23 stay of the Orders for Removal of Guardian and Appointing Successor Guardian. If the Court  
24 does not grant the stay and allows the Orders for Removal of Guardian and Appointing Successor  
25 Guardian to be enforced, the potential violation of June’s rights and damage to June’s emotional  
26

---

27  
28 <sup>7</sup> See 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, filed December 6,  
2021 at page 43 on file herein.

1 well-being is serious and irreparable. On the other hand, if the Nevada Supreme Court denies the  
2 relief requested in the Appeal, this Court can easily lift the stay.

3 June is likely to prevail on the merits of her appeal because the failure of this Court to  
4 require a Petition for Removal of Guardian and issuance of a Citation has denied June her right  
5 to object and be heard as provided by the Protected Persons' Bill of Rights, NRS 159.1853 and  
6 NRS 159.1855. Therefore, for these reasons, as discussed in more detail below, this Court should  
7 stay the Orders for Removal of Guardian and Appointing Successor Guardian pending resolution  
8 of the appeal by the Nevada Supreme Court.  
9

### 10 III. ARGUMENT

#### 11 A. The Object of the Appeal Will Be Defeated if the Stay is Denied.

12 The object of the appeal is 1) to prevent the removal of June's preferred guardian, which  
13 occurred without due process; and 2) for the district court to allow June's preferred guardian to  
14 remain pursuant to the Protected Person's Bill of Rights. If this Court denies the stay, June's  
15 rights will continue to be violated; June will be subjected to the removal of her preferred guardian  
16 and forced to instead accept the Court's preferred guardian in violation of this State's person-  
17 centered planning policy. It is, therefore, clear that the object of the appeal will be defeated if the  
18 stay is denied. Accordingly, June clearly prevails on the first factor in NRAP 8(c).  
19  
20  
21

#### 22 B. The Balancing of Potential Harms Favors June.

23 The next two factors in NRAP 8(c) create a balancing test of the potential harms to the  
24 parties should the stay be granted or denied. In this case, the balancing of these factors weighs  
25 heavily in June's favor.  
26

27 On one hand, June, the petitioner, will suffer irreparable or serious injury if this Court  
28 denies the stay of the Orders Removing Guardian and Appointing Successor Guardian.

1 June has been clear about her desire for Kimberly to remain her guardian. Forcing the  
2 removal of Kimberly as guardian, without following the proper procedure as set out in NRS  
3 159.1853 and NRS 159.1855, strips June of her due process rights. Additionally, it violates her  
4 rights as set out in the Protected Person's Bill of Rights including the right to have due  
5 consideration given to her personal desires, to have her preference honored regarding her  
6 residence<sup>8</sup>, to be granted the greatest degree of freedom possible and most importantly, to be  
7 treated with respect and dignity.  
8

9 On the other hand, there is very little, if any, injury to any other parties if the Court grants  
10 the Stay. The only annoyance Robyn might have to endure is the inability to ride roughshod  
11 over June and her wishes.

12 It is clear that June prevails on the next two factors in NRAP 8(c).  
13

14 C. **June is likely to prevail on the merits of her appeal as the Court has ignored**  
15 **the requirements of NRS 159.1853 and NRS 159.1855 denying June the**  
16 **opportunity to object to the removal and present evidence at a properly**  
17 **noticed citation hearing. Further, June is likely to prevail on the merits of**  
18 **her appeal, as the court has not properly scrutinized the successor guardian**  
19 **pursuant to NRS 159.044 and NRS 159.1852.**

20 NRS 159.1853 requires that should one wish to remove a guardian they must file a  
21 petition and state with particularity the reasons for removing the guardian; and show cause for  
22 the removal. NRS 159.1855 requires that once the petitioner files to remove the guardian the  
23 Court **shall** issue and serve a citation on the guardian and on all other interested persons.

24 Although Donna and Robyn may have requested at different hearings throughout the  
25 course of this case to remove Kimberly, they never filed a Petition for Removal as required by  
26 statute. Further, even if the Court could accept oral demands or arguments tacked onto the end

---

27 <sup>8</sup> Kimberly has been residing with June and June wishes for this living arrangement to continue. The Court  
28 prohibited the successor guardian from moving June without permission but it appears the successor guardian has  
found a loophole. The successor guardian, Robyn, is now in the process of evicting Kimberly from the home she  
is sharing with June.

1 of other briefings as a proper petition satisfying NRS 159.1853, removal of a guardian requires  
2 the Court to issue and serve a citation on all interested persons as required by NRS 159.1855.  
3 None of the proper procedures in removing a guardian was followed in this case, in clear  
4 violation of June's statutory rights.

5       The Nevada Legislature amended NRS Chapter 159 regarding adult guardianships in  
6 2017 to move toward a more person-centered model after well-publicized abuses in a  
7 guardianship system that gave protected persons absolutely no voice in matters that concerned  
8 all aspects of their life. These amendments were based on recommendations of the Nevada  
9 Supreme Court's Commission to Study the Administration of Guardianships ("Commission"),  
10 which expressly stated in its Policy Statement of Support "[t]he Commission adopts a policy  
11 statement that the Commission is in favor of acknowledging the purposes and tenets behind  
12 'person-centered planning'..."<sup>9</sup> The Protected Person's Bill of Rights, codified at NRS 159.328  
13 in 2017, reflects the intent of the legislature to give protected persons input into their lives to the  
14 greatest extent possible.  
15

16  
17       This person-centered planning policy means that when a protected person can make  
18 decisions, that are not causing harm to themselves or others, the role of those involved, including  
19 the Court, should be supportive.<sup>10</sup> The Court's preferences, desires, or biases should never  
20 supplant those of a protected person who is able, as June is, to make and communicate their own  
21 wishes. The Court has violated this policy and denied June the right to be involved in the  
22 decision making process by removing the only avenue that would have allowed June's voice to  
23 be heard, the requirement of a Petition and Citation hearing.  
24

25       Further, June is likely to prevail on the Appeal as the Court failed to vet properly the  
26

27  
28 <sup>9</sup> Final Report of Nevada Supreme Court's Commission to Study the Administration of Guardianships in Nevada's  
Courts [Administrative Docket Number 5071, filed September 29, 2016, page 5.

<sup>10</sup> See *Id.* at 215.

1 successor guardian pursuant to NRS 159.044, NRS 159.0613, and NRS 159.1852. Although  
2 Robyn was one of June's temporary guardians from September 23, 2019 through October 15,  
3 2019, it is unclear if she would still qualify. Robyn may no longer qualify if she has been  
4 convicted of a felony or a gross misdemeanor, has filed for protection under the federal  
5 bankruptcy laws, has had her driver's license suspended, revoked or cancelled for nonpayment  
6 of child support, has been suspended from the practice of a profession which requires licensure  
7 or any profession which involves the management or sale of money, investments, securities or  
8 real property, or has had a judgment entered against her for misappropriation of funds or assets.  
9 Further, persons entitled to notice might object to the appointment of Robyn as successor  
10 guardian but were denied an opportunity to do so, just as June was not provided such opportunity.  
11 We cannot know what June and other interested persons would have done if provided the  
12 opportunity to be heard regarding the removal of Kimberly as guardian because the Court wholly  
13 disregarded the statutory process.  
14

15         As the Court has failed to adhere to the statutes regarding the removal of a guardian and  
16 the suitability and qualifications of a proposed successor guardian, it could not have properly  
17 removed Kimberly as guardian nor could it have properly determined that Robyn was suitable  
18 and qualified to serve as successor guardian before appointing her.  
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1  
2 **IV. CONCLUSION**

3 Based on the foregoing, June respectfully requests that this Court stay its Orders  
4 Removing Guardian and Appointing Successor Guardian pending the Nevada Supreme Court's  
5 ruling on the appeal.

6 DATED this 22<sup>nd</sup> day of December 2021.

7  
8 **LEGAL AID CENTER OF  
SOUTHERN NEVADA, INC.**

9 /s/Elizabeth R. Mikesell

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20 *Person*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 22<sup>nd</sup> day of December 2021, I deposited in the United States Mail at Las Vegas, Nevada, a copy of the foregoing document entitled **MOTION TO STAY ORDER FOR REMOVAL OF GUARDIAN AND ORDER APPOINTING SUCCESSOR GENERAL GUARDIAN OF THE PERSON AND ESTATE AND FOR ISSUANCE OF LETTERS OF GENERAL GUARDIANSHIP** in a sealed envelope, mailed regular U.S. mail, upon which first class postage was fully prepaid, addressed to the following:

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